



CITY COUNCIL AGENDA

March 1, 2021

Regular meeting 6:30PM

CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444

DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL MEANS. Zoom Webinar invite is directly following this agenda

Following the regular meeting the Council will meet in executive session pursuant to ORS 192.660 (2)(f)&(h) To consider written advice from legal counsel and current litigation or litigation likely to be filed.

Call to order: Time: _____

1. The pledge of allegiance
2. Roll Call:

Members	Present	Absent
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson		
Council Position #2 Chip Bradley		
Council Position #3 Anthony Pagano		
Council Position #4 Becky Campbell		
Council Position #5 Valerie MacGillivray BEGINNING VOTE		
Student Liaison Kasey Saadat		
City Administrator Jodi Fritts		

Additions to the Agenda: A request to add an item for Council consideration to the Council agenda may be presented at the Council meeting but shall require a majority concurrence of the Councilors present to be so added. Decisions on added agenda items that were not advertised on the agenda could be challenged.
(Council Rule No. 26)

3. **Special Orders of Business:**
None Scheduled
4. **Consent Calendar:**
 - a. Action minutes for: February regular meeting, February 11th special meeting, & November 2020
5. **Citizens Comments**
As presented to the Mayor at the beginning of the meeting
6. **Public Hearing**
None Scheduled

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach-oriented community

7. Citizen Requested Agenda Items

None Scheduled

8. Public Contracts and Purchasing

None Scheduled

9. Ordinances & Resolutions

None Scheduled

10. Miscellaneous Items (including policy discussions and determinations)

- a. Resume Short Term/Vacation Rental code amendments discussion
- b. Update from Mayor on Council Rules revision
- c. Discuss FY2122 Council Budget Goals/Priorities for budget prep
- d. Review Q2 Financials (Oct thru Dec)

11. City Administrator's Report (to be presented at meeting)

January financials Actual to Budget

12. Mayor and Council Member Comments

- a. Councilors
 - 1) Summer Matteson
 - 2) Chip Bradley
 - 3) Anthony Pagano
 - 4) Becky Campbell
 - 5) Valerie MacGillivray
- b. Student Liaison
- c. Mayor's Report

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

Following the regular meeting the Council will meet in executive session pursuant to ORS 192.660 (2)(f)&(h) To consider written advice from legal counsel and current litigation or litigation likely to be filed.

The next regularly scheduled City Council meeting is the **Monday, April 5, 2021, at 6:30PM** via Zoom remote meeting platform.

15. Adjourn Time: _____

The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach-oriented community

MARCH 1, 2021, Regular City Council Meeting ZOOM

When: Mar 1, 2021 06:30 PM Pacific Time (US and Canada)

Topic: March 1, 2021 GB City Council Meeting

TO JOIN BY SMART PHONE, TABLET, COMPUTER:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84514933430>

TO JOIN BY TELEPHONE - CELL OR LANDLINE:

Dial either number:

346-248-7799 or 669-900-6833

Enter Webinar ID # when prompted: 845 1493 3430



CITY COUNCIL AGENDA

March 1, 2021

EXECUTIVE SESSION

Immediately following regular Council meeting

DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL MEANS. The executive session will be immediately following the regular meeting. Members of the media and designated staff are permitted to attend. The Mayor will inform regular meeting attendees they will be removed from the Council ZOOM meeting prior to the beginning of the executive session.

AT THE BEGINNING OF THE EXECUTIVE SESSION, THE MAYOR WILL READ THE FOLLOWING STATEMENTS INTO THE RECORD: **The Gold Beach City Council will now meet in executive session pursuant to ORS 192.660 (2)(f)&(h) To consider written advice from legal counsel and current litigation or litigation likely to be filed.**

Credentialed representatives of the news media and designated staff shall be allowed to “attend” (virtually) the executive session. Anyone else attempting to join the meeting will be asked to leave. Representatives of the news media are specifically directed not to report or disclose any of the discussions during the executive session, except to state the general subject of the session previously announced. No decision may be made in executive session.

Call to order: Time: _____

1. **The pledge of allegiance** (*will be dispensed with since it was recited at the beginning of the regular meeting*)

2. **Roll Call:**

	Present	Absent
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson		
Council Position #2 Chip Bradley		
Council Position #3 Anthony Pagano		
Council Position #4 Becky Campbell		
Council Position #5 Valerie MacGillivray		
City Administrator Jodi Fritts		

3. **Executive Session Adjourn** Time: _____

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CONSENT CALENDAR



CITY COUNCIL AGENDA ACTION MINUTES

February 1, 2021

Regular meeting 6:30PM

CITY COUNCIL CHAMBERS, CITY HALL

29592 ELLENSBURG AVE

GOLD BEACH OR 97444

DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL MEANS. Zoom

Webinar invite is directly following this agenda

Immediately following the regular meeting, the Council will meet in Executive Session pursuant to ORS 192.660 (2)(i) for the annual performance review of the chief executive officer.

