



City of Mill City

P.O. Box 256

Mill City, Oregon 97360

Ph: 503.897.2302 * Fax: 503.897.3499 * E-mail: millcity@wbcable.net

MILL CITY PLANNING COMMISSION AGENDA

Regular Meeting

August 16, 2016 6:30 p.m.

City Hall – 444 S. First Avenue

MILL CITY, OREGON 97360

1. **Call to Order and Flag Salute – 6:30 PM** Chair Ann Carey
2. **Approval of Minutes:** July 19, 2016 Regular Meeting
3. **Public Comment:**

We welcome you to today's regular monthly meeting of the Mill City Planning Commission. This is an open meeting of the Commission and you are invited to observe the meeting.

If you wish to speak to the board regarding an issue which is not on the agenda, the Commission provides time at the beginning of each meeting to listen to public comments. The chairperson will ask for public comment. When you are recognized, please state your name, address and briefly explain the issue you wish to discuss. Depending on the nature of the issue, the Planning Commission June address the issue during this meeting, table the issue to a future meeting or June request that you speak with the City Recorder or Planning Consultant outside the meeting.

4. **Presentation: None Scheduled**
5. **Public Hearings: None Scheduled**
6. **Old Business**
 - a. Dangerous & Derelict Building Ordinance Update – Council Discussion
 - b. 2016-0 Zoning Code Amendments
 - c. Other
7. **New Business**

8. Informational Items

- a. City Recorder Report
- b. Planning Consultant Time Report
- c. New and Prospective Applications None pending
- e. Other

9. Adjournment

Upcoming Planning Commission Meetings (All meetings at City Hall)

September 20, 2016	6:30 PM	Regular Meeting	Hearing on ZC Amendments
October 18, 2016	6:30 PM	Regular Meeting	Reschedule to October 20, 2016
November 15, 2016	6:30 PM	Regular Meeting	

MILL CITY PLANNING COMMISSION
Meeting of July 19, 2016

Planning Commission members present: Chair Ann Carey, Dennis Chamberlin, Marge Henning, Tony Trout and Frances Villwock. Allison Goodwin and David Leach were excused.

Staff in attendance: Planning Advisor David Kinney.

City Council Representatives: None.

Citizens present: None.

The meeting was called to order at 6:30 p.m. and Chairperson Ann Carey led the pledge of allegiance.

APPROVAL OF MINUTES:

The June 21, 2016 minutes were reviewed by Planning Commission. Tony Trout moved, seconded by Marg Henning, to approve the minutes of June 21, 2016 minutes as presented. The motion carried unanimously (5:0).

Chairman Carey discussed her planning meeting with Mayor and said it went well.

PUBLIC COMMENT: None.

PUBLIC HEARINGS: None Scheduled.

OLD BUSINESS:

Dangerous and Derelict Buildings Ordinance.

At the June 21st meeting, Mayor Thacker asked if the Planning Commission had completed its review and made a recommendation on a proposed Dangerous and Derelict Building Ordinance. Mr. Kinney reported that on June 21st he forwarded a memo to the Mayor and Council with the DRAFT ordinance that had been recommended by the Planning Commission, noting that the City Attorney should complete a legal review before it is adopted. Mr. Kinney informed the Commission that City Attorney Jim McGehee has reviewed the ordinance and Chair Carey stated the City Council will consider the ordinance at their next meeting on July 26, 2016.

Zoning Code Amendments.

Chair Ann Carey reported she met with Mayor Thacker on July 11th to discuss Planning Commission work items, including several proposed amendments to the zoning code. Mrs. Carey reported that the Council has asked the Planning Commission to look at regulations to allow bed and breakfast facilities in Mill City.

The Planning Commission and City Council have identified several problems, issues and changes each would like to see addressed in a 2016 zoning code update. The Planning Commission reviewed the proposed amendments and suggested several revisions. Specific issues addressed include:

1. Paving Requirements for Parking Lots in the CH Zone: In Section 17.44.060.H, modify parking lot paving requirements for new structures in the CH zone. The code currently allows gravel parking lots for new building construction, if less than 10 parking spaces are required. The Planning Commission recommends this section be modified to require paved parking areas for new buildings.
2. Parking Space Requirements for Commercial and Multi-Family Dwellings: The Dollar General project requested a variance for the number of parking spaces needed for a new Commercial use. The Planning Commission asked staff to look at other codes to see how Mill City’s parking requirements compare. Mill City requires 1 paved space per 200 sf. Most other zoning codes require 1 paved space per 300 or 400 sf of building area.

The Planning Commission recommends Section 17.44.060.E be modified to require 1 paved parking space per 350 sf of building area for a retail store and 1 paved parking space per 200 sf of building area for an eating/drinking/restaurant establishment.

The Planning Commission also recommends adding Section 17.44.060.H.6 to require an RV parking space requirement for new retail, restaurant or hospitality uses.

3. Architectural Standards for New Home Construction. The architectural design standards for new home construction are very easy to meet. Councilor Baughman has suggested the City eliminate several of the design standards and add more design elements that will create more “curb appeal”. The Planning Commission reviewed standards and drawings from other city codes. They recommend the following revisions to Mill City’s architectural design standards in Section 17.12.080 (R-1 Zone) and 17.16.080 (R-2 Zone) that will apply to the construction of a new single family home and placement of a manufactured home:

Number of Architectural Features Required:

- a. At least four design elements on the front of the structure facing the street.
- b. At least two architectural features for any other side of the structure that faces a street.

Changes to the Design Features 17.12.080.C & 17.16.080.C

1. Dormers or gables.
2. ~~Cupolas~~ [DELETE – not used]
2. Bay or bow windows.
3. Exterior shutters or **window trim (4”+ wide)**. [New feature added]
4. Recessed front entries. The entry shall be recessed at least four feet from the front wall.
5. Recessed Garage. The garage shall be recessed at least four feet from the front wall.
6. **Recess or building wall off-sets in the building face (minimum 2’)**. [New feature added]
7. Front porch at least **two hundred (200) square feet**, which may extend into the required front setback. [increased from 100 sf to 200 sf]

8. **Covered front entry area with pillars or posts.** *[combined two standards into one]*
9. Roof with pitch greater than **six (6) feet in height per each twelve (12) feet** in length. *[increased from 3/12 to 6/12 pitch]*
10. Front side exterior brickwork or masonry.
11. **Permanent planter boxes with exterior brick, stone or masonry.** *[New feature added]*
12. **Balcony.** *[New feature added]*
13. **Eaves (minimum 16” eave).** *[New feature added]*
14. **Decorate patterns on the exterior finish (e.g. scales/shingles, wainscoting, ornamentation and similar architectural design features).** *[New feature added]*
15. **Decorative cornices.** *[New feature added]*

4. Site Plan Review Requirements. The Mill City Zoning Code includes several sections that outline site plan review application requirements and different decision criteria. The City Council has asked the Planning Commission to require a site plan review for new commercial buildings in the Central Commercial (CC) Zone. Staff proposes that the site plan review requirements be placed in a new Chapter 17.72 that will make it easier for staff to share applicant requirements with potential applicants and provide more consistent standards and criteria for decisions. The Planning Commission concurred and proposes the standards apply to any new structure with a total building footprint of 1,000 sf or more. No site plan review will be required for construction of a single family home in the CC Zone.

5. Bed & Breakfast Business: The City currently allows Bed & Breakfast businesses in the R-1 Single Family and R-2 Multi-Family zones as a conditional use. The Commercial zones allow hotels, motels and boarding rooms. This allows a B&B in the CC & CH zones.

The Commission recommended adding a definition for a Bed & Breakfast use in Section 17.04.010 and add a B&B parking requirement of one space per guest room in Section 17.44.060.B.

6. Vacation Rentals: Stacie Cook has provided information on vacation rental codes and requested the Planning Commission look at these options. Information from a recent League of Oregon Cities newsletter, the Yachats and Lincoln City codes were distributed for commission review.

The Commission agreed to schedule a public hearing at the September 20, 2016. This will give the staff sufficient time to finalize the amendments proposal and provide DLCD with a minimum 35-day notice of the proposed code amendments.

NEW BUSINESS:

FEMA/NOAA-National Marine Fisheries Service Biological Opinion re: Endangered Upper Willamette Chinook Salmon and Winter Steelhead

Mr. Kinney provided an overview of the April 2016 NOAA Fisheries Biological Opinion on FEMA's management of the National Flood Insurance Program (NFIP) in Oregon and its impact on endangered salmon and steelhead.

The North Santiam River and the DeFord/Snake Creek basins are considered essential salmon/steelhead habitat streams. A small area adjacent to these rivers and streams are within the 100-year Special Flood Hazard area (SFHA), as shown on the Mill City Special Flood Hazard Area map. The Commission noted that the special flood hazard area in Mill City is limited to a narrow strip along the river edge.

Congressionally mandated program changes to the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) are expected to significantly increase flood insurance rates and premiums for existing property owners over the next 5 to 7 years. These rate increases, coupled with anticipated flood management regulatory changes to protect endangered salmonids in the Upper Willamette Basin may make it cost prohibitive for property owners to carry flood insurance and may stifle new development and redevelopment within the 100-year flood plain area.

In July 2010, FEMA entered into a U.S. District Court settlement agreement with several environmental groups stipulating that the flood plain management actions of FEMA under the National Flood Insurance Program may potentially affect endangered salmon/steelhead in Oregon. Upper Willamette winter steelhead and spring Chinook salmon in the North Santiam River and tributaries are included in this listing.

Under terms of the settlement agreement FEMA agreed to consult with the National Marine Fisheries Service (NMFS) and implement flood plain management programs that do not harm or destroy habitat for the listed salmon or steelhead in Oregon.

