



## PLANNING COMMISSION **Agenda**

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | [www.ci.sisters.or.us](http://www.ci.sisters.or.us)

**THURSDAY, APRIL 4, 2024 – 4:00 P.M.**

### **AGENDA**

This Planning Commission meeting is accessible to the public in person in the City Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759 and via the following Zoom link:

<https://us02web.zoom.us/j/86756479590>

- I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA**
- II. VISITOR COMMUNICATION:** This is time provided for individuals wishing to address the Planning Commission regarding issues not already on the agenda.
- III. WORKSHOP**
  - A.** Short-Term Rental Program Evaluation Continued (Exhibit A)
- IV. STAFF AND COMMISSIONER COMMENTS**
- V. ADJOURN**

---

*This agenda is also available via the Internet at [www.ci.sisters.or.us](http://www.ci.sisters.or.us). The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other disability accommodations should be made at least 48 hours before the meeting by contacting Kerry Prosser, City Recorder at [kprosser@ci.sisters.or.us](mailto:kprosser@ci.sisters.or.us)*



# PLANNING COMMISSION

## Staff Report

**Meeting Date:** April 4, 2024  
**Type:** Workshop  
**Subject:** Short-Term Rental Program Evaluation

**Staff:** Martin  
**Dept:** Community Development

---

**Action Requested:** Workshop to present draft development code amendments to short-term rental standard.

---

### Summary Points:

The City Council (Council) identified “evaluation of the Short-Term Rental Code language to mitigate adverse impacts on the community” as a goal for the 2023-24 fiscal year. This evaluation has included staff research and analysis that has been presented to the Council and the Planning Commission (Commission) for consideration. The purpose of this workshop is to present draft code amendments to the short-term rental standards in Section 2.15.2700 of the Sisters Development Code (SDC). This staff report includes the following:

- I. BACKGROUND
- II. DRAFT TEXT AMENDMENTS
- III. NEXT STEPS

### I. BACKGROUND

The Council and Commission have evaluated the Short-Term Rental (STR) over several workshops on the following dates:

- September 13, 2023 - City Council Workshop<sup>1</sup>
- October 5, 2023 - Planning Commission Workshop<sup>2</sup>
- January 24, 2024 - City Council Workshop<sup>3</sup>
- February 1, 2024 - Planning Commission Workshop<sup>4</sup>
- February 14, 2024 - City Council Workshop<sup>5</sup>

---

<sup>1</sup> 9/13/23 City Council Workshop: <https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-and-regular-meeting-4>

<sup>2</sup> 10/5/23 Planning Commission Workshop: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-66>

<sup>3</sup> 1/24/24 City Council Workshop: <https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-meeting-0>

<sup>4</sup> 2/1/24 Planning Commission Workshop: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-73>

<sup>5</sup> 2/15/24 City Council Workshop: <https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-meeting-1>

The previous workshops included presentation of an overview of the current program, analysis of associated data, and discussion of several potential amendments to the applicable standards. At the workshop on February 14, the Council directed staff to prepare draft code amendments for the following:

- Expansion of the STR concentration limit from 250 feet to 500 feet.
- Applying STR concentration limit to dwelling units within a condominium.
- Prohibition of STRs in Urban Growth Boundary expansion/annexation areas.

Staff presented the draft code amendments to the Council at a workshop on March 13, 2024<sup>6</sup>, for input. The Council expressed general support for the amendments as draft but requested refinement of the draft language to ensure the limits on permit transfer of SDC 2.15.2700(F) remain applicable to approval of STR applications submitted after December 28, 2024. In addition, the Council directed staff to draft amendments that apply the 500-foot concentration limits to residential only development overlay zones in the Downtown Commercial (DC) District, as shown below in Figures 1 and 2 of Table 2.4.1 for the DC District.

