

Planning Commission
Thursday, September 15, 2022
Work Session

5:30 PM Work Session: Parks, Recreation, and Open Space (PROS) Plan Update
6:30 PM Work Session: Short-Term Rentals

HYBRID Meeting
IN PERSON – McMinnville Civic Hall, 200 NE Second Street, or ZOOM Online Meeting

Please note that this is a hybrid meeting that you can join in person at 200 NE Second Street or online via Zoom

ZOOM Meeting: You may join online via the following link:

<https://mcminnvilleoregon.zoom.us/j/83968397647?pwd=UHgyTDd3NDlpMG90MFh4UGh5bXZYdz09>

Meeting ID: 839 6839 7647 Meeting Password: 871029

Or you can call in and listen via zoom: 1 253 215 8782
ID: 839 6839 7647

Public Participation:

Citizen Comments: If you wish to address the Planning Commission on any item not on the agenda, you may respond as the Planning Commission Chair calls for "Citizen Comments."

Public Hearing: To participate in the public hearings, please choose one of the following.

- 1) **Email in advance of the meeting** – Email at any time up to 12 p.m. the day before the meeting to heather.richards@mcminnvilleoregon.gov, that email will be provided to the planning commissioners, lead planning staff and entered into the record at the meeting.
- 2) **By ZOOM at the meeting** - Join the zoom meeting and send a chat directly to Planning Director, Heather Richards, to request to speak indicating which public hearing, and/or use the raise hand feature in zoom to request to speak once called upon by the Planning Commission chairperson. Once your turn is up, we will announce your name and unmute your mic.
- 3) **By telephone at the meeting** – If appearing via telephone only please sign up prior to the meeting by emailing the Planning Director, Heather.Richards@mcminnvilleoregon.gov as the chat function is not available when calling in zoom.

NOTE: The September 15, 2022 Planning Commission meeting includes work sessions only. There are no public hearings on the agenda.

----- MEETING AGENDA ON NEXT PAGE -----

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.

Commission Members	Agenda Items
Sidonie Winfield, Chair	WORK SESSION
Gary Langenwalter Vice - Chair	1. Call to Order
<i>Vacant</i>	2. Work Sessions
Matthew Deppe	A. 5:30 PM – WORK SESSION: PARKS, RECREATION & OPEN SPACE MASTER (PROS) PLAN UPDATE – (Exhibit 1). <i>This work session will be held in the Conference Room. This work session is a public meeting which is open to the public to attend, but it is not a public hearing.</i>
Sylla McClellan	B. 6:30 PM – WORK SESSION: SHORT-TERM RENTALS – (Exhibit 2). <i>This work session will be held in the City Council Chambers. This work session is a public meeting which is open to the public to attend, but it is not a public hearing.</i>
Brian Randall	3. Citizen Comments
Beth Rankin	4. Commissioner/Committee Member Comments
Lori Schanche	5. Staff Comments
Dan Tucholsky	6. Adjournment

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City of McMinnville
Parks and Recreation
600 NE Evans Street
McMinnville, OR 97128
(503) 434-7310

www.mcminnvilleoregon.gov
susan.muir@mcminnvilleoregon.gov

EXHIBIT 1 – STAFF REPORT

DATE: September 15, 2022
TO: Planning Commissioners
FROM: Susan Muir, Parks & Recreation Director
SUBJECT: Parks, Recreation and Open Space Master Plan Update (PROS Plan Update)

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Improve access by identifying and removing barriers to participation

Report in Brief:

This work session is an opportunity to introduce Planning Commissioners to the city's parks and open space planning project. Earlier this year, the City hired [MIG](#) and their team to assist us in updating our guiding document for the parks and open space system. This project will build on the vision and success of the [1999 Parks, Recreation and Open Space Master Plan](#) and build a roadmap for McMinnville's next 20 years of park development, programming, and maintenance. The goal is to have a modern park system plan based on sufficient funding that is grounded in equity.

The purpose of this work session is to:

- Provide an overview of the project, including the process,
- Review the Planning Commission's role in the project,
- Provide a preliminary overview of McMinnville's existing park inventory and park conditions.

Background:

The 1999 PROS Plan did a great job of setting the city up to acquire and develop amazing recreational amenities that enhance our community. And now, 23 years later, it's time for us to refresh the plan, look at new trends in recreation and park design, check in with the community and plan for the next 20 years.

In addition to the Planning Commission and City Council involvement in the legislative land use focused plan components, other stakeholders include:

- The City's [Diversity, Equity and Inclusion Advisory Committee](#) (DEIAC) will act as the project advisory committee in alignment with the city's goal to strive for equity,
- The staff Project Management Team with representatives from Parks & Recreation, Public Works, Planning & the city's Communication & Engagement Manager.
- The community - through a robust public engagement plan designed to bring forward different voices from our community.

Discussion:

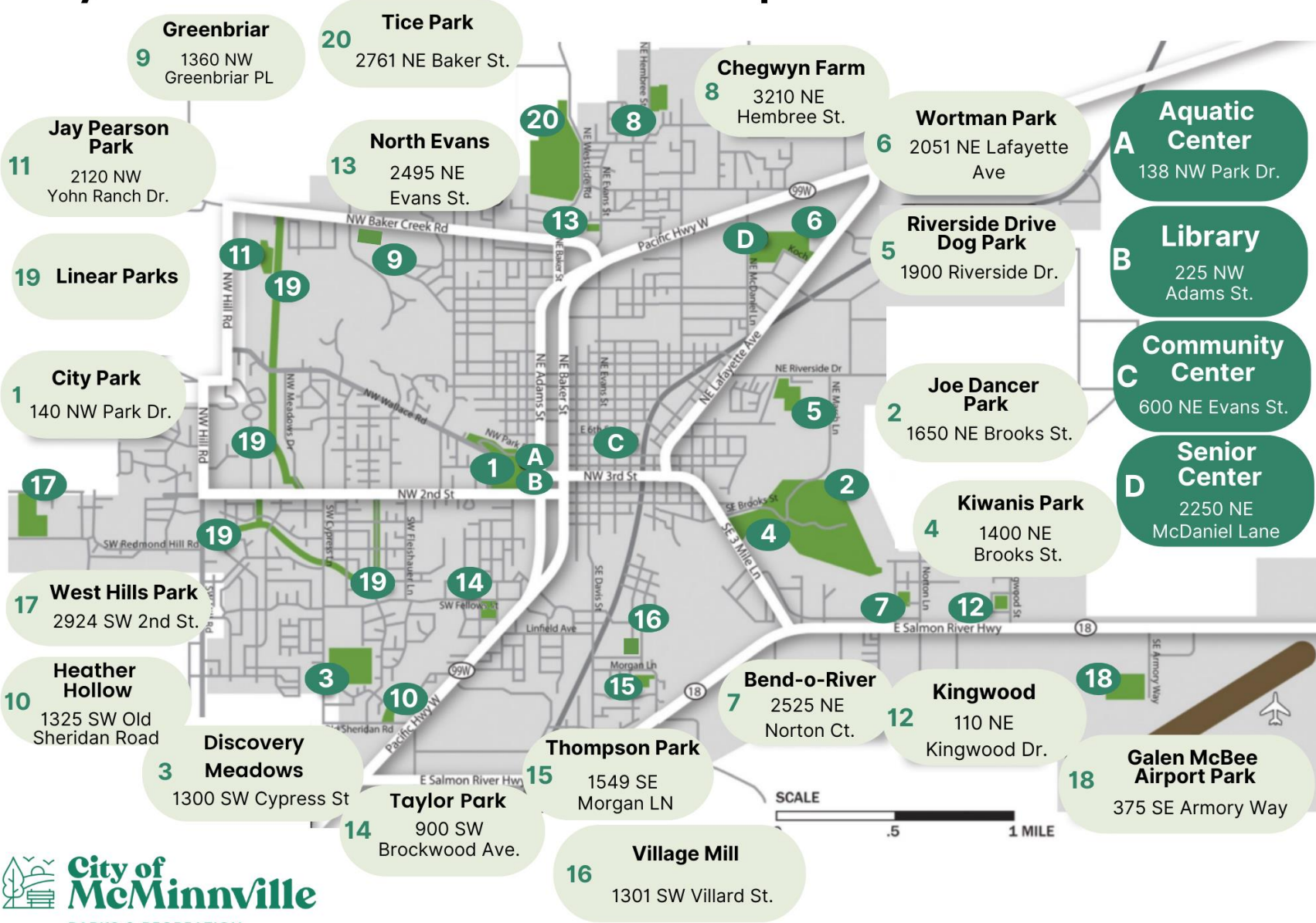
At the work session, the MIG consultant team, led by Jon Pheanis, AICP, will make a presentation and be available to answer any questions about the project.

