Short-Term Rentals

Agenda

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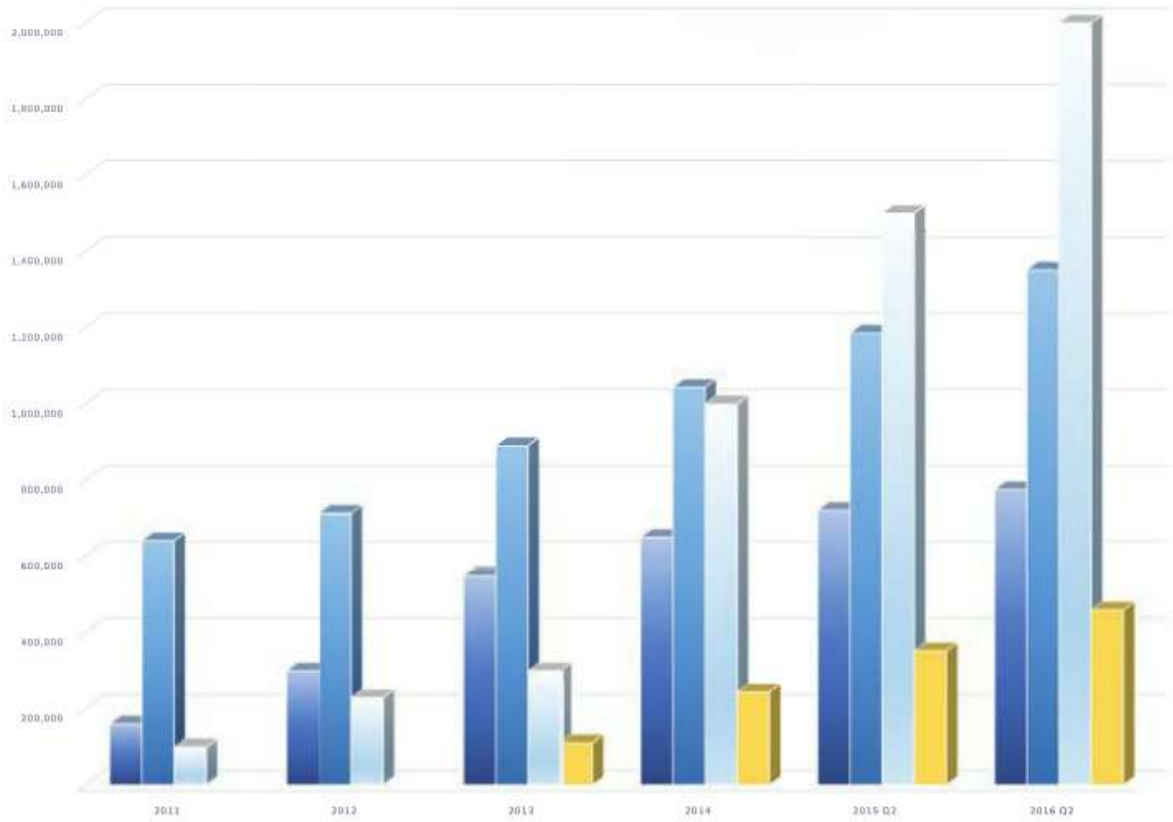
Context
Current Ordinance
Proposed Changes
Other Concerns
Next Steps

The City finds that transient occupancy of dwelling units constitutes a visitor oriented commercial use in the City's residential areas. In order to maintain the residential character and livability of its neighborhoods and to prevent the adverse effects of the transient occupancy of dwelling units on residential neighborhoods, it is necessary to limit and regulate the transient occupancy of dwelling units. (Comprehensive Plan, Housing policy 8)

The purpose of this chapter is to protect the character of the city's residential neighborhoods by limiting and regulating the short-term rental of dwelling units. The city permits three categories of short-term rentals. The three categories are: lifetime unlimited permits, five-year unlimited permits and fourteen-day permits. (Zoning Ordinance, section 17.77.010)

