

Agenda
Shady Cove Regular City Council Meeting
Thursday, July 6, 2023
6 PM

<https://us02web.zoom.us/j/83576879064?pwd=U3ZZbTRheUNLOW9VMig5VnBZODZudz09>

Meeting ID: 835 7687 9064
Passcode: 587222

One tap mobile
+12532050468,,83576879064#,,,,*587222# US
+12532158782,,83576879064#,,,,*587222# US (Tacoma)

I. Call to Order

- A. Roll Call
- B. Pledge of Allegiance
- C. Announcements by Presiding Officer

1. This meeting is being digitally recorded.
2. The next regularly scheduled meeting of the City Council will be held on July 20, 2023 at 6 PM, both in Council Chambers and via Zoom.
3. The next regularly scheduled meeting of the Planning Commission is July 13 at 6 PM, both in Council Chambers and via Zoom.
4. The next regular meeting of the Parks, Recreation, and Tourism Commission is scheduled for July 19.
5. The next meeting of the Emergency Management Commission is not scheduled at this time.
6. These meeting dates and times are subject to change
7. Anyone wishing to address the City Council concerning items of interest may do so. The person addressing the Council must complete a Public Comment Card and submit it to the City Administrator prior to the meeting. All remarks will be addressed to the whole City Council and limited to 3 minutes per person. Public Comments may also be submitted by email to the City Administrator, at TCorrigan@shadycove.org, no later than 4:00 PM the day of the meeting. The Council reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

II. Public Comment on Agenda Items

III. Consent Agenda (pgs.3-9)

- A. Minutes of 06/15/23
- B. Bills Paid 06/09/23 - 06/29/23 - \$35,943.26

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

IV. Items Removed from Consent Agenda

V. Staff Reports

- A. Jackson County Deputy
- B. Fire Chief Travis Crume, FD4
- C. Commission/Committee Reports
- D. City Administrator

VI. Old Business

- A. Short-Term Rental Direction
- B. Parks, Recreation, and Tourism Recommendations
- C. Silas Olson - Hiland Water Letter
- D. Visual Calendar – Councilor Hubbard
- E. Jet Boat Letter – Councilor Mitchell
- F. Delinquent Public Safety Fee Procedure

VII. New Business

None

VIII. Written Communication

IX. Public Comment on Non-Agenda Items

X. Council Comments on Non-Agenda Items

- A. Mayor Ball
- B. Councilor Nuckles
- C. Councilor Winfrey
- D. Councilor Hubbard
- E. Councilor Mitchell

Adjournment

City of Shady Cove
City Council Regular Meeting
Thursday, June 15, 2023, 6:00 PM
Meeting was held at City Hall and on Zoom

I. CALL TO ORDER

Mayor Ball called the Regular City Council Meeting to order at 6:00 PM.

The Pledge of Allegiance was recited.

I.C. ANNOUNCEMENTS

Roll Call

Council Present: Councilor Nuckles, Councilor Winfrey, Councilor Hubbard, and Councilor Mitchell.

Staff Present: Thomas J. Corrigan, City Administrator

Mayor Ball made the announcements on the agenda.

II. PUBLIC COMMENT ON AGENDA ITEMS

Steve Hutchings- Questions regarding the short term rental ordinance: permission from all home owners that live on the shared road and also the shared well. How would these impact a full time owner or a long term rental.

III. CONSENT AGENDA

A. Minutes of 06/01/23

B. Bills Paid Report 05/25/23-06/08/23- \$14,346.72

Motion to Accept Consent Agenda

Motion: Councilor Mitchell

Second: Councilor Hubbard

Motion Carried: 5-0

IV. ITEMS REMOVED FROM CONSENT AGENDA

None

V. STAFF REPORTS

Mayor Ball- Welcomed new Fire Chief Travis Crume to the City of Shady Cove.