Call to order: Time: 6:30PM

- 1. The pledge of allegiance**
- 2. Roll Call:**

Members	Present	Absent
Mayor Tamie Kaufman	X	
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell BEGINNING VOTE	X	
Council Position #5 Valerie MacGillivray	X	
Student Liaison Kasey Saadat	X	
City Administrator Jodi Fritts	X	

Additions to the Agenda: A request to add an item for Council consideration to the Council agenda may be presented at the Council meeting but shall require a majority concurrence of the Councilors present to be so added. Decisions on added agenda items that were not advertised on the agenda could be challenged.

(Council Rule No. 26)

- 3. Special Orders of Business:**
 - a. Swearing In: Councilor Valerie MacGillivray
 - b. GBMS Business Outreach & Community Coordinator, Lyndsey Dixon 2020 report
 - c. Interviews and possible appointments of potential Planning Commission, and Urban Renewal Advisory Committee positions
- 4. Consent Calendar:**
 - a. Action minutes for January & December

MOTION: Councilor Becky Campbell made the motion to approve the consent calendar. Councilor Valerie MacGillivray seconded the motion.

VOTE	AYE	NAY
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
VOTE TALLY	5	0

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5. Citizens Comments

As presented to the Mayor at the beginning of the meeting

6. Public Hearing

Annexation hearing pursuant to ORS 222.120 for parcels identified as:
Assessor Map: 3614-16 tax lots: 302, 200, 307, 312

7. Citizen Requested Agenda Items

a. Kelly Timchak request to discuss Buffington Park/Kid Kastle

8. Public Contracts and Purchasing

None Scheduled

9. Ordinances & Resolutions

a. Ordinance No. 673 Annexing Territory into City Limits

MOTION: Councilor Anthony Pagano made the motion that the council adopt ordinance number 673 with both readings this evening. Councilor Summer Matteson seconded the motion.

VOTE	AYE	NAY
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
VOTE TALLY	5	0

The motion passed unanimously to have both readings of Ordinance No. 673 in one meeting.

MOTION: Councilor Anthony Pagano made the motion that the council adopt Ordinance number 673 and approve the first and second reading by title only. Councilor Summer Matteson seconded the motion.

VOTE	AYE	NAY
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
VOTE TALLY	5	0

b. Resolution R2121-13 Appointments to Commissions/Committees

MOTION: Councilor Anthony Pagano made the motion that the council adopt Resolution R2121-13, a resolution confirming Appointments to City Commissions and Committees and setting terms of office. Councilor Chip Bradley seconded the motion.

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VOTE	AYE	NAY
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
VOTE TALLY	5	0

10. Miscellaneous Items (including policy discussions and determinations)

- a. Discuss Council Priorities of topics/issues sidelined by COVID crisis
- b. Discuss proposed Council Rule changes

11. City Administrator's Report (to be presented at meeting)

December financials Actual to Budget
FY1819 Audit Report

12. Mayor and Council Member Comments

- a. Councilors
 - 1) Summer Matteson
 - 2) Chip Bradley
 - 3) Anthony Pagano
 - 4) Becky Campbell
 - 5) Valerie MacGillivray
- b. Student Liaison
- c. Mayor

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

Immediately following the regular meeting, the Gold Beach City Council will meet in executive session pursuant to ORS 192.660 (2)(i) To review and evaluate the employment related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

The next regularly scheduled City Council meeting is the **Monday, March 1, 2021, at 6:30PM** via Zoom remote meeting platform.

15. Adjourn Time: 8:22PM Regular meeting finished. Executive session started after a brief break.

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CITY COUNCIL AGENDA ACTION MINUTES

February 1, 2021

Regular meeting at 6:30PM

Executive Session Immediately
following Regular meeting

FOLLOWING THE REGULAR MEETING, THE COUNCIL WILL MEET IN EXECUTIVE SESSION.