Short-Term Rentals

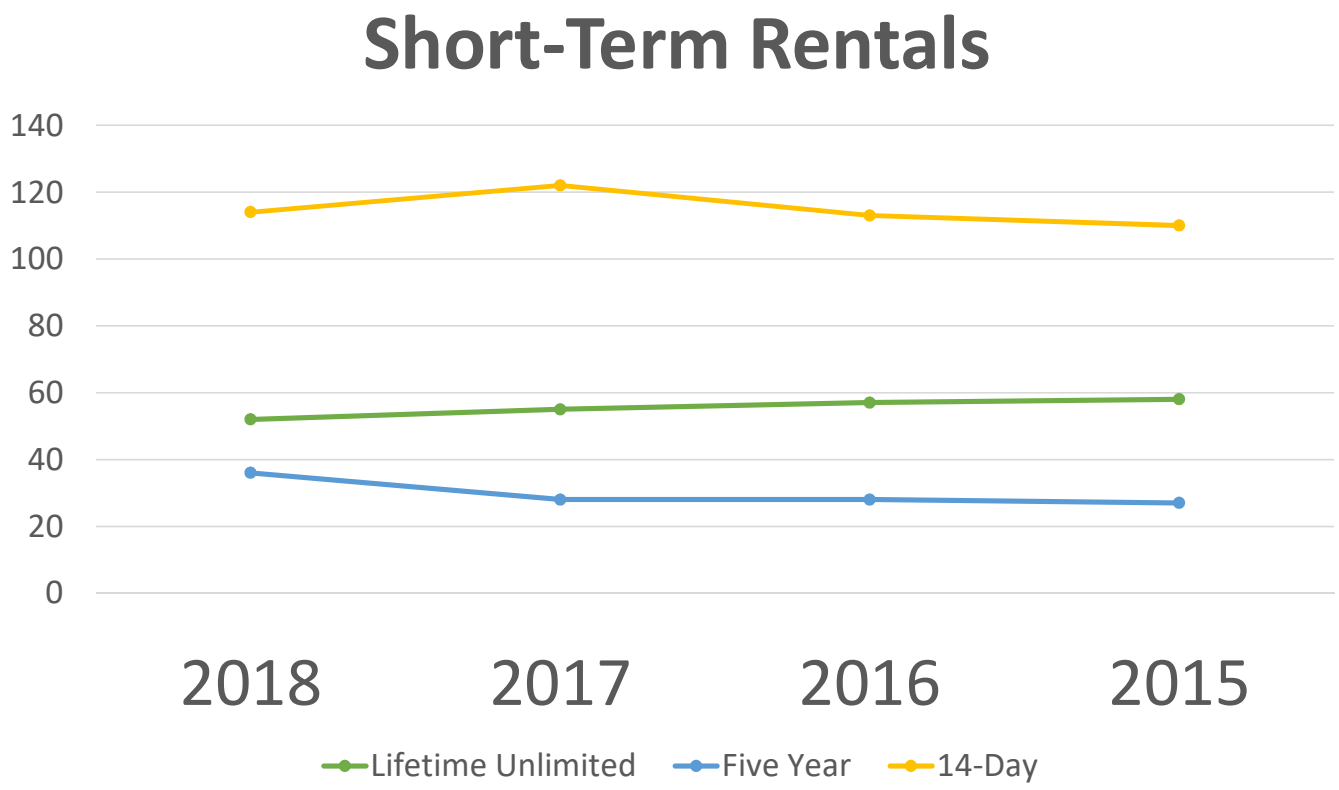


Vacation Rental Listing Growth 2011-2016:

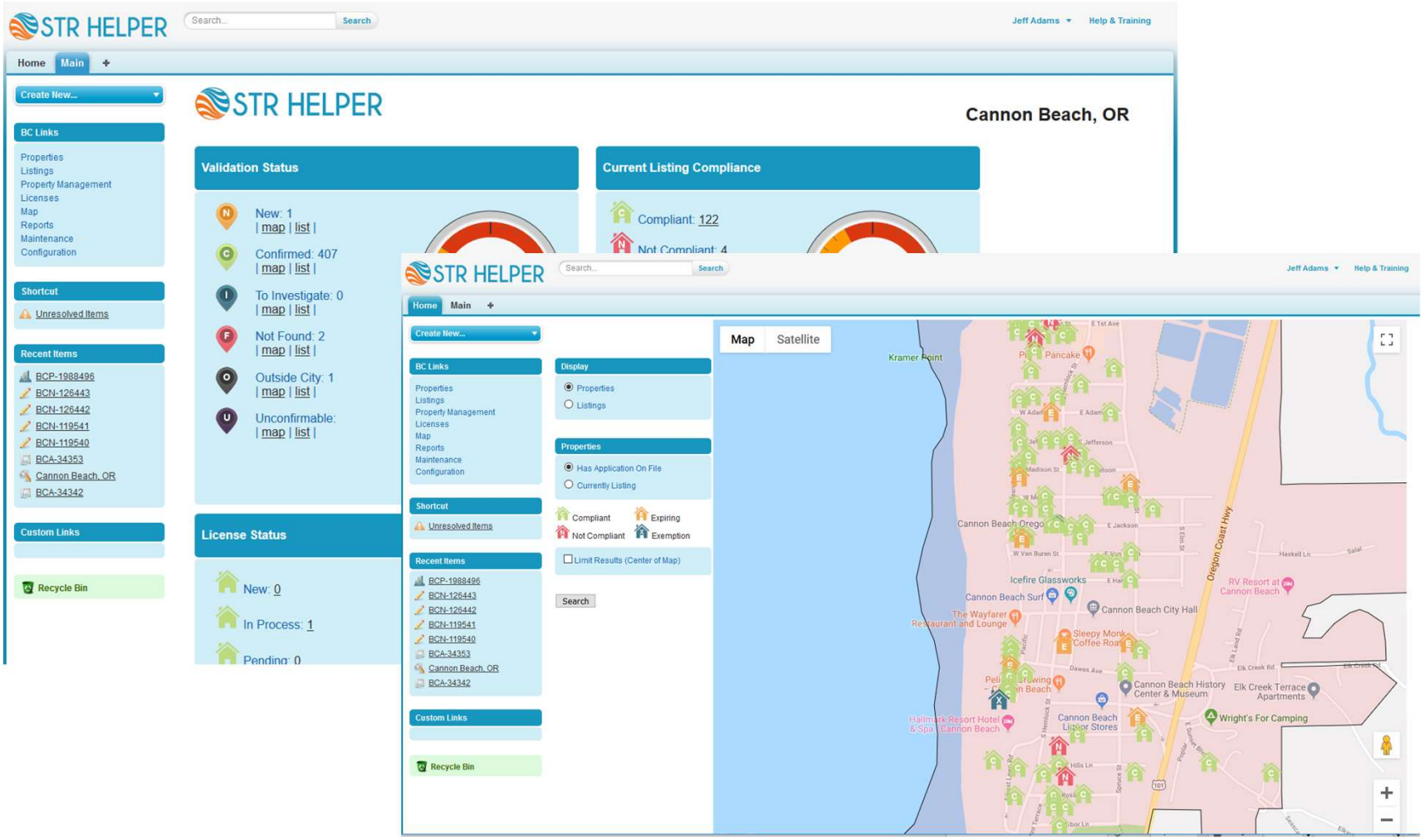
- TripAdvisor
- HomeAway
- Airbnb
- Booking.com

VRM Intel -Summer 2016

History


Short-Term Rentals
140
120
100
80
60
40
20
0
2018
2017
2016
2015
Lifetime Unlimited
Five Year
14-Day

