

### **18.137.070 Short-Term Rentals.**

The Purpose of this article is to allow short-term rentals in the City of Talent with the goal of minimizing impacts to residential housing stock in the city. A short-term rental is defined as a dwelling unit that is rented to successive tenants for periods of less than 30-days duration over a 12-month period. Short-term rentals are permitted in all residential zones, in both owner-occupied and leased properties, provided that the short-term rental meets the definition as stated in 8-3B.1 of this Code, the requirements of this Article, and all other applicable City, County or State laws and regulations.

**A. Application Requirements.** Any occupant of a dwelling unit may make an application to the Community Development Department to operate a short-term rental. The application shall consist of the following:

1. Applicant's name, address, telephone number and e-mail address, mailing address (if different from site address), and the Assessor's parcel map number and tax lot number of the subject property;
  2. A written description of the subject property, including property type (single family home, multi-family apartment, etc.), and a description of the portion (if applicable) of the dwelling to be rented.
  3. Site map showing location of dwelling unit on the parcel, and location and number of required off-street parking spaces.
  4. If the property is leased, a copy of a lease agreement valid for at least 6-months from the date of application, plus an original, signed letter from the property owner indicating the tenant has permission to use the property as a short-term rental.
  5. A one-time application fee and annual permit fee, in an amount established by resolution or ordinance of the City Council.
  6. A copy of the applicant's Oregon Driver License or other document indicating the applicant resides in the dwelling unit that is the subject of the application.
  7. Name, address, telephone number and e-mail address of an adult 18-years or older living within ten miles of the short-term rental site who will be available for emergency contact if the property owner or lessee is not.
  8. Copy of the neighborhood notice that was mailed or delivered. The applicant must:
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- a. Prepare a notification letter using the authorized Community Development form that:
  - i. Describes the operation and the number of bedrooms that will be rented to overnight guests; and
  - ii. Includes information on how to contact the applicant, and the operator if the operator is not the applicant, by phone.
- b. Mail or deliver the notification letter to all residents and owners of the property within 250 feet from the short-term rental.

**B. Conditions of Approval.** The following are the conditions that must be met in order for a short-term rental permit application to be approved:

1. The dwelling unit to be used as a short-term rental must be the primary residence of the of the applicant proposing to operate the short-term rental, either as an owner or a lessee. For the purposes of this Section, primary residence is defined as the place an individual considers to be the individual's true, fixed, permanent home, and the place a person intends to return to after an absence. In addition, the owner or lessee must occupy the property full-time for at least 200 days per calendar year.
  2. The owner or lessee of the dwelling unit may lease all or part of the subject property as long as the residency requirements of this section are met.
  3. Existing accessory dwelling units and new accessory dwelling units permitted under this Code shall not be used as short-term rentals, and owners or lessees may not occupy an accessory dwelling unit in order to make a primary dwelling available as a short-term rental.
  4. The short-term rental must demonstrate compliance with city off-street parking standards.
    - a. For one- and two-bedroom dwelling units: two spaces per unit.
    - b. For three- or more bedroom dwelling units: two spaces per unit, and one space for each additional bedroom between three and five, for a maximum of five spaces.
  5. Applicant shall demonstrate that the dwelling unit is in compliance with all applicable health and safety laws and regulations, including installation of smoke and carbon monoxide detectors.
  6. Applicant shall keep a guest log recording the name, address and dates of stay for each short-term rental guest. The log shall be available for inspection by city staff at any time.
  7. No exterior signs advertising the short-term rental accommodations shall be allowed.
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8. Applicant shall prominently post rental rules and regulations in the interior of the dwelling unit where they can be seen by guests. Rules shall include reference to on-street parking prohibitions, excessive noise, disturbance of neighbors, and the emergency contact information as listed in the application.
  9. By submitting an application for a short-term rental, Applicant agrees to allow city staff to inspect the dwelling unit prior to approval of the short-term rental application, should staff determine an inspection is necessary, and at any time after approval in response to complaints, upon 24-hours-notice to the applicant.
  10. Applicant shall provide evidence of a current city business license, and registration with the applicable state and local taxing authorities for purposes of paying state and local lodging taxes.
  11. Applicant shall agree to provide notice to all property owners within 250 feet of the dwelling unit that is the subject of the application that the applicant intends to use dwelling unit as a short-term rental.
- C. Level of Review.** An application for a short-term rental shall be a Type 1 review by the Community Development Department based on the conditions for approval set forth in this Article. An administrative decision by the Community Development Department is final on the date that it is made and cannot be appealed to the City or City officials.
- D. Pre-Existing Non-Conforming Use.** Pre-existing non-conforming use of a residential property as a short-term rental shall be allowed if all of the following conditions are met:
1. The owner/occupant files an application under this Article and pays all applicable fees, within 60 days of final approval of a short-term rental ordinance.
  2. The owner/occupant demonstrates to the satisfaction of the Community Development Department that the property was in compliance with all applicable state and local laws and regulations in the 12 months prior to enactment of the ordinance, including obtaining a business license and paying all required taxes.
- E. Enforcement.** The granting of a business license to operate a short-term rental shall be subject to payment of an annual permit fee, and to review by the Community Development Department. If the Community Development Department determines that a short-term rental is operating in violation of the conditions of approval of this Article, the license holder shall be subject to all applicable fines and other actions under the Talent Municipal Code, including but not limited to disallowance of a short-term rental for a period of 12 months from the date of violation or citation.
- F. Renewal.** If a short-term rental licensee has been cited for one or more violations of the Talent Municipal Code that results in a fine during the term of the license, the licensee shall
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not be allowed to renew the license for a period of 12 months from the license expiration date.

- G. Council Review.** The City Council shall review the operation of this ordinance within one year after the date of enactment to in order to assess its impact on, and benefit to, the City and its residents, assess any opportunity to direct proceeds generated by transient room taxes from short-term rentals to affordable housing, and make any changes to the ordinance it deems necessary at that time.