Several Planning Commissioners attended the optional parks tour on August 11th. For those of you who were unable to attend, Attachment A is a park map and inventory for a self-guided tour of the existing parks system.

Attachment:

A - Parks map and data

City of McMinnville Parks Map



	Community Parks	Address	Acreage	Total Turf Acreage	Paved Path (miles)	Soft Trail (miles)	Pole Lights	Bollards	Benches	Picnic Area (Tables)	Group Picnic Area	Cook Shelter	Parking Lot Spaces	Irrigation System Zones	Drinking Fountains	Restroom Facility	Dog Pot Stations	Wooden Park Name Sign	Play Equipment	S. ball/B. ball/T-ball Field	Soccer Field	Basketball Hoop	Basketball Court	Tennis Court	Skateboard Park	Disc Golf	Horseshoe courts	
1	City Park	140 NW Park Dr.	16.79	7.90	0.75	0.30	45	1	10	20	1	1	76	39	3	1		1	2					4				
2	Dancer Park	1650 NE Brooks St.	107.62	65.00	1.00	1.20	11	4	30	6			538	181	5		2	2	1	11	12	1			1			
3	Discovery Meadows	1300 SW Cypress St.	20.97	11.58	1.00	0.95	43	6	67	26	2	1	82	119	4	1	5	1	1	1		4			1			
4	Kiwanis Park	1400 NE Brooks St.	4.63	0.95	0.25		1	1		2			12	8			1	1										
5	Riverside Drive Dog Park	1900 Riverside Dr.	3.80	1.43	0.34					2			20	20			7	1										
6	Wortman Park	2051 NE Lafayette Av	21.66	15.00	2.00		5	1	10	25	4	1	93	8	4	2	3	1	2	1						1		
	Mini Parks/Playlots																											
7	Bend-o-River	2525 NE Norton Ct.	0.33	0.16	0.05				3					7					1			1						
8	Chegwyn Farm	3210 NE Hembree St.	3.94	3.00	0.45			3	7	9	1			27	1	1	4	1	1			1						
9	Greenbriar	1360 NW Greenbriar Pl	0.23	0.23										1														
10	Heather Hollow	1325 SW Old Sheridan Rd.	3.22	1.80										6														
11	Jay Pearson Park	2120 NW Yohn Ranch Dr.	2.94	2.52	0.32			1	3	6	1			23	1	1		1	1									
12	Kingwood	110 NE Kingwood Dr.	0.58	0.56	0.02									1					1			1						
13	North Evans	2495 NE Evans St.	0.34	0.30	0.04				2					3			1		1									
14	Taylor	900 SW Brockwood Av	0.31	0.21	0.03				1	1				3				1	1									
15	Thompson Park	1549 SE Morgan Ln	2.28	0.92	0.30		1	1	6	7	1		4	15	1	1		1	1				1					1
16	Village Mill	1301 SW Villard St.	0.49	0.44																								
17	West Hills Park	2924 SW 2nd St.	7.77	6.00	0.88				10	3			6	63	1		5	1	1									
	Linear/Trail Parks																											
18	Airport Park	375 SE Armory Way	18.82			1.50	1		4	11			12				1	1										
19	Ash Meadows	750 SW Agee St.	1.29	0.40	0.13		6		1					6														
19	BPA Pathway I	295 NW Meadows Dr.	2.84	1.50	0.63		20	8	5					25			4											
19	BPA Pathway II	1884 NW Cottonwood Dr.	4.23	1.93	0.54		28	7	6					31			7											
19	Goucher St. Pathway	100 SW Goucher St.	1.95	1.70	0.39		11		2					12			2											
19	James Addition	735 SW Agee St.	1.54	1.10	0.12		5		3					9			1		1									
19	Jandina	565 SW Cypress St.	2.25	1.90	0.16		4		2					3			1					1						
19	Jandina III	341 SW Filbert St.	2.78	1.70	0.14		7		2					17			1											
19	Roma Sitton	2365 NW Meadows Dr.	1.69	1.84	0.14			1	2					9			1											
20	Tice Park	2761 NE Baker St.	33.82		0.20	1.00			2				16	7		1		1										
19	Westvale	450 SW Westvale St.	3.70	3.20	0.25		6		3					11			1											



EXHIBIT 2 – STAFF REPORT

DATE: September 15, 2022
TO: Planning Commission Members
FROM: Heather Richards, Community Development Director
SUBJECT: Short-Term Rentals – McMinnville Municipal Code

STRATEGIC PRIORITY & GOAL:



HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM)
Create diverse housing opportunities that support great neighborhoods.

Report in Brief:

This is a work session to discuss the McMinnville Municipal Code relative to short-term rentals.

Background:

The McMinnville City Council has enacted a moratorium on short term rental permits from September 1, 2022 to December 29, 2022 while the Planning Commission and Planning Department staff re-evaluate the McMinnville Municipal Code as it pertains to permitting Short-Term Rentals. (Please see attached Ordinance No. 5118, Short Term Rental Moratorium Ordinance). This action was based primarily on the fact that several residential neighborhoods, especially those closer to the downtown area, are experiencing an increasing number of short terms rentals in their neighborhoods causing residents to become concerned about the quality of life, health, safety and community interaction within the neighborhoods.

Current Code Provisions:

Lodging is represented in many forms in McMinnville. In commercial zones (C1, C2 and C3), lodging is an allowed outright use and does not need any permits. Any rooms rented for short-term stays (30 days or less) are considered lodging.

In McMinnville’s residential zones (R1, R2, R3, R4 and OR) lodging is allowed in the form of Short-Term Rentals and Resident Occupied Short-Term Rentals. Both Short-Term Rentals and Resident Occupied Short-Term Rentals are only allowed with a Type 2 permit. Type 2 permits are permits based on clear and objective standards and reviewed by planning staff but with notification to surrounding property owners. Please see attached Resident-Occupied Short Term Rental code provisions and Short Term Rental code provisions. The primary difference between the criteria

for Resident-Occupied Short Term Rental permit criteria and Short Term Rental permit criteria is the 200 foot spacing standard (property line to property line) that is a provision for Short Term Rentals, the requirement for a neighborhood meeting for a Short Term Rental, and the requirement for one off-street parking space per bedroom for Short Term Rentals versus one off-street parking space per guest bedroom of a Resident-Occupied Short Term Rental.

When the McMinnville Planning Commission last evaluated and amended the McMinnville Municipal Code relative to Short Term Rentals in 2018, they wanted to make it easier to permit Resident-Occupied Short Term Rentals and encourage them in commercial zones rather than residential zones.

History of Dialogue:

Short Term Rental permits have been an active dialogue in McMinnville for many years.

- In 2008, the City approved Ordinance No. 4902, adopting regulations that allowed vacation home rentals in residential zones and the office-residential zone as conditional use permits. At this time the permit was permanent and a 660-foot buffer from other vacation home rentals was required.
- In 2012, the City removed the spacing buffer between vacation home rentals largely because the Planning Department had not received any complaints about vacation home rentals in the four years since they were initially allowed.
- In 2014, the City amended the code to transfer the approval of vacation home rentals from the Planning Commission to the Planning Director. At this time they became a Type I permit and not a conditional use permit.
- In 2017, a neighborhood approached the Planning Commission about reconsidering the vacation home rental codes as their neighborhood, which was a historic neighborhood in close proximity to the downtown had seen many homes converted to vacation home rentals recently. The Planning Commission hosted four work sessions and a public hearing and made a recommendation to differentiate between Short Term Rentals where the whole home was rented out as lodging and Resident Occupied Short Term Rentals where the occupant of the home rented out a room as lodging. They also recommended reinstating the 200-foot spacing buffer between Short Term Rentals. This recommendation was adopted by Ordinance No. 5047 on April 10, 2018, and became effective on May 10, 2018.

McMinnville Data for Short Term Rentals:

Below is the data for permitted Short Term Rentals in McMinnville, meaning only those within the residential zones (R1, R2, R3, R4, OR). Short Term Rentals are only allowed in single-dwelling units, common wall single dwelling units (Townhomes) and accessory dwelling units (ADUs). Only one short term rental is allowed per property (ie either ADU or primary dwelling unit) and the spacing standard applies to the property (ie if an ADU or a primary dwelling unit is a permitted short term rental, another short term rental would not be permitted within 200 feet of that property (property line to property line).