Context


STR HELPER
Search...
Search
Jeff Adams
Help & Training
Home
Main
Create New...
BC Links
Properties
Listings
Property Management
Licenses
Map
Reports
Maintenance
Configuration
Shortcut
Unresolved Items
Recent Items
BCP-1988496
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BCN-126442
BCN-119541
BCN-119540
BCA-34353
Cannon Beach, OR
BCA-34342
Custom Links
Recycle Bin
Cannon Beach, OR
Validation Status
New: 1
| map | list |
Confirmed: 407
| map | list |
To Investigate: 0
| map | list |
Not Found: 2
| map | list |
Outside City: 1
| map | list |
Unconfirmable:
| map | list |
Current Listing Compliance
Compliant: 122
Not Compliant: 4
License Status
New: 0
In Process: 1
Pending: 0
Display
Properties
Listings
Has Application On File
Currently Listing
Compliant
Expiring
Not Compliant
Exemption
Limit Results (Center of Map)
Map
Satellite
Kramer Point
Pancake
Cannon Beach Oregon
Icefire Glassworks
Cannon Beach Surf
Cannon Beach City Hall
The Wayfarer Restaurant and Lounge
Sleepy Monk Coffee Roasters
Cannon Beach History Center & Museum
Elk Creek Terrace Apartments
Wright's For Camping
Cannon Beach Liquor Stores
Hallmark Resort Hotel & Spa Cannon Beach
RV Resort at Cannon Beach
Oregon Coast Hwy

Context

- Award no more five-year permits, and end the five-year permit program by allowing current five-year permits to expire.
- Change the restriction that allows one occupancy group per fourteen days – the “14-day rule” – to instead allow two occupancy groups per month.
- At the owner’s option, allow a self-managed short-term rental unit to defer penalties by changing to professional management.

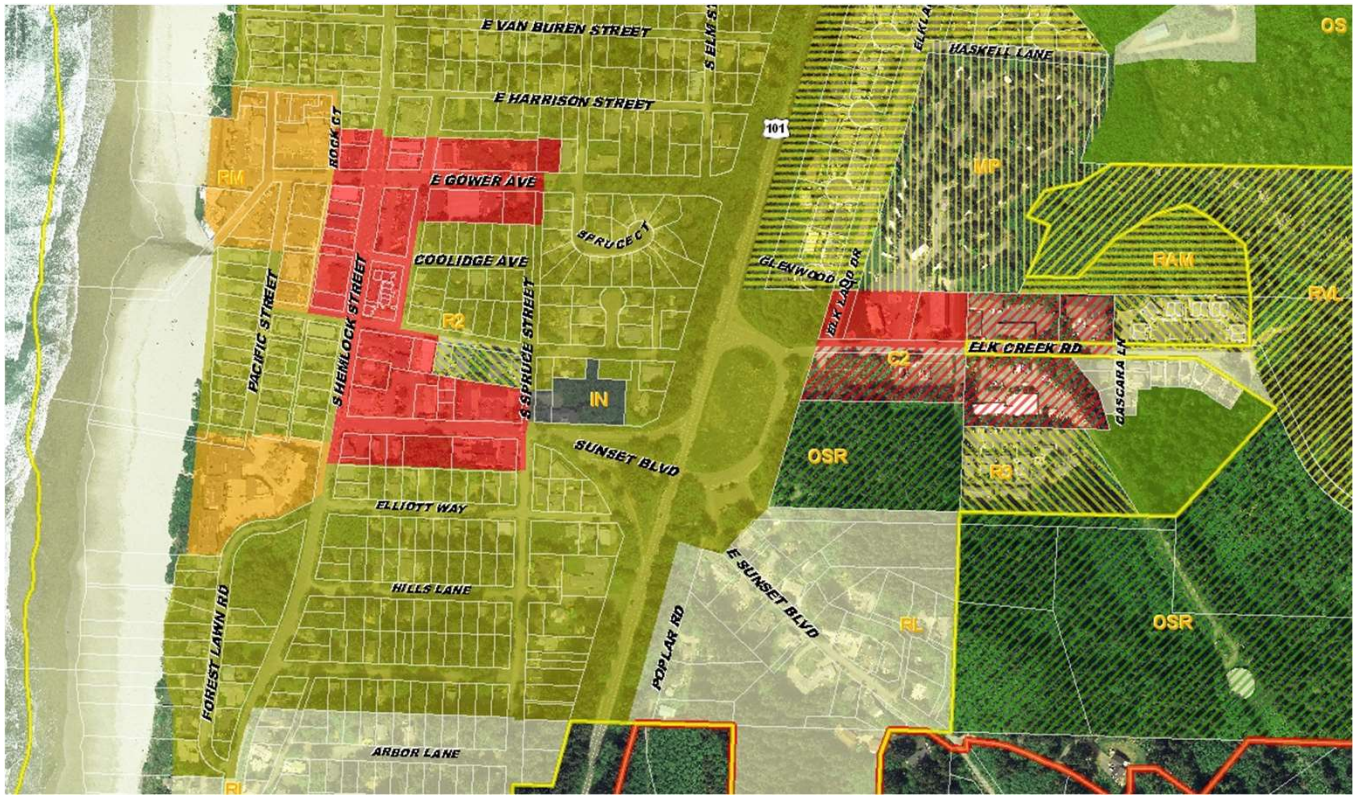
Proposed Changes

- Zone-based restrictions
- Density restrictions
- Geographic restrictions
- Cap on permits
- Frequency and duration restrictions
- Alignment with fire code…and other ordinances
- Off-street parking
- Violations & Penalties

Short-Term Rentals

17.77.030 General provisions.

A. No person shall occupy, use, operate or manage, nor offer or negotiate to use, lease or rent a dwelling unit in the RVL, RL, R1, R2, R3, MP and RAM zones for short-term rental occupancy except:



Zoned Based Restrictions

16.04.130 Applicable standards.

In making its decision, the planning commission shall determine whether the proposed subdivision or partition complies with the applicable standards of this code and the policies of the comprehensive plan, in conformance with the requirements of Section 17.88.110. Where this chapter imposes a greater restriction upon the land than is imposed or required by existing provisions of law, ordinance, contract or deed, the provisions of this chapter shall control. Pursuant to ORS 197.195(1), the city has determined that the following comprehensive plan policies are applicable standards for a proposed subdivision or partition.