The interagency consultation process between NMFS and FEMA, which followed, is required by section 7 of the Endangered Species Act (ESA) and is intended to ensure that federal actions do not contribute to habitat loss or increase the risk of species extinction. A biological opinion (BiOp) is the document produced as a result of the process. In 2013, FEMA issued a DRAFT BiOp outlining strategies and protective measures FEMA proposed to implement to protect 19 endangered fish species in Oregon.

However, in April 2016 NOAA Fisheries (NMFS) issued their own BiOp that concluded that FEMA's proposed actions in the 2013 FEMA DRAFT BiOp will not provide adequate protection for the listed anadromous fish species. These court cases and biological opinions will require FEMA, Oregon DLCDC and the communities in Oregon to change the way they manage the National Flood Insurance Program. Mr. Kinney outlined several of the changes that Mill City can expect over the next few years:

The City has adopted a Flood Hazard Ordinance to manage development in the 100-year flood plain of North Santiam River. The purposes of the National Flood Insurance Program are to:

- Reduce flood risks and minimize future flood damage.
- Protect people and property.
- Enable property owners to purchase flood insurance.
- Reduce federal / state disaster assistance costs following flood emergencies.

The City's special flood hazards ordinance is intended to prevent development from increasing flood threats. It sets minimum standards for new development or additions/modifications to existing structures. The current standards do not meet the more stringent requirements of the NMFS BiOp.

Added Flood Plain Management Purposes due to the Court Settlement and NMFS BiOp:

- Protect endangered salmon/steelhead from “harm” and preserve fish rearing habitat.
- Avoid degradation of the flood plain.

Development that degrades floodplain functions includes: clearing of native riparian vegetation; increases in impervious surface; displacement or reduction of flood storage via fill or structures; interruption of habitat forming process; increases of pollutant loading in receiving water bodies; and increases in storm water. In Mill City there are few habitat refuge areas until you reach the Fisherman’s Bend area.

The City will likely need to modify the City’s flood plain ordinance in several ways:

- Increase the lowest habitable floor elevation from 1’ to 2’ above the base flood elevation.
- Create a “Riparian Buffer Zone” along the edge the North Santiam River and DeFord/Snake Creeks inside the Mill City UGB. Most development will be prohibited within this area and riparian vegetation will need to be maintained or enhanced.
- Adopt “Low Impact Development” standards for storm drainage to improve water quality and reduce storm water discharges into the river and critical fish habitat areas.

FEMA and DLCD will provide some guidance to the City on these issues, but the City should start advising property owners that more stringent development requirements are anticipated in the next few years. The Planning Commission asked a variety of questions during the discussion, particularly about the extent of the Riparian Buffer Zone. He responded that the City will need to wait until FEMA and NMFS recommend changes to local Flood Management ordinances.

2016-07 Lot Line Adjustment – Spindell. He stated that he would send the Planning Commissioners a copy of his notice of decision when it is issued for this lot line adjustment on NW River Rd.

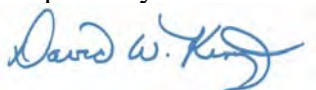
City Recorder attendance at Planning Commission meetings. Mr. Kinney stated that he did not believe it is necessary for the City Recorder to attend all meetings, but her attendance would be beneficial when there are controversial subjects and/or land use hearings. The next hearing will be on September 20th to consider the code amendments. Ann Carey reported that she believed the Mayor would concur with this.

OTHER BUSINESS: Mr. Kinney’s June 2016 timesheet and the City Recorder’s report were included in the packet.

FURTHER BUSINESS FROM THE PLANNING COMMISSION: None.

The meeting was adjourned at 8:42 p.m.

Prepared by:



David W. Kinney, Planning Advisor and
Stacie Cook, MMC, City Recorder/Planning Secretary



NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Mill City**

Local file no.: **2016-09**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Stacie Cook, MMC, City Recorder

Phone: (503) 897-2302 E-mail: scook@ci.mill-city.or.us

Street address: PO Box 256 City: Mill City Zip: 97360-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Modify the Mill City Zoning Code to modify Section 17.44.060 "Parking", Sections 17.12.080 & 17.16.080 "Design Standards for New Homes", Section 17. 20.100 CC Zone - Site Plan Review, Add Chapter 17.76 "Site Plan Review" and related housekeeping amendments.

Date of first evidentiary hearing: 09/20/2016

Date of final hearing: 10/25/2016

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from _____ to _____
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from _____ to _____
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments and special districts: DLCD

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD’s Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Proposed Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. “Text” means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½” x 11” paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

- (1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
- (2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal

David W. Kinney
Community Development Consultant
791 E. Hollister St., Stayton, OR 97383
(503) 551-0899
Email: dwkinney@wvi.com

August 7, 2016

To: City of Mill City Planning Commissioners
From: David W. Kinney, Planning Consultant
In RE: 2016 Zoning Code Amendments

Mill City Zoning Code Issues:

The City Council has asked the Planning Commission to modify several sections of the Zoning Code regarding architectural design standards, site plan review and parking requirements. In addition, the Planning Commission has identified several minor language and administrative changes it would like to include in a 2016 zoning code update. Specific issues include:

1. Paving Requirements for Parking Lots in the CH Zone:

In Section 17.44.060.H, modify parking lot paving requirements for new structures in the CH zone. The code currently allows gravel parking lots for new building construction, if less than 10 parking spaces are required. The Planning Commission recommends this section be modified to require paved parking areas for new buildings.

2. Parking Space Requirements for Commercial Buildings.

The Dollar General project requested a variance for the number of parking spaces needed for a new Commercial use. The Planning Commission asked staff to look at other codes to see how Mill City's parking requirements compare. Mill City requires 1 paved space per 200 sf.

DLCD's Model Code for small cities recommends one parking space per 400 sf of retail floor area, but also notes the industry standard is 3-4 parking spaces per 1000 sf of retail floor area, with fewer parking spaces required for retail sales of autos, furniture, appliances and other bulky goods. A review of zoning codes in nearby communities show 1 paved space per 300 or 400 sf of building area.¹

The Planning Commission recommends Section 17.44.060.E be modified to require 1 paved parking space per 350 sf of building area for a retail store and 1 paved parking space per 200 sf of building area for an eating/drinking/restaurant establishment. The Planning Commission also recommends adding Section 17.44.060.H.6 to require an RV parking space requirement for new retail, restaurant or hospitality uses for buildings adjacent to Hwy 22.

¹ Retail parking requirements: Albany 1 per 300 sf; Aumsville-1 per 400 sf + employees; Stayton-1 per 250 sf; Corvallis 1 per 400 sf; Lebanon – 1 per 250 sf; 1 per 400 sf for big box; Independence-1 per 500 sf; Dallas-1 per 350 sf;

3. Architectural Design Standards for New Homes.

The architectural design standards for new home construction are easy to meet in Mill City. Councilor Baughman has suggested the City eliminate several of the design standards and add more design elements that will create more “curb appeal”. The Planning Commission reviewed standards and drawings from other city codes and DLCDD’s Model Development Code for Small Cities. The Commission recommends the following revisions to Mill City’s architectural design standards in Section 17.12.080 (R-1 Zone) and 17.16.080 (R-2 Zone) that will apply to the construction of a new single family home and placement of a manufactured home:

Number of Architectural Features Required:

- a. At least four design elements on the front of the structure facing the street.
- b. At least two architectural features for any other side of the structure that faces a street.

Changes to the Design Features 17.12.080.C & 17.16.080.C

1. Dormers or gables.
2. ~~Cupolas~~ *[DELETE – not used]*
2. Bay or bow windows.
3. Exterior shutters or **window trim (4”+ wide)**. *[New feature added]*
4. Recessed front entries. The entry shall be recessed at least four feet from the front wall.
5. Recessed Garage. The garage shall be recessed at least four feet from the front wall.
6. **Recess or building wall off-sets in the building face (minimum 2’)**. *[New feature added]*
7. Front porch at least **two hundred (200) square feet**, which may extend into the required front setback. *[increased from 100 sf to 200 sf]*
8. **Covered front entry area with pillars or posts**. *[combined two standards into one]*
9. Roof with pitch greater than **six (6) feet in height per each twelve (12) feet** in length. *[increased from 3/12 to 6/12 pitch]*
10. Front side exterior brickwork or masonry.
11. **Permanent planter boxes with exterior brick, stone or masonry**. *[New feature added]*
12. **Balcony**. *[New feature added]*
13. **Eaves (minimum 16” eave)**. *[New feature added]*
14. **Decorate patterns on the exterior finish (e.g. scales/shingles, wainscoting, ornamentation and similar architectural design features)**. *[New feature added]*
15. **Decorative cornices**. *[New feature added]*

4. Site Plan Review Requirements.

The Mill City Zoning Code includes several sections that outline site plan review application requirements and different decision criteria. The City Council has asked the Planning Commission to require a site plan review for new commercial buildings in the Central Commercial (CC) Zone. Staff proposes that the site plan review requirements be placed in a new Chapter 17.76 that will make it easier for staff to share applicant requirements with potential applicants and provide more consistent standards and criteria for decisions.

The Planning Commission concurred and proposes the standards apply to any new structure in the Central Commercial (CC) zone with a total building footprint of 1,000 sf or more. No site plan review will be required for construction of a single family home in the CC Zone.

If a new site plan chapter is adopted, then several other sections of the Zoning Code will be modified to delete duplications and refer to the new Chapter 17.76 on site plan review.

5. Bed & Breakfast Business:

The City currently allows Bed & Breakfast businesses in the R-1 Single Family and R-2 Multi-Family zones as a conditional use. The Commercial zones allow hotels, motels and boarding rooms. This allows a B&B in the CC & CH zones.

The Commission recommended adding a definition for a Bed & Breakfast use in Section 17.04.010 and add a B&B parking requirement of one space per guest room in Section 17.44.060.B.

Bed and Breakfast Inn. Any establishment located in a structure designed for a single-family residence and structures appurtenant thereto, providing limited overnight lodging and meals for guests.