Currently, there are 68 permitted short-term rentals in residential zones in McMinnville and 29 permitted Resident Occupied Short Term Rentals. For perspective, there are approximately

13,000 housing units in McMinnville (including multi-family and housing in commercial zones). However, most of the Short-Term Rental permits are still in the neighborhoods closest to the downtown (please see attached map), and in the past nine months sixteen Short Term Rental permits have been issued, compared to an average of five new permits per year previously. There are three additional pending Short Term Rental permit applications as of September 9, 2022 (all submitted prior to the August 2 deadline).

Discussion:

Commissioner Sylla McClellan and Sidonie Winfield have been researching short term rental policies in other communities and have drafted some code provisions for the Planning Commission's consideration.

Below are their notes from other communities. Please see attachment for a similar comparison that was conducted in 2018.

Astoria –

- As of 2019, no STRs are allowed in R2, R3 zone and only conditionally in R1 (conditions are impact on neighborhood). Anything that complied prior to 2019 has been grandfathered in, as long as the property was brought up to current compliance standards.
- Astoria has "Homestay Lodging Licenses".
- Home is required to be owner occupied and their primary residence.
- There is no minimum distance requirement.
- No STR's allowed in an ADU.
- You can rent out up to 2 rooms per home, anything more is then classified as a B and B and has different requirements. No kitchen area allowed. If there is a kitchen it is considered a full dwelling and is not allowed as a homestay lodging unit.
- In commercial zones existing dwellings cannot be converted to STR, regardless of zoning. New build is ok.
- The planner in Astoria emphasized how critical it is to have extremely defined code enforcement and processes. Make the process clear for the city to track and enforce as well as for tax collection.

Hood River –

- Requires proof of residency.
- One hard surfaced off-street parking spot for every two bedrooms.
- Proof of Garbage service.
- Also requires an inspection provided by a licensed inspector.
- "A hosted homeshare or vacation home rental is only permitted when it is an accessory use to the existing and continued residential use of a dwelling as the primary residence of the property owner. Proof of primary residence shall be provided in accordance with Chapter 5.10 of the Hood River Municipal Code."

- Accessory use of a primary residence as a hosted homeshare or vacation home rental is limited to a total of ninety (90) days per calendar year.”

Bend –

- All operators must obtain an STR Operating License. – has strict deadlines for application timelines and fees associated with missed/late filing.
- 250 ft radius between listings
A permit is required for each dwelling unit that is allowed to be a short-term rental even if located on the same legal lot (like a main house and an adu).
- Two types of STR: For Fiscal Year 2021 (July 1, 2021 - June 30, 2022), the application fee for a Type I Short Term Rental permit is \$735 and for a Type II (whole house) Short Term Rental permit is \$2,045.
- *Type II Whole House Applications include:*
Whole houses used as a short term rentals (with no time frame restrictions) within the following zoning districts:
 - Residential
 - Mixed Use Riverfront (outside of the Old Mill District boundaries)
- *Type I Applications include:*
Whole houses used as a short term rentals (with no time frame restrictions) within the following zoning districts:
 - Commercial
 - Mixed Use Riverfront (within the Old Mill District boundaries)
 - Mixed Employment zoning districts.
 Owner-occupied short term rental of up to two rooms within the following zoning districts:
 - Residential
 - Commercial
 - Mixed-Use
 Infrequent Short Term Rentals (available for rent fewer than 30 days in a calendar year and no more than 4 rental periods) in the following zoning districts:
 - Residential Mixed Use Riverfront zone (outside of the Old Mill District boundaries)

Ashland

- Calls these “accessory travelers’ accommodation”.
- They only require one off-street parking spot per accommodation.

Manzanita –

- Currently has a 17.5% cap on STRs in residential zoning.
- There is a moratorium on new permits because of a building boom – the fear being that new construction would add to the STR market instead of the housing market.

Napa, CA –

- Hosted and non-hosted vacation rentals require a permit.
- There is currently a wait list to acquire a permit.

- Currently 41 permitted “non-hosted” vacation rentals (in the city limits).
- They have a wait list of 34 applicants. The wait list is reviewed annually.
- Maximum number of hosted is 60.
- Applications for permits and to be placed on the wait list are only accepted during a particular time. They will not be held by the city

Comparison with McMinnville’s Standards:

- Currently in McMinnville, STRs in residential zoning are required to be permitted. There are no limits to the numbers of permits that can be issued except that STRs must not be within 200 feet of each other (STRs in commercial zones are excluded from this parameter).
- Current safety requirements seem in keeping with other cities (smoke detectors, etc.). Some communities require the listing include information regarding hospitals and urgent care facilities.

General Trends and Ideas from Other Communities:

- Several communities require inspections by professional home and safety inspectors. These inspections must be completed annually as part of the renewal process. The idea being that hotels are required to meet accepted safety standards and regular inspections. STRs acting in a hotel-like capacity should be required to meet the same/similar standards.
- Local and state lodging taxes must be charged and then paid. Clear enforcement processes enable enforcement so the city receives monies due.
- Some communities require the permit number to be in the STR listing on AirBnb, VRBO or whatever platform is used. Some also require a copy of the permit to be prominently displayed in the home.
- Some communities only enforce their rules when complaints are issued. Others (Manzanita) use webscraping companies to track compliance and issue fees and cancel permits to those who are not compliant. Astoria strictly enforces their codes – a staff person checks listing websites and will send a letter explaining the code violation and follow-up if necessary.
- Several communities have wait-lists for permits (Napa, Manzanita)
- Manzanita allows unrestricted STRs in a downtown zoning area (close-in to Laneda Ave.).
- Most cities require one off-street parking spot per bedroom. This varies when the home is owner occupied.

- Several communities require a physical inspection of the unit by someone from the city. Should the property need to be reinspected, there is sometimes an inspection fee.

RECOMMENDATIONS TO CONSIDER:

Below are the recommendations from Commissioner McClellan and Commissioner Winfield for the Planning Commission to consider:

STR guidelines proposal for discussion.

1. STR is defined as a dwelling unit and one permit will be issued per property (tax lot? Not sure how to define this?). If an ADU is on the property and the permit is issued for the ADU, the home cannot be listed as an STR.
(Staff note: this provision is in the current code.)
2. An inspection of the permitted property is required. This inspection would be performed by code enforcement. Standards would be the same that are currently required for a long-term rental unit.
(Staff note: the City has adopted the International Property Maintenance Code that establishes a minimum standard of habitability for dwelling units.)
3. A local person (or property manager's) contact information must be provided.
(Staff note: this provision is in the current code.)
4. All city and state taxes must be remitted in a timely manner.
5. Permitted properties cannot be within 600 feet of one another.
6. There is a limit to how many properties can be permitted (this limit could be defined by an actual number or a percentage of residences within the city limits).
7. Existing permits would not pass-through to new owners should the property change ownership.
(Staff note: this provision is in the current code.)
8. Establish a moratorium so these rules cannot be changed for five years.
9. These same rules would apply to STRs in commercial zones (not sure about this?)
10. Operations without current permits will receive a warning letter and then be fined.
(Staff note: currently they are shut down and need to get a permit prior to resuming operations)
11. STR guidelines will be easier to find on the city's website.

Other ideas to consider:

1. The permit number is required to be part of the listing (AirBnB, VRBO, [booking.com](https://www.booking.com), etc) for the STR.
2. A sign with the permit number is to be displayed near the front door.
3. Commercial zoning STRs – set a maximum number of rooms. If over this number, the property becomes a B & B or falls under the codes for lodging.
4. Commercial zoning space limits apply? Is the permit for the property or per dwelling unit?

Attachments:

Attachment A: Current Short Term Rental Code

Attachment B: Current Resident-Occupied Short Term Rental Code

Attachment C: Other Code Provisions That Impact Short-Term Rentals

Attachment D: Map of Short Term Rentals in McMinnville (September 9, 2022)

Attachment E: Comparison of 11 Other Communities (2018)

Attachment F: Short Term Rental Moratorium Ordinance

Attachment G: Public Testimony Received for Short Term Rental Moratorium Ordinance

Attachment H: Public Testimony Received from Affordable Housing Committee

SHORT TERM RENTALS – CITY OF MCMINNVILLE

Short term rental, subject to the provisions of Section 17.72.110 and the following standards:

1. Short term rentals shall not be located within 200 feet of another short term rental, or on the same property as another short term rental.
2. Short term rentals shall be allowed in single dwellings, common-wall single dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a residence.
3. That a minimum of one off-street parking space be provided for each guest room.
4. That signage is limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three (3) square feet of face area.
5. That the duration of each guest’s stay at the residence be limited to no more than 30 (thirty) consecutive days.
6. That smoke detectors be provided as per the requirements for “lodging houses” in Ordinance No. 3997.
7. That the property owner shall live within the geographic area of the 97128 zip code or shall provide contact information of a person living within the geographic area of the 97128 zip code who shall be available to respond immediately to any emergency or complaint related to the short term rental.
8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or
 - b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.