A. General Development Policies.

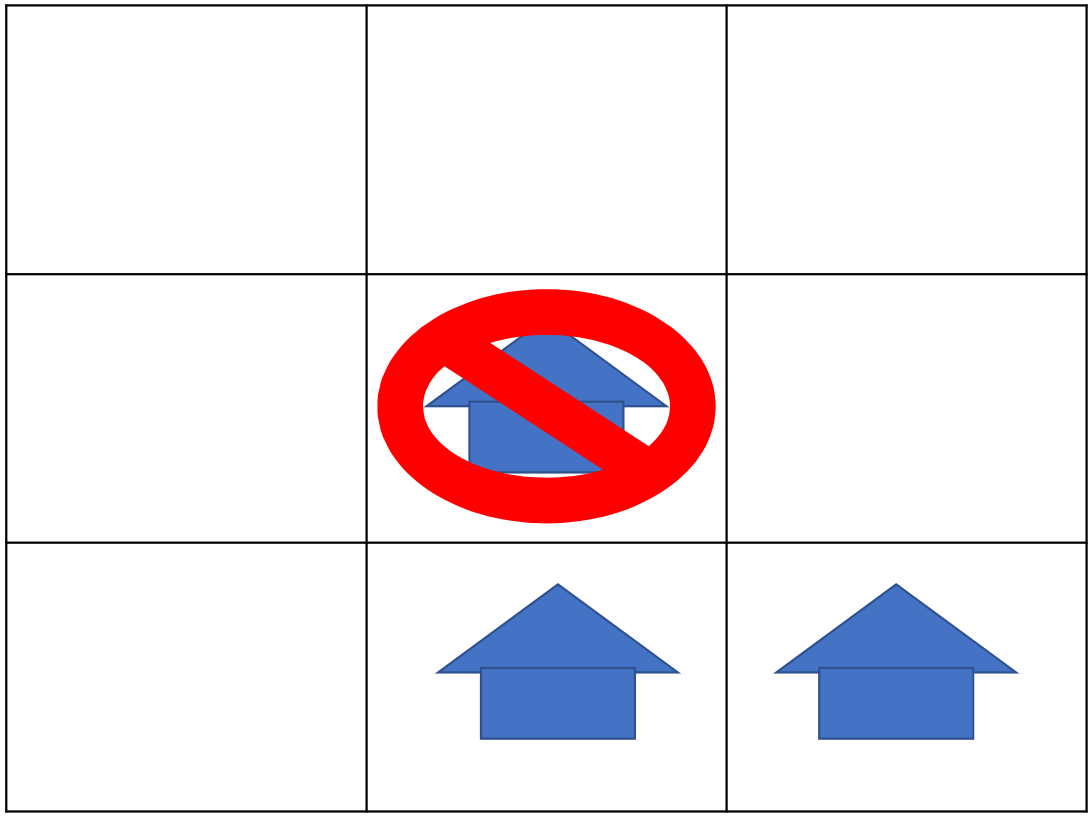
2. General Development Policy 5. The density of residential development throughout the city shall be based on the capability of the land in terms of its slope, potential for geologic hazard and drainage characteristics. Density limits throughout the city shall generally be:

Net Density Standards

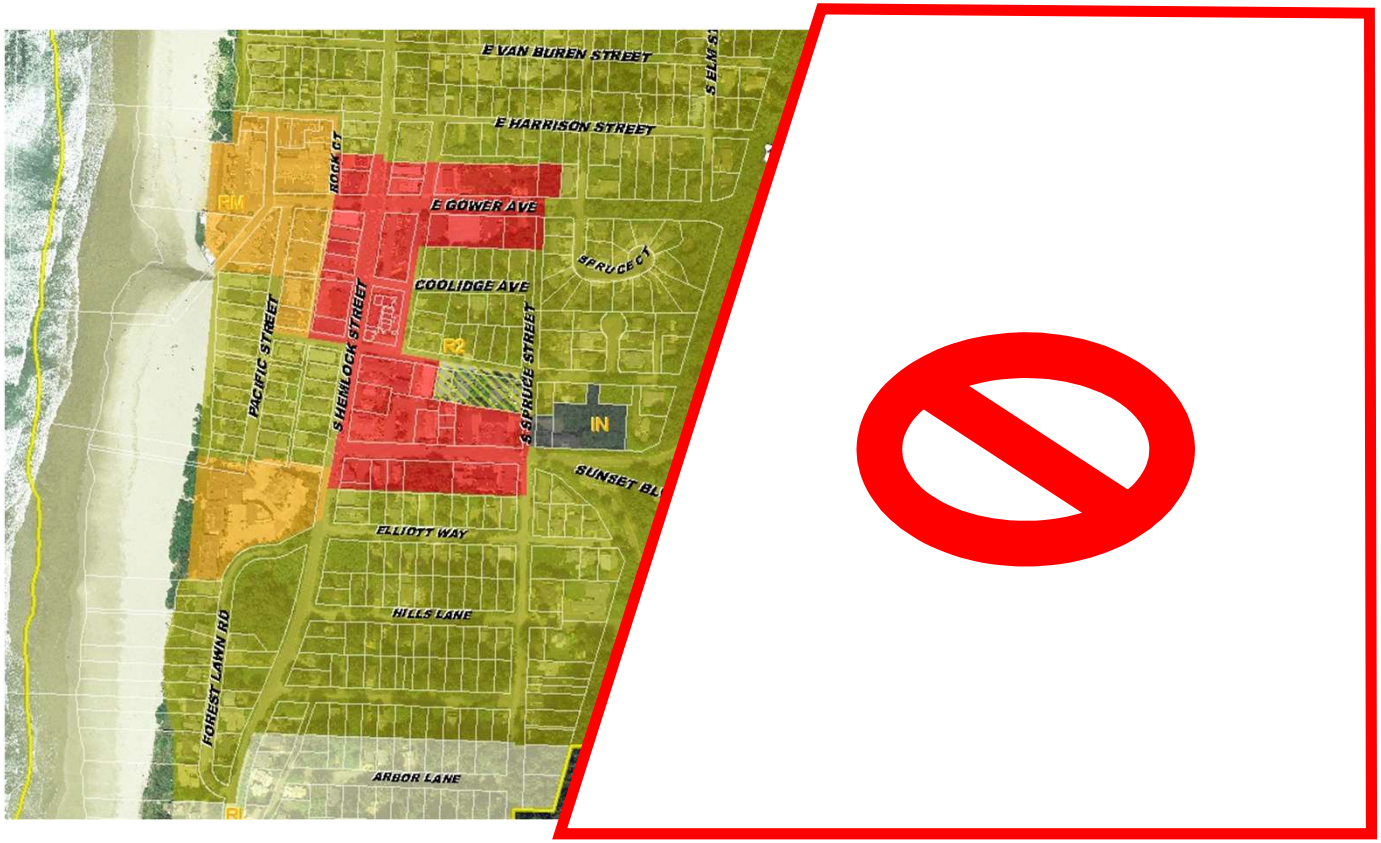
	Dwellings Per Acre
High (R3), (RM)	15
Duplex or medium (R2), (RMa), (MP), (RAM)	11
Moderate single-family (R1)	8
Low (RL)	4
Very low (RVL)	1

