City of Sisters

Short-Term Rental Program Analysis Continued





OVERVIEW

BACKGROUND

- Purpose
- Past Workshops
- Identified Changes for Consideration

LEGAL ANALYSIS

- Transfer Limits
- Moratorium

NEXT STEPS

City Council Direction



BACKGROUND

PURPOSE

- 2023/24 City Council Goal
 - Evaluate Short-Term Rental code language to mitigate adverse impacts on the community.

PREVIOUS WORKSHOPS

- 9-13-23 City Council & 10-5-23 Planning Commission
 - Regulatory Framework
 - Regulatory Impact
 - Next Steps
- 1-24-24 City Council & 2-1-24 Planning Commission
 - Deschutes County Sheriff call data
 - Results of STR owner/operator survey
 - Analysis of increasing the concentration buffer from the current 250 feet to 500 feet

BACKGROUND

CITY COUNCIL IDENTIFED CHANGES FOR CONSIDERATION

- 1. Expand concentration limit from 250 feet to 500 feet.
- 2. Apply concentration limit to condominiums.
- 3. Do not apply concentration limit to Commercial Zone Districts.
- 4. Prohibit STRs in Urban Growth Boundary expansion/annexation areas.
- 5. Limit transferability of "prior existing" STRs.
- 6. Increasing minimum required number of days to be rented.
- 7. Consideration of a moratorium on STR permits while changes are under consideration.



BACKGROUND

PLANNING COMMISSION IDENTIFIED CHANGES FOR CONSIDERATION

- 1. Special provisions for "hosted" STRs.
- 2. Do not apply an expanded concentration limit to primary residence or "hosted" STRs.
- 3. Temporary allowance for STRs during events of city-wide interest such as Sisters Folk Festival, Sisters Quilt Show, and Sisters Rodeo.



LEGAL ANALYSIS – TRANSFER LIMITS

BEFORE 12/28/18

- "Prior Existing" STRs
- Land Use Transferable to New Owners
- New Licenses Required

AFTER 12/28/18

- Land Use NOT Transferable
- New Land Use Approval and Licenses Required



LEGAL ANALYSIS - TRANSFER LIMITS

IDENTIFIED POTENTIAL ISSUES

- Impacts on Current Property Owner
 - "Taking" of vested property right
 - Property value
- Equal Treatment of Similarly Situated Properties and Uses
- Strategy Appears Untested



LEGAL ANALYSIS - MORATORIUM

OREGON REVISED STATUTE (ORS) 197.505-540

- Public Hearing Required
- DLCD 45-Day Notice of Public Hearing
- Maximum 120 days
- Required Findings
 - Existing regulations are inadequate.
 - Needed supply of affected housing is not unreasonably restricted.
 - Reasonable alternatives to moratorium are unsatisfactory.
 - Public harm caused by failure to impose a moratorium outweighs the adverse effects.
 - Sufficient resources are available to complete the development of regulations within the moratorium period.
- May be extended if needed and justified



NEXT STEPS — CITY COUNCIL DIRECTION

CITY COUNCIL IDENTIFED CHANGES FOR CONSIDERATION

- 1. Expand concentration limit from 250 feet to 500 feet.
- 2. Apply concentration limit to condominiums.
- 3. Do not apply concentration limit to Commercial Zone Districts.
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- 5. Limit transferability of "prior existing" STRs.
- 6. Increasing minimum required number of days to be rented.
- 7. Consideration of a moratorium on STR permits while changes are under consideration.

PLANNING COMMISSION IDENTIFIED CHANGES FOR CONSIDERATION

- 1. Support for special provisions for "hosted" STRs.
- 2. Do not apply an expanded concentration limit to primary residence or "hosted" STRs.
- 3. Temporary allowance for STRs during events of city-wide interest such as Sisters Folk Festival, Sisters Quilt Show, and Sisters Rodeo.

QUESTIONS?

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