

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type-4 Land Use Application — Legislative Review — City Council

Meeting date: December 5, 2018  
File no: DCA 2018-002  
Prepared by: Zac Moody, Community Development Director  
Item: Short-Term Rentals

### GENERAL INFORMATION

Petitioner .....City of Talent

Requested Action ..... *Consideration of Text Amendments to the Talent Zoning Code amending Title 8, Chapter 3, Division J, Article 11, Supplementary Provision, amending Title 8, Chapter 3, Division C, Articles 1-4, Residential Zones and amending Title 8, Chapter 3, Division B, Article 1, Definitions. Amended language provides review procedures for short-term residential rental dwellings within the City of Talent.*

### PROPOSAL

Amendments to the Talent Zoning and Subdivision Codes must meet the goals and objectives in the Talent Comprehensive Plan. The proposed updates better address the Housing Element goals identified in Element G of the Talent Comprehensive Plan and generally address the policies and goals of the Economic Element.

The proposed changes include a new review process that is standards-based and allows for short-term rentals provided specific zoning conditions have been met.

### AGENCY COMMENTS

None

### PUBLIC COMMENTS

As of the date of this staff report, Staff has not received any new comments since the Planning Commission hearing. Minutes from the Planning Commission public hearing on October 25, 2018 are attached (Exhibit C) for reference to the public comment received at that meeting.

## **BACKGROUND**

Over the course of the past 18 months, Staff has been working to provide Council with proposed short-term rental regulation language. The City Manager and Community Development Director drafted language that allows the use of dwellings as short-term rentals and considers the livability of the communities these uses may be near. The draft regulations being presented at this public hearing have considered comments by the community and the Planning Commission and provide those seeking additional income an opportunity to legally use a portion of their dwelling as a rental unit while protecting the livability of the community.

On August 14, 2018 the Planning Commission held a study session to discuss a proposed ordinance for regulating short-term rentals in the city. Based on feedback from that meeting, staff prepared a final ordinance presented at the September 27, 2018 Commission meeting. On October 25, 2018, the Planning Commission recommended approval of the proposed ordinance, which contains the following major provisions:

- Property must be occupied by owner or resident renting the unit at least 270 days in a calendar year (requires property owner approval)
- Up to 3 bedrooms and common area may be rented
- No dwelling unit may be rented in its entirety on a short-term basis
- Accessory Dwelling Units may not be used as short-term rental
- Require City staff inspection
- Require an annual business license
- Require transient tax to be paid

**The full text of the proposed ordinance is found at Section 8-3J.1170 in Exhibit A (beginning on page 44 of the ordinance exhibit). Staff has made two additional proposed language changes, based on public comments, that are shown in red in the text. Those changes clarify the owner-occupancy requirement and the definition of a living space.**

## **RECOMMENDATION**

Based on the Final Order of the Planning Commission, staff recommends City Council approval of the proposed amendments with the new language as recommended. Additionally, staff is recommending changes to now exclude short-term rentals from the definition of Guest Lodging, since that is no longer necessary, and to change to all residential zones to include short-term rentals as a Type 1 use in those zones.

## **RECOMMENDED MOTION**

*“I move to adopt Ordinance 2018-947-O, an ordinance amending ordinance 458, Talent Zoning Code, Amending Title 8, Chapter 3, Division J, Article 11, Supplementary Provisions, amending Title 8, Chapter 3, Division C, Articles 1-4, Residential Zones and amending Title 8, Chapter 3, Division B, Article 1, Definitions providing review procedures for short-term residential rental*

*dwelling within the City of Talent, by title only.”*

**ATTACHMENTS**

The following information was submitted regarding this application:

- Planning Commission Final Order – Attachment A
- Ordinance 2018-947-O – Attachment B
- October 25, 2018 Planning Commission Minutes – Attachment C



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Zac Moody, Community Development Director

\_\_\_\_\_  
November 28, 2018

Date

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Staff has recommended these amendments for approval, but the law requires at least one public hearing before the Planning Commission and one public hearing before the City Council for a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160.

**A public hearing on the proposed action is scheduled before the City Council on December 5, 2018 at 6:45 PM at the Talent Town Hall.**

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at [zmoody@cityoftalent.org](mailto:zmoody@cityoftalent.org).