6. Vacation Rentals:

City Recorder Stacie Cook has provided information on vacation rental codes and requested the Planning Commission look at these options. Information from a recent League of Oregon Cities newsletter, the Yachats and Lincoln City codes were distributed for commission review.

Proposed 2016 Zoning Code Amendments

R-1 Single Family Residential Zone and R-2 Multi-Family Residential Zone

17.12.080 and 17.16.080 Design standards in the R-1 and R-2 zones.

Within the R-1 zone, all new single-family dwellings, including manufactured homes, shall contain the following design standards:

- A. Attached or detached garage;
- B. Gutters and down spouts;
- C. Design Features. New single-family dwellings, including manufactured homes, shall contain at least four of the following **design elements on the front of the home** and two of the following design elements on any other side of the home which faces a street to provide architectural relief:

Changes to the Design Features 17.12.080.C & 17.16.080.C

- 1. Dormers or gables.
- 2. ~~Cupolas [DELETE – not used]~~
- 3. Bay or bow windows.
- 4. Exterior shutters or **window trim (4"+ wide)**. *[New feature added]*
- 5. Recessed front entries. The entry shall be recessed at least four feet from the front wall.
- 6. Recessed Garage. The garage shall be recessed at least four feet from the front wall.
- 7. **Recess or building wall off-sets in the building face (minimum 2')**. *[New feature added]*
- 8. Front porch at **least two hundred (200) square feet**, which may extend into the required front setback. *[increased from 100 sf to 200 sf]*
- 9. **Covered front entry area with pillars or posts.** *[combined two standards into one]*
- 10. Roof with pitch greater than **six (6) feet in height per each twelve (12) feet in length.** *[increased from 3/12 to 6/12 pitch]*
- 11. Front side exterior brickwork or masonry.
- 12. **Permanent planter boxes with exterior brick, stone or masonry.** *[New feature added]*
- 13. **Balcony.** *[New feature added]*
- 14. **Eaves (minimum 16" eave).** *[New feature added]*
- 15. **Decorate patterns on the exterior finish (e.g. scales/shingles, wainscoting, ornamentation and similar architectural design features).** *[New feature added]*
- 16. **Decorative cornices.** *[New feature added]*

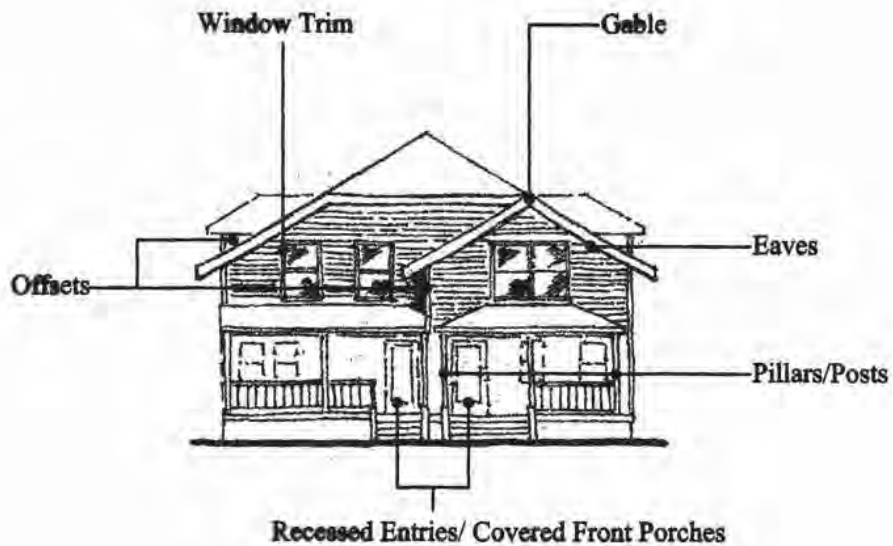
(Ord. 339 § 2 (part), 2006; Ord. 320 § 1 (part), 2004)

Architectural Design Standards from DLCD Model Code for Small Cities

The next two pages were developed and recommended by a consultant for DLCD as part of the model development code for small cities. They are very similar to Mill City's standards, but the illustrations provide some guidance on how to interpret the design features.

2.1.190 - Architectural Standards (continued)

Figure 2.1.190(c)2 Examples of Architectural Details

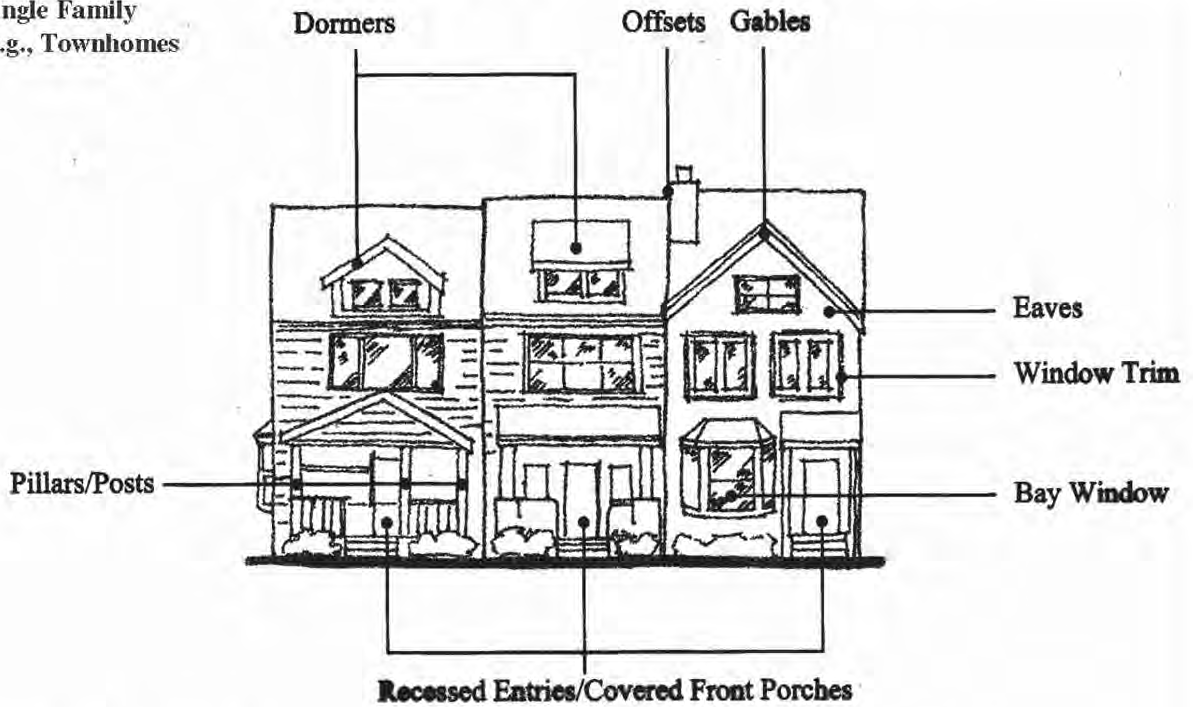


3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 3 of the following architectural features on the front elevation and 2 on the rear and side elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
 - a. Dormers
 - b. Gables
 - c. Recessed entries
 - d. Covered porch entries
 - e. Cupolas or towers
 - f. Pillars or posts
 - g. Eaves (min. 6-inch projection)
 - h. Off-sets in building face or roof (minimum 16 inches)
 - i. Window trim (minimum 4-inches wide)
 - j. Bay windows
 - k. Balconies
 - l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
 - m. Decorative cornices and roof lines (e.g., for flat roofs)
 - n. An alternative feature providing visual relief, similar to options a-m above.

2.1.190 - Architectural Standards (continued)

Figure 2.1.190(c)3 Examples of Architectural Details (continued)

Single Family
(e.g., Townhomes)



Multi-Family Housing



17.20.100 Site plan review. – CC Zone

Replace the Site Plan review standards for all types of multi-family residential and commercial projects with a new Site Plan Review chapter. See sample language at end of this document.

17.20.025 Uses permitted subject to site plan review. – CC Zone

The following uses are permitted in the CC zone subject to site plan review by the planning commission as specified in Section 17.20.045 of this chapter. The following activities require site plan review:

- A. RV storage facilities adjacent to SE Fairview Street and SE Remine Rd, with recreational vehicle storage entirely within the enclosed buildings. RV storage facilities are not permitted in any other area of the CC zone;
- B. Public Facilities;
- C. Church.
- D. Any new structure or structures, with a total building footprint of 1,000 square feet or more, other single family residences.**

(Ord. 344 § 1 (part), 2007)

17.44.060 Off-street parking. Modify retail parking standards and require all new multi-family, commercial parking lots and access driveways to be paved

At the time a building is constructed or enlarged, off-street parking spaces shall be provided as set forth in this chapter. Square foot measurements shall include ground floor area less space within a building for off-street parking and loading. Number of employees shall be defined as those working on the premises, including the proprietor, during the largest shift at peak season.

