



Short-Term Rentals

Clackamas County Code and Zoning & Development Code Amendments

PC Work Session

November 9, 2020



Definition

A short-term, or vacation, rental (STR) is:

- A dwelling unit or portion of a dwelling unit...
- Rented to any person or entity...
- For a period of up to 30 consecutive nights.



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Why now?

- Zoning & Development Ordinance (ZDO) does not specifically allow short-term rentals in any homes
 - From a zoning perspective, short-term rentals are considered a prohibited use of a dwelling
 - Regardless, there are hundreds of short-term rentals in the county and interest is growing
- Several short-term rental properties have generated significant complaints
- Many short-term rental owners are not paying required Transient Room Tax (TRT)



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Work done to date

- Research – lessons learned from other cities/counties
- Internal stakeholders group
- Public outreach
 - 8 community meetings
 - Social media/press releases
 - Website: <https://www.clackamas.us/planning/str>
 - 2 surveys
- 8 policy sessions with Board of Commissioners (BCC); 1 work session with Planning Commission
- 2 public hearings with BCC before project put on hold in spring 2020 due to pandemic; 1 public hearing with BCC in November 2020



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Proposed regulations, as drafted

- STRs allowed in any legal dwelling in unincorporated Clackamas County, including guest house and accessory dwelling unit (ADU)
- If within Portland Metropolitan UGB, STR must be primary residence (or on same property, or tract)
- Each STR must register, pay a registration fee, comply with all regulations
- Enforcement through Code Enforcement & Sheriff's Office (noise, illegal activity)



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Some specific requirements

- **Maximum overnight occupancy:** 2 per bedroom/sleeping area + 4 extra, (max. of 15 even if 6+ bedrooms)
- **Parking requirements– off-street:**
 - minimum of 1 space
 - 1 space per 2 sleeping areas (round up)
 - exception for "resort accommodations" in Rural Tourist Commercial (RTC) zoning district on Mt. Hood
- **Building/life/fire safety:** verified through self-inspection form (provided by county)



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Some specific requirements (cont.)

- **Noise:** compliance with noise ordinance and posted quiet hours
- **Posted notice to renters:** emergency contact, registration #, max. occupancy (provided by county)
- **Mailed notice to neighbors:** 24-hour contact info of operator/owner
- **Other:**
 - register to pay transient lodging taxes
 - maintain garbage removal
 - proof of insurance



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Important procedural considerations

- If adopted, the program is proposed to take effect on July 1, 2021
- The registration fee and fines for noncompliance will be adopted as part of the normal fees/fines adoption process that occurs as part of BCC budget adoption in 2021
- For full cost recovery, with staffing of one administrative position in Finance and one Code Enforcement position in DTD, the estimate is a two-year registration fee of \$800 to \$900



Adoption Process - Structure of Amendments

- County Code (Section 8.10)
 - Would contain STR registration program
 - All rules and regulations specific to STRs
 - Application processes and requirements
 - Enforcement processes and actions
- Zoning & Development Ordinance (ZDO)
 - Enabling amendments to eliminate conflicts with County Code and specifically allow STRs
 - Section 202 – definition of “dwelling unit”
 - Section 833 – allow use in guest houses
- County Code (Appendix A & B)
 - Fees and fines



Adoption Process - Decisions

- County Code (Section 8.10) amendments
 - **Thursday, November 5 (10 AM):** 1st reading - Board of County Commissioners (BCC) public hearing
 - BCC voted 4-1 to proceed to 2nd reading
 - **Wednesday, November 25 (10 AM):** 2nd reading/action - BCC public hearing
- Zoning & Development Ordinance (ZDO) amendments
 - **Monday, November 23 (6:30 PM):** Planning Commission public hearing
 - **Wednesday, December 9 (9:30 AM):** BCC public hearing
 - **Thursday, December 17 (10 AM):** BCC adoption
- County Code (Appendix A & B) amendments
 - Spring 2021





Questions?

For more information:

<https://www.clackamas.us/planning/str>