10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Planning Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use. (Ord. 5104 §2, 2021; Ord. 5047 §2, 2018; Ord. 5040 §2, 2017; Ord. 4988 §1, 2015; Ord. 4984 §1, 2014; Ord. 4952 §1, 2012; Ord. 4912 §3, 2009; Ord. 4796 §1, 2003; Ord. 4564 §2, §3, 1994; Ord. 4534 §5(part), §7(part), 1993; Ord. 4499 §1, 1991; Ord. 4477 §1, 1990; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

RESIDENT OCCUPIED SHORT TERM RENTALS – CITY OF MCMINNVILLE

Resident occupied short term rental, subject to the provisions of Section 17.72.110 and the following standards:

1. Resident occupied short term rentals shall be allowed in single dwellings, common-wall single dwellings, and accessory dwelling units (ADUs). The structure shall retain the characteristics of a single dwelling residence.
2. That the establishment be occupied full-time by a resident.
3. That no more than two guest sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of five travelers or transients at any one time.
4. That a minimum of one off-street parking space be provided for the two permitted guest sleeping rooms. The required off-street guest parking may be provided on an existing parking lot located within 200 feet of the short term rental.
5. That signing be limited to only one non-illuminated or incidentally illuminated wooden sign not exceeding three square feet of face area.
6. That the duration of each guest's stay at the short term rental be limited to no more than 30 (thirty) consecutive days.
7. That smoke detectors be provided as per the requirements for "lodging houses" in Ordinance No. 3997 of this code;
8. Permits shall be issued to the current property owner at the time of application. Permits do not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property will become void. The use of the subject property as a short term rental by the new owner will again be subject to the application and review procedures in Section 17.72.110. The following situations are not deemed to be a change in ownership for the purposes of this section:
 - a. Transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust; or
 - b. Transfer of ownership pursuant to a will or bequest upon the death of the owner.
9. Permits must be renewed annually. Failure to renew the short term rental permit annually will result in the permit becoming void, and the use of the subject property as a short term rental will again be subject to the application and review procedures in Section 17.72.110.

10. Complaints on conditions 1 through 9 above will be reviewed by the Planning Commission at a public hearing. The Commission will review complaints based on the criteria listed in Sections 17.74.030 and 17.74.040 of the zoning ordinance. If the short term rental is found to be in violation of the criteria, the Planning Commission may terminate the use.

OTHER CODE PROVISIONS THAT PERTAIN TO SHORT TERM RENTALS

17.72.095 Neighborhood Meetings.

- A. A neighborhood meeting shall be required for:
 - 1. All applications that require a public hearing as described in Section 17.72.120, except that neighborhood meetings are not required for the following applications:
 - a. Comprehensive plan text amendment; or
 - b. Zoning ordinance text amendment; or
 - c. Appeal of a Planning Director's decision; or
 - d. Application with Director's decision for which a public hearing is requested.
 - 2. Tentative Subdivisions (up to 10 lots)
 - 3. Short Term Rental
- B. Schedule of Meeting.
 - 1. The applicant is required to hold one neighborhood meeting prior to submitting a land use application for a specific site. Additional meetings may be held at the applicant's discretion.
 - 2. Land use applications shall be submitted to the City within 180 calendar days of the neighborhood meeting. If an application is not submitted in this time frame, the applicant shall be required to hold a new neighborhood meeting.
- C. Meeting Location and Time.
 - 1. Neighborhood meetings shall be held at a location within the city limits of the City of McMinnville.
 - 2. The meeting shall be held at a location that is open to the public and must be ADA accessible.
 - 3. An 8 ½ x 11" sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state that the meeting is open to the public and that interested persons are invited to attend.
 - 4. The starting time for the meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes after the scheduled starting time for the neighborhood meeting, the applicant may leave.
- D. Mailed Notice.
 - 1. The applicant shall mail written notice of the neighborhood meeting to surrounding property owners. The notices shall be mailed to property owners within certain distances of the exterior boundary of the subject property. The notification distances shall be the same as the distances used for the property owner notices for the specific land use application that will eventually be applied for, as described in Section 17.72.110 and Section 17.72.120.
 - 2. Notice shall be mailed not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.

3. An official list for the mailed notice may be obtained from the City of McMinnville for an applicable fee and within 5 business days. A mailing list may also be obtained from other sources such as a title company, provided that the list shall be based on the most recent tax assessment rolls of the Yamhill County Department of Assessment and Taxation. A mailing list is valid for use up to 45 calendar days from the date the mailing list was generated.
 4. The mailed notice shall:
 - a. State the date, time and location of the neighborhood meeting and invite people for a conversation on the proposal.
 - b. Briefly describe the nature of the proposal (i.e., approximate number of lots or units, housing types, approximate building dimensions and heights, and proposed land use request).
 - c. Include a copy of the tax map or a GIS map that clearly identifies the location of the proposed development.
 - d. Include a conceptual site plan.
 5. The City of McMinnville Planning Department shall be included as a recipient of the mailed notice of the neighborhood meeting.
 6. Failure of a property owner to receive mailed notice shall not invalidate the neighborhood meeting proceedings.
- E. Posted Notice.
1. The applicant shall also provide notice of the meeting by posting one 18 x 24" waterproof sign on each frontage of the subject property not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.
 2. The sign(s) shall be posted within 20 feet of the adjacent right-of-way and must be easily viewable and readable from the right-of-way.
 3. It is the applicant's responsibility to post the sign, to ensure that the sign remains posted until the meeting, and to remove it following the meeting.
 4. If the posted sign is inadvertently removed (i.e., by weather, vandals, etc.), that shall not invalidate the neighborhood meeting proceedings.
- F. Meeting Agenda.
1. The overall format of the neighborhood meeting shall be at the discretion of the applicant.
 2. At a minimum, the applicant shall include the following components in the neighborhood meeting agenda:
 - a. An opportunity for attendees to view the conceptual site plan;
 - b. A description of the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities, proposed building size and height, proposed access and parking, and proposed landscaping, buffering, and/or protection of natural resources;
 - c. An opportunity for attendees to speak at the meeting and ask questions of the applicant. The applicant shall allow attendees to identify any issues that they believe should be addressed.

- G. Evidence of Compliance. In order for a land use application that requires a neighborhood meeting to be deemed complete, the following evidence shall be submitted with the land use application:
1. A copy of the meeting notice mailed to surrounding property owners;
 2. A copy of the mailing list used to send the meeting notices;
 3. One photograph for each waterproof sign posted on the subject site, taken from the adjacent right-of-way;
 4. One 8 ½ x 11" copy of the materials presented by the applicant at the neighborhood meeting; and
 5. Notes of the meeting, which shall include:
 - a. Meeting date;
 - b. Meeting time and location;
 - c. The names and addresses of those attending;
 - d. A summary of oral and written comments received; and
 - e. A summary of any revisions made to the proposal based on comments received at the meeting. (Ord. 5047, §2, 2018, Ord. 5045 §2, 2017).

17.72.110 Applications – Director’s Review with Notification.

The following applications shall be submitted as stated above in Section 17.72.020 and shall be reviewed by the Planning Director or designee.

- Administrative Variance
- Classification of an Unlisted Use
- Downtown Design Review (major alterations or waivers, reviewed by Historic Landmarks Committee)
- Large Format Commercial Development (variation to standard)
- Resident Occupied Short Term Rental
- Short Term Rental
- Tentative Partition
- Tentative Subdivision (up to 10 lots)
- Three Mile Lane Design Review
- Transitional Parking Permit

A. Notice of the request shall be provided to owners of property within 100 feet of the site for which the application is made. For applications involving classification of an unlisted use, the only notification provided shall be that published in a newspaper of general circulation a minimum of 14 (fourteen) days prior to a decision being rendered. Notices for applications listed in Section 17.72.110 shall:

1. Provide a 14 (fourteen) day period for submission of written comments prior to the decision;
2. State that issues which may provide the basis for an appeal to the Land Use Board of appeals (LUBA) shall be raised in writing prior to the expiration of the comment period. Issues shall be raised with sufficient specificity to enable the decision maker to respond to the issue;
3. List, by commonly used citation, the applicable criteria for the decision;

4. Set forth the street address or other easily understood geographical reference to the subject property;
 5. State the place, date and time that comments are due;
 6. State that copies of all evidence relied upon by the applicant are available for review, and that copies can be obtained at cost;
 7. Include the name and phone number of a local government contact person;
 8. Provide notice of the decision to the applicant and any person who submits comments under subparagraph (A) of this paragraph. The notice of decision must include an explanation of appeal rights; and
 9. Briefly summarize the local decision making process for the land use decision being made.
- B. During the 14 (fourteen) day comment period, a person who has received notice may request a public hearing following the procedure as outlined in Section 17.72.120.
- C. The Director or designee shall make a decision for the above applications within 30 (thirty) days following the close of the 14 (fourteen) day comment period. The Director's decision may be appealed as outlined in Section 17.72.170. (Ord. 5047 §2, 2108, Ord. 5034 §2, 2017; Ord. 4984 §1, 2014).