AT THE BEGINNING OF THE EXECUTIVE SESSION, THE MAYOR SHALL READ THE FOLLOWING STATEMENTS INTO THE RECORD: The Gold Beach City Council will now meet in executive session pursuant to ORS 192.660 (2)(i) To review and evaluate the employment related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Credentialed representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience will be disconnected. Representatives of the news media are specifically directed not to report or disclose any of the discussions during the executive session, except to state the general subject of the session previously announced. No decision may be made in executive session.

Call to order: Time: 8:26PM

1. The pledge of allegiance *(the pledge was dispensed with since it was recited at the regular meeting)*

2. Roll Call:

	Present	Absent
Mayor Tamie Kaufman	X	
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
City Administrator Jodi Fritts	X	
Student Liaison Kasey Saadat		

THE EXECUTIVE SESSION WAS PRECEDED BY THE REGULAR MONTHLY COUNCIL MEETING.

The next regularly scheduled City Council meeting is **Monday, March 1, 2021, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

The Council conducted the City Administrator's annual performance review.

Councilor Becky Campbell made the motion to adjourn. Councilor Anthony Pagano seconded. All in favor.

3. Adjourn Time: 8:59PM

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CITY COUNCIL AGENDA ACTION MINUTES

February 11, 2021

Executive Session at 6:30PM

*Possible Special Meeting immediately
following the executive session*

***DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL
MEANS. Zoom meeting info immediately following the agenda.***

THE COUNCIL WILL MEET IN EXECUTIVE SESSION AT 6:30PM, IF NEEDED THE COUNCIL MAY
CONVENE A SHORT SPECIAL MEETING FOLLOWING THE EXEC SESSION.

AT THE BEGINNING OF THE EXECUTIVE SESSION, THE MAYOR SHALL READ THE FOLLOWING
STATEMENTS INTO THE RECORD:

The Gold Beach City Council will now meet in executive session pursuant to ORS 192.660
(2)(f) To consider written advice from legal counsel.

Credentialed representatives of the news media and designated staff shall be allowed to
“attend” (virtually) the executive session. Anyone else attempting to join the meeting will
be asked to leave. Representatives of the news media are specifically directed not to report
or disclose any of the discussions during the executive session, except to state the general
subject of the session previously announced. No decision may be made in executive
session. If a decision is needed, the Council will convene a short meeting immediately
following the executive session.

Call to order: Time: 6:34PM

- 1. The pledge of allegiance**
- 2. Roll Call:**

	Present	Absent
Mayor Tamie Kaufman	X	
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
City Administrator Jodi Fritts	X	

**If a decision is needed after the executive session the Council will convene a short special
meeting to dispense with the business.**

- 3. Executive Session Adjourn Time: 6:54PM**

The Council came out of executive session and convened the special meeting.

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of
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the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in
our beach oriented community*

Call to order: **Time: 6:54PM**

1. The pledge of allegiance *(the pledge was dispensed with since it had been recited at the beginning of the executive session)*

2. Roll Call:

	Present	Absent
Mayor Tamie Kaufman	X	
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Valerie MacGillivray	X	
City Administrator Jodi Fritts	X	

After coming out of the executive session, the Council directed staff and made the following motion.

MOTION: Councilor Anthony Pagano made the motion to approve Resolution R2021-14 with the amendments from the Mayor *(add section to resolution that play structure is out of doors and our area has a lot of wind and rain and the risk level is likely lessened due to those factors)* **Councilor Chip Bradley seconded the motion.**

VOTE	AYE	NAY
Mayor Tamie Kaufman		
Council Position #1 Summer Matteson	X	
Council Position #2 Chip Bradley	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell		X
Council Position #5 Valerie MacGillivray	X	
VOTE TALLY	4	1

Councilor Anthony Pagano made the motion to adjourn. Councilor Valerie MacGillivray seconded the motion. All in favor.

3. Adjourn Time: 6:58PM

The next regularly scheduled City Council meeting is **Monday, March 1, 2021, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

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CITY COUNCIL AGENDA ACTION MINUTES

November 9, 2020

Regular meeting 6:30PM

CITY COUNCIL CHAMBERS, CITY HALL

29592 ELLENSBURG AVE

GOLD BEACH OR 97444

DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL MEANS.

Zoom meeting info is attached to this agenda.

Call to order: Time: 6:30pm

1. The pledge of allegiance

2. Roll Call:

Members	Present	Absent
Mayor Karl Popoff	X	
Council Position #1 Summer Matteson BEGINNING VOTE	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Tamie Kaufman	X	
City Administrator Jodi Fritts	X	

3. Special Orders of Business:

- Coos-Curry Electric COOP to present Beacon Broadband info
- Request by Kaitlyn Coleman, Curry County Fair Manager, to address Council

MOTION: Councilor Larry Brennan made the motion to loan the Event Center on the Beach fund up to \$250,000 at a 3% interest rate from Sewer Reserve Fund to repair the arena roof. Councilor Becky Campbell seconded the motion.