Uses	Parking Space Requirements
A. Residential Uses.	
Single-family dwelling, duplex, or mobile home	Two spaces per dwelling unit
Multiple-family housing	Three spaces per two dwelling units
B. Commercial Residential Uses.	
Motel, Bed & Breakfast	One space per guest room or suite plus one additional space for the owner or manager
Club, lodge	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.
C. Place of Public Assembly.	
Church, other auditorium meeting room, arena, theater	One space per four seats or eight feet of bench length in the main auditorium

Nursery, primary school	Two spaces per teacher
Elementary, junior or senior high school	One space per classroom plus one space per administrative employee; or one space per four seats or eight feet of bench length in auditorium or assembly room, whichever is greater
D. Commercial Amusement Uses.	
Bowling alley	Five spaces per alley plus one space per two employees
Dance hall, skating rink	One space per 100 square feet of floor area plus one space per employee
E. Commercial Uses.	
Retail store except as provided in this subsection	One space per 350 200 square feet for retail store
Eating or drinking establishment	One space per 200-100 square feet of floor area for eating or drinking establishments
Service or repair shop; retail store handling exclusively bulky merchandise such as automobiles and furniture; bank; office (except medical or dental)	One space per 600 square feet of floor area plus one space per two employees
Medical or dental clinic	One space per 300 square feet of floor area plus one space per two employees
F. Industrial Uses.	
Storage warehouse; manufacturing establishment; rail or trucking freight terminal; wholesale establishment	One space per employee plus one space per 700 square feet of patron serving area
G. Other: Requirements for a building or development not specifically listed herein shall be determined by the planning commission based upon the requirements of comparable uses listed.	
H. Parking Standards.	
<p>1. Land hereafter used as an access driveway and/or parking area automobile parking area for multi-family residential use with three or more dwelling units, or for commercial, industrial or public use, requiring ten (10) or more parking spaces shall comply with the design, layout, drainage and paving requirements which are part of the city public works design standards as adopted by the city council. Land hereafter used as an automobile parking area for residential uses with two or fewer dwelling units, or for commercial, industrial or public use requiring nine or fewer spaces are exempted from the parking requirements as specified in this chapter. An automobile, truck, trailer, or recreational vehicle sales area shall be paved with asphalt, concrete, or other all-weather, dust-free surface;</p>	

	2. Driveway spacing requirements which are a part of the city public works design standards shall apply to all partitions and subdivisions approved after adoption of this section, to all two-family and multi-family housing and to all commercial, industrial and public uses. Single-family housing outside of a newly approved partition or subdivision is exempt from the driveway spacing requirements;
	3. Driveway approach standards that are a part of the public works design standards shall apply to all new development in the city;
	4. Driveway standards that are a part of the public works design standards shall not apply to single-family and two-family residences unless they are served by a common driveway serving multiple lots or a flag lot driveway over one hundred fifty (150) feet in length;
	5. Each space within a parking lot for a multi-family dwelling or for a commercial, industrial or public use where the parking requirement is for ten (10) or more spaces shall be clearly and permanently delineated as shown in the city public works design standards. Bumper guards or wheel barriers shall be installed so that no portion of a vehicle projects into the right-of-way or over the adjoining property.
	1. For retail, restaurant or hospitality uses in the CH zone, the Planning Commission may require the designation of 1 parking space for a vehicle + RV/trailer/boat or designate a parking space in a nearby public parking area.
I. Commercial Long-Term Vehicle Parking in a Residential Zone. The parking of a log truck, semi-truck, or similar commercial vehicle in a residential zone is permitted subject to the following provisions.	
	1. The vehicle shall be either owned or operated by the occupant of the dwelling where the vehicle is parked;
	2. The vehicle shall be parked wholly within the residential lot or on the street immediately adjacent to the lot;
	3. The vehicle or trailer shall not be parked in a vision clearance area.

(Ord. 283 § 6, 2001; Ord. 273 § 5.060, 1998)

Bed and Breakfast

Modify the code to allow Bed and Breakfast facilities. In reviewing the Mill City Zoning Code Bed & Breakfast facilities are currently allowed in the following zones:

Add a definition for B&B.

R-1 Single Family Residential Zone.

Conditional Use Permit is required.

R-2 Multi-family Residential Zone.

Conditional Use Permit is required.

CC Central Commercial Zone.

Allowed outright – lodging. Add a reference to B&B.

CH Highway Commercial Zone.

Allowed outright – lodging. Add a reference to B&B.

NEW CHAPTER – SITE PLAN REVIEW

Section 17.76.010	Application
Section 17.76.020	Hearing and Action on a Site Plan Application
Section 17.76.030	Criteria for Review of a Site Plan
Section 17.76.040	Conditions
Section 17.76.050	Time Limit on Approved Site Plan

Section 17.76.010. Application.

- A. An application for a site plan review and a filing fee shall be submitted to the City in accordance with the provisions of Chapter 17.64 of this title. The application shall be accompanied by six copies of a site plan.
- B. The site plan shall show the general layout of the property where the development is to be sited and shall meet the application requirements of Section 17.64.060. In addition, the applicant shall submit the following information, if applicable to the proposed use:
1. The number of dwelling units to be placed on the property, including information pertaining to the size of the dwelling unit and the number of bedrooms by type of unit (i.e. studio apartment).
 2. The location and dimensions of each existing or proposed building, the distance from all property lines for all buildings to be located on the property and the distances between the buildings.
 3. The location, pavement width, and type of surfacing for all streets abutting the proposed development and for those streets which are intended to serve as primary access to the proposed development.
 4. The location, width, and intended ownership and maintenance responsibility of the access driveways and any interior access roads serving the property, and of walkways serving the property.
 5. The location, width, and surfacing for all sidewalks and pathways to be located on the property.
 6. The design, location and dimensions of the parking lot, the number of parking spaces to be accommodated, and the locations and dimensions of each parking space.
 7. The location and dimensions of recreation and play areas and a detailed site plan for the recreation and play area.
 8. Detailed site plans showing existing and proposed water, sewer, fire hydrants, and other fire protection facilities.
 9. Detailed plan for storm drainage, including drainage calculations, storm sewers, detention/retention facilities, bio swales, rain gardens, water courses and water quality structures and facilities.
 10. Proposed cuts, and fills, and flood plain certification and flood proofing measures, if necessary.
 11. A plan for the location of refuse containers on the site including how the containers will be screened from view.

12. A plan for the location and dimensions of any identification signs to be placed on the site, in compliance with Section 17.68.
13. A plan for buffering, screening, fencing, and landscaping. The landscaped area shall comprise no less than 10% of the site. The plan shall show proposed landscaping and buffering. Plans shall identify existing trees with a 12" diameter or larger trunk and any unique natural features on the property.
14. When the proposed development shall contain three (3) or more dwelling units or non-residential structure larger than 5,000 sf, an architectural rendering of the project, showing typical views of the property which would be seen from the street or abutting properties. Architectural renderings will include elevation plans, drawn to scale, for front, rear and side views of all structures, other than accessory uses.
15. Proposed ownership pattern and a proposal for maintaining the property.

Section 17.76.020. Hearing and Action on a Site Plan Application.

Before the planning commission may act on an application for a site plan review it shall hold a public hearing in accordance with the provisions of Sections 17.64.080 to 17.64.090 of this title. After the public hearing is closed, the planning commission shall either: approve, deny, or approve with conditions or modifications.

Section 17.76.030. Criteria for Review of a Site Plan.

A decision to approve or deny a site plan shall be based on the following criteria:

- A. The existence of or ability to provide adequate utilities including water, sewer, surface water drainage, power and communications, including easements, to properly serve development on the subject property in accordance with city public works standards.
- B. Provision of safe and efficient internal traffic circulation, including pedestrian and motor vehicle traffic, and provision for safe access to and from the property to adjacent public streets.
- C. Provision of necessary improvements to local streets, including the dedication of additional right-of-way to the city and/or the improvement of traffic facilities to accommodate access for emergency vehicles and the additional traffic load generated by the proposed development of the site.
- D. Provision of on-site parking areas and adequate loading/unloading areas for the proposed uses and in compliance with Sections 5.200 to 5.230 of this ordinance. The parking area shall be designed to facilitate the safe movement of traffic and pedestrians and minimize traffic congestion.
- E. The design and placement on the site of buildings and other structural improvements shall provide compatibility in size, scale, and intensity of use between the proposed development and similar development on neighboring properties. The location, appearance and size of the proposed buildings shall be designed to properly serve anticipated users of the proposed improvements.
- F. Provision of landscaping of the site including the planting of trees, street trees, shrubs, and groundcovers so that the landscaping presents an attractive interface with adjacent residential properties.
- G. Provision of visual or physical barriers around the property including the provision of site obscuring fencing or vegetative screening between a commercial and/or public use and adjacent residential properties.

- H. Lighting sufficient to satisfy the intended use of the property but designed in such a manner as to not present an adverse impact (as measured by excessive brightness or glare) upon adjacent land uses or traffic movements.
- I. The use is in compliance with the other development standards which are specified by Mill City Zoning Code or public works design and construction specifications.

Section 17.76.040. Conditions.

The Planning Commission, in granting approval, reserves the right to place additional conditions that are consistent with the intent and purpose of this ordinance. These may include, but are not limited to, the number of dwelling units, buffers or screening, landscaping, lighting, location and design of parking areas, number of access points, security gates and fencing, flood protection measures, public improvement requirements and any other conditions to ensure compliance with applicable regulations and laws.

Section 17.76.050. Time Limit on Approved Site Plan.

Approval of a site plan shall be void two years after the date of the Notice of Decision unless a building permit has been issued. However, upon written request, the planning commission has the authority to grant one extension for a period of up to one year.

RELATED CHANGES

Note: If the site review Chapter is recommended, the City will need to amend the following sections of the Code to refer to the new Chapter 17.76 “Site Plan Review”.

SFR Zone	17.12.030 Conditional Uses	Add requirement that applicants for new structures also comply with Site Plan Review requirements.
MF Zone	17.16.020 Duplex & MF Units	Site Plan Review is now required. Change reference from standards in Section 17.16.100 to Chapter 17.76.
	17.16.100 Delete Section on Site Plan Review.	
CC Zone	17.20.025 New Commercial and Multi-family Residential Buildings.	Site Plan Review is not required for new commercial buildings. New commercial and MF buildings will be required to go through a site review process. Add reference to Chapter 17.76.
	17.20.045 Delete Section on Site Plan Review & Refer to Chapter 17.76.	
CH Zone	17.24.050 New Commercial	Delete Section on Site Plan Review & Refer to Chapter 17.76.
I Zone	17.28.050 Industrial Buildings	Discuss what uses this will apply to. Landscaping & Buffering are only items subject to Site Plan Review. Modify and Refer to Chapter 17.76.
P Zone	17.32.020 Public Buildings	Discuss what facilities will be required to undergo a Site Plan Review. Modify and Refer to Chapter 17.76.
SPD Zone	17.36.040 Site Review	Site Plan Review is now required. Change reference from standards in Section 17.36.040 to Chapter 17.76.