17.60.060 OFF STREET PARKING Spaces. Number required.

Residential land use category:

- | | |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Bed and breakfast establishments | One space for the first two guest sleeping rooms and an additional space for each additional guest sleeping room. |
| 2. Fraternity, sorority, cooperative, or dormitory | One space per two sleeping accommodations. |
| 3. Multiple dwelling | One and one-half spaces per dwelling with less than three bedrooms, two spaces per dwelling unit with three or more bedrooms, and one space per dwelling unit which is expressly reserved for senior or handicapped persons. |
| 4. Single detached | Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms. |

5. Short-Term Rental and Resident Occupied Short-Term Rental.

Short Term Rental = One space for each guest room; Resident Occupied Short-Term Rental = one space per two permitted guest rooms.

6. Middle Housing – Duplexes, Triplexes, Quadplexes, Cottage Clusters, Townhomes, Tiny Homes

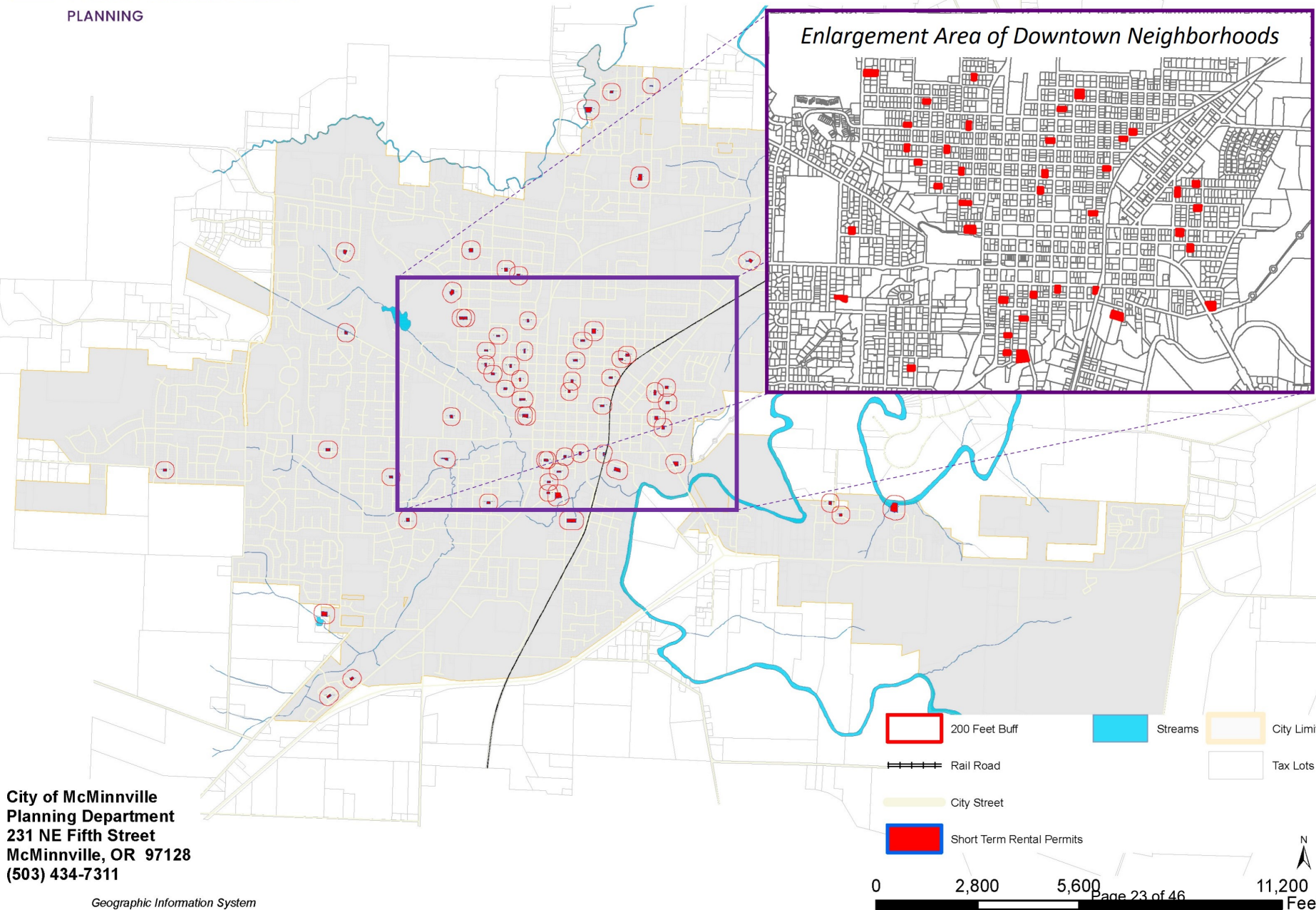
One space per dwelling unit.

7. Single Room Occupany Housing (SRO)

One space per three SRO living units plus one space per two employee on the largest shift, but not less than two spaces plus one space per vehicle used in the operation of the SRO.

8. Affordable Housing – Two-bedroom or less, serving households of 80% Area Median Income (AMI) or less (AMI is calculated per Yamhill County as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development.) Income levels will need to be certified.

0.5 spaces per dwelling unit. Property owner must agree to have the units identified that are serving households of 80% AMI or less to be deed restricted for that type of housing for at least 20 years. The deed restriction must be recorded on the property at the expense of the property owner. Language of the recorded document to be approved by the Planning Director.



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

Geographic Information System

0 2,800 5,600 11,200 Feet
Page 23 of 46

Map Showing All Current Short Term Rental Permits | As of September 09, 2022: Permit No. STR 16-22

COMPARISON OF ELEVEN OTHER OREGON CITIES												
	McMinnville	Ashland	Bend	Depoe Bay	Hood River	Joseph	Eugene	Lincoln City	Manzanita	Rockaway Beach	Seaside	Sisters
VHR Spacing Requirement	No spacing requirement	No spacing requirement	250 feet unless modified by overlays	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement	No spacing requirement
Parking	One off-street space for each guest room	One off-street parking space per VHR	One off-street space for each guest room		One off-street parking space for each two guest rooms	One off-street parking space per VHR			Two off-street parking spaces per VHR		Two off-street parking spaces + one for each additional bedroom	
Other Site Regulations		Within 200 feet of a Collector or Arterial										
Structural Regulations		Residence must be at least 20 years old										
Other Regulations				4-Year Amortized Period		3-Year review prior to permanent approval	3-Year review prior to permanent approval		Limited to 17.5% of DUs in each zone		50% or required yards must be landscaped	