Density Restrictions

Seaside Method



Density Restrictions



Geographic Restrictions

- Manzanita caps @ 17.5%
- Cannon Beach currently @ approx. 10%

Cap on permits

17.77.060 Fourteen-day permit occupancy requirements.

A. The fourteen-day permit issued by the city authorizes the owner to rent the dwelling once, one individual tenancy, within fourteen consecutive calendar days.

B. An individual tenancy shall commence on the first day that the person(s) that constitute the individual tenancy occupy or are entitled to occupy the dwelling unit.

C. For the purposes of this subsection, an individual tenancy means a specific person or group of persons who together occupy or are entitled to occupy a rental with a fourteen-day permit.

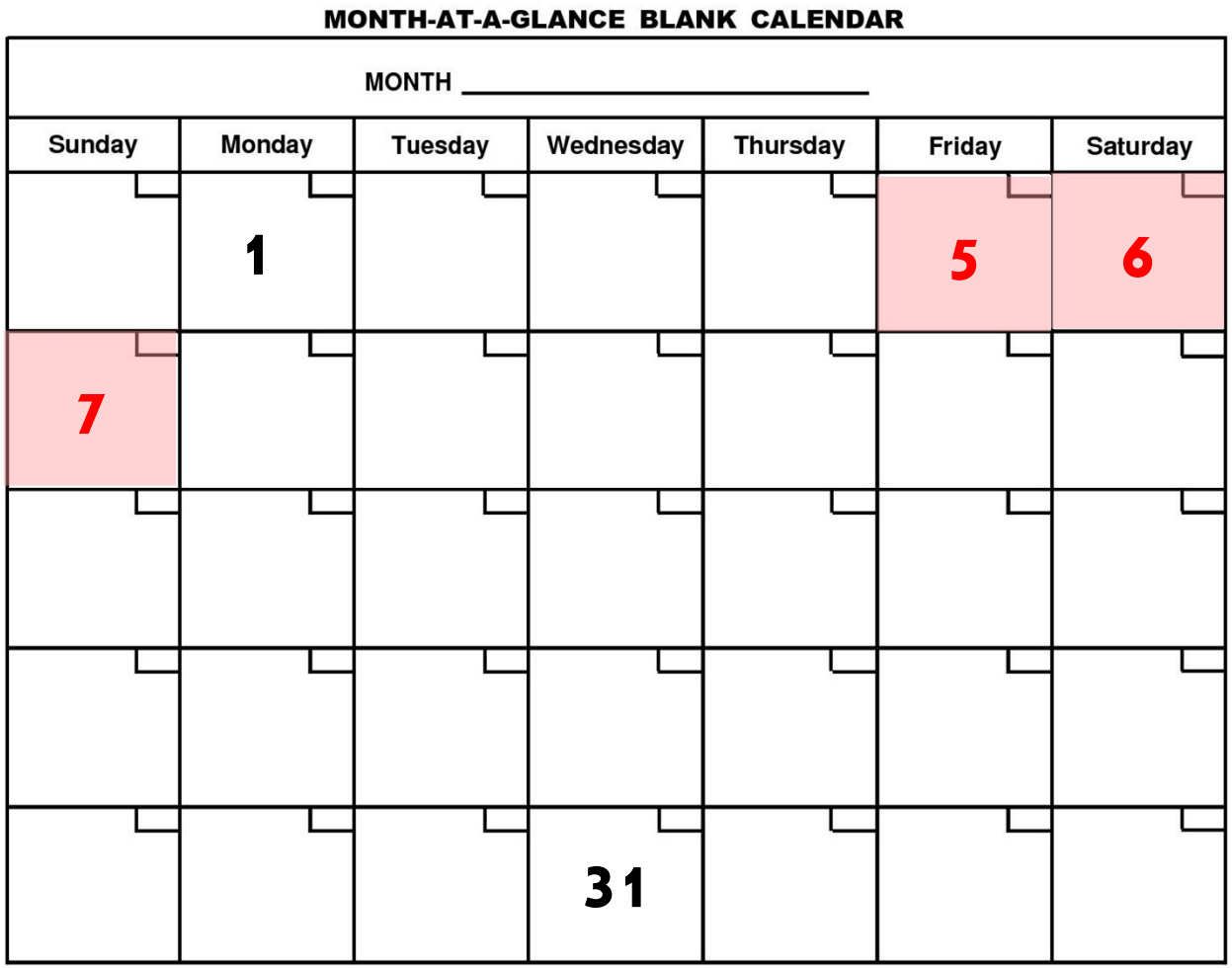
D. Occupancy of the rental unit by the individual tenancy for the entire fourteen-day period is not required. However, no additional occupancy, with the exception of the property owner, shall occur within the minimum fourteen-day occupancy period that begins on the first day of an individual tenancy.

E. A fourteen-day rental permit is issued to a specific owner of a dwelling unit. When the permit holder sells or transfers the real property, the original fourteen-day permit is revoked and the new owner may apply for a new rental permit.