VOTE	AYE	NAY
Mayor Karl Popoff		
Council Position #1 Summer Matteson BEGINNING VOTE	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Tamie Kaufman	X	
VOTE TALLY	5	

4. Consent Calendar:

None Scheduled

5. Citizens Comments

As presented to the Mayor at the beginning of the meeting

6. Public Hearing

- Ordinance No. 671 amending Business Code for MFU provisions

7. Citizen Requested Agenda Items

None Scheduled

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8. Public Contracts and Purchasing

None Scheduled

9. Ordinances & Resolutions

- a. First Reading: Ordinance No. 671 amending Business Code for MFU provisions

MOTION: Councilor Tamie Kaufman made the motion to approve Ordinance No. 671, an ordinance amending Ordinance 643 which adopted a revised Gold Beach business code and adopting provisions for mobile food unit business licenses by title only. Councilor Anthony Pagano seconded the motion.

VOTE	AYE	NAY
Mayor Karl Popoff		
Council Position #1 Summer Matteson BEGINNING VOTE	X	
Council Position #2 Larry Brennan	X	
Council Position #3 Anthony Pagano	X	
Council Position #4 Becky Campbell	X	
Council Position #5 Tamie Kaufman	X	
VOTE TALLY	5	

- b. First Reading Ordinance No. 672 declaring annexations of parcels into City limits

10. Miscellaneous Items (including policy discussions and determinations)

- a. Councilor Requested Topic Discussions
b. Provisional election results

11. City Administrator's Report

To be presented at meeting

12. Mayor and Council Member Comments

- a. Mayor Karl Popoff
b. Councilors
1) Summer Matteson
2) Larry Brennan
3) Anthony Pagano
4) Becky Campbell
5) Tamie Kaufman

13. Citizens Comments

As permitted by the Mayor

14. Executive Session

No Executive Session Held

The next regularly scheduled City Council meeting is the **Monday, December 7, 2020, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

Councilor Larry Brennan made the motion to adjourn. Councilor Becky Campbell seconded. All in favor.

15. Adjourn Time: 8:42pm

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MISC. ITEMS

(Including policy discussions and determinations)



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. a.**
Council Meeting Date: March 1, 2021

TITLE: Continued Discussion on Short-Term/Vacation Rental Regulations

SUMMARY AND BACKGROUND:

The Council had started discussions about updating the regulations on short-term/vacation rentals in the summer of 2019 due to the on-going shortage of available rental housing. The last discussion was at the February 2020 the month before the pandemic hit and sidelined everything.

Attached to this report are the following:

- Transcript from the February 2020 Council meeting for this agenda item
- Reprints of prior Council reports for refresher
- Updated list of current short-term/vacation rentals and whether they are in Commercial or Residential zones
- Copy of the Lincoln City Health & Safety pamphlet for ST/V rental units—staff would like to implement a similar brochure for Gold Beach

It appears, based on the transcript, that there were questions staff was to have discussed with legal counsel and then report back to the Council. Because of the pandemic that discussion never happened. Staff has not had the opportunity to revisit this with legal counsel this week due to other pressing legal matters. Prior to the Monday meeting staff will touch base with legal counsel and report to the Council at the meeting.

Mayor Popoff: All right. Miscellaneous items. Review, discuss, draft, code, amendments for short-term vacation rentals.

CA Fritts: Councilor Kaufman, do you want to address this? Or do you want me to start?

Councilor Kaufman: I can. I'm just not there yet.

CA Fritts: Okay.

Councilor Kaufman: There's a lot of pages in here. One of the ... Well, we talked about in limiting the number of vacation rentals in the residential zones. And right now, I believe most of the vacation rentals are in the commercial zones. They may be a house, but it's in the commercial zone, and not limiting those.

Councilor Kaufman: Also, the facts are that the vacation rentals are nowhere near full occupancy, so we're not losing anything by restricting because there's actually probably more than the market can bear. I believe my suggestion was 10 in the residential area and the proposal the attorney wrote was 10 for each zone, which I think is too many. I don't know how to word that, where we would do that, 10 in 1R, 2R, or 3R, respectively, total, not each.