City of Mill City

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August 8, 2016

CANYON WEEKLY
P.O. Box 721
Lyons, Oregon 97358
editor@thecanyonweekly.com

Please publish the following Notice of Public Hearing in the September 2, 2016 edition of the *Canyon Weekly*.

PUBLIC HEARING NOTICE **Amendments to the Mill City Zoning Code**

Notice is hereby given that the Mill City Planning Commission will hold a public hearing as part of the regularly scheduled planning commission meeting which begins at 6:30 p.m. on Tuesday, September 20, 2016 at the City Hall, 444 S. 1st Avenue in Mill City to review the following land use proposal:

File 2016-09: Zoning Code Amendments – Design Standards, Parking and Site Plan Review

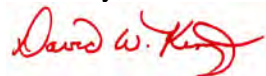
The City of Mill City proposes amendments to the Mill City Zoning Code to modify the following sections:

1. Sections 17.12.080 and 17.16.080. Modify the architectural design standards for new single family dwellings and manufactured homes. The City requires new homes to have at least four architectural design features on the front side of a home facing a street. The proposal will modify several existing standards and add new design features which may be used by a builder.
2. Section 17.20.025. Add a requirement that new commercial buildings over 1,000 sf in size in the Central Commercial zone must comply with the City's site plan review requirements.
3. Section 17.44.060. Modify parking requirements. Require commercial lots to be paved and reduce the number of parking spaces required for retail, restaurant and bed & breakfast uses. Add a requirement to provide an RV parking space in the Highway Commercial zone on Hwy 22.
4. Chapter 17.76. Add a new Site Plan Review chapter including clear standards and criteria.
5. Related Housekeeping Changes to the zoning ordinance.

Copies of the proposal may be obtained at City Hall, 444 S. First Avenue in Mill City. Any person wishing to provide testimony may submit testimony in writing prior to the public hearing or at the hearing. City Hall is accessible to persons with disabilities. Please call City Hall (503-897-2302) by noon the day before the meeting if you need an interpreter for the hearing impaired or any other special accommodation. If you have any questions related to the application, call City Hall (503- 897-2302).

— END —

Sincerely,



DAVID W. KINNEY, Planning Consultant
for the City of Mill City

Direct questions and billing to: Stacie Cook, MMC, City Recorder, City of Mill City

Located in the Scenic North Santiam Canyon

Online Vacation Rental Services Complicate the Housing Balance in Yachats

By Melody Finnemore



Lincoln County MLS

The balance the coastal city of Yachats strives to maintain between residential housing and vacation homes has been a challenge for many years, and even more so with the advent of Airbnb, VRBO and similar online vacation rental services that are part of the sharing economy.

Mayor Ron Brean, who calls Yachats “the gem of the Oregon coast,” said tourism plays a significant role in the city’s economy. Yachats has about 125 vacation rentals for the tourists who flock there primarily during the summer months, though a dedicated group of storm watchers help support tourism there during the off-season. Yachats is also attractive to people who want to buy a second home and plan to retire there, he said.

While the vacation rentals draw tourists who spend money in local businesses, the housing dynamic also skews things economically. Brean said the city’s leaders strive to find the right balance so that people who want to own a home or have an alternate place to stay in Yachats still have the opportunity.

City leaders want to avoid the tipping point where so many homes have been converted to vacation rentals that it diminishes the city’s residential character, causing property values to decline.

“There is a point where it gets to be too big, and when that happens the character of neighborhoods change and the character of the community changes,” he said. “If you are used to having a neighbor and then you have a lot of people next door who come and go, it’s not as comfortable and it does change the character of the neighborhood.”

Brean said the city’s long-term goal is to evaluate what parameters are needed to measure and determine a proper balance between full-time residences and vacation rentals.

“It’s difficult to know what factors will come together to determine the difference between a viable economy and a viable community, and at what point some boundary has been crossed that leads to decline,” he said.

In addition, an increase in vacation rentals means fewer opportunities for people to rent or buy homes in Yachats, which has a

population of 725. Fewer ownership opportunities also means fewer people available to work in the community.

“If we don’t have an adequate population here to support the community through the winter, businesses start to fold and the whole thing collapses,” Brean said.

Through several measures, city leaders are doing what they can to prevent these negative impacts. This includes putting limits on the size of a vacation rental, which prevents it from serving as a “mini hotel” that is often used for family reunions and other large gatherings.

Larger rental homes not only tend to clash with the residential feel of a neighborhood, but they often cause issues with traffic, parking and noise, among other problems, Brean said.

Yachats is proactively attempting to determine an appropriate cap for the number of homes that should be rentals. Brean said he has seen examples of tourist destinations that determined the cap too late, only to suffer negative consequences and find that it’s difficult to make changes reactively.

“The complaints we get about vacation rentals in general are pretty predictable—somebody has a dog that is loose, there is too much garbage or too much noise, but most people follow the rules,” he said. “We’re just trying to manage it so it doesn’t deter from the attractiveness of the city as a city and not just as a vacation destination.”

Ocean View Drive, for example, has a large number of vacation homes, so city leaders are exploring how to evaluate various zones of the city to determine the percentages of vacation rental densities and whether to limit vacation rentals in those zones.

In the meantime, online vacation rental services continue to grow. Airbnb alone has grown from \$6 million in revenues in 2008 to more than \$900 million in 2015. It boasts more than two million listings in 191 countries around the world, and has accommodated more than 60 million guests.

Another major player in the market, HomeAway, owns more than 40 other vacation rental sites, including VRBO. It claims more than one million rental listings in 190 countries. ■

Corvallis Navigates the New Model to Enforce Lodging Taxes

By Nancy Brewer



The transient room tax (TRT) has been in effect in Corvallis since 1974; it was last changed in 1994 to set a rate of 9 percent on the retail cost of lodging. Corvallis exempts from the TRT rooms occupied

for more than 30 consecutive days and certain rooms arranged for by non-profit organizations using a city voucher.

Traditionally, lodging entities have been hotels, motels, or bed and breakfast establishments, and they collected the TRT and remitted it to the city. Each facility has been required to pay each month's collected tax by the 15th of the following month. If the tax is not received by the last day of the month in which it is due, interest and penalties are applied to the facility's account.

The growth of the internet led to online travel companies (OTC) like Hotwire and Expedia, which operate as intermediaries for people to book traditional lodging. Now, with the recent growth of the "sharing" economy, individuals rent all or part of their home for short-term stays, most often using an OTC such as Airbnb or Vacation Rentals by Owner (VRBO). Until recently, both lodging and non-lodging entities paid the TRT whether the room was booked through an OTC or directly with the entity. Changes in 2013 to state law through HB 2656 now require OTCs to remit monies they collect directly to the taxing community. This latest change has led to some interesting challenges:

1. Local zoning issues may be a problem, especially when individuals rent all or a portion of their homes. Cities know who the traditional lodging providers are. These entities have generally gone through the land development, permitting, and construction process, and they have signs and other advertising so they can be found by lodgers. Individuals renting their personal living quarters may be violating local land use laws, but may be invisible. As a result, no one knows they exist until there is a problem such as a neighborhood parking issue or a report about a loud party. Such situations can create more demand for police services and/or code enforcement action, in some cases years after the individual started renting space. For those who contact the city proactively, information is shared with the code enforcement office and approval is required before the city will issue a license authorizing the collection of the TRT.
2. Many individuals renting rooms in their personal home are not aware that they need to have a local lodging provider license and collect/remit the TRT. When they are discovered, the city has to decide whether to try to collect back taxes.
3. When OTCs began operating, they did not always remit the TRT based on the retail rate. Instead, they may have collected the TRT at retail, but remitted to the lodging provider based on the wholesale rate they paid for the room. This led to OTCs under-remitting amounts owed.
4. The existing reporting format used by the city may not be suitable for an OTC to remit monies and allow the city to ensure accurate collections. Corvallis has revised its forms and created separate forms so that OTCs can report on the number of room nights at each local facility each month. This allows the city to do some reconciliation of reports from OTCs and local lodging providers to ensure all room nights are accounted for and monies are appropriately remitted.
5. OTCs are difficult to communicate with. They often do not have contact information readily available or apparent and multiple emails and calls can go unanswered. When contacted by the city, most have indicated they could not accurately report how many rooms they had provided in Corvallis, and there were challenges with whether they would report on rooms booked versus rooms used each month. Through a series of discussions, an agreement was reached which called for the OTCs to remit on the rooms used each month. The city then modified its original OTC report format to work more effectively for the OTCs who responded to its communication. It has taken significant staff effort to put the city's current reporting format in place and to collect monies owed.
6. We have pursued more outreach with local lodging facilities and individuals to train them on the use of the forms, collection of monies for rooms booked through OTCs, etc. This outreach has also taken time, but we are getting good feedback and more accuracy. As a result, TRT revenues are on the increase.

Currently, Corvallis is updating its TRT ordinance in order to better match definitions provided by the state of the entities that are subject to the TRT. In addition, the effort to update the TRT ordinance will clarify OTC responsibilities.

Ms. Brewer is the finance director for the city of Corvallis. ■

Regulating Short-Term Rentals - Best Practices & Industry Perspective

By Cynthia Wang

Airbnb was created out of the economic dislocation of the Great Recession and has always been powered by everyday people who use what is typically their greatest expense—their housing—as a way to generate supplemental income. By sharing their homes, a typical Airbnb host earns additional income at a time where economic inequality is a major challenge.