A. Fire Chief Travis Crume , FD4- Received the Oregon State Fire Marshal Staffing Grant for \$35,000 and a Community Wild Fire Risk Reduction Grant for \$500,000. A Spire Grant allows them use of a new rescue boat that is valued at \$250,000. The last one they received is the Josephine County Foundation for \$16,800. The other portion of Senate bill 762 is rolling out, which is The Wild Land Urban Interface Fire Code and will advise the City when it is out. It is fire season so please do not do any open burning.

Mayor Ball- Requested Chief to create a list of fire pits that can and cannot be used and any information regarding using fire pits or rings and get it posted.

B. Commission/Committee Reports:

Planning- Commissioner Richardson- The last meeting was a Public Hearing regarding a manufactured home at 7677 Rogue River Dr and it was approved. They are working on the Comprehensive Plan.

Parks, Recreation, and Tourism-Commissioner Pulcini- The next event will be July 4th. They will have a float with a theme showing the City's new motto and they will also have a booth. They have many ideas they are working on for different events to hold at the park through the summer. Waiting on ODOT to get back to them regarding the sign.

C. City Administrator – Tom Corrigan- Channel 12 is reporting that the State of Oregon announced 3.5 million Oregonian's have been involved in a data breach of their driver's license. Governor of Umatilla County declared State of Emergency due to a 10,000-acre fire. Pacific Power has now found liable for punitive damages for the fire because they did not shut off power and it included the South Obenchain fire. Radio spots are going for July 4th in Eagle Point with three or four an hour and will continue until the 4th. A radio tech will be needed to install the new transmitter. Still going through storage room at URCC. Weed eaters are still available for use. The debris trailer was extended for one more week. Cameras have been installed at the shop. The State Legislature was able to get the session going again. Rogue Reimagined had another online meeting. No updates on the Natural Hazard Mitigation Plan. He has not heard anything on the Emergency Management Handbook. The second portion of the FireWise planting is done. We have the materials for the North side of City Hall.

VI. OLD BUSINESS

Mayor Ball- Wants to thank Councilor Nuckles for taking over the meetings and moving everything forward and also said thank you to all the Councilors for keeping everything going and taking care of business.

VII. NEW BUSINESS

- A. Liquor License Application – Mayor Ball- Thanked Robin, owner of Mac’s Diner for all of the years she has kept it opened for business.

Motion to Approve Liquor License for Mac’s Diner for Heather Erickson

Motion: Councilor Nuckles

Second: Councilor Mitchell

Motion Carried: 5-0

- B. Appointments to Volunteer Group- Mayor Ball- Four more applicants have been added to the Volunteer group.

1. Steve Nuckles
2. Gina Ball
3. Jeff Pulcini
4. Bill Beerman

Motion to Accept Steve Nuckles, Gina Ball, Jeff Pulcini, and Bill Beerman as Volunteer’s for City of Shady Cove Volunteer Group

Motion: Councilor Hubbard

Second: Councilor Winfrey

Motion Carried: 5-0

- C. Budget Hearing – Mayor Ball- Budget Committee Meeting is June 21 at 10:00 am.

- D. Short Term Rental Ord #275 – Mayor Ball- Recently Planning had a Short-Term Rental Public Hearing. Because of the large amount of interest, he feels it needs to be reviewed by Council. He feels there is so much more to look into and talk about with the Short-Term Rentals and is going to hand it back to Planning for further discussion.

Motion to Extend the Meeting Until 8:30

Motion: Councilor Mitchell

Second: Councilor Nuckles

Motion Carried: 5-0

- E. Recommendations on Fencing to Planning Commission – Mayor Ball- City of Shady Cove does not have an ordinance on electrical or razor wire fencing and he will direct it back to Planning to review.
- F. Delinquent Public Safety Fee Procedure - Sewer fees and Public Safety Fees are on the same billing. RVSS did not want to charge late fees during COVID and will not shut off services so now there are numerous accounts that are past due with large amounts. To collect on balance due, the sewer stays with the property and the Public Safety Fees stays with the individual. There will be a five-dollar late fee added to a bill if not paid after 30 days. We are still calling and reaching out to the customers with a balance due with some new success.