Mayor Popoff: I've got a question, Councilor. Looking through this, it appeared that the majority of them, I think something like 14 ... I'm not too sure. I didn't remember the counting, but they're all located in one area [inaudible 00:25:45]. And yet, it looks as if they are in different zones. What's going on with that?

CA Fritts: Well, Sebastian Shores, where a lot of, amount of almost half of our vacation rentals, registered vacation rentals.

Mayor Popoff: Right.

CA Fritts: That is a commercial zone.

Mayor Popoff: Yeah. But, now, a commercial zone ... According to this, we are limiting the cap at three different areas, R1, R2, and R3.

CA Fritts: No. That was just the suggestion that ...

Mayor Popoff: No. No. I know it's a suggestion, but that's what we're talking about. We're not talking about anything in a commercial.

CA Fritts: I think the idea is ...

Mayor Popoff: So then we would add, say like, in possible 30 here, and then whatever commercial has to bear, within the city?

CA Fritts: Well, I think that's what Councilor Kaufman was saying, that she meant 10, just 10 in the residential zones, not 10 for each residential zone.

Mayor Popoff: That I can understand, but what I'm trying to get at is what is written here?

CA Fritts: Right. And that's the discussion. Yeah. I think the intent that Councilor Kaufman had was to cap it at 10 in residential zones, period, not 10 for each. And that ... I just sent the attorney what we had discussed, so he just took what we had said. So we could say that ... I mean, we could take the language out about 10 permits in the 1R, and just say that in all zones, zone residential, and it'll be up to staff to keep track of who's in what zone.

Mayor Popoff: Yeah. Yeah, that makes a lot more sense, at least to me.

Mayor Popoff: Councilor, go ahead, Brennan.

Councilor Brennan: Yeah, because when I read that, it looked like there were going to be 40 permits.

Mayor Popoff: Right.

Councilor Brennan: So are we going to ... I mean, is your proposal to do 10 permits in residential and 10 in commercial? Or what about the commercial?

Mayor Popoff: Yeah.

Councilor Kaufman: Commercials [inaudible 00:27:50], right now. We'd have to change the commercial zone to limit.

Councilor Brennan: Okay. So just [crosstalk 00:27:55].

Councilor Kaufman: But if you can put a motel there, why couldn't you put a vacation [crosstalk 00:27:58].

Councilor Brennan: Yeah, so 10 only in residential.

Councilor Kaufman: I'm thinking 10, just in residential. That'll limit it going into the main part of the city.

CA Fritts: The rental pool.

Councilor Brennan: Yeah, the [crosstalk 00:28:06].

Councilor Kaufman: And keep it in the commercial zones.

SIDE DISCUSSION OFF TOPIC...

Councilor Kaufman: Okay. Back to this.

Mayor Popoff: All right. Any further on this?

Councilor Campbell: I have something, Mr. Mayor. I-

Mayor Popoff: Yes, ma'am.

Councilor Campbell: I like the idea of the 10-limit cap.

Mayor Popoff: For residential.

Councilor Campbell: Yeah. For all of the ...

Mayor Popoff: Commercial, we would have to change that.

CA Fritts: The one thing from a staff standpoint, that number F, that they suggested about the 12th consecutive month, the dwelling fails to report and submit room tax, we don't actually let them go that far. If you don't remit within 30 days, I'm getting in touch with you. So I don't think that we should offer that. You could say, if it's inactive because there's times that a vacation rental will have like a long-term rental for a while, and then they want to switch back to the vacation one.

CA Fritts: Currently, the conditional use permit, it goes with the property, so if there's a conditional use permit that's been issued ... As an example, I had one from several years ago, the property's being sold. It hasn't been used for a while, but there is a permit there that the person could use. I think what the attorney was trying to get at here was maybe if it's not being used as a vacation rental for that amount of time, then they need to reapply. I think that would be a good idea. That way it keeps it from flip-flopping between a regular rental and a short-term rental, but that's just staffs two cents.

Mayor Popoff: All right. Anything further? Yes, ma'am.

Councilor Kaufman: So, in process, the current condition of use permits would be notified that after X number of months you're inactive, and you lose your permit and have to reapply. Is that what you're thinking?

CA Fritts: I would need to verify that with the attorney because I don't know that we can impose that restriction on people that ... It's like we can't make things retroactive, but it could be that you can make it where, after a certain amount of time, then that goes into effect. But I don't know that you can do it immediately.

Councilor Kaufman: Who I'm thinking is, if I own property, I could buy 10, the only 10 available. And then I don't leave. Then nobody else can have one.