Airbnb is proud to be at the forefront of the sharing economy, a movement that enables local residents to access new economic opportunities, promote entrepreneurship, strengthen communities, and conserve resources—all aspects of urban life in which cities have invested significantly. Neighborhood businesses benefit as well. Seventy-four percent of Airbnb listings are located outside of hotel districts. Airbnb attracts new visitors who stay longer, spend more, and are more likely to return. This means that visitor spending is distributed to neighborhoods that have not traditionally benefited from tourism spending, and visitors are staying in and exploring places they may not have otherwise visited.

Cities and counties around the world are embracing home sharing and recognize the opportunity and benefit home sharing can provide to a community. The right regulatory environment supports innovation while balancing other public interest needs. Airbnb wants to enhance our relationships with local governments. To achieve that goal, we have released the Airbnb Community Compact, which outlines a series of commitments we are making to be good partners with cities.

Key principles and best practices we support to guide policymakers develop thoughtful home sharing regulations include:

- **Understanding Home Sharing in Your Community:** Governments should make data-driven policy and not legislate by anecdote. While protecting host and guest privacy, Airbnb will provide anonymized information regarding hosts and guests in our community to city officials to help inform the development of their home sharing policies. It is important to recognize that home sharing takes many forms, from the family that shares their home for one week a year while they are on vacation, to the professional that shares her home while on frequent business travel, to the owner of a second home, to the commercial investor. Different regulatory approaches are appropriate for each of these groups.
- **Home Sharing That Benefits All:** Home sharing rules should not discriminate between neighborhoods or building types, instead allowing all residents to share their home with visitors. Home sharing should be authorized as an accessory use to residential use in any zoning district where residential



activity is allowed, and all residents—whether renters or homeowners—should be able to participate.

- **Clear Rules for Home Sharing:** All residents should be able to share their without the need for complicated permits or licenses. Where regulation is merited, we encourage such regulations to require streamlined and online registration/permitting processes. Renting all or a portion of a primary resident's home to visitors should not trigger complex permit rules or alter the character of a property from residential to commercial. Stronger regulation may be appropriate for residents who rent non-primary homes to visitors for more than half of the year.
- **Community Trust:** Cities have nuisance laws in place that address neighborhood character (e.g. occupancy, parking, noise and garbage) through their own enforcement and penalty procedures. These apply to all similar properties, whether or not the property is rented on a short- or long-term basis. Airbnb's robust reciprocal review system and trust and safety tools further protect hosts, guests and communities. We recently announced a tool for neighbors at airbnb.com/neighbors to share specific concerns they might have about a host's guests or hosting activity in their community. These concerns could include things like noise complaints. When a neighbor clearly identifies a host's listing, we'll pass along the message when possible and provide some recommendations for resolving the issue with their neighbors.

We are committed to working with governments on smart, sensible rules that address key concerns, generate new revenue, and help families stay in their homes. We understand that every city is different and as we move forward, we will partner with individual cities to address their unique policy needs.

Ms. Wang is a regional public policy manager for Airbnb. ■

City of Yachats, Oregon
Chapter 4.08 - Vacation Rental Licenses

Section 4.08.010 Purpose.

The vacation rental license is in recognition of the desire of many owners to rent their property on a short-term basis and to provide for the orderly use and regulation of such rentals to preserve the health, safety and welfare of the community. This use shall not adversely affect the residential character of the neighborhood. These standards and procedures are in the addition to city ordinances and federal and state laws and regulations. The purpose of an inspection is to ensure the health and welfare of the occupants. (Ord. 328, 2014; Ord. 311, 2012; Ord. 291a, 2010; Ord. 148 § 1, 1992)

Section 4.08.020 Definitions.

“Contact person” means the owner or a person with the authority to take action or make decisions concerning the management of the property.

“Dwelling unit” means any building or portion thereof which contains separate living facilities, including provisions for sleeping, eating, cooking and sanitation.

“Incident” means an offensive activity or breach of the standards.

“Overnight” means anytime between the hours of 10:00 p.m. and 7:00 a.m. on the following day.

“Rental occupant” means a person over the age of four years who occupies a rented dwelling unit.

“Sleeping area” means a bedroom or loft within a dwelling unit which meets the requirements of the building code as adopted by the State of Oregon.

“Surfaced” means a gravel, paved, tile, brick or concrete surface suitable for parking a vehicle.

“Vacation rental” means a single-family dwelling, duplex or triplex which is rented or available for rent for a period of less than 30 days, such as by the day or week. The dwelling may consist of individual units or be in a contiguous form to be considered a vacation rental dwelling, however, each individual unit is to be considered separately for licensing and regulation purposes. A home which is listed with an agent as a vacation rental, advertised, available by referral, word of mouth, commendation and reputation are some of, but not limited to, the ways of identifying a vacation rental. (Ord. 328, 2014; Ord. 311, 2012; Ord. 291a, 2010; Ord. 226, 2002; Ord. 148 § 1, 1992)

Section 4.08.030 Standards.

A vacation rental license shall be issued to the dwelling owner providing the following standards are met:

- A. Except for individual units located on the same property, such as a duplex or triplex as defined above in Section 4.08.020, a person holding a vacation rental license or an interest in a property covered by a vacation rental license shall not be eligible to apply for or hold, as a member of a group or any other form of beneficial ownership, a vacation rental license covering any other property. Any change of ownership, in whatever form, shall be reported to the city within 30 days.
- B. Vacation rentals in residential zones shall have no more than four bedrooms. (This provision shall be waived for any existing vacation rental as of the effective date of Ordinance No. 328, adopted November 13, 2014.)
- C. A rental facility should comply with all applicable laws. Basic visitor rules as provided by the city must be prominently displayed on the inside of the primary exit door.
- D. The local contact person shall reside or maintain an office within the local 547 or 563 calling area and within the zip code boundaries for Yachats and Waldport. The contact information for the local contact shall be identified on the vacation rental application and available by phone at all reasonable times (8:00 a.m. to 11:00 p.m.) and respond in a timely manner if there is a problem during the dwelling’s use as a vacation rental. The name and phone number of the contact person shall be posted

inconspicuously on the vacation rental building, but where a neighbor can easily read it. A copy of the local contact agreement, in a form approved by the city, which lists the duties and responsibilities of the local contact person, signed by both the property owner and the local contact person or management company shall be filed with the city. The form for the local contact agreement is attached and marked "Exhibit E". If the vacation rental is managed by a property management company a local contact shall be designated by the company. The name and contact information of that local contact shall be identified on the vacation rental application in addition to the company information.

E. One on-property parking space, as defined in Section 9.04.030 for off-street parking, shall be provided for each bedroom in the dwelling, but in no event shall fewer than two spaces be provided. (This provision shall be waived for any existing vacation rental as of the effective date of Ordinance No. 226, adopted 1/15/2002.) If access to the rental property crosses private property via an easement, right-of-way, or other conveyance all parking must be contained on the rental property. Owners are required to provide parking that is unimpeded, surfaced, useable and available to renters. The parking shall be mapped and posted in the home, and a copy given to the city. The owner shall require renters to use only the parking spaces that are surfaced and marked on the map.

F. The maximum number of overnight vehicles allowed on the property shall not exceed the number of surfaced parking areas on the property or six vehicles, whichever is less. Daytime parking is limited to surfaced parking on the property. If access to the rental property crosses private property via an easement, right-of-way, or conveyance, ingress and egress must be accomplished without encroachment on other properties adjoining the privately maintained access road or driveway. In such situations applicants will provide evidence of their right to use the privately maintained access road or driveway consistent with vacation rental before a vacation rental license is granted.

G. There shall not be any noise, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a vacation rental.

H. The maximum allowable number of overnight occupants shall be two persons per sleeping area plus two additional persons per vacation rental. The rental agent shall match the number of persons and vehicles to the particular property being rented. Advertisements for the rental shall not list a number of occupants that exceeds the number authorized by the city. Recreational vehicles, campers, tents and similar structures shall not be allowed on vacation rental properties. Parking a boat trailer of moderate size, with or without a boat, is permitted as a substitute for one vehicle.

I. Weekly solid waste collection service shall be provided. A sufficient number of suitable garbage receptacles shall be provided. Except on collection day, these garbage receptacles shall not be readily visible from the street. Renters shall be advised not to place trash outside in plastic bags.

J. Each vacation rental shall provide and maintain a container for the disposal of cooking grease into a solid waste receptacle to prevent the grease from entering the sewer system.

K. All pets must be under control at all times. Methods of control include a leash or demonstrated effective voice command. The person having the control, custody or possession of a dog shall clean up after the dog by using a dog waste bag or other suitable method.

L. Vacation rental licenses are non-transferable.

M. The licensee must comply with the requirements of the occupancy tax ordinance as a condition for issuance or renewal of a vacation rental license.

N. Licensees shall keep all information on the GoYachats website current and notify City Hall of any changes in mailing address, email address or agent or contact person. (Ord. 328, 2014; Ord. 324, 2013; Ord. 311, 2012; Ord. 291, 2010; Ord. 237, 2003; Ord. 226, 2002; Ord. 191, 1997; Ord. 148 § 3, 1992)

Section 4.08.040 Inspection, license and annual fee.

The city recorder shall prepare an application form for a vacation rental license. Prior to issuance of a vacation rental license, the city will inspect the subject property to determine occupancy capacity, parking and access compliance. Upon receipt of the completed application, the annual license fee, inspection and attestation that the licensing standards have been met, the city recorder shall issue a license to the applicant (not the dwelling) for a period of one year. The license may be renewed annually if all standards are met. If a license is renewed annually until at least five consecutive years have elapsed the city will re-inspect before issuing a license for the next year. The city retains the right to re-inspect the property at any time. An inspection fee will be assessed for the initial inspection, for additional inspections undertaken due to complaints, and for each five-year inspection completed by the city. A

vacation rental licensee shall not be required to pay a business occupation license fee in addition to the annual license fee. The annual license and inspection fees shall be set by resolution of the city council.

Complaints received by the city may trigger a re-inspection.