VIII. WRITTEN COMMUNICATION

Dick McGregor- The failure of the Cole Rivers Hatchery

IX. PUBLIC COMMENT ON NON-AGENDA ITEMS

Hank Hohenstein- Still has Concerns about the Jet Boats possibly getting to come into the City of Shady Cove.

Mayor Ball- He asked if Councilor Mitchell would write a letter to the Governor with all of the concerns City of Shady Cove has if the Jet Boats came all the way to the Upper Rogue.

X. COUNCIL COMMENTS ON NON-AGENDA ITEMS

- A. Councilor Hubbard- Thanked everyone for coming. Thanked the new Fire Chief for the update from FD4 on all the grants they received. He is looking forward to hearing what Planning comes up with on the Short-Term Rentals and the fencing.
- B. Councilor Nuckles- Welcomed Mayor Ball back. Thanked everyone for coming and enjoys all the views from all the other Councilors and how professional they all are.
- C. Councilor Mitchell- Thanked everyone for coming. Told all the volunteers they done a great job at the park replacing the wood on picnic tables.
- D. Councilor Winfrey- Thanked everyone for coming and it is always great to have all the participation.
- E. Mayor Ball- Welcomed Chief Travis Crume. Thanked everyone for coming. Thanked Council for being professional.

ADJOURNMENT

There being no further business before the Council, Mayor Ball adjourned the meeting at 8:28 PM.

Approved:

Attest:

Mayor Ball

Thomas J. Corrigan
City Administrator

Council Vote:

Mayor Ball _____
Councilor Nuckles _____
Councilor Winfrey _____
Councilor Hubbard _____
Councilor Mitchell _____

Report Criteria:
 Detail report type printed

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
13	Avista Corporation	05232023	Natural Gas 06/2023	1	05/23/2023	46.12	.00	46.12	50850	06/20/2023
Total 13:						46.12	.00	46.12		
25	Canon Solutions America, I	6004365418	Copier	1	05/25/2023	47.59	.00	47.59	50851	06/20/2023
Total 25:						47.59	.00	47.59		
27	Caselle, Inc.	125574	Annual Support, Maintenanc	1	06/01/2023	10,853.00	.00	10,853.00	50852	06/20/2023
Total 27:						10,853.00	.00	10,853.00		
33	CNA Surety	61093724 20	Bond 61093724 term dates	1	06/01/2023	455.00	.00	455.00	50855	06/20/2023
Total 33:						455.00	.00	455.00		
39	Crystal Fresh	694925	City Hall bottled water	1	04/30/2023	93.00	.00	93.00	50857	06/20/2023
Total 39:						93.00	.00	93.00		
43	Christian, David	05292023	Radio 05/29/2023-06/02/20	1	06/01/2023	105.00	.00	105.00	50853	06/20/2023
		06052023	Radio 05/05/2023-05/09/20	1	06/08/2023	105.00	.00	105.00	50853	06/20/2023
		06052023	Radio 06/12/2023-06/16/20	2	06/08/2023	90.00	.00	90.00	50853	06/20/2023
Total 43:						300.00	.00	300.00		
55	Four Seasons Nursery, Inc	105296	30 hanging flower baskets	1	06/13/2023	12,000.00	.00	12,000.00	50848	06/15/2023
Total 55:						12,000.00	.00	12,000.00		
83	KAS & Associates, Inc.	21727	Private Project review 71fiv	1	05/25/2023	356.55	.00	356.55	50859	06/20/2023
Total 83:						356.55	.00	356.55		
114	Pacific Power	05252023	Nork Lane 10/24/2022-11/2	1	05/25/2023	106.69	.00	106.69	50860	06/20/2023
		05252023	Street lights	2	05/25/2023	663.34	.00	663.34	50860	06/20/2023
		05252023	Aunt Carolines Park	3	05/25/2023	54.73	.00	54.73	50860	06/20/2023
		05252023	City Hall	4	05/25/2023	234.91	.00	234.91	50860	06/20/2023
Total 114:						1,059.67	.00	1,059.67		
121	Pitney Bowes Global Finan	3317519673	Contract 0041353961 billin	1	05/30/2023	171.30	.00	171.30	50861	06/20/2023
Total 121:						171.30	.00	171.30		
126	Postmaster	06012023	Replenish Indicia Account f	1	06/01/2023	2,000.00	.00	2,000.00	50862	06/20/2023
Total 126:						2,000.00	.00	2,000.00		
139	Shady Cove Hardware, LL	876398	Utility knife	1	05/23/2023	10.99	.00	10.99	50865	06/20/2023
		876398	Fasteners, nails, screws, n	2	05/23/2023	25.68	.00	25.68	50865	06/20/2023
		876398	Cleaners, gloves	3	05/23/2023	48.97	.00	48.97	50865	06/20/2023
		876398	potting soil, landscape fabri	4	05/23/2023	96.95	.00	96.95	50865	06/20/2023
		876398	Trimr Lines	5	05/23/2023	9.98	.00	9.98	50865	06/20/2023

