

**To:** City of Bend Planning Commission  
**From:** Vacation Home Rental Task Force members  
**Date:** February 5, 2015  
**Re:** Recommendations for your considerations

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The twenty-three members of the City of Bend Vacation Home Rental Task Force are pleased to forward to you the attached recommended revisions to the Bend Development Code Section 3.6.500 for your consideration. These revisions would apply only to new Short Term Rentals. We approved these recommendations by consensus on February 5, 2015, with two concerns noted below.

This memorandum will give you some additional information about our deliberations.

### **Concentration Limits**

Some of our most spirited discussions were with regard to concentration limits of Short Term Rentals, and we recommend for your consideration two options:

Concentration Option 1. Within a 250' radius, a limitation of 5% to 10% of tax lots shall be permitted as Short Term Rentals. (Please note that this recommendation was approved by consensus, with a small majority favoring the 5% limit.)

Concentration Option 2. Within a 250' radius, a limitation of 1 tax lot shall be permitted as a Short Term Rental, and no more than 5% to 10% of tax lots shall be permitted as Short Term Rentals within a one-quarter mile radius. (Please note that this recommendation was approved by a small plurality, with two other options below receiving equal levels of support:

- Within a 100' radius, a limitation of 1 tax lot could be permitted as a Short Term Rental, and no more than 5% of tax lots could be permitted as Short Term Rentals within a one-quarter mile radius.
- None of the above.)

### **Concerns**

The concerns referenced above are as follows:

1. **Background:** During its January 22 meeting, a majority (all but 5) of the Task Force agreed that infrequent Short Term Rentals (available for rent less than 20 days per year) should be processed as a Type I permit and be exempt from concentration limits.  
**Concern:** At the February 5 meeting, some members said they believed that these infrequent Short Term Rentals should be required to rent for a minimum of several consecutive days at a time. They felt the original intent of this section was to prohibit, for example, 10 weekend rentals per year.
2. **Background:** During its January 8 meeting, a majority of the Task Force (all but 2) agreed that Short Term Rentals in Mixed Use Districts should be processed as a

Type I application. At its January 22 meeting, a majority (all but 2) of the Task Force agreed that Short Term Rentals within Commercial and Mixed Use districts should be exempt from the concentration limits.

**Concern:** At the February 5 meeting, some members said they would prefer to require Short Term Rentals in the MR zoning district (Mixed Use Riverfront) to be reviewed through a Type II process and subject to concentration limits.

### **Modification of Approvals**

We also forward to you two options for modification of approvals under the new code. The first option below received the support of approximately twice as many members as the second.

Modification Option 1. An expansion of less than 50 percent of the square footage of the existing home will be processed as a Type I application. An expansion of 50 percent or more of the square footage of the existing home will require the same application process as originally required. In both cases, the modification would be exempt from the concentration limits.

Modification Option 2. Any modification will require a permit process equivalent to a new application.

### **Additional Consensus Recommendations**

We make the following recommendations by consensus:

Consensus 1. The term "Vacation Home Rentals" is changed to "Short Term Rentals."

Consensus 2. The definition of a Short Term Rental shall be rental occupancy of fewer than 30 days per tenant.

Consensus 3. Short Term Rentals within resort areas shall be exempt from obtaining a Land Use permit (but shall require a Short Term Rental operating license) and shall be exempt from the concentration limits.

Consensus 4. The Short Term Rental review process in residential zones (SR2-1/2, RL, RS, RM, RH) shall include a sign posted on the property during the application process, neighbor notice within 250' by the City during the application process, and the opportunity to appeal based on ability to meet standards. (The last two requirements would require a Type II permit for these properties.)

Consensus 5. Infrequent Short Term Rentals (available for rent less than 20 days per year) shall be exempt from concentration limits.

Consensus 6. Short Term Room Rentals shall be processed the same as Short Term Rentals and the standards shall be the same, including concentration limits.

Consensus 7. A photo of the garage must be submitted if it is to be utilized to meet the parking requirement.

Consensus 8. All Short Term Rentals must obtain a Short Term Rental operating license.

Consensus 9. If a Short Term Rental ceases for a period of more than 12 months, the Short Term Rental permit shall be void, and failure to maintain the Short Term Rental operating license shall be considered abandonment. The Task Force further recommends that the Planning Commission consider establishing standards to

document non-abandonment such as amount of Room Tax and proof of rental, as well as a hardship consideration.

Consensus 10. All existing Short Term Rentals (including existing single room rentals) may continue as legal nonconforming uses provided the use is not abandoned and a valid operating license is maintained.

Consensus 11. Inspections of Short Term Rentals may be conducted by the City upon application and periodically thereafter.

Consensus 12. Modifications to parking locations for new permits shall not require a new review.

### **Additional Majority Recommendations**

The majority of the Task Force members support the following recommendations:

Majority 1. The review process in residential zones (SR2-1/2, RL, RS, RM, RH) shall include a neighborhood meeting by the applicant before application submittal. (One member would have preferred different language.)

Majority 2. Short Term Rentals within Commercial and Mixed Use districts shall be exempt from the concentration limits. (Two members would have preferred different language.)

Majority 3. There shall be no changes to the parking standards. (Five members would have preferred different language.)

Majority 4. Permits are issued to the property owner and do not run with the land. (Six members would have preferred different language.)

Thank you for the opportunity to serve and help you make these important decisions.