



Planning Commission Staff report

To: Planning Commission **Meeting Date:** October 8, 2019

From: Carolyn Johnson, Community Development Administrator

Subject: Agenda Item 3A: Coos Bay Municipal Code (CBMC) Title 17 Amendments. 187-19-000051; Section 17.370 – Vacation Rentals.

Summary: On September 10, 2019, the Planning Commission and public were presented with draft amendments to the following CBMC Title 17 (Development Code) sections:

- Section 1; 17.110-General Provisions, 17.120.020-Administration, 17.130-Procedures, 17.150-Definitions,
- Section 2; 17.220 LDR-6 and LDR-8 Residential districts, and
- Section 3; 17.312-Accessory Dwelling Units, and 17.370 – Vacation Rentals.

The Planning Commission took action to recommend Council authorization of each of the amendments, except for those in Section 17.370 related to Vacation rentals. While the Commission was supportive of the Vacation rental standards presented (attached), it was decided more discussion was needed about parking requirements for this visitor serving use.

The City's current parking standard for hotel, motel, or bed and breakfast houses is 1 space per guestroom plus 1 for every 25 rooms. Vacation rentals in residential neighborhoods are different from hotels. The Commission determined to examine this issue and decide whether the current hotel/motel/breakfast house standard was appropriate for vacation rentals and if not, what standard should be established. If the Commission reaches a conclusion on this matter, the new standards would be added to the information on the Vacation rental standards that would be forwarded to the Council for action.

The Commission is asked to discuss vacation rental parking needs and develop appropriate parking requirements for vacation rentals. On the following page for Commission reference are examples of visitor lodging parking coastal communities or similar size of proximity to the coast locations in Oregon and California.

City	Hotels	Vacation rentals	Bed and Breakfast
Oregon			
Astoria	1 space per guest room	Parking required for owner plus 1 additional space for each bedroom uses for transient lodging plus spaces required for associated uses such as assembly areas or restaurant.	
Cannon Beach	1-1/4 per unit and 2 for a manager's unit; 1 for each unit of 400 sq. ft. or less, as long as that unit has only 1 bedroom		
Newport	1 space/room + 1 space for the manager (if the hotel/motel contains other uses, the other uses shall be calculated separately)	Parking requirements for uses not noted to be determined by the Planning Director based upon requirements for most comparable use or a parking demand analysis.	
Reedsport	1 per guest room and one additional space for the owner or manager		
Gold Beach	1 space per guest accommodation and 2 spaces for employees		
Brookings	1 space per guest room or suite plus 1 additional space for the owner or manager plus 1 space per 10 rooms		
California			
Morro Bay	Motels, hotels: one space for each room or group of rooms intended to be occupied as a unit, plus one space for each ten rooms, plus two spaces for each resident manager's quarters.		Two spaces, plus one for each room or group of room intended to be occupied as a unit.
Capitola	One space per each guest room		One space for each room rented
Carpinteria	One space per guest room and one space per employee		

Action requested:

1. Planning Commission accept an oral report from staff.
2. Open the Public hearing for public comment.
3. Close the public hearing and discuss the proposed amendment.
4. Take action to direct changes and/or recommend Council action on the proposed amendments.

Background: With the Council's authorization, the Planning Commission is presented with draft amendments to each of the subject sections. These amendments have been drafted to introduce a more efficient development permit processing, provide clarity of terms, create standards for certain land uses to minimize review time, and correctly reflect density in residential zones as "clean up" from prior amendments.

Attachment: 17.370 – Vacation Rentals draft

VACATION RENTALS

Sections:

- 17.370.010 Purpose and Intent.
- 17.370.020 Applicability.
- 17.370.030 Performance Standards and Requirements for Vacation Rentals.
- 17.370.040 Violations

17.370.010 Purpose and Intent. The purpose of these regulations is to ensure that vacation rentals conform to and are compatible with the existing character of the area in which they are located and do not create an adverse impact on adjacent properties.

