

**City of Shady Cove**

**Ordinance No. 306**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHADY COVE AMENDING THE SHADY COVE CODE OF ORDINANCES, INCLUDING ORDINANCES 225 AND 275, TO AMEND VACATION RENTAL DWELLINGS, (SHORT-TERM RENTALS), AS A CONDITIONAL USE IN RESIDENTIAL AND GENERAL COMMERCIAL DISTRICTS.**

**Whereas**, The City Council of the City of Shady Cove desires to update the conditions set forth for Short-Term Rentals; and

**Whereas**, The City Council of the City of Shady Cove desires to remove obsolete, redundant, and generally update the Planning Code;

**THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS THE FOLLOWING AMENDMENTS:**

The title of "Vacation Rental Dwellings" is changed to "Short Term Rentals (STR)"

Section 154: Zoning table of contents is amended to reflect Short Term Rentals (STR) instead of Vacation Rental Dwellings. This change is defined in Exhibit B.

Sections 154.475 thru 154.479 are amended to include additional stipulations, delete obsolete stipulations and clarify existing stipulations for short term rentals (STR). These changes are defined in Exhibit A.

The conditional uses section contained in Section 154.037 (Low Density Residential District, R-1) of the Shady Cove Code of Ordinances is amended to reflect short term rentals (STR) instead of vacation rental dwellings, and to restrict such rentals to Residential District R-1-6. This change is defined in Exhibit B.

The conditional uses section contained in Section 154.052 (Medium Density Residential District, R-2) and Section 154.067 (High Density Residential District, R-3) of the Shady Cove Code of Ordinances is amended to reflect short term rentals (STR) instead of vacation rental dwellings. This change is defined in Exhibit B

The conditional uses section contained in Section 154.082 (General Commercial District, G-C) of the Shady Cove Code of Ordinances is amended to add short term rentals (STR) to the list of conditional uses. This change is defined in Exhibit B.

## Exhibit A

Amendments to Vacation Rental Dwellings Ordinance (ref. Sections 154.475 thru 154.479 in Shady Cove Code of Ordinances):

- Exhibit B changes from the original Vacation Rental Dwellings Ordinance were incorporated.
- The Ordinance name is changed from “Vacation Rental Dwellings” to “Short Term Rentals (STR)”
- Allowable zoning districts were added to the beginning
- Grandfather clause was removed
- More specificity in maximum occupancy in Standards-1
- Changed maximum vehicles to 2 in Standards-2
- Added original Ordinance Exhibit B clauses in Standards-10,11,12
- Removed exemptions for VRBO registry in Standards-12
- Added new provisions per Council discussion in Standards-12, 13, 14
- Removed attached garage provision in Safety Requirements-1
- Add additional stipulations for shared driveways/roadways and shared water source in General-4, 5
- Cleanup/clarification of language in Enforcement-1, 3, 4

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

### **Appeal**

A. The owner, or person in charge protesting any citation of any sections of this Ordinance, shall file with the City, a written statement which will specify the basis for the protest. The statement will be referred to the City Council or Municipal Court Judge, as appropriate, as part of the next scheduled meeting or court date. At the time set for consideration of the abatement, the owner or other person may appear and be heard and the Council or Municipal Court Judge, as appropriate will thereupon determine whether or not a nuisance or offense, in fact, exists. If it is determined that it does exist, the owner, or other person shall, within 10 days of that determination complete the abatement.

B. If the owner, or person in charge of the property, objects to the assessment for abatement, a written objection may be heard by the City Council in the manner described in "A" above.

### **Penalties and Damages**

A. In addition to the cost and assessments provided in this Ordinance, a violation may be prosecuted in the Municipal Court of the City of Shady Cove, and be punished by a fine or not more than \$500.

B. Each day's violation constitutes a separate violation. The abatement shall not constitute a penalty for violating the Ordinance.

C. The remedies specified herein will not be deemed exclusive and the City may, at its option, seek to enforce the provisions of this Ordinance by exercising its legal or equitable remedies in any court of competent jurisdiction.

D. When an offense has been committed that results in ascertainable damages to any person, based upon conviction thereof, in addition to any other sentence, the Court may order that the defendant make restitution to the victim.

### **Infraction**

A. Neither party shall have the right to a jury trial at the trial of any infraction.

### **Severability**

A. Invalidity of a section or part of a section of this Ordinance will not affect the validity of remaining sections or parts of Sections.

**Savings Clause**

A. The amendment of any Ordinance noted in these sections will not preclude any action against any person violating this Ordinance prior to the effective date of this Ordinance.

**Adopted** by the City Council of the City of Shady Cove this 4th day of January, 2024.

**Approved:**

**Attest:**

\_\_\_\_\_  
Jon Ball  
Mayor

\_\_\_\_\_  
Thomas J. Corrigan  
City Administrator

**Council Vote:**

Mayor Ball \_\_\_\_\_  
Councilor Nuckles \_\_\_\_\_  
Councilor Winfrey \_\_\_\_\_  
Councilor Hubbard \_\_\_\_\_  
Councilor Mitchell \_\_\_\_\_