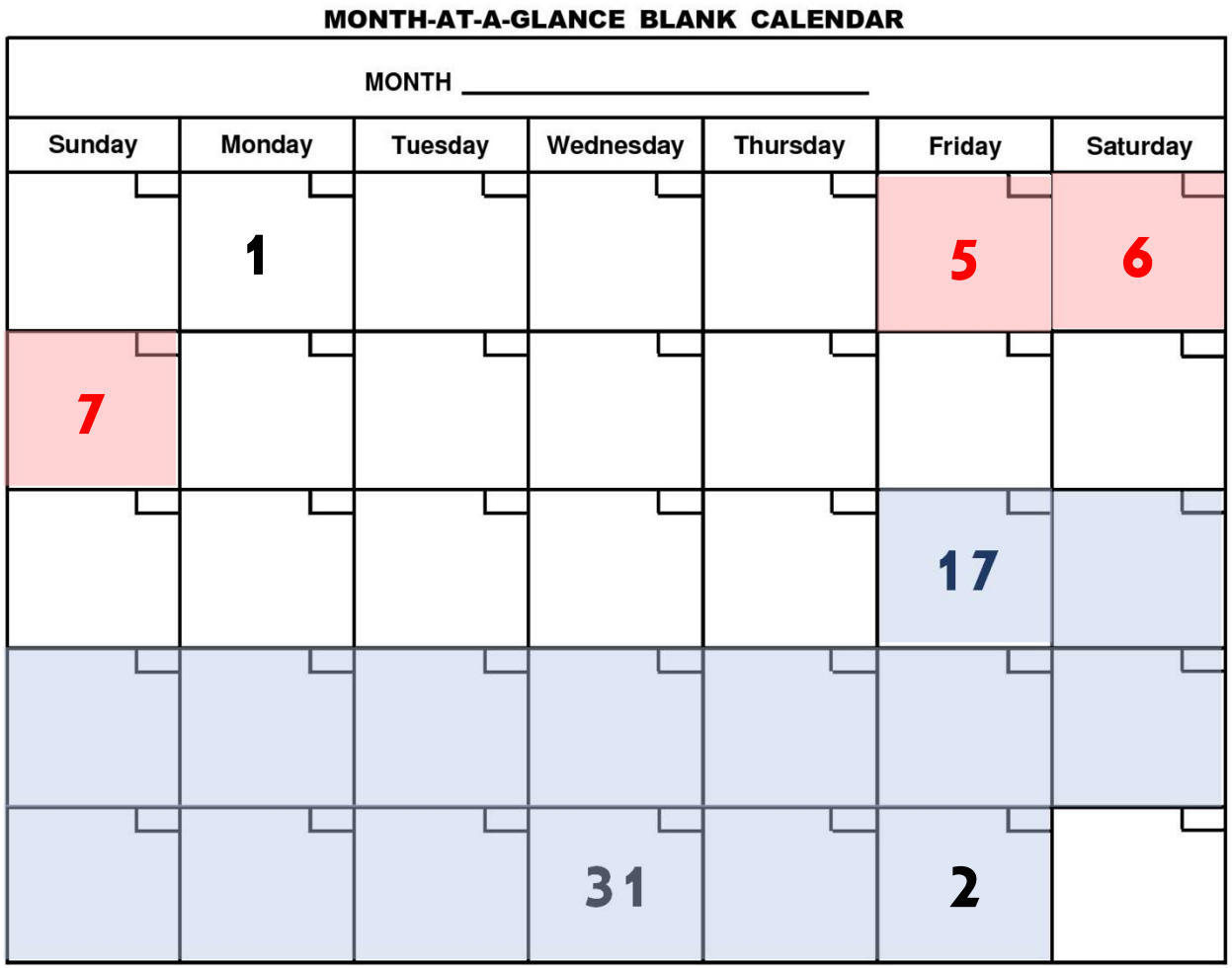
F. A person who holds a lifetime unlimited or five-year unlimited permit shall not be permitted to hold a fourteen-day permit.

G. A fourteen-day permit application may be submitted to the city at any time and, if approved, the fourteen-day permit shall last for one year from the date of issuance. (Ord. 17-5 § 1)

Frequency and duration



Frequency and duration



Frequency and duration

2019 Calendar

January 2019							
Nº	S	M	T	W	T	F	S
1			1	2	3	4	5
2	6	7	8	9	10	11	12
3	13	14	15	16	17	18	19
4	20	21	22	23	24	25	26
5	27	28	29	30	31		

February 2019							
Nº	S	M	T	W	T	F	S
5						1	2
6	3	4	5	6	7	8	9
7	10	11	12	13	14	15	16
8	17	18	19	20	21	22	23
9	24	25	26	27	28		

March 2019							
Nº	S	M	T	W	T	F	S
9						1	2
10	3	4	5	6	7	8	9
11	10	11	12	13	14	15	16
12	17	18	19	20	21	22	23
13	24	25	26	27	28	29	30
14	31						

April 2019							
Nº	S	M	T	W	T	F	S
14		1	2	3	4	5	6
15	7	8	9	10	11	12	13
16	14	15	16	17	18	19	20
17	21	22	23	24	25	26	27
18	28	29	30				

May 2019							
Nº	S	M	T	W	T	F	S
18				1	2	3	4
19	5	6	7	8	9	10	11
20	12	13	14	15	16	17	18
21	19	20	21	22	23	24	25
22	26	27	28	29	30	31	

June 2019							
Nº	S	M	T	W	T	F	S
22							1
23	2	3	4	5	6	7	8
24	9	10	11	12	13	14	15
25	16	17	18	19	20	21	22
26	23	24	25	26	27	28	29
27	30						

July 2019							
Nº	S	M	T	W	T	F	S
27		1	2	3	4	5	6
28	7	8	9	10	11	12	13
29	14	15	16	17	18	19	20
30	21	22	23	24	25	26	27
31	28	29	30	31			

August 2019							
Nº	S	M	T	W	T	F	S
31					1	2	3
32	4	5	6	7	8	9	10
33	11	12	13	14	15	16	17
34	18	19	20	21	22	23	24
35	25	26	27	28	29	30	31