CA Fritts: Correct.

Councilor Kaufman: So that's not fair, either.

CA Fritts: Correct.

Councilor Kaufman: So how do you balance that, is my question.

Councilor Brennan: Can I ask a question?

Mayor Popoff: Yes, sir.

Councilor Brennan: How many are there now in the residential, all three zones?

CA Fritts: Let's see.

Councilor Brennan: Do you know?

CA Fritts: Yes. I put a chart in there, and I can tell you real quickly.

Mayor Popoff: [crosstalk 00:32:20]. Got a bunch of them, now.

Councilor Brennan: I'm just wondering what are we going to do about those.

Mayor Popoff: That are being used right now?

Councilor Brennan: Right. Once we get, if we say [inaudible 00:32:29] going to be 10, and there's ...

Councilor Kaufman: Well, [crosstalk 00:32:32].

Mayor Popoff: There's quite a few more than 10, right?

Councilor Brennan: Right. So [crosstalk 00:32:34], so what's going to happen with those permits?

CA Fritts: That's what Councilor Kaufman was kind of asking out loud. That would be something I would need to ask the attorney.

Councilor Brennan: Okay.

Mayor Popoff: Would it be possible, just to allow a certain amount of them to lapse?

CA Fritts: I just said, I don't know that if we can make ... If somebody has a valid permit, I don't know that if our law changes, if we can make that retroactive on that person, or if we can ...

Mayor Popoff: No. I'm sorry. Maybe I didn't put that that well, but what I'm saying is, is that, as perhaps they go off the market, not to allow anything more on till we get down to the desired number.

CA Fritts: That could ... Correct. Right now, there's the currently registered, and we keep on top of them pretty good. About every quarter, I go online and see who's advertising vacation rentals, so we try to stay on top of it. Right now, 11 of them are in residential zones.

Mayor Popoff: Okay.

Councilor Brennan: [crosstalk 00:33:32].

Mayor Popoff: So we're only one above.

CA Fritts: Yeah.

Councilor Brennan: Got it. All right.

Mayor Popoff: Okay.

Councilor Brennan: Okay.

Mayor Popoff: Thank you.

Councilor Kaufman: [inaudible 00:33:38].

Mayor Popoff: Yes, ma'am.

Councilor Kaufman: I would say that would be a question for the attorney is, and he's suggesting 12 months of inactivity, and then they lose ...

Mayor Popoff: Mm-hmm (affirmative).

CA Fritts: Well, I don't like the way that it's worded, where it says not remitting.

Councilor Brennan: Yeah.

CA Fritts: Yeah. No. I'm going to get ahold of you, if you haven't remitted the tax, but inactivity.

Councilor Kaufman: Right. Well, we do have people that, if you don't remind them, they won't do it, and they lie and say they don't have one, and those kinds of games.

CA Fritts: Yeah.

Councilor Kaufman: This would make people be honest because if they're not reporting, they're going to be gone.

Councilor Kaufman: The second part is, could we limit, if they're not bringing in so much revenue that, sorry, you're not a good enough vacation rental [inaudible 00:34:16]. You don't have like always ...

CA Fritts: Like a income, or like occupancy, or [inaudible 00:34:22].

Councilor Kaufman: But wait. If you're not [crosstalk 00:34:22] reach the 30% occupancy year-round, then, and everybody else is at 60, you're obviously not doing a good job, so we'll give it to somebody else. I don't know what those numbers should be, but it's just a thought.

CA Fritts: Okay.

Mayor Popoff: Oh, no. I think you start running into, and trampling a little bit on peoples rights that time.

Mayor Popoff: Yes, ma'am.

Councilor Matteson: As we have it now, it would be 12 months inactivity?

CA Fritts: No. That's was just a suggestion. The red is the suggestions because Councilor Kaufman had made some draft language, and he tried to incorporate what some of her ideas were. Right now, there isn't anything that says that you are ... If you don't pay the tax, then you get penalized, but there isn't anything that has to do with inactivity, like your permit goes away, if you're inactive.

Councilor Matteson: Yeah, because I know that many vacation rentals around here will use remote workers to keep a vacation rental occupied in the off-season, so that they have housing and generate revenue, so I hope that doesn't take them off the list.

CA Fritts: Not unless you guys pass this, but I would say that, item F, I don't really like the way that's worded right now, anyway. But that would be up to you guys, if you want to add either an occupancy standard, or a monthly standard, if you're inactive for X amount of time, or your occupancy doesn't reach this on an annual level.