17.370.020 Applicability. Vacation rentals may be permitted in the LDR-6 and LDR-8 zoning districts and in existing residential structures in the C, MX and I-C and WH zoning districts in compliance with underlying zoning district development and use standards and subsection 17.370.030.

17.370.030 Performance Standards and Requirements for Vacation Rentals.

1) **Authorization.** A Vacation Rental is a City authorized residential structure being rented for compensation for thirty (30) days or less. Recreational vehicles, travel trailers, tents, other temporary shelters, garages used to comply with City parking requirements, accessory structures (including Accessory dwelling units) are not permitted for use as vacation rentals

2) **Licensing and Taxes.** Owners and Operators of vacation rentals are required to obtain a business license pursuant to the requirements of CBMC Chapter 5.05 and the payment of Transient Lodging taxes pursuant to the requirements of CBMC Section 3.55.

3) **Additional Requirements.** Each vacation rental owner/operator must submit with their business license application the following:

(a) A building safety inspection safety report prepared by a licensed home inspector for Building Official review and approval;

(b) For Director approval a written notice that will be conspicuously posted inside each vacation rental unit setting forth the name, address and telephone number of the contact person required in 17.370.030(6) if the property owner/operator does not live in the residential structure utilized as a vacation rental. The notice shall also set forth the address of the vacation rental, the maximum number of occupants permitted to stay overnight in the unit, the maximum number of vehicles allowed to be parked on-site, the day(s) established for garbage collection, a City approved tsunami evacuation map and a non-emergency number of the Coos Bay Police Department.

4) **Annual verification of contact information.** The owner/operator of the vacation rental shall annually, at the time of renewal of the business license, verify the name, address and telephone number of the contact person required in 17.370.030(6) if the property owner or his/her operator does not live in the residential structure utilized as a vacation rental.

5) **Coos Bay Municipal Code Compliance.** Compliance is required with all CBMC regulations, including, but not limited to Title 8, Health and Safety; Title 9, Peace, Morals and Welfare; and Title 15, Buildings and Construction. All environmental health regulations shall be met.

6) **Contact Requirements.** If the property owner and/or his/her operator does not live in the residential structure utilized as a vacation rental, the owner and/or operator shall, at all times while the property is being used as a vacation rental, maintain a contact person/entity within a fifteen-minute drive of the property. The contact person or entity must be available via telephone twenty-four (24) hours a day, seven days a week, to respond to complaints regarding the use of the vacation rental. The contact person or entity shall respond, either in person or by return telephone call, with a proposed resolution to the complaint within three hours between seven a.m. and nine p.m., and within thirty (30) minutes between nine p.m. and seven a.m.

7) **Advertising.** On-site advertising of the vacation rental is prohibited.

8) **Limit of Occupants.** The number of overnight occupants shall be limited to two persons per bedroom and two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons. A bedroom shall meet the minimum size requirements as defined in CBMC Title 15 (Building Code).

9) **Location limit.** Establishment of a vacation rental within three hundred (300) feet of an existing vacation rental shall not be permitted.

10) **Parking Requirement.** One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up. Parking areas shall not be located in the front yard but may be located on the property's paved driveway. If the vacation rental property owner/operator lives on site, the required residential parking shall not be displaced by the vacation rental.

17.370.040 Violations.

Violation of the requirements specified in Section 17.370.030 shall constitute grounds for revocation of the Type II permit required for a vacation rental pursuant to Section 17.130.150.

Table 17.330.010(A) – Off-Street Parking Requirements

Use	Minimum Number of Parking Spaces
Commercial: <u>Hotel, motel or bed and breakfast - houses/Tourist Habitation</u>	1 space per guestroom, plus 1 per every 25 rooms

Table 17.235.020 – I-C Uses

Use	I-C
Residential	
Tourist habitation/ bed and breakfast and home occupations	P

Table 17.230.020 – C and MX Uses

Use	C	MX
Residential		
Tourist habitation/ bed and breakfast / <u>and</u> home occupations	P	P