Vacation Home Rentals (VHRs) / Short Term Rentals (STRs)					
Topic	McMinnville	Eugene	Bend ¹	Ashland ²	Manzanita ³
Definition	<ul style="list-style-type: none"> - VHR: Whole house rented for less than 21 days - Bed & Breakfast: Owner-occupied dwelling w/ individual bedrooms rented 	<ul style="list-style-type: none"> - STR is any home rented for less than 30 days - Allowed in any residential dwelling unit, including secondary dwelling units (similar to accessory dwelling units) 	<ul style="list-style-type: none"> - Infrequent STR: Whole house rented a max. of 30 days per year - Owner Occupied STR: Up to 2 bedrooms rented - Whole House STR in Commercial Zone or Residential Zone: Whole house rented for over 30 days per year - Allowed in any type of dwelling unit 	<ul style="list-style-type: none"> - Travelers' Accommodation: Lodging in a residential zone that can be a room, rooms, or dwellings - Accessory Travelers' Accommodation: Lodging in a residential zone where the property owner resides in a dwelling and rents no more than 2 bedrooms 	<ul style="list-style-type: none"> - STR is a dwelling unit rented for less than 30 nights - STR can be a single dwelling on a single property, or a single dwelling unit within a duplex on a single property
License Required?	Yes	No	Yes	Conditional Use Permit required	Yes
Application/License Fees	<ul style="list-style-type: none"> - Application: \$150 - Renewal Fee: \$25 	N/A	<ul style="list-style-type: none"> - Application: \$673 (Type I) or \$1,873 (Type II) - Renewal Fee: \$75 	<ul style="list-style-type: none"> - CUP Application: \$2,099 	<ul style="list-style-type: none"> - Application Fee: \$75 - Annual License Fee: \$250
Lodging Tax?	Yes	Yes	Yes	Yes	Yes
Application Process	<ul style="list-style-type: none"> - Land Use Application reviewed and approved by Planning Director 	None	<ul style="list-style-type: none"> - Land Use Application reviewed and approved by Planning Director 	<ul style="list-style-type: none"> - Land Use Application - Public hearing held and decision made by Planning Commission 	<ul style="list-style-type: none"> - Number of STR licenses limited to 17.5% of dwelling units in the zones STRs are allowed - Individuals can hold only 1 license - Waiting list available for licenses, and licenses transferred to owner that has been on waiting list longest
Areas/Zones Allowed	<ul style="list-style-type: none"> - All Residential zones and O-R zone as permitted uses 	<ul style="list-style-type: none"> - All residential zones 	<ul style="list-style-type: none"> - All residential zones 	<ul style="list-style-type: none"> - R-2 and R-3 zones (multi-family residential zones) as conditional use 	<ul style="list-style-type: none"> - R-2, R-3, and SR-R zones (roughly 75% of residentially zoned land)
Locational Requirements	<ul style="list-style-type: none"> - None 	<ul style="list-style-type: none"> - None 	<ul style="list-style-type: none"> - Whole House STRs in residential zones have a concentration limit of 250 feet from any other existing STR 	<ul style="list-style-type: none"> - Travelers' Accommodations must be within 200 feet of a major roadway (specific types defined) 	<ul style="list-style-type: none"> - None
Design Standards	<ul style="list-style-type: none"> - Structure must be designed for and occupied as a single-family residence - Structure shall retain characteristics of single-family residence 	<ul style="list-style-type: none"> - None 	<ul style="list-style-type: none"> - None 	<ul style="list-style-type: none"> - Primary residence on the site must be at least 20 years old - Conditional Use Review Criteria related to mitigating impacts on livability in surrounding area must be achieved 	<ul style="list-style-type: none"> - None
Operational Requirements	<ul style="list-style-type: none"> - Bed & Breakfasts: Must be owner-occupied - Bed & Breakfasts: Duration of stay limited to no more than 7 days - VHRs: Duration of stay limited to less than 21 days - Occupancy limit of 5 unrelated people per site 	<ul style="list-style-type: none"> - Duration of stay limited to 30 days or less - Occupancy limit of 5 unrelated people per dwelling 	<ul style="list-style-type: none"> - Duration of stay limited to 30 days - Occupancy limited to 2 persons per bedroom plus 2 additional persons 	<ul style="list-style-type: none"> - Duration of stay limited to 30 days - Both types must be owner-occupied - Accessory Travelers' Accommodations can have only 1 rental unit of 2 bedrooms max 	<ul style="list-style-type: none"> - Duration of stay limited to 30 days - Licenses issued to owners and do not transfer with sale of property to new owner - Licenses automatically revoked if quarterly lodging tax report not received or if no rental income reported for period of 9 months

¹ Bend Development Code 3.6.500

² Ashland Municipal Code 18.2.3.220

³ Manzanita Ordinance 10-03 and Ordinance 95-4. Percentage cap is based on the ratio of registered STRs to the total number of dwelling units in the zones allowed as of the date the percentage cap was established.

ORDINANCE NO. 5118

AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF SHORT-TERM RENTAL PERMITS FROM SEPTEMBER 1, 2022 TO DECEMBER 29, 2022.

RECITALS:

WHEREAS, McMinnville is experiencing severe constraints in housing land supply which is leading to a deficit in housing units being built in the community to meet housing demand. With a lack of supply and significant demand, housing prices have escalated exponentially in the past couple of years; and

WHEREAS, At the same time, tourism has increased in McMinnville exponentially as well. Increased housing prices and increased demand for tourism lodging has led to a greater than normal demand on housing to be leveraged as short-term rentals; and

WHEREAS, Residential neighborhoods are experiencing an increasing amount of short term rentals causing residents to become concerned about the quality of life, health, safety and community interaction within the neighborhoods; and

WHEREAS, McMinnville’s zoning ordinance currently has a spacing separation of 200’ between short term rentals. This has proven to be too much density of short-term rentals in some neighborhoods. The City would like to evaluate the impacts of short-term rentals on residential neighborhoods during the moratorium and recommend solutions for moving forward.

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That a moratorium on the issuance of Short Term Rental Permits from September 1, 2022 to December 29, 2022 is necessary per the findings in Exhibit A to this Ordinance.
2. That pending complete applications provided by August 1, 2022 will be processed.
3. This Ordinance will take effect 30 days after passage by the City Council.

Passed by the McMinnville City Council this 12th day of July 2022 by the following votes:

Ayes: Geary, Menke, Chenoweth, Payne

Nays: _____

ADL

MAYOR

Approved as to form:

Walter Stewart

City Attorney

Attest:

Claudia Cisneros

City Recorder

EXHIBITS:

- A. Short Term Rental Moratorium Findings

EXHIBIT A to Ordinance No. 5118: FINDINGS FOR SHORT TERM RENTAL MORATORIUM

Per ORS 197.520, the City finds that:

- (1) No city, county or special district may adopt a moratorium on construction or land development unless it first:
 - (a) Provides written notice to the Department of Land Conservation and Development at least 45 days prior to the final public hearing to be held to consider the adoption of the moratorium;

FINDING - SATISFIED: Notice was provided to the Department of Land Conservation and Development on May 27, 2022 for a first evidentiary public hearing on July 12, 2022.

- (b) Makes written findings justifying the need for the moratorium in the manner provided for in this section; and

FINDING - SATISFIED: Exhibit A of Ordinance No. 5188 provides written findings.

- (c) Holds a public hearing on the adoption of the moratorium and the findings which support the moratorium.

FINDING - SATISFIED: A public hearing was conducted on July 12, 2022 and was duly noticed in the local newspaper on July 1 and July 5, 2022.

- (2) For urban or urbanizable land, a moratorium may be justified by demonstration of a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. Such a demonstration shall be based upon reasonably available information, and shall include, but need not be limited to, findings:

- (a) Showing the extent of need beyond the estimated capacity of existing public facilities expected to result from new land development, including identification of any public facilities currently operating beyond capacity, and the portion of such capacity already committed to development;
 - (b) That the moratorium is reasonably limited to those areas of the city, county or special district where a shortage of key public facilities would otherwise occur; and

- (D) That the city, county or special district has determined that the public harm which would be caused by failure to impose a moratorium outweighs the adverse effects on other affected local governments, including shifts in demand for housing or economic development, public facilities and services and buildable lands, and the overall impact of the moratorium on population distribution; and

FINDING - SATISFIED: The public harm that could be caused by failure to impose a moratorium outweighs any possible adverse effects on the community, and that the moratorium will not result in an adverse shift in demand for housing, economic development, public facilities and services on buildable lands.

- (E) That the city, county or special district proposing the moratorium has determined that sufficient resources are available to complete the development of needed interim or permanent changes in plans, regulations or procedures within the period of effectiveness of the moratorium.

FINDING - SATISFIED: The City has sufficient resources available to complete the development of needed interim or permanent changes in plans, regulations or procedures within the period of effectiveness of this moratorium. Evaluation of the code regulations for Short-Term Rentals will be added to the Planning Department's work plan over the next four months.

- (b) For rural land:

- (A) That application of existing development ordinances or regulations and other applicable law is inadequate to prevent irrevocable public harm from development in affected geographical areas;
- (B) Stating the reasons alternative methods of achieving the objectives of the moratorium are unsatisfactory;
- (C) That the moratorium is sufficiently limited to ensure that lots or parcels outside the affected geographical areas are not unreasonably restricted by the adoption of the moratorium; and
- (D) That the city, county or special district proposing the moratorium has developed a work plan and time schedule for achieving the objectives of the moratorium.

FINDING - NOT APPLICABLE

- (4) No moratorium adopted under subsection (3)(a) of this section shall be effective for a period longer than 120 days, but such a moratorium may be extended provided the city, county or special district adopting the moratorium holds a public hearing on the proposed extension and adopts written findings that:



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: July 5, 2022
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Public Testimony for Short Term Rental Moratorium

Mayor and Councilors,

Following is the public testimony that has been received up until July 5, 2022, for the Short Term Rental Moratorium public hearing on July 12, 2022. If we receive any additional testimony prior to the public hearing, we will forward it to you and enter it into the public record.