CA Fritts: I want to say, and I'll have to look back, not now, but I will for the next meeting, I want to say the Lincoln City Code had something about that, that it had to

maintain a certain occupancy level, or it needed to be a long-term rental. Because that's the idea that we're trying to get at here is allowing more long-term rentals for the community. I want to say they had something in there about that, that if it didn't maintain a certain occupancy level as a short-term, then it needed to be open for month-to-month rental.

Mayor Popoff: Yes, ma'am.

Councilor Kaufman: The other thing to think about is some people are just using it for a tax shelter, so they would get that so they can just vacation there. They never really wanted to rent it out, but because they have this vacation rental thing, and the rent it three times a year, they can get tax shelter.

Councilor Kaufman: What we want is long-term rentals, or good vacation rentals, ones that will be good to the residents and to the guests, so they feel like they came to a good place. That's why, originally, we talked about standards, but we don't really have any way to implement that. The county might be able to do that because they've got code enforcement officers now. That could be something that they take on is that standard, and we could adopt that standard, where all your plugs have to work, and you have to have functioning water, and if you've got a well, it's got to be tested, that kind of stuff, so that people have a safe thing.

Councilor Kaufman: I had put in here, originally, like a 3,500 square-foot doesn't count towards the 10. I think, if we do decide to go with that, it needs to be clear that they're using that 3,500 square-feet. It can't be the cottage is all they're renting, and they keep the big house for themselves.

Councilor Kaufman: Does that make sense?

CA Fritts: I'm not following you there. I'm sorry.

Mayor Popoff: [crosstalk 00:37:50].

Councilor Kaufman: If I had two houses, and one's ginormous and one's small, and I rent out the little one as a vacation rental, so I don't [inaudible 00:37:58] I'm not part of that cap, when I keep the big house for myself. It kind of takes away that ability. They have to use the whole 3,500 square feet for it.

Councilor Kaufman: He also asked about couch-surfing. We don't care about that, and I don't think we care if somebody's just renting out a bedroom ...

Mayor Popoff: No.

Councilor Kaufman: ... as a vacation rental because that's like the BNB part, and that doesn't take away from the rental because not very many people have the courage to rent out their bedroom.

CA Fritts: Yeah. We've had a couple of people ask about BNBS, but then, when they ... because we do have specific regulations for those, but when they see everything that's involved in it, they're like, "Maybe, I guess I don't want to do that, after all."

Councilor Kaufman: Yeah.

Councilor Kaufman: And then my last comment is you're going to see less long-term rentals and vacation rentals because of the Senate Bill 608. The long-term rental cannot be forced to leave, so you have a three-month, or a six-month lease. You used to be able to say, "You're out," at the end of that lease. You can't do that anymore. You must renew it for the same term, unless they do something wrong.

Councilor Kaufman: So that means you have guests coming June 1, and I'm not going to leave on May 31st because, "Hey, I'm within Oregon law." There's nothing the landlord can do about it. So you're going to see less and less people taking that option because they can't force them to leave.

Councilor Brennan: Right.

Mayor Popoff: Yes, ma'am.

Councilor Campbell: I think it's going to force people to create more vacation homes just outside of city limits.

CA Fritts: Could be.

Councilor Kaufman: I'm hoping the county's going to mirror it, and the two cities are going to mirror it to their own specifications. That's the only way we're going to solve the housing problem, and not what happened in the north county, north state.

CA Fritts: I know that a lot of ... Of course, we see at the counter when people come in to change the water accounts when property sells, and we usually just ask some general questions, like are you moving here, just making conversation. I would say, for the last year, most of the houses, the turnover is their second homes. There people are not moving here, right now. I mean, they want to retire here eventually, but they're not right now. That's interesting.

CA Fritts: That's how it used to be, before the crash. And then we didn't have so much turnover. But now, it's kind of getting back to that, where people that are in other states, Arizona and California, that are getting ready to retire, like in the next 10 years, are buying property up here, now, but not ready to retire for maybe another 10 years. We are getting a lot more inquiries about those people wanting to do vacation rentals, instead of just a rental.

Councilor Kaufman: A lot is your write-off.

CA Fritts: Yeah. Well, and it's just the infrastructure, like with the cost of an Airbnb and all that. It's easier to do it that way than to have, like the property manager, and rent your house out, and not month-to-month.

Councilor Campbell: As of right now, this really wouldn't impact the TLT funds that we've [inaudible 00:41:17].

