

**CITY OF CASCADE LOCKS  
PLANNING COMMISSION  
AGENDA**

Thursday, March 9, 2017 at 7:00 PM  
City Hall

- I. Call Meeting to Order
- II. Approval of February 9, 2017 Minutes.
- III. New Business
  - A. Review Proposed Ordinances Regarding Accessory Dwelling Units and Short Term Rentals and Recommend to City Council for Approval.
- IV. Adjournment

**The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484.**



1. Call Meeting to Order. Chair Cramblett called the meeting to order at 7:14 PM. PCM's Gyda Haight, Virginia Fitzpatrick, Gary Munkhoff (7:17), Cynthia Trippett, and Chair Cramblett were present. Also present were City Administrator Gordon Zimmerman, City Recorder Kathy Woosley, and Planning Consultant Stan Foster.
2. Approval of November 10, 2016 Minutes. Chair Cramblett questioned "definitive time line" in the last paragraph on page 5. PC Foster explained that is the action the Planning Commission took granting the Conditional Use Permit to a date certain. CA Zimmerman and PC Foster explained that it is not the City's place to remind an applicant to turn in their preliminary site plan renderings and the Planning Commission cannot get involved with that until there is an application submitted.  
  
Chair Cramblett also questioned the ADU rental of Aurora delVal as mentioned in paragraph 6 on page 7. CA Zimmerman said her rental is not in Cascade Locks and he thought she had said her rental was in Portland. Chair Cramblett said he would like the minutes to reflect Portland. PCM Fitzpatrick moved, seconded by PCM Haight, to approve the minutes as amended. The motion passed unanimously.
3. New Business:
  - A. Elect Planning Commission Chair. PCM Haight, seconded by PCM Fitzpatrick, moved to elect PCM Cramblett as Chair. The motion passed unanimously.
  - B. Elect Planning Commission Vice-Chair. PCM Fitzpatrick moved, seconded by PCM Haight, to elect PCM Munkhoff as Vice Chair. The motion passed unanimously.
  - C. Short Term Rental Discussion. CA Zimmerman said the process would be to put an ordinance in place and then make the necessary amendments to the Community Development Code. The Planning Commission discussed the proposed ordinance for Short Term Rentals and suggested changes for the definition of Short Term Rental. CA Zimmerman said Short Term Rentals and Accessory Dwelling Units would be processed as a Conditional Use Permit but under a ministerial review and not Planning Commission review.  
  
The Planning Commission discussed the proposed ordinance for Accessory Dwelling Units and made a few changes. The Planning Commission questioned the property owner of the ADU being responsible for the utility bill if there was a separate meter. CM Munkhoff suggested the City get the proper paperwork in place to make the property owners responsible.  
  
CA Zimmerman asked if the Planning Commission agreed to recommend these two ordinances to the City Council. PCM Fitzpatrick moved, seconded by PCM Haight, to recommend the Short Term Rental and Accessory Dwelling Units to City Council. Chair Cramblett said he would like to see the draft ordinances before they go to Council. PCM Fitzpatrick withdrew her motion and PCM Haight withdrew the second. CA Zimmerman said once the ordinances are prepared he would have the Planning Commission review them.
4. Adjournment. Chair Cramblett adjourned the meeting at 9:03 PM.

Prepared by  
Kathy Woosley

APPROVED:

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Larry Cramblett, Chair



ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING SHORT TERM RENTAL REGULATIONS WITHIN THE CITY OF CASCADE LOCKS**

**WHEREAS**, the City Council of the City of Cascade Locks recognizes the nature of the community can be affected by unregulated short term rentals;

**WHEREAS**, short term rentals can encourage a vibrant tourism industry; and

**WHEREAS**, short term rentals can create significant transient room tax revenue;

**THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:**

**SECTION 1. Definitions for understanding Short Term Rentals:**

As used in this title, the singular includes the plural and the masculine includes the feminine and neuter. The word "may" is discretionary, but the word "shall" is mandatory. The following words and phrases shall have the meanings given them in this section.