Public Testimony:

- Letter from Judy and Brad Lunt, 05.28.22
- Letter from Philip and Kathryn Loving, 05.30.22
- Letter from Mollie and Jay Post, 06.4.22
- Comments from Mark Pitts at City Council Meeting, 05.24.22

May 28, 2022

Remy Drabkin, Interim Mayor
McMinnville, OR

RECEIVED
JUN 02 2022

BY:

Dear Ms. Drabkin,

We are writing to express our support for the August 1, 2022 moratorium on short-term rental ("STR") applications and for a thorough revision of the current STR policy and procedure for these reasons:

- The current STR-friendly policy makes the housing problem worse. McMinnville families searching for affordable housing are not only competing with each other for the small supply of single-family homes for sale, but with investors buying homes to make them STR's.
- The current STR policy is not neighborhood friendly. Should multiple houses go on sale in any McMinnville neighborhood (as long as houses are not immediately next to each other) the current policy would allow every second house, which met code, to be purchased and approved as a STR.
- The current STR policy is a solution in search of a need. The STR industry web site "Alltherooms.com" indicates May '21-May '22 occupancy rate for McMinnville STR's was 35%. VisitMcMinnville.com indicates that the hotel occupancy rate was 63% for all of 2021 and was 59% for the first three months of 2022. Even allowing for the pandemic, there is no evidence of an urgent immediate need for more STR properties.
- The current STR policy fails use creative STR strategies (suggested in the policy literature) such as the approval of STR's based on occupancy rate targets or multiple STR zones in cities allowing easier approval near tourist attractions and stricter standards in residential areas.

Thank you for your attention to this matter,

Judy & Brad Lunt

Judy and Brad Lunt
751 NW 21st Street
McMinnville, OR 97128
971.237.4255 (judyalunt@gmail.com)

RECEIVED
JUN 02 2022

BY:

May 30, 2022

Remy Drabkin, Interim Mayor
City of McMinnville, Mayor's Office
230 NE 2nd Street
McMinnville, OR 97128

Dear Mayor Drabkin,

I am writing to express my strong support for the August 1 moratorium on short-term rental applications and for a thorough revision of the current STR policy and procedure for the following reasons:

The current STR-friendly policy makes the single-family housing problem worse.

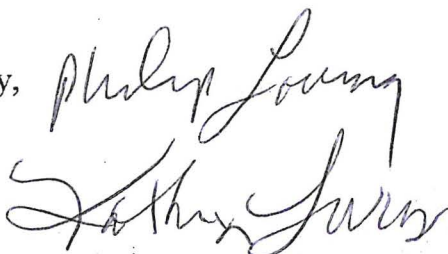
McMinnville families searching for single-family housing are not only competing with one another for the small supply of single-family homes for sale, but with investors buying homes to make them short term rentals--removing them from the pool of single-family housing options.

The current STR policy is not neighborhood friendly. Should multiple houses go on sale in any McMinnville neighborhood, and if houses are not immediately next to each other, the current policy would allow every second house which met code be purchased and approved as a short-term rental, potentially decimating a traditional McMinnville neighborhood.

The current STR policy is a solution in search of a need. The STR industry web site "Alltherooms.com" indicates May '21-May '22 occupancy rate for McMinnville STR's was 35%. VisitMcMinnville.com indicates that the hotel occupancy rate was 63% for all of 2021 and was 59% for the first three months of 2022. Allowing, even for the pandemic, there is no evidence of an urgent immediate need for more short-term rental properties and yet the current policy has continued to approve additional unneeded short term rental properties.

The current STR policy fails to live up to the creative, quality-of-life-friendliness of other McMinnville city policies. It also fails to use creative STR strategies suggested in the policy literature, such as the approval of STR's based on occupancy rate targets or multiple STR zones in cities allowing easier approval near tourist attractions and stricter standards in traditional residential areas. McMinnville demonstrates a commitment to quality of community life in residential areas in so many of its departments and policies. We are only asking that that be reflected in its short-term rental policy as well.

Sincerely,



Philip & Kathryn Loving
724 NW 21st Street
McMinnville, Oregon 97128
usgrls@frontier.com
503.550.3409

6/4/22

RECEIVED
JUN 07 2022

Dear Mayor Remy,

BY:

We have been residents in McMinnville at 2038 NW Michelbook Lane for 25 years. We're strongly in favor of the August 1 moratorium on short term rental applications, and we believe that McMinnville is direly in need of revision of current policies and procedures for short term rentals.

The current policy allows for far too many short term rental homes in close proximity to each other. This has the potential to do significant damage to the quality of life in our neighborhoods. Do we want do want adjacent homes to alternate between being empty and being occupied by a parade of vacationers, or do want our neighbors to be longer term residents who have a vested interest in McMinnville's present and future?

It's our opinion that an updated policy should allow for only a small number of widely spaced short term rentals. A larger number of these properties would adversely affect both the quality of life in our neighborhoods, and the occupancy rates of current and planned McMinnville hotels, motels, and B and B's.

Given the above concerns, we believe that a decision regarding the application for short term rental of the home on 21st Street should be deferred until the City Council has had an opportunity to review and revise the short term rental policies and procedures for our community.

Thank you,

Mollie Post Jay Post
Mollie and Jay Post
2038 NW Michelbook Lane
McMinnville, OR 97128

molliemck@aol.com

jhpost51@mac.com

From: [Mark Pitts](#)
To: [Claudia Cisneros](#)
Subject: Re: Speaking at May 24th City Council Meeting
Date: Monday, May 23, 2022 7:14:20 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Immediate moratorium on short-term rentals.docx](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated outside of the City of McMinnville.

Hi Claudia--I got covid and couldn't attend the May 10 meeting but I'll plan to be at the meeting Tuesday the 24th. Here are some notes I'd like the council to have in advance. Is there anything else you need from me? Thanks!

Mark Pitts
Mark Pitts
McMinnville OR
Jeremiah 9:23-24

On Fri, May 6, 2022 at 7:57 AM Claudia Cisneros
<Claudia.Cisneros@mcminnvilleoregon.gov> wrote:

Thank you Mark, see you on May 10th.

From: Mark Pitts <m49pitts@gmail.com>
Sent: Thursday, May 5, 2022 9:05 PM
To: Claudia Cisneros <Claudia.Cisneros@mcminnvilleoregon.gov>
Subject: Re: Speaking at May 24th City Council Meeting

This message originated outside of the City of McMinnville.

Hello Claudia--after hearing back from Zack Geary, even though the May 10 agenda is full, I'll plan to attend and request to speak then. I'll get you some notes before that time.

Thanks again.

Mark Pitts

Mark Pitts
McMinnville OR
Jeremiah 9:23-24

On Thu, May 5, 2022 at 2:48 PM Claudia Cisneros
<Claudia.Cisneros@mcminnvilleoregon.gov> wrote:

Hello Mark,

You are welcome to come and speak under public comment, as anyone from the public is open to doing this at any council meeting. If appearing via zoom please fill out the attached public comment card but if you appear in person you can fill one out when you arrive. You can provide me with any written documents and I will forward to Council and they will be made part of the record after the meeting. Public comments are limited to 3 minutes.

Please let me know if you have any questions.

Thank you,

Claudia

Claudia Cisneros



Claudia.Cisneros@mcminnvilleoregon.gov

City Recorder

City of McMinnville

230 NE Second Street

McMinnville, OR 97128

503-435-5702

Website: <http://www.mcminnvilleoregon.gov> | [Recorder Page](#) |

PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address are public records of the City of McMinnville and may be subject to public disclosure. This e-mail is subject to the State Retention Schedule.

From: Mark Pitts <m49pitts@gmail.com>
Sent: Thursday, May 5, 2022 2:41 PM
To: Claudia Cisneros <Claudia.Cisneros@mcminnvilleoregon.gov>
Subject: Speaking at May 24th City Council Meeting

This message originated outside of the City of McMinnville.

Hello Claudia--I'm understanding from the city council web site that I should e-mail you regarding the city council agenda.

Our neighborhood (Ward 2, 21st Street just east of Michaelbook) is concerned about an application for a short term rental being made for one of the homes in the neighborhood.

I've spoken with Zack Geary and he encouraged me to come to speak (briefly) at a city council meeting. Could I be put on the agenda for the meeting May 24th? Could I follow up with a couple of pages of background information? Is there anything further that I should know or do? Thanks for your help.

Mark Pitts

Mark Pitts
McMinnville OR
Jeremiah 9:23-24Claudia.Cisneros@mcminnvilleoregon.gov

**Request for immediate moratorium on short-term rentals
and
For creation of a stricter short-term rental application policy and
procedure**

**Mark Pitts
Ward 2
785 NW 21st Street
971-241-3770**

1. Current policy is highly favorable to short-term rentals.

- a. It would allow every other house in a neighborhood to be approved as a short-term rental
- b. A city official in the Planning Department was not able to recall any application having been denied and indicated that the application process is not set up to deny STR applications.
- c. The use of a management company appears to create a buffer between neighborhood concerns and the city.