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
		876398	Tools, lawn and garden	6	05/23/2023	38.33	.00	38.33	50865	06/20/2023
		876398	keys	7	05/23/2023	11.53	.00	11.53	50865	06/20/2023
		876398	keys	8	05/23/2023	11.54	.00	11.54	50865	06/20/2023
		876398	Spray paint, tools	9	05/23/2023	81.85	.00	81.85	50865	06/20/2023
		876398	keys, tools	10	05/23/2023	45.47	.00	45.47	50865	06/20/2023
		Total 139:				381.29	.00	381.29		
149	SOS Alarm	7873684	Contracted services 5/26/2	1	05/30/2023	433.40	.00	433.40	50866	06/20/2023
		Total 149:				433.40	.00	433.40		
151	Southern Oregon Sanitatio	052023	22451 Hwy 62	1	05/25/2023	45.93	.00	45.93	50867	06/20/2023
		052023	1008 Celtic Circle	2	05/25/2023	45.93	.00	45.93	50867	06/20/2023
		052023	2501 Indian Cr Rd	3	05/25/2023	66.80	.00	66.80	50867	06/20/2023
		Total 151:				158.66	.00	158.66		
160	Teamster Local 223	06072023	Monthly dues	1	06/07/2023	204.00	.00	204.00	50868	06/20/2023
		Total 160:				204.00	.00	204.00		
221	Hunter Communications	378869	Phone/Internet	1	06/07/2023	860.98	.00	860.98	50858	06/20/2023
		Total 221:				860.98	.00	860.98		
255	TouchPoint Networks, LLC	INV-7023	WatchGuard T40 Firebox	1	06/01/2023	107.00	.00	107.00	50869	06/20/2023
		Total 255:				107.00	.00	107.00		
257	AT&T Mobility	2872860888	Cell phones	1	06/05/2023	280.52	.00	280.52	50849	06/20/2023
		Total 257:				280.52	.00	280.52		
264	Upper Rogue Independent	2261	Government Public Notice	1	06/02/2023	90.00	.00	90.00	50870	06/20/2023
		Total 264:				90.00	.00	90.00		
268	Project A, Inc.	23-745	Services:Web Custom Dev	1	06/15/2023	231.25	.00	231.25	50863	06/20/2023
		Total 268:				231.25	.00	231.25		
286	City of Shady Cove - Utilitie	05312023	2501 Indian Creek Rd	1	05/31/2023	46.25	.00	46.25	50854	06/20/2023
		05312023	22451 Hwy 62	2	05/31/2023	47.25	.00	47.25	50854	06/20/2023
		05312023	1008 Celtic Circle	3	05/31/2023	47.25	.00	47.25	50854	06/20/2023
		Total 286:				140.75	.00	140.75		
289	Rogue Shred, LLC	3289713	65 gal shredd toter	1	06/01/2023	5.00	.00	5.00	50864	06/20/2023
		Total 289:				5.00	.00	5.00		
430020	Confident Staffing, Inc.	49520	Lybarger, P - Seasonal wor	1	05/28/2023	491.45	.00	491.45	50856	06/20/2023
		49547	Lybarger,P, Smith, M. week	1	06/04/2023	1,274.67	.00	1,274.67	50856	06/20/2023
		49547	Lybarger, P. Smith, M week	2	06/04/2023	1,402.06	.00	1,402.06	50856	06/20/2023