All licenses shall be obtained prior to any rental of the property. The required application and license fee are due on January 1st of each year for the fiscal year commencing with that date and are delinquent on February 1st. The delinquency fee will be set by resolution. (Ord. 328, 2014; Ord. 311, 2012; Ord. 291, 2010; Ord. 284, 2009; Ord. 199 § 1, 1997; Ord. 148 § 4, 1992)

Section 4.08.050 Complaints.

All complaints shall be in writing on a form provided by the city recorder and signed by the complainant. The complainant must show or attest that they have made a timely attempt to resolve the issue with the person officially responsible for management of the property. The complainant is expected to initiate the process while the out of compliance incident is occurring or when they first become aware that a property is not in compliance with the regulations. All complaints filed with the city shall be verified by the city for validity.

A. When a complaint is filed that is verified by the city to be valid, the owner and agent, if any, will be notified in writing by mail or email and provided with a copy of the complaint. Either the licensee or agent will be required to meet with a city official to discuss means by which further complaints may be avoided. If the licensee fails to meet this requirement with a reasonable amount of time, the city recorder will prepare a report for city council action.

B. Upon a second complaint, that is verified by the city to be valid, the owner and agent, if any, will again be notified in writing by mail or email and provided with a copy of the complaint. Either licensee or agent will again be required to meet with a city official to further discuss means by which further complaints may be avoided. If the licensee fails to meet this requirement within a reasonable amount of time the city recorder will prepare a report for city council action.

C. Upon a third complaint within a 90-day period, that is verified by the city to be valid, the owner and agent, if any, will be notified in writing by mail or email and provided with a copy of the complaint.

a. The city recorder may schedule a hearing and prepare a report for city council action.

b. The city council may schedule a hearing.

c. Either the city recorder or city council may, without a hearing, revoke the license immediately.

d. In the event that a license is revoked, the applicant or license holder shall have the right of appeal. The written notice of appeal to the council shall be filed with the city recorder within 15 days.

D. Standards of judging complaints shall include, but are not limited to, the following:

1. Noncompliance with vacation rental license standards as stated in Section [4.08.030](#);

2. Monopoly of on-street parking;

3. Other offensive activities not in harmony with the residential neighborhood such as trespass, excessive noise or pets running loose.

E. The city council, upon hearing the evidence, may (1) approve the license as it exists; (2) revoke the license; (3) impose appropriate restrictions on the operation of the license. (Ord. 328, 2014; Ord. 311, 2012; Ord. 226, 2002; Ord. 148 § 5, 1992)

Section 4.08.060 Violations—Penalties.

It is unlawful for any person so required to fail or refuse to apply for a license, or operate without a license as required herein. Any person who violates any provisions of this chapter commits a Class B civil infraction and shall be subject to the procedures and penalties of Chapter [1.12](#), as now constituted or hereafter amended, revised or repealed. (Ord. 328, 2014; Ord. 185 § 4, 1996; Ord. 148 § 6, 1992)

Exhibits A—E

Exhibit "A" Vacation Rental Licensing Process.

To initiate the vacation rental license process for either a new license or reinstatement of a lapsed license, the applicant can go online to the City Website to complete an online application. The applicant can request additional information from city staff in person, by phone, and by email.

In addition to the application form, the applicant will be given:

- The code enforcement officer's inspection checklist.
The checklist is provided to the applicant before the inspection so the applicant knows what the requirements are before the inspection and can take appropriate action to bring the property into compliance prior to inspection.
- The basic visitor rules placard.
Basic visitor rules must be prominently posted on the inside of the principal exit door of each licensed property.

When the application is submitted:

- Application must be accompanied by the appropriate fees.
- When an applicant for a vacation rental license has not engaged in business during the calendar year until after August 1st, the required fee for the license shall be reduced by one-half. The inspection fee is not discounted.
- Fees may be paid by cash, money order, check, or credit card.
- If access to the proposed rental crosses private property via an easement, right-of-way, or other conveyance, then written evidence of the right to use the access in this manner is required.
- A map of the parking areas for the proposed rental must be included with the application.
- City staff review the application for completeness only.

If an application is incomplete, city staff will contact the applicant to request missing information. Once an application is complete with fees and required supplemental documents, the application goes to the code enforcement officer.

The code enforcement officer schedules an inspection of the property. If the inspection reveals the property is not in compliance with the city code and all applicable laws, including O.R.S., O.A.R. and the State Fire Marshal, the code enforcement officer notifies the applicant of the deficiencies. Once the deficiencies have been corrected the code enforcement officer will inspect the property again.

If the proposed rental meets all requirements, the code enforcement officer signs the application form.

The applicant/manager signs off on the code enforcement officer's checklist to acknowledge he or she understands all listed requirements, and has received and posted the basic visitor rules placard.

The code enforcement officer returns the signed application form and a copy of the completed checklist signed by the code enforcement officer and the applicant to the city recorder.

The city recorder verifies the management contact information on the application.

The city recorder approves and issues license to the applicant, and provides certificate of authority for collection of the occupancy tax.

The owner or manager of the licensed rental posts the certificate of authority in a conspicuous place in the rental.

The owner or manager of licensed rental posts local contact information on the outside of the rental structure where it is easily accessible to neighbors without the necessity of interacting with any on-site tenants.

The owner or manager may then proceed to rent the accommodation.

The owner of a vacation rental must comply with the requirements of Yachats Municipal Code Chapter 3.08 Occupancy Tax.

Approximately 30 days before renewal of license is due, the city recorder notifies all holders of current licenses that renewal fees and updated information are due.

The required application and license fee are due on January 1st of each year for the calendar year commencing with that date and are delinquent on February 1st.

- Renewal applicant will receive, with the renewal form, the Basic Visitor Rules placard to be posted on the inside of the principal exit door of the rental property.

- Renewal applicant will sign the renewal form, and an acknowledgment they received a new copy of the Basic Visitor Rules placard and understand the posting requirement.

When the license fee is received along with a completed and signed application showing any changes in information, and the applicant attests that all standards have been met, the city recorder will renew the license for another calendar year.

When a license has been active for five consecutive years, the code enforcement officer will inspect the rental to ascertain whether or not it is compliant with all requirements.

The applicant/manager is responsible for ensuring that basic visitor rules remain posted.

When an owner or agent requests additional basic visitor rules placards to replace lost or damaged ones, the city will provide them.

Exhibit "B" Complaint Process.

The complaint process will be made readily available to all, beginning with a simple step-by-step description on the city website. The complainant is expected to initiate the process while the out of compliance incident is occurring or when they first become aware that a property is not in compliance with the regulations.

If complainant attempts to contact the property manager/owner as posted on the property, and the phone number is invalid, a formal complaint may be filed with the city, even if the issue has been resolved since an invalid phone number short circuits the entire process and is, in and of itself, out of compliance with requirements.

If the complainant attempts to contact the property manager or owner as posted on the property, and leaves a message, then the manager/owner is expected to respond promptly. If two hours have passed since the message was left and the property manager/owner has not responded, a formal complaint may be filed with the city, even if the issue has been resolved.

If the complainant successfully contacts the property manager or owner as posted on the property, the manager or owner is expected to respond promptly. If two hours have passed since the contact was made and the property manager or owner has not resolved the issue, then the complainant is expected to make a second call to the property manager or owner. If within an additional two hours the issue has not been resolved, a formal complaint may be filed with the city, even if the issue has been resolved outside the time limit.

When a city official, as designated in Section 1.12.040 (Enforcement authority and issuance of citations) observes that a property is not in compliance, then the city official has three options to be selected on the basis of severity, persistence, and repetition of the noncompliance. The options, listed in order of severity, are (1) take the same steps as outlined above for any complainant; (2) file an official complaint; or (3) in the most severe instances, cite the license holder.

When the city official chooses option 1 (to follow the process available to any complainant) he or she will limit his or her contact to the owner or agent and allow him or her to interact directly with the renter as needed.

When a formal complaint is filed with the city

- All complaints shall be in writing on a form provided by the city recorder and signed by the complainant. The complainant must show or attest that they have made a timely attempt to resolve the issue with the person officially responsible for management of the property.
- All complaints filed with the city shall be verified by the city for validity.

When a complaint is filed that is verified by the city to be valid, the owner and agent, if any, will be notified in writing by mail or email and provided with a copy of the complaint. Either the licensee or agent will be required to meet with a city official to discuss means by which further complaints may be avoided. If the licensee fails to meet this requirement within a reasonable amount of time, the city recorder will prepare a report for city council action.

Upon a second complaint, that is verified by the city to be valid, the owner and agent, if any, will again be notified in writing by mail or email and provided with a copy of the complaint. Either licensee or agent will again be required to meet with a city official to

further discuss means by which further complaints may be avoided. If the licensee fails to meet this requirement within a reasonable amount of time the city recorder will prepare a report for city council action.

Upon a third complaint within a 90-day period, that is verified by the city to be valid, the owner and agent, if any, will be notified in writing by mail or email and provided with a copy of the complaint.

- The city recorder may schedule a hearing or prepare a report for city council action;
- The city council may schedule a hearing;
- Either the city recorder or city council may, without a hearing, revoke the license immediately.

In the event that a license is revoked, the applicant or license holder shall have the right of appeal. The written notice of appeal to the council shall be filed with the city recorder within 15 days.

Standards of judging complaints shall include, but are not limited to, the following:

- Noncompliance with vacation rental license standards as stated in Section [4.08.030](#);
- Monopoly of on-street parking;
- Other offensive activities not in harmony with the residential neighborhood such as trespass, excessive noise or pets running loose.

The city council, upon hearing the evidence will adopt its findings, which may include:

- (1) Approve the license as it exists;
- (2) Revoke the license;
- (3) Impose appropriate restrictions on the operation of the license.

Exhibit "C" Inspection Checklist.

City of Yachats - Vacation Rental Inspection

The following items are mandated by State, County or City Ordinances:

10-year warranty smoke detectors present. Current ORS regulations, motel standards, hard-wired for new homes, battery operated in older homes.