September 2019							
Nº	S	M	T	W	T	F	S
36	1	2	3	4	5	6	7
37	8	9	10	11	12	13	14
38	15	16	17	18	19	20	21
39	22	23	24	25	26	27	28
40	29	30					

October 2019							
Nº	S	M	T	W	T	F	S
40			1	2	3	4	5
41	6	7	8	9	10	11	12
42	13	14	15	16	17	18	19
43	20	21	22	23	24	25	26
44	27	28	29	30	31		

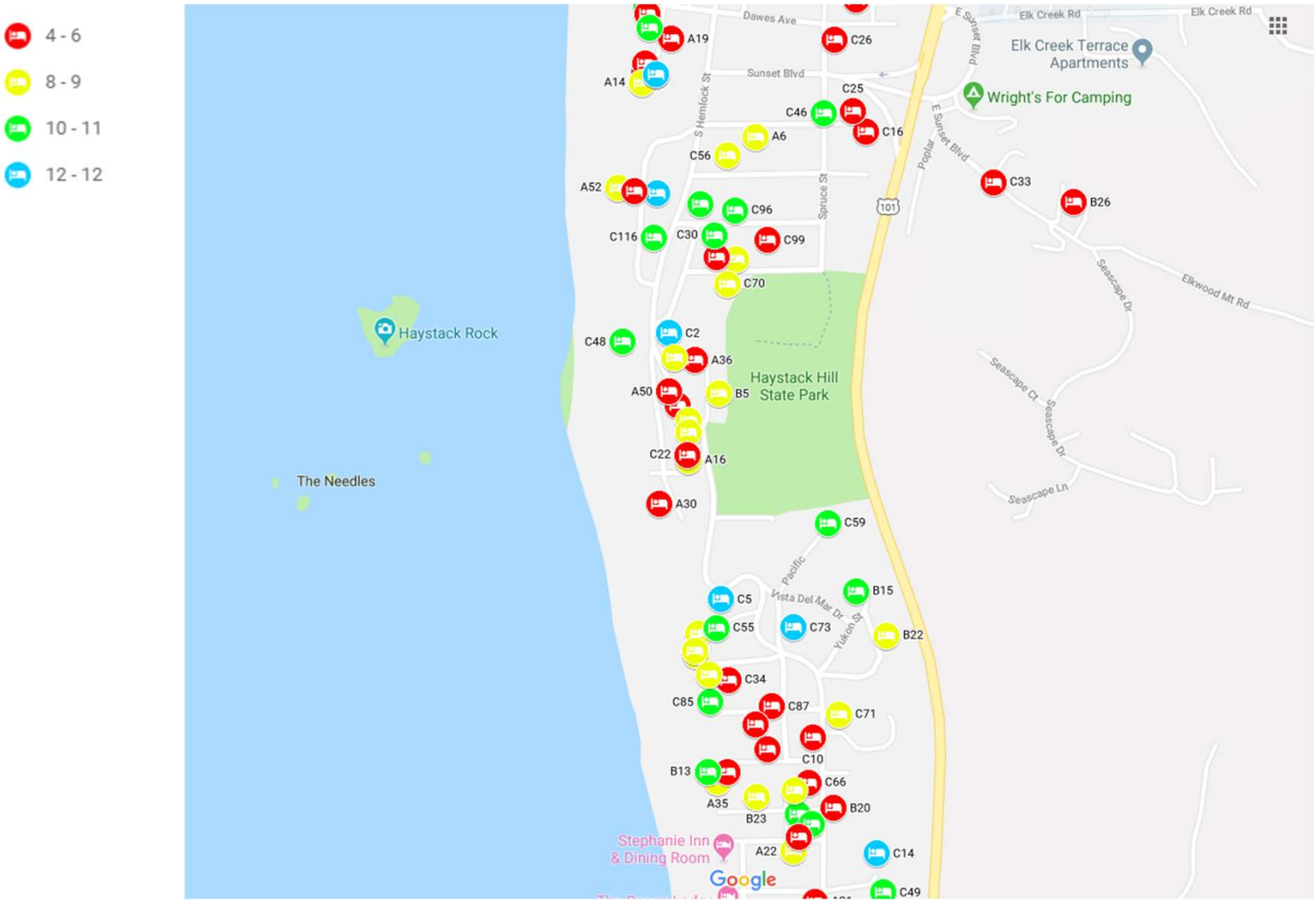
November 2019							
Nº	S	M	T	W	T	F	S
44						1	2
45	3	4	5	6	7	8	9
46	10	11	12	13	14	15	16
47	17	18	19	20	21	22	23
48	24	25	26	27	28	29	30

December 2019							
Nº	S	M	T	W	T	F	S
49	1	2	3	4	5	6	7
50	8	9	10	11	12	13	14
51	15	16	17	18	19	20	21
52	22	23	24	25	26	27	28
1	29	30	31				

2019 Holidays		Notes	
Jan 01: New Year's Day	**Oct 14:** Columbus Day		
Jan 21: Martin Luther King Day	**Nov 11:** Veterans' Day		
Feb 18: Presidents Day	**Nov 28:** Thanksgiving		
May 27: Memorial Day	**Dec 25:** Christmas Day		
Jul 04: Independence Day			
Sep 02: Labor Day			

www.free-calendar-template.com

Frequency and duration



Alignment with Fire Code…

Off-street parking dimensions 9′ x 18′

Setback	Lots	RVL	RL	R1	R2	R3	RAM	RM
Front-yard	Up to 10KSF 10K+	20	15	15	15	15	15	15
Side-yard Interior		5	5	5	5	5	5	5
Side-yard Streetside		15	15	15	15	15	15	15
Rear-yard	Corner Except street abutting	15	15	15 5 15	15 5 15	15 5 15	15 5 15	15 5 15
Ocean-yard		TBD	TBD	TBD	TBD	TBD	TBD	TBD

...and other Ordinances

17.77.090 Occupancy and parking.

A. Off-street parking is required as specified below. Occupancy is limited by the number of bedrooms, and by the number of available off-street parking spaces as specified in the following table.