Vendor Number	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Discount Amount	Check Amount	Check Number	Check Issue Date
Total 430020:						3,168.18	.00	3,168.18		
430095	EP/Upper Rogue Communi	06152023	Avenue Of Flags	1	06/06/2023	2,500.00	.00	2,500.00	50847	06/15/2023
Total 430095:						2,500.00	.00	2,500.00		
Grand Totals:						35,943.26	.00	35,943.26		

Report Criteria:
Detail report type printed

City of Shady Cove

Ordinance No. 275

AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON AMENDING THE SHADY COVE CODE OF ORDINANCES TO INCLUDE VACATION RENTAL DWELLINGS AS A CONDITIONAL USE IN RESIDENTIAL ZONING DISTRICTS

Whereas, Chapter 154, of the Shady Cove Code of Ordinances governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the City Council of the City of Shady Cove make the final decision regarding the application; and,

Whereas, The criteria used to evaluate the requested amendments to the Code of Ordinances are contained in Section 154.438 with additional considerations in Section 154.380(F).

Whereas, The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on May 14, 2015, to consider amendments to Chapter 154 of the Shady Cove Code of Ordinances to add vacation rental dwellings to the list of permitted uses in its residential zones and to establish regulations governing their use. The Commission received testimony from interested parties and staff. The staff recommendations, as submitted to the Planning Commission, are contained in a staff report that is part of the record; and,

Whereas, Following the close of the public hearing, the Planning Commission deliberated on the record of the proceedings, after which a motion was made and duly seconded, to recommend that the City Council approve File VR 15-01 to allow vacation rentals, not as a permitted use, but as a conditional use, in residential zoning districts; and,

Whereas, On June 18, 2015, the City Council, after providing proper public notice, met in Public Hearing to consider the Planning Commission recommendation.

THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:

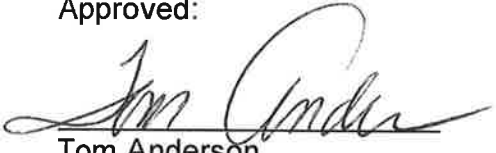
The Shady Cove Code of Ordinances is amended as follows:

- | | |
|------------------------|---|
| Section 1: Title | This Ordinance shall be known as the Vacation Rental Dwelling Ordinance of the City of Shady Cove, Oregon. |
| Section 2: Description | Vacation Rental Dwelling regulations, attached as Exhibit A, approved by the City Council. |
| Section 3: Amendment | The conditional uses sections contained in Sections 154.037 (R-1), 154.052 (R-2), and 154.067(R-3) of the Shady Cove Code of Ordinances Plan Map are amended to add Vacation Rental Dwellings. Chapter 154 is further amended to add Vacation Rental Standards. |

Section 4: The City Council adopts as its own, and incorporates by reference, the Planning Commission recommendation attached as Exhibit B, to the extent that it is consistent with the City Council decision.

PASSED AND APPROVED by the Common Council of the City of Shady Cove this 6th day of August 2015.

Approved:



Tom Anderson
Mayor

Attest:



Aaron Prunty
City Administrator

Council Vote:

Mayor Anderson	<u>Y</u>
Councilor Burgess	<u>Y</u>
Councilor Mitchell	<u>Y</u>
Councilor Sanderson	<u>Y</u>
Councilor Ulrich	<u>Y</u>

EXHIBIT "A"

PROPOSALS FOR A VACATION RENTAL ORDINANCE

Approval of this ordinance adds vacation rentals as a conditional use in all areas zoned residential.