**BED AND BREAKFAST FACILITY** means a single-family dwelling which conducts transient rental of rooms with or without a morning meal.

**GROUP RESIDENTIAL** means residential occupancy of dwelling units by groups of more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship, and where communal kitchen and dining facilities are provided. Typical uses include the occupancy of houses, cooperatives, halfway houses, and intermediate care facilities. (See ORS 90.113.)

**HOSTED HOMESHARE** means the transient rental of a portion of a dwelling while the homeowner is present.

**HOSTEL** means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed, or maintained under the sponsorship of a non-profit organization that holds a valid exemption from federal income taxes under the federal law. (See ORS 446.310.)

**NON-TRANSIENT RENTAL** means to rent a dwelling unit or room(s) for compensation on a month-to-month basis, or for a longer period.

**RESIDENTIAL OR RESIDENTIAL USE** means the occupancy of a dwelling unit on a non-transient basis. Uses where tenancy is arranged on a transient basis are not considered residential.

**RESIDENTIAL DEVELOPMENT** means single-family dwellings, manufactured home, duplexes, triplexes, townhouses, residential condominiums, multi-family dwellings, accessory dwelling

units, group residential facilities, and similar structures. In some circumstances the use of residential development for non-residential uses may be approved.

(RESIDENTIAL) DWELLING UNIT means a single unit providing complete, independent living facilities for one (1) or more person, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

ROOMING HOUSE means a building where the non-transient rental of lodging, without meals, is provided to five (5) or more people.

SINGLE-FAMILY DWELLING, DETACHED (Detached Single Family Dwelling). A detached single-family dwelling unit located on its own lot.

TRANSIENT RENTAL means to rent a dwelling unit or room(s) for compensation on less than a month-to-month basis.

VACATION HOME RENTAL means the transient rental of an entire dwelling unit.

## **SECTION 2. Regulations:**

Hosted Homeshares, **Transient Rentals**, and Vacation Home Rentals are permitted as a conditional use in the following City of Cascade Locks residential zones:

Rural Residential (RR)  
Low Density Residential (LDR)  
Medium Density Residential (MDR)  
High Density Residential (HDR)

**Hosted Homeshares and Vacation Home Rentals are not permitted in the following City of Cascade Locks zones:**

**Commercial (C)**  
**Commercial/Residential (CR)**  
**Manufactured/Mobile Home Park Residential (MHR)**  
**Downtown Zone (D)**  
**Resort Commercial (RC)**  
**Any Planned Unit Development (PUD)**

A. Conditional Use Permit and TRT License shall be required as follows:

1. Persons operating a hosted homeshare, **transient rental**, or vacation home rental shall obtain a Conditional Use Permit.

2. The Conditional Use Permit shall be good for two (2) years from the date of issuance.
3. An application for a short term rental unit shall be processed as a **City Administrator review ministerial decision.**
4. A Conditional Use Permit shall not be granted if not accompanied by a Transient Room Tax License.

B. Use Restrictions – All Zones.

1. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, tent, or other temporary shelter.
2. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
3. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms. In calculating the number of spaces required, the total shall be rounded up. Parking areas shall not be located in the front yard. If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement and proof of legal parking access.
4. The maximum number of days per year for which a hosted homeshare or vacation rental home may be rented is ninety (90) days per calendar year. The number of days the unit is rented per quarter shall be reported on the TRT quarterly report.
5. **An emergency contact number shall be provided to the vacation rental occupier and to the City. The emergency contact shall respond to the vacation rental property within 30 minutes to address any emergency or complaint issue.**

Failure to comply with this Code Section is a city code violation punishable by a fine of up to \$500 per day for each day the violation exists. Any homeshare, **transient rental**, or vacation rental including those advertised through internet rental accounts or services are subject to this ordinance. Internet rental accounts or services include, but are not limited to, providers such as "AirBnB," "Vacasa," and "Craigslist." Copies of online advertisements for properties located inside the City limits of Cascade Locks are evidence of intent to provide homeshare, **transient rental**, or vacation rental properties.