Notes:

(a) A bedroom consists of a room that meets the definitional requirements of the State of Oregon Building Code.

Bedrooms (a)	Maximum occupancy (b) (c)	Minimum off-street parking (d)
1	6	2
2	6	2
3	8	3
4	10	4
5	12	4

(b) Occupancy includes only those persons 2 years of age and older.

(c) In no event shall the occupancy of a dwelling exceed 12 persons, unless a short-term rental permit issued prior to January 1, 2005 established an occupancy of more than 12 persons.

(d) Each off-street parking space must be located entirely on the property, and must be at least 9 feet wide by 18 feet long.

(Ord. 17-5 § 1)

Off-Street Parking

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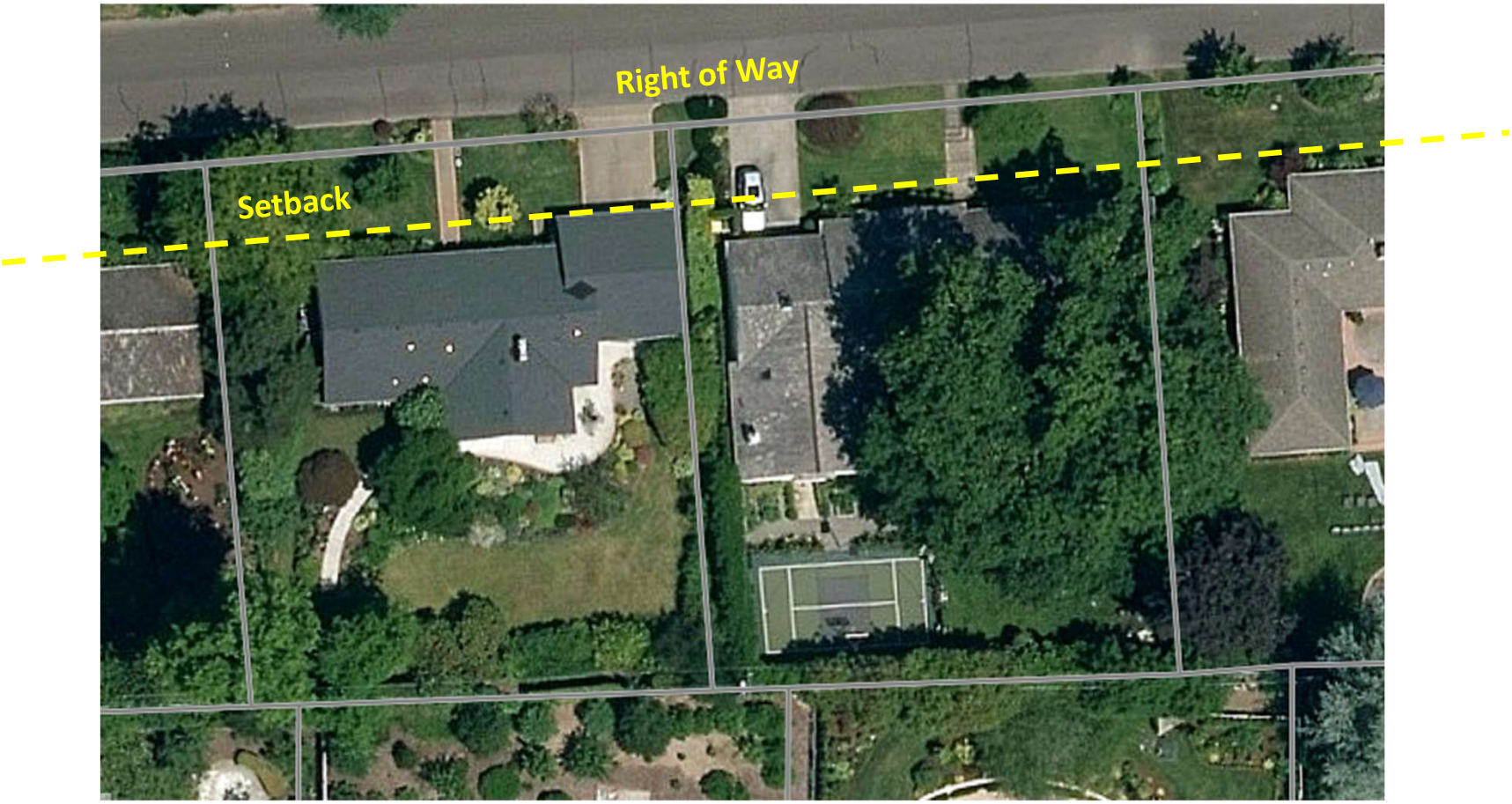
Off-Street Parking



Off-Street Parking

17.77.100 Violations and penalties.

A. The following conduct shall constitute a violation for which the penalties specified below may be imposed. Note that each day of a violation is considered a separate violation for the purposes of the sanctions below.

1. The owner has failed to comply with any of the standards listed in this chapter; or

2. The owner has failed to pay the transient room tax and/or file a transient room tax return as required by Municipal Code, Chapter 3.12.

B. Penalties. For violations of this chapter, the following penalties will be imposed:

1. For the first violation within a twenty-four-month period, the penalty shall be a warning notice.

2. For the second violation within a twenty-four-month period, the penalty shall be a suspension of the permit for thirty days.

3. For the third violation within a twenty-four-month period, the penalty shall be a suspension of the permit for ninety days.

4. For the fourth violation within a twenty-four-month period, the penalty shall be a revocation of the permit.

C. Notice. The city shall notify the permit holder and local representative in writing of any penalties imposed under this chapter.

1. The City may seek injunction or other equitable relief in court to enjoin any violation of this Ordinance and may recover the costs of such actions. The City may seek such criminal or civil penalties as are authorized by Oregon law. Each day of violation may be considered a separate violation. Each violation may result in a fine of up to $500.

2. After the revocation of a permit, or after a penalty is awarded, the owner(s) or subsequent owner(s) of the rental property will be prohibited from participation in the Short-Term Rental program for two years from the time of the revocation or penalty.

Violations & Penalties

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