Vacation rentals that were included in the City's trial between June 1, 2014 and December 31, 2014 will be grandfathered, and exempt from the conditional use requirement, provided that the owner of that property has a valid vacation rental Business License for fiscal year 2015-2016. Should the property owner of the grandfathered residence fail to meet the foregoing or expand the size of that residence, the conditional use process will be in effect.

STANDARDS

1. Maximum occupancy: 10 people
2. Maximum number of vehicles: 4
3. Vehicles must be parked on the rental property, not on the public right of way
4. Not more than 50% of the front yard setback area may be used for parking. The balance must be "landscaped" to prevent parking
5. No outdoor activities, constituting a nuisance or loud noise are permitted after 9:00pm
6. Vacation rentals must comply with all City policies, standards and ordinances
7. Animals, other than service animals, are not permitted
8. Vacation rental property owners must subscribe to a scheduled waste collection service and provide garbage and recycling receptacles on the property
9. With the exception of enclosed barbecues, any outside fire is prohibited

SAFETY REQUIREMENTS

1. Smoke alarms must be present and functioning. Smoke alarms 10 years and older must be replaced with new smoke alarms that have a 10-year battery and hush button. Smoke alarms must be installed on each floor of the residence, including basement and attached garage, if existing
2. At least one 2A-10BC rated fire extinguisher must be visible and readily accessible for each floor of the residence including basement, if existing. Portable fire extinguishers shall be fully charged and serviced annually
3. Exit doors cannot be blocked to prevent egress. Corridors and exit ways must be free of obstructions. Each sleeping room will have at least one operable window for use as a secondary means of escape
4. At least one plug-in rechargeable flashlight will be readily accessible on each occupied floor of the residence
5. If on the second floor, there is no other means of escape, two story vacation rentals must provide a roll out ladder for use as a secondary means of escape
6. A carbon monoxide alarm must be present and functioning in a structure having a carbon monoxide source as defined in ORS 105.836

GENERAL

1. A 500 foot minimum spacing between vacation rental properties, on the same side of the river, is required
2. A copy of the vacation rental standards shall be posted in a conspicuous place inside the vacation rental
3. Owners of vacation rental property must have a local contact, and provide the City Administrator with the name and telephone number for that contact
4. Written consent is required from affected property owners if the vacation rental property is accessed by a shared driveway. A copy of the written consent is to be provided to the City Administrator
5. Transient Occupancy Tax will apply to all rentals of 30 days or less

EXHIBIT "A"

ENFORCEMENT

1. Annually, prior to the issuance of a Business License for vacation rentals, the City's CSO will make a premise visit. The visit will ensure that all safety requirements (smoke alarms, fire extinguishers, flash lights and exit provisions) are in place as well as a posted sign reflecting vacation rental standards
2. Complaint handling:
 - a. Any confirmed complaint made to the City, regarding vacation rentals, will be evaluated by the City Administrator for validity. If deemed valid the complaint will be directed to the City's CSO for action
 - b. Complaints filed directly with the Sheriff's Office, will be handled by that group. Information concerning resultant action will be provided to the City Administrator
3. Valid complaint action:
 - a. A first valid complaint will result in a warning.
 - b. A second valid complaint is subject to a fine of up to \$500.00 per day, for each day during the period of the rental which generated the complaint
 - c. A third valid complaint will result in cancellation of the Business License, and may include additional fine(s)
4. With the exception of the grandfathered property noted in this ordinance, property owners offering their property for vacation rental without going through the conditional use process and/or possessing a valid Business License is a violation of this ordinance. In addition to a cease and desist order, the property owner will be subject to a fine of up to \$500.00 for each day the property is/was rented for vacation purposes.