Figure 1

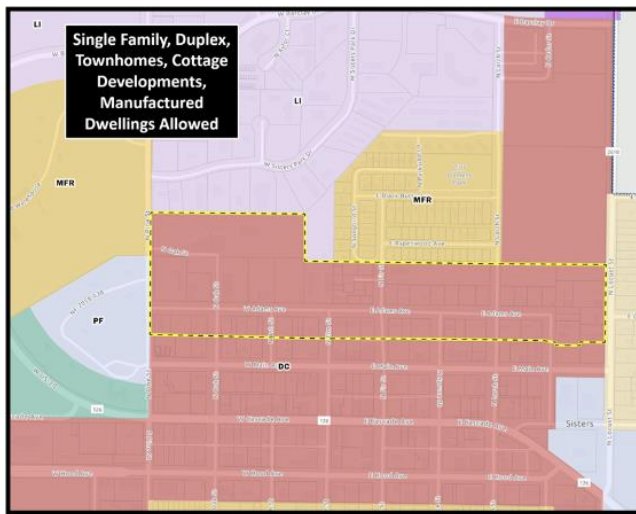
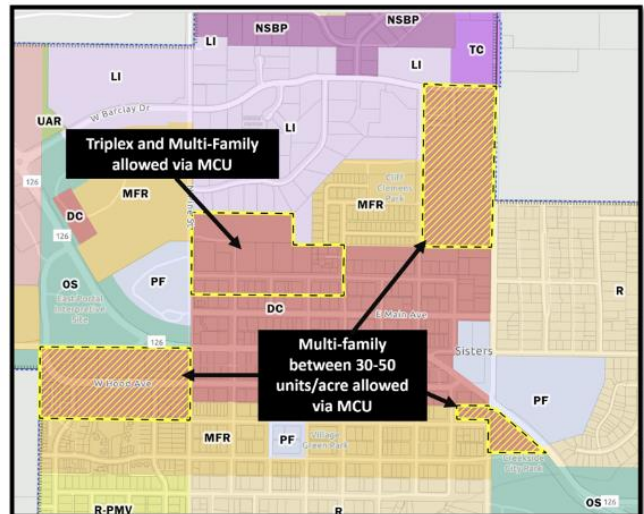


Figure 2



These residential only development options include the full range of residential uses from single-family dwellings to multi-family residential developments. The Council stated that the purpose of the STR limitation in these overlay zones was to build on the work of the Land Use Efficiency Measures, which was to spur more housing within the existing city boundaries, ideally for more workforce housing. Having no concentration limit in this zone was seen as potentially contradictory to this goal. The Council explicitly indicated the concentration limit should not be applicable to mixed use buildings that include both commercial and residential uses.

<sup>6</sup> 3/13/24 City Council Workshop: <https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-meeting-3>

## II. DRAFT TEXT AMENDMENTS

Based on the direction of the Council, staff prepared draft text amendment language (Attachment 1) for discussion. Table 1 identifies the applicable SDC sections, a description of the amendment, and explanation of the reason for change.

**Table 1.**

SDC Section	Amendment	Reason
2.15.2700(D)(2)	Add prohibition of STRs in residential districts located in areas annexed into the city limits of Sisters after the effective date of ordinance, unless specifically permitted in an annexation agreement approved by the City Council.	The applicability to only residential districts is consistent with the current standards and allowance of STRs in commercial districts. In addition, allowing STRs as authorized by annexation agreement provides opportunity for future councils to exercise discretion at the time of annexation.
2.15.2700(E)(1)	Expand concentration limit from 250 feet to 500 feet and relocate existing reference to non-conforming uses.	Limit additional approvals in proximity to existing STRs and reword section to accommodate new subsection applying the concentration limit to residential only development overlay zones in the DC District.
2.15.2700(E)(1)(a)	Add subsection with no change to applicable zone districts and relocate existing reference to non-conforming uses.	Reword section to accommodate the addition of applying the concentration limit to residential only development overlay zones in the DC District.
2.15.2700(E)(1)(b)	Add subsection to apply concentration limit to residential only development in the DC District.	The concentration limit is currently not applicable in commercial districts. Applying the concentration limits to residential only developments in the DC District overlay zones will limit STRs and retain opportunity for potential long-term occupancy of dwelling units.