Carbon monoxide detectors present. Required if a woodstove or fireplace is present. If door opens into a garage detectors are required.

Emergency contact person phone number and 911 posted inside house.

Bedrooms have egress windows.

Railings, lofts and decks meet building code.

Electric panels are visible or signage is present to indicate presence of panels.

State number of bedrooms vacation rental has:

Number of bedrooms:

Number of occupants allowed:

Complies with city code:

State number of on property parking spaces:

Number of on property parking spaces:

Maximum number of on property overnight parking space allowed:

On property parking is unimpeded, surfaced, usable and available to renters.

A parking map is prominently posted in the vacation rental home.

Garbage receptacles are present and bear proof.

Garbage receptacles are not readily visible from the street except on trash pick-up day.

Containers for the disposal of cooking grease are present.

Local contact person's phone number is posted on the outside of the house and is visible from the street.

Basic visitor rules are posted on the major exit door.

The following items are recommended by the fire chief:

Evacuation map and information posted inside house.

Beach front homes - Signage regarding ocean mammals, Leptos disease must be posted.

Propane tanks are secured and not under opening windows. Tanks are located according to code.

Fire extinguisher present. Not required but recommended. Visible or signage present. If fire extinguisher is for multiple use, date of last inspection.

	<u>Yes</u>	<u>No</u>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Code Enforcement Officer Signature:

Homeowner or Agent Signature:

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Exhibit "D" Vacation Rental Basic Visitor Rules Placard.

The city will provide the following basic visitor rules placard for each licensed property. The purpose of the placard is to educate renters.

[The possibility of eviction would be determined and carried out by the owner or agent; this is NOT an eviction by the city. Adding "by Order of the City of Yachats" was deemed useful to enhance the importance of the rules.]

Basic Visitor Rules

Pets must be controlled at all times by a leash and/or effective voice command.

Person having the custody or possession of a dog shall clean up after the dog.

Maximum number of occupants for this rental unit is _____.

Maximum number of overnight vehicles for this rental unit is _____.

Maximum number of daytime vehicles for this rental unit is _____.

No excessive noise between the hours of 10:00 PM and 7:00 AM.

All garbage or trash must be placed in the garbage container before departure.

Violation of these basic rules can result in eviction.

by Order of the City of Yachats

Exhibit "E" Local Contact Agreement.

A local contact person is the person who is to be contacted by local residents and/or city staff to promptly address and resolve potential complaints and violations that arise from the renting of the house. If the vacation rental is managed by a property management company, a local contact shall be designated by the company. The local contact person shall reside or maintain an office within the local 547 or 563 calling area and within the zip code boundaries for Yachats and Waldport. The contact information for the local contact shall be identified on the vacation rental application and be available by phone at all reasonable times (8:00 a.m. to 11:00 p.m.) to respond in a timely manner if there is a problem during the dwelling's use as a vacation rental. All local contacts shall provide the city with documentation that demonstrates compliance with this qualification*. A copy of this agreement shall be on file with the city.

The local contact person shall:

- Provide the city with a work and an after-hours/weekend telephone number where he or she can be reached.
- Be in compliance with the Yachats city vacation rental license complaint process, and shall respond to a complaint from a neighbor or the city within the established timelines as outlined in the Yachats Municipal Code.
- Pick-up trash or recycling that has spilled.
- Promptly resolve parking violations by contacting the renters directly and following up to ensure that the renters have come into compliance.
- Promptly resolve noise violations (such as late night disturbances) by contacting renters directly.
- Replace any of the required postings in or on the home if removed by a renter or become unreadable.
- Promptly resolve any other issues that are time sensitive.

The local contact is *not* expected to directly intervene in matters where sheriff involvement is most appropriate, such as situations involving physical violence or crimes.

By signing below, you are stating that you have read, understand and agree to performing the above stated duties.

Printed Name - Owner

Physical Address - Vacation Rental

Primary contact # - Local Contact

Signature – Owner

Date

Printed Name - Local Contact

Physical Address - Local Contact

Secondary Contact # - Local Contact

Signature – Local Contact

Date

* A copy of a valid Oregon Driver's License or ID card or other documentation for the local contact shall be submitted with this signed agreement and the vacation rental license application. The city will review the documentation but will not retain the copy of any document if it contains sensitive personal information. This signed agreement shall be kept on file.

David W. Kinney
Community Development Consultant
791 E. Hollister St.
Stayton, OR 97383-1334
Phone: 503-769-2020 * Cell: 503-551-0899
E-mail: dwkinney@wvi.com

INVOICE

Client: **City of Mill City**
P.O. Box 256
Mill City, OR 97360

Project: Planning Services Job #: 1025

Billing Date: August 7, 2016

Professional Services rendered to the City of Mill City for the period July 1-31, 2016.

Planning & Administrative Services:

General

2.05 hours General Administrative Services: Mtg w/ Councilor Baughman & Russ F. re: shop building; SCA Grant Application preparation.
11.50 hours General Planning Services: PC & CC Meetings, meet with prospective applicants, site visits, consultations w/ Stacie Cook on planning issues.

13.55 hours @ 70/hr \$ 948.50

Planning Applications

0.50 hours 2015-04 ORCA – Site Visit to review completed site work.
1.50 hours 2016-06 Dollar General – Building Permit plans review
3.25 hours 2016-09 Zoning Code Amendments: Parking, Site Review, etc.

5.25 hours @ 70/hr \$ 367.50

Subtotal – General Planning & Admin Personal Services \$ 1,316.00

No Charge

2.00 hours Miscellaneous items, building permit review form.

Expenses

Mileage Charges @ .55 per mile – 76 miles \$ 41.80
Phone & Fax Charges \$ 0.00

Subtotal of Expenses \$ 41.80

Total Due: \$ 1,357.80

Remit to:

David W. Kinney
Community Development Consultant
791 E. Hollister St.
Stayton, Oregon 97383

David W. Kinney
Community Development Consultant
791 E. Hollister Street, Stayton, OR 97383
Office: 503.769.2020 * Cell: 503.551.0899 * Fax: 503.769.4111
dwkinney@wvi.com

Client: City of Mill City

Month: July 1 to 31, 2016

Land Use Applications

Date	Start Time	End Time	Total	Admin	Planning General	Comp Plan Update	ORCA	Dollar General	Boneyard Bakery	Zoning Code		Total	Work Activities	Miles	
										Amndmts	No Charge				
												-			
7/3/2016	11:00	12:15	1.00		1.00							0.25	1.25	File 2016-02 Zoning Code Amendments - Prepare and Email Notice of Adoption to DLCD; Update Zoning Code with Ord. 387 amendments.	
7/10/2016	12:30	2:15	1.75		1.75								1.75	Prep PC Agenda Packet for July 19th meeting; Edit NMFS - Flood Plain Mgt Briefing Paper for the City of Mill City Planning Commission;	
7/10/2016	4:45	6:00	1.25							1.25			1.25	Prep Zoning Code Amendments for July 19, 2016 PC Meeting	
7/10/2016	7:00	7:45	0.75		0.75								0.75	Finalize Zoning Code Amendments; PC Memos and compile packet. Email agenda to Ann Carey; Email PC Packet to Ann Carey and Stacie Cook.	
7/15/2016	1:45	2:45	1.00		1.00								1.00	Review PC Packet for 7-19-2016 Mtg; Prep DRAFT PC Minutes for 7-19 mtg; Review Zoning Code amendments & FEMA/NOAA Fisheries Bi-Op for mtg;	
7/19/2016	3:40	5:00	1.30	1.30									1.30	Mtg w/ Scott Baughman and Russ Foltz re: city serving as General Contractor for shop building construction; Informed them of BOLI wage rate requirements and bidding requirements for projects over \$50K.	38
7/19/2016	5:45	6:30	0.75		0.50								0.50	PC Prep	
7/19/2016	6:30	8:40	2.15		2.15								2.15	Planning Commission meeting	
7/20/2016	3:30	5:00	1.50		1.00								1.00	Review various planning issues and projects w/ Stacie Cook; Dangerous Bldg Ordinance DRAFT; Ord 367 codification re: fences; quick review of Dollar General plans; Planning issue interpretation for home occupations; Vacation rental regulations;	
7/21/2016	11:10	11:40	0.50		0.50								0.50	Dangerous Building Ordinance review and edits; email to Stacie Cook	
7/22/2016	9:30	9:35	0.10		0.10								0.10	Respond to question from Ann Carey re: staff attendance at PC meetings	
7/24/2016	11:30	12:30	1.00		0.25					0.75			1.00	Prep PC Minutes & DRAFT 3 of Zoning Code Amendments for PC review at the August PC meeting.	
7/24/2016	1:45	2:00	0.25		0.25								0.25	Prep PC Minutes and send to Ann Carey for review and edit.	
7/24/2016	2:00	3:45	1.25							1.25	0.50		1.75	Form 1 Notice to DLCD; Summary memo for DLCD; Notice of Hearing	
7/27/2016	1:00	2:15	1.00	0.75	0.25								0.25	SCA Grant Application; Calls w/ John Ashley; review w/ Stacie; Review building permits checklist w/ Stacie for use by City.	
7/27/2016	2:15	2:45	0.50				0.50						0.50	Site visit to check completion items for ORCA. Review their planning file for compliance. Need to prepare a Conditions of Approval review for Architect Ron Ped and the City.	38
7/27/2016	3:00	4:30	1.50					1.50					1.50	Dollar General Buildings Plans review for compliance with site plan;	
7/28/2016	1:15	4:15	3.00		2.00							1.00	3.00	Bujilding Permits checklist for SFR buildings;	
													-		
			20.55	2.05	11.50	-	0.50	1.50	-	3.25	2.00	20.80			76

Hours	Rate	Total
18.80	70	1,316.00
76	0.55	41.80
		1,357.80