EXHIBIT "B"

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF SHADY COVE
COUNTY OF JACKSON, STATE OF OREGON**

IN THE MATTER OF CONSIDERATION OF)
AMENDMENTS TO CHAPTER 154 OF THE)
SHADY COVE CODE OF ORDINANCES TO) RECOMMENDATION
ADD VACATION RENTAL BY OWNER (VRBO)) TO CITY COUNCIL
AS A PERMITTED USE IN THE RESIDENTIAL)
ZONING DISTRICTS)

APPLICANT: City of Shady Cove Planning File No. VR 15-01

RECITALS:

- 1) Chapter 154, of the Municipal Code of the City of Shady Cove governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the City Council of the City of Shady Cove make the final decision regarding the application; and,
- 2) The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on May 14, 2015, to consider amendments to Chapter 154 of the Shady Cove Code of Ordinances to add vacation rental dwellings to the list of permitted uses in its residential zones and to establish regulations governing their use. The Commission received testimony from interested parties and staff. The staff recommendations, as submitted to the Planning Commission, are contained in a staff report that is part of the record; and,
- 3) On May 14, 2015, following the close of the public hearing, the Planning Commission deliberated on the record of the proceedings, after which a motion was made and duly seconded, to recommend that the City Council approve File VR 15-01 to allow vacation rentals, not as a permitted use, but as a conditional use in residential zoning districts. The motion passed by a roll call vote of 3 to 0.

NOW THEREFORE, the Planning Commission of the City of Shady Cove finds, concludes, and recommends as follows:

SECTION 1: FINDINGS

- 1) The Planning Commission hereby incorporates by reference all oral deliberations and findings of fact established in the record of the public hearing, and cites by reference: oral and written testimony of interested citizens and staff, and findings of fact which are a part of the record, the City Planner's staff report; and,
- 2) The Planning Commission hereby finds that it has received all information and evidence necessary to consider the above request; and,

- 3) The City provided public notice through the Upper Rogue Independent, and mailed notices to owners of all properties within the city limits via United States Postal Service. The Planning Commission finds and concludes that proper notice has been given; and,
- 4) The Planning Commission received testimony from those who supported vacation rentals, citing the positive effect on the city's economy. It also heard from opponents who were concerned about the potential adverse effects on surrounding residential uses. Others spoke neither for nor against the proposal, but had concerns about the difficulty of ensuring compliance with the proposed operating standards. They also recommended informing applicants of the need to carry liability insurance. During deliberations, the Commission discussed the merits of limiting occupancy to two adults per bedroom, continuing the maximum occupancy in proposed Standard 1. This would permit fewer guests in smaller homes.
- 5) The criteria used to evaluate the requested amendments to the Code of Ordinances are contained in Section 154.438 with additional considerations in Section 154.380(F). The Planning Commission finds that the request meets the criteria and considerations.

SECTION 2: CONCLUSION

The Planning Commission concludes that the proposed amendments to Section 154 of the Shady Cove Code of Ordinances comply with procedural requirements of the Shady Cove Code of Ordinances. The commission also concludes that, based on the hearings record, it is appropriate to include vacation rentals as a conditional use rather than a permitted use, requiring a public hearing before approval of a vacation rental.

SECTION 3: DECISION

Based on the record of the public hearing on this matter, the Planning Commission recommends approval of amendments to Section 154 of the Shady Cove Code of Ordinances to include vacation rentals as a conditional use in residential zoning districts. The Commission recommends modifying Standard 1 to allow a maximum of two adults per bedroom, with a maximum occupancy of ten persons. The Commission further recommends adding the following approval standards:

19. Owner shall provide liability insurance.
20. The City shall maintain a registry of vacation rentals.
21. Existing members of the VRBO registry are exempt from the conditional use permit requirements unless they are to be expanded.

This RECOMMENDATION for APPROVAL is given to the Shady Cove City Council this 29th day of May 2015, in Shady Cove, Oregon.



