

EXHIBIT "A"

SHORT TERM RENTALS

Approval of this ordinance adds vacation rentals as a conditional use in ~~all areas zoned residential~~ residential districts R-1-6, R-2, R-3 and commercial district G-C for 30 days or less.

~~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: ten people with a limit of two persons per bedroom. Sleeping shall be confined within the residence.
2. Maximum number of vehicles: 24
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 receptacles on the property
9. With the exception of enclosed barbecues, any outside fire is prohibited
10. Owner shall provide liability insurance
11. The City shall maintain a registry of vacation rentals
12. Existing members of the VRBO registry are exempt from the conditional use permit requirements unless they are to be expanded
12. Accessory Dwelling Units (ADU) shall not be used as a vacation rental
13. Short Term Rental Conditional Use approval shall be granted to the property owner
14. Failure to acquire or renew the Business License associated with the vacation rental, or change of ownership of the property, will void the approval on the Short Term Rental. The applicant must reapply in full for approval.

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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

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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 at least 75% of affected property owners if the vacation rental property is accessed by a shared driveway or private roadways. A copy of the written consent is to be provided to the City Administrator
- 4.5. Written consent is required from at least 75% of the affected property owners if the vacation rental property uses a shared water source. A copy of the written consent is to be provided to the City Administrator.
- 5.6. Transient Occupancy Tax will apply to all rentals of 30 days or less

ENFORCEMENT

1. Annually, prior to the issuance of a Business License for vacation rentals, the City's CSO will make a premise visit to the premise. 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 to the property owner.
 - 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"

Amendment to Zoning chapter table of contents (ref. Chapter 154 in Shady Cove Code of Ordinances):

Change Vacation Rental Dwellings
To Short Term Rentals (STR)

Amendment to Low Density Residential District, R-1 – Conditional Uses (ref. Section 154.037 in Shady Cove Code of Ordinances):

Change (J) Vacation rental dwellings; and
To (J) Short term rentals (STR) Vacation rental dwellings(R-1-6 only);
and

Amendment to Medium Density Residential District, R-2 – Conditional Uses (ref. Section 154.052 in Shady Cove Code of Ordinances):

Change (L) Vacation rental dwellings; and
To (J) Short term rentals (STR) ~~Vacation rental dwellings; and~~

Amendment to High Density Residential District, R-3 – Conditional Uses (ref. Section 154.067 in Shady Cove Code of Ordinances):

Change (L) Vacation rental dwellings; and
To (J) Short term rentals (STR) ~~Vacation rental dwellings; and~~

Amendment to General Commercial District, G-C – Conditional Uses (ref. Section 154.082 in Shady Cove Code of Ordinances):

Change (J) Scientific or technical research facilities and laboratories; and
(K) Zoos.

EXHIBIT "B"

To (J) Scientific or technical research facilities and laboratories; and
(K) Zoos; and
(L) Short term rentals (STR).