2. Statistics indicate that demand for permanent, affordable housing in McMinnville is high while demand for short-term rentals and hotel rooms is moderate at best.

- a. For example, according to “Rockethomes.com”, single-family home prices increased 9% from March to April and days to sale decreased from 33 to an average of 13 days, indicating a high demand for permanent, single-family homes.
- b. In contrast, short term rental industry site “AlltheRooms.com” indicates a current 40% occupancy rate in McMinnville’s short term rentals, and
- c. “Visit McMinnville” indicates a 63% hotel room occupancy rate during all of 2021 and an even lower 59% occupancy rate during the first 3 months of 2022, even before an additional hotel is scheduled to come online later this spring.
- d. We can speculate about how much those occupancy rates might increase as the pandemic decreases, but two responses to that:

- i. Comparing high ACTUAL demand for permanent family homes to speculation about improvement in a weak to moderate short-term rental and hotel market is comparing apples and oranges and does NOT make a strong case for continuing the current highly STR-friendly application process.
- ii. Two recent surveys by the Economic Policy Institute indicated that the lack of short-term rental spaces did not have a statistically significant impact on whether tourists chose to visit an area or not.

3. I'd be thrilled if McMinnville had a 10-year moratorium on short-term rentals in residential areas, but if a policy is to be reinstated after the moratorium, some suggested nuances:

- a. Base reinstatement of a STR application policy on actual community need. Monitor hotel and STR occupancy rates and begin considering new applications when occupancy rates on existing facilities reach a justifiable percentage--80-90%
- b. Make unlicensed short-term rentals explicitly illegal.
- c. Establish an STR tourism zone convenient to restaurants and shopping --an overlay district pertaining just to the subject of transient rentals rather than allowing them to sprout up all over the city in residential areas.
- d. Include immediate neighbors of STR's on the committee developing the revised policy
- e. Require a minimum one-week stay to assure limited traffic through the facility.
- f. Require a 24 hour maximum garbage bin pickup cycle to assure garbage left out on Monday from weekend guests isn't left until a Thursday pickup, for example.
- g. Require commercial liability insurance.
- h. Reference specific city noise, nuisance, alcohol ordinances within the criteria for consideration/reconsideration of short-term rental applications.
- i. Create a city-based complaint structure (in addition to the use of a management company) through which close neighbors can

report problems and issues to the city, or possibly even a mediation structure for disputes.

- j. Include a clear revocation procedure in the revised short-term rental policy for a rental that proves to be a detriment to the neighborhood.

4. Some contextualization and next steps:

- a. This is a first world problem. Life goes on in our neighborhood, whatever happens, and I'm grateful to the city council for all they do that makes our neighborhood a pleasant place to live.
- b. That said, I am puzzled by why we would be facilitating the sale of homes to be used as short term rentals when our young families--teachers and police and firefighters--are struggling to find affordable housing.
- c. I'm also puzzled by why people worry about the prospect of Costco on 18 in 4-5 years when they could have a commercial enterprise literally 20 feet away in two months if the house next door is approved as an STR.
- d. With that in mind, I'll be writing a letter to the editor, putting some questions on Next Door, and asking candidates for city council publicly what their positions are on this issue and why.
- e. I'd like to thank MY councilman, Zack Geary who, without taking a specific position, was kind and helpful and generous with his time in two phone calls and an e-mail.



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MEMORANDUM

DATE: September 15, 2022
TO: Planning Commission
FROM: Heather Richards, Community Development Director
SUBJECT: Affordable Housing Committee Testimony - STRs

The Affordable Housing Committee was asked to provide testimony for the short term rental discussion on whether or not they think it is an affordable housing issue.

Testimony was provided by:

- Steve Iversen
- Phillip Higgins

August 24, 2022

To: Remy Drabkin, chair, McMinnville Affordable Housing Committee

From: Steve Iversen, committee member

Subj: Comments on Short Term Rentals (STR) in McMinnville

My experience with STRs in Mac is limited to what I heard during Planning Commission meetings that I attended while following the progress of the Three Mile Lane Area Plan. At those meetings an STR application was considered on Cedar St close to downtown.

Following is what I took away from listening in on this application.

1. The 200-foot-separation is far too small. A distance of 600 feet would be much more reasonable, particularly in this neighborhood where there seems to be at least one STR on every block already.
2. Furthermore, this neighborhood is what I'd call a "family" neighborhood, filled with mostly modest houses on smallish lots. It follows that the house prices here are also modest, which may be a big reason there are so many STRs. These STRs have removed a lot of reasonably-priced homes from the market. While not what you might label "workforce housing", i.e., accessible to families with no more than 80% of mean household income, they still have lower prices than most of the new homes going in on the town outskirts and thus are more likely to be a starter home for a young family.
3. Streets are narrow throughout town, making parking an issue, especially for the STRs where there may be multiple families or couples staying with multiple vehicles.
4. STRs can be disruptive to a neighborhood. Parking is part of this, and possibly increased traffic on the narrow streets, maybe noisy partying too.

While STRs may be a necessary piece in the lodging puzzle, I don't believe they should be encouraged to the extent allowed by current regulations.

S. Iversen

From: [Tom Schauer](#)
To: [Heather Richards](#)
Cc: [Remy Drabkin](#)
Subject: FW: Comments re: Short-Term Vacation Rentals
Date: Friday, September 2, 2022 4:45:02 PM
Attachments: [image001.png](#)

Heather,

Here are the comments from Philip Higgins re: Short Term Rentals



Tom Schauer, AICP
Senior Planner
231 NE 5th Street
McMinnville, OR 97128
(503) 474-5108

From: Philip Higgins <phiggins@pacificcrestrea.com>
Sent: Wednesday, August 31, 2022 6:38 AM
To: Tom Schauer <Tom.Schauer@mcminnvilleoregon.gov>
Subject: RE: Comments re: Short-Term Vacation Rentals

This message originated outside of the City of McMinnville.

McMinnville has the chance to lead the way on smart policy relating to Short-Term Vacation Rentals. Current policy, lets call it the “pot shop radius model”, is flawed, and compels a dispersion of Short-Term Vacation Rentals outside of areas where they create benefit for the property owner, the Visitor, and the City. This model, as we have seen, leads to visitor/citizen conflicts, and the perception that Short-Term Vacation Rentals are absorbing what would be otherwise affordable housing units.

At the heart of this conversation is gentrification. Patterns of change happen, and on the edges, there is always friction. The success of Downtown McMinnville attracts investment and displaces historic affordability in the once “rough around the edges” City core. As a child of the 80’s I remember when downtown was pretty shabby, and the adjacent neighborhoods, not any place where one would vacation. I imagine the citizens investing and building in the late 1800’s had no idea the thriving and “modern” business corridor would ever change into what it was in the 80’s, any more than the majority of folks in the 80’s could have imagined what McMinnville would be today.

Short-Term Vacation Rentals are a reflection of Visitor demand to be near things that visitors want to

experience. Using that guide post, a system that allows for Short-Term Vacation Rentals to be semi-concentrated in these areas is smart policy. In the residentially zoned areas appurtenant to the in demand, highly visited, commercial areas, allow a higher density of Short-Term Vacation Rentals. I don't have the exact solution, but maybe that density (via a fee-based permit system) is one or two per city block. Short-Term Vacation Rentals should be walkable to the Visitor amenities to discourage vehicle travel, and limit parking impact, but not so dense as to create "visitor only" neighborhoods.

Managed gentrification is a good thing. It rehabilitates derelict properties in a specific area (Downtown Core, Alpine), increases the tax base, provides funds to the TLT, and promotes new small business formation, and creates short term and long term employment. The perception of communities losing affordable housing stock to this type of gentrification rarely holds up under mathematical scrutiny, but more often than not is simply a red herring for other visitor/local conflicts.

Philip E Higgins

Principal Broker | OR & WA

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From: Tom Schauer <Tom.Schauer@mcminnvilleoregon.gov>

Sent: Tuesday, August 30, 2022 5:22 PM

To: Tom Schauer <Tom.Schauer@mcminnvilleoregon.gov>

Subject: Comments re: Short-Term Vacation Rentals

Hi Affordable Housing Committee Members,

At the August meeting, Chair Drabkin asked that if you have any comments to provide related to the upcoming discussions regarding Short-Term Rentals, that you e-mail those so they can be compiled. One member has provided comments. If you have comments, please e-mail those by end of day Wednesday, August 31 so those can be compiled.

Thank you,
Tom



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