**SECTION 3. Effective Date.** This Ordinance will take effect 30 days after approval by the Mayor.

**FIRST READING** by the City Council 27<sup>th</sup> day of March, 2017.

**ADOPTED** by the City Council this 10<sup>th</sup> day of April, 2017.

**APPROVED** by the Mayor this 10<sup>th</sup> day of April, 2017.

ATTEST:

\_\_\_\_\_  
Kathy Woosley, City Recorder

\_\_\_\_\_  
Tom Cramblett, Mayor

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF CASCADE LOCKS ADOPTING ACCESSORY DWELLING UNIT  
("ADU") REGULATIONS WITHIN THE CITY OF CASCADE LOCKS

WHEREAS, the City Council of the City of Cascade Locks recognizes the density of dwelling units within the community can be enhanced by allowing accessory dwelling units within the City limits;

WHEREAS, accessory dwelling units can provide additional income for our citizens; and

WHEREAS, accessory dwelling units will not detract from the character of the community;

THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, ORDAINS AS FOLLOWS:

**SECTION 1. Regulations:**

- A. An ADU may be created within, or detached from, any single-family dwelling, whether existing or new, as a subordinate use, where permitted by this chapter in RR, LDR, MDR, and HDR Zones **located in the City.**
- B. Only one ADU may be created per parcel or ownership as an accessory use **in conjunction with an existing** single-family dwelling (no townhouse or duplex).
- C. **An ADU cannot be bought or sold separately, as a condominium or a dwelling on wheels might be.**
- D. An application for an ADU shall be processed as a **City Administrator review ministerial decision. The City Administrator may deny an application for an ADU if the ADU does not use building materials, architectural design, and colors such that the ADU blends with the general appearance of the primary dwelling.**
- E. Only the property owner, which includes title holders and contract purchasers, may apply for an ADU. The property owner must occupy the primary dwelling or the ADU as their principal residence for at least six months out of the year. A primary residence shall be the residence where the owner is registered to vote, used as the primary residence for tax purposes, or **established by other proof provided by the owner** that the residence is **the owner's primary dwelling.** The owner shall sign an affidavit before a notary affirming that the owner occupies either the main dwelling or the ADU.
- F. One off-street parking space shall be provided for the ADU in addition to the off-street parking that is required for the primary dwelling.

- G. ADUs shall not exceed 800 square feet **in habitable floor area. The floor area of any garage shall not be included in determining the habitable floor area.**
- H. **All applicable requirements of the residential zone shall remain in full force and ADUs can only be created on these subject parcels if they can be created in a manner which maintains the primary parcel in full compliance with the underlying zone.**
- I. All other applicable development standards including, but not limited to, setbacks must be met for both the primary dwelling and the ADU.
- J. If a garage or detached building does not currently meet setbacks, it may not be converted to an ADU.
- K. All applicable standards in the City's building, plumbing, electrical, fire and other applicable codes for dwelling units must be met.
- L. The owner of the property shall accept full responsibility for the monthly sewer, electric and water bills.
- M. An ADU may not be used as a **short term rental**, hosted homeshare, **transient rental**, or vacation home rental. **Unless the ADU is owner occupied, the owner shall provide proof that the ADU is rented on a minimum 12-month lease. A 12-month lease is not required if the owner rents the ADU to an immediate relative.**
- N. The application and permit fee for an ADU shall be the same as a conditional use permit.

**SECTION 2. Effective Date.** This Ordinance will take effect 30 days after approval by the Mayor.

**FIRST READING** by the City Council 27<sup>th</sup> day of March, 2017.

**ADOPTED** by the City Council this 10<sup>th</sup> day of April, 2017.

**APPROVED** by the Mayor this 10<sup>th</sup> day of April, 2017.

ATTEST:

\_\_\_\_\_  
Kathy Woosley, City Recorder

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Tom Cramblett, Mayor