SDC Section	Amendment	Reason
2.15.2700(E)(2)	Add reference to condominiums.	In conjunction with the change to 2.15.2700(E)(3), the intent is to clearly state the limit of only one dwelling unit on the property that may be used as a short-term rental is applicable to dwelling units within a condominium.
2.15.2700(E)(3)	Remove section exempting condominiums from concentration limits.	Removal of this section results in the concentration limit being applicable to dwelling units within a condominium in the zone districts specified in SDC2.15.2700(E)(1) and(2).
2.15.2700(E)(4)	Expand concentration limit from 250 feet to 500 feet.	Limit additional approvals in proximity to existing STRs.
2.15.2700(J)(1)	Change reference from “under the former 2013 SDC 2.15.2700” to “between February 1, 2013, and [the effective date of the ordinance adopting these changes] that does not comply with the current standards.”	Any changes may cause an existing lawfully established STR to not comply with the new standards (ex. STRs within 500 feet) and, thereby, become a non-conforming use. This section allows those lawfully established, non-conforming STRs to continue operations if they comply with this section and all other applicable standards. As amended, this criterion will be applicable to all STRs approved and permitted between adoption of the STR specific standards in 2013 and any new standards.
2.15.2700(J)(1)(d)	Add requirement that approval of STRs applications submitted after December 28, 2018, shall comply with the transfer limits under subsection (F) of this section.	Referenced subsection (F) prohibits transfer of STRs approvals to new owners. This transfer limitation is applicable to only those approvals of STR applications submitted after December 28, 2018. The addition of this criteria provides clarity that the transfer limit remains applicable.

### III. NEXT STEPS

Staff will initiate the formal text amendment adoption process including public hearings before the Commission and the Council. The date of the initial public hearing has not been scheduled. Notice of the public hearing will be provided in accordance with SDC 4.1.600.

**Financial Impact:** None identified at this time.

---

**Attachments:**

- Attachment A – Draft Text Amendments

## ATTACHMENT A

**DEVELOPMENT CODE AMENDMENTS  
CITY OF SISTERS DEVELOPMENT CODE  
CHAPTER 2.15 – SPECIAL PROVISIONS**

New text shown in underline

Removed text shown in ~~strikethrough~~

**Chapter 2.15 – Special Provisions**

**Sections:**

**2.15. 2700 Short-Term Rentals**

...

D. Prohibited Uses.

1. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited as or used in conjunction with a short-term rental.
2. Short-term rentals in residential districts located in areas annexed into the city limits of Sisters after [insert effective date of ordinance], unless specifically permitted in an annexation agreement approved by the City Council.

E. Concentration Limits.

1. A short-term rental cannot be approved on a property within 250-500 feet of another property that has a valid short-term rental approval or is a legal non-conforming use approved under subsection (J) of this section and zoned:
  - a. R, MFR, SRR, UAR, and NSBP; ~~or that has a valid short-term rental approval or is a legal non-conforming use approved under subsection (J) of this section.~~
  - b. DC and is a residential only development in one of the overlay zones in Figures 1 and 2 of Table 2.4.1 for the DC district. This is not applicable to commercial or mixed-use developments.
2. Where a property in the R, MFR, SRR, UAR, or NSBP has multiple dwelling units (i.e. ADUs, duplexes, apartments, condominiums, etc.), only one dwelling unit on the property may be used as a short-term rental.
3. ~~Notwithstanding anything herein to the contrary, dwelling units within a condominium are not subject to any concentration limits and are not considered when applying subsection (E)(1), whether as a property with an existing short-term rental or as a property proposed for a short-term rental.~~
4. “Within 250-500 feet” means a straight-line measurement in a radius extending for 250-500 feet or less in every direction from the closest point on the property line of the subject property to the closest point on

## ATTACHMENT A

the property line of the other property as determined by the Community Development Director.

...

J. Prior Existing Use.

1. Existing Type I Permits. Any short-term rental approved and legally permitted ~~under the former 2013 SDC 2.15.2700 between February 1, 2013, and [insert effective date of ordinance] that does not comply with the current standards~~ may continue as a legal non-conforming use provided:
  - a. That the use is not abandoned under subsection (H) of this section; and
  - b. That the owner obtains and maintains the operating license in accordance with SMC Chapter 5.50.
  - c. The owner has the burden of establishing a valid prior approval and continuous operation when applying for an operating license or operating license renewal.
  - d. Those approved after February 3, 2013, comply with the limits on permit transfer under subsection (F) of this section.
2. Legal Non-Conforming Uses. Any short-term rental that was lawfully established prior to February 1, 2013, when the initial short-term rental regulations were adopted, and has been lawfully and continually operating since that time, may continue as a legal non-conforming use provided:
  - a. The non-conforming use is verified through a declaratory ruling in accordance with SDC Chapter [4.9](#).
  - b. That the use is not abandoned under subsection (H) of this section; and
  - c. The owner obtains and maintains an operating license in accordance with SMC Chapter [5.50](#).