Dick McGregor, Planning Commissioner



9 E. 4th Street
 Medford, OR 97501
 (541) 779-1952 Fax: (541) 779-9838

Estimate 56565

Date: 06/12/23

**JIM EVERETTE
 CITY OF SHADY COVE**

SHIP TO:
 CITY OF SHADY COVE

Acct.No	Ordered By	Phone	Fax	P.O. No	Prepared By	Sales Rep
31	JIM EVERETTE	541-613-6730			Jackie	
Quantity	Description				Unit Price	Price
1	TYPESetting - BASIC SET UP - 1 IMAGE/MONTH				60.0000/Ea	60.00
1	TYPESetting - WITH CUSTOM IMAGE LAYOUTS FOR 6 MONTHS				160.0000/Ea	160.00
100	FULL COLOR CALENDARS - FOLD TO 8.5 X 11" - 100# COATED TEXT - ~13 BUSINESS DAYS PRODUCTION				4.4350/Ea	443.50
250	FULL COLOR CALENDARS - FOLD TO 8.5 X 11" - 100# COATED TEXT - ~13 BUSINESS DAYS PRODUCTION				3.7540/Ea	938.50
500	FULL COLOR CALENDARS - FOLD TO 8.5 X 11" - 100# COATED TEXT - ~13 BUSINESS DAYS PRODUCTION				3.2950/Ea	1,647.50



Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Jim Hubbard
Steve Mitchell

June 27, 2023

Governor Tina Kotek
Office of the Governor
900 Court Street, Suite 254
Salem, OR 97301-4047

Dear Governor Kotek,

As Mayor for the City of Shady Cove, I am writing you to express the concerns of our citizens, businesses, and City Council regarding a Jet Boat business proposal requesting to expand their operations on the Rogue River North of the TouVelle State Park in Central Point.

The State Marine Board relicensed the Rogue Jet Boat Adventures operation from TouVelle State Park. The City of Shady Cove was not notified of the proposed expansion. The concerns that were raised during a recent City Council meeting were the noise from the un-muffler engines, erosion of the resident's river bank that front the Rogue River, danger to other drift fishing boats, rafters, paddle boarders, and the detrimental impact on our struggling fish industry from the Cole Fish Hatchery. In June 2016 the State required the City of Shady Cove to adopt a Riparian Protection Ordinance to protect the river banks of the Rogue River for the health and habitat of the fish and wildlife.

The Council would like to invite you to visit us here to see firsthand the effects on our beautiful Rogue River if the proposed expansion of Rogue Jet Boat Adventures would have on our City.

Very truly yours.

Jon Ball, Mayor

"The City of Shady Cove is an equal opportunity provider."

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226
E-Mail: tcorrigan@shadycove.org ♦ Web Site: www.shadycove.org



Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Jim Hubbard
Steve Mitchell

June 25, 2023

Governor Tina Kotek
Office of the Governor
900 Court Street, Suite 254
Salem, OR 97301-4047

Dear Governor Kotek,

As Mayor for the City of Shady Cove, I am writing you to express the concerns of our citizens, businesses, and City Council regarding a Jet Boat business proposal requesting to expand their operations on the Rogue River North of the TouVelle State Park in Central Point.

The State Marine Board recently relicensed the jet boat operation from TouVelle State Park. The City of Shady Cove was not notified of the proposed expansion. The concerns that were raised were the noise from the un-muffler engines, erosion of the resident's river bank that front the Rogue River, danger to other drift fishing boats, rafters, paddle boarders, and the detrimental impact on our struggling fish industry from the Cole Fish Hatchery.

In June 2016 the State required the City of Shady Cove to adopt a Riparian Protection Ordinance to protect the river banks of the Rogue River for the health and habitat of the fish and wildlife. The City would be put in a difficult position to penalize a business that could erode the river banks, and the property owners to repair and restore their property due to the actions that are beyond their control.

The Council would like to invite you to visit us here to see firsthand the effects on our beautiful Rogue River if the proposed expansion of Rogue Jet Boat Adventures would have on our City.

Very truly yours.

Jon Ball, Mayor

cc: Colleen Roberts, Jackson County Commissioner
Steve Lambert, Jackson County Roads & Park Director

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