CA Fritts: Not significantly. Right now, most of our vacation rentals, that the lot, I would say two-thirds of them, are already in commercial zone anyway. So we're collecting revenue on them. The 11 that I just counted quickly, just looking at the names real quick, they do not rent as often as the ones in the commercial zones.

CA Fritts: The reason for that, partly is most of the ones that are in the commercial zones are on the west side of the highway. They have an ocean view, or access, where the residential ones tend to be on the east side of the highway, or out in Hunter Creek. People that are coming here to do a vacation rental, typically want to stay on the beach. And I'm not saying that that's how it always is, but just from eyeballing this quickly, the residential ones don't rent near as often as the commercial zone ones do. That's just ...

Mayor Popoff: Yes, ma'am.

CA Fritts: I'll have to look at the occupancy difference, but there is a difference.

Mayor Popoff: Yeah. Councilor?

Councilor Kaufman: Has the county started getting their data in yet?

Councilor Matteson: Yeah.

Councilor Kaufman: Are they tracking the vacation rentals separately?

Councilor Campbell: Yes.

Councilor Kaufman: That's good because-

Councilor Campbell: On the TLT?

Councilor Kaufman: ... we'll be able to see how that's going over there, as well. And we're finding it's way below the motels.

CA Fritts: Occupancy?

Councilor Kaufman: Occupancy.

CA Fritts: Yeah.

Councilor Kaufman: Jodi has those reports with her thing every month, and I kind of glance at them. They don't do nearly as well as the motels do.

Councilor Matteson: Yeah.

Councilor Kaufman: And we want our motels full. They have a lot of infrastructure. The houses can be rented to anybody, I think.

CA Fritts: Yeah.

Councilor Matteson: I agree.

Mayor Popoff: All right. How much longer are we going to chew this over.

Councilor Kaufman: Does the administrator have the instructions? Or [crosstalk 00:43:16].

CA Fritts: Yeah. I will talk to ... Ross is actually helping us on this one also, so I'll talk to Ross about some of the questions that you have and see if we can come up with another version. Do you want to see this next month? Okay.

END OF SHORT TERM/VACATION RENTAL AGENDA ITEM



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. a.**
Council Meeting Date: February 3, 2020

TITLE: Continued Discussion on Short Term Rental Restrictions

SUMMARY AND BACKGROUND:

We began discussing restrictions on short term (vacation rentals) as a response to the local housing shortage. Prior agenda reports are reprinted below. Staff has included an updated list of registered vacation rentals as of January 2020.

Legal Counsel has offered some possible code amendments which are listed below. He included some discussion questions for the Council to consider:

Along with the draft, I have the following related comments/questions.

- 1) Your Zoning Ordinance defines “dwelling unit” as “a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.” Basically, this means a self-contained living unit with kitchen and bath. A “vacation rental dwelling” is then defined as: “a dwelling unit which is rented, or is available for rent on a daily or weekly basis or is advertised, or listed with an agent as a vacation rental.” As a result, I would say that the City’s regulations of vacation rental dwellings regulate “whole house” AIRBNB type facilities, but not the “couch surfer” type arrangements where folks might rent out one bedroom in their house. If the City wants to get into regulating the couch surfer type arrangements, we will need to do some more work and define this type of use as separate from a regular residential use. Or perhaps regulate these with a business license regulation.
- 2) I did not make any amendments based upon the recommendation to regulate a tenant sub-leasing a dwelling unit as a vacation rental. The reason I did not make any amendment for this issue is because I believe it is already addressed by the definition of “vacation rental dwelling.” In other words, if a dwelling unit meets the definition of “vacation rental dwelling” then it falls within the City’s regulations, whether or not the renting is being done by the property owner, or by a tenant with a sub-lease. If the City comes across a sub-lease situation, then they can enforce the Code now and find that the unit is an un-permitted vacation rental dwelling.
- 3) With Councilor Kaufman’s proposal, I included the following changes:
 - a. Councilor Kaufman’s proposal called for allowing vacation rentals in the City’s commercial zone. Currently, the use “vacation rental” is listed as allowed, so I include a slight change to Section 2.320 to make “vacation rental dwelling” an allowed use in the



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

- 4-C zone. This tracks the term defined in the Zoning Ordinance and also tracks how the use is described elsewhere in the Ordinance.
- b. Councilor Kaufman's proposal called for a 10 permit cap in each of the City's residential zones. To implement this idea, I added a new subsection to Section 6.050 to create this concept in the Zoning Ordinance.
 - c. With a cap, I also created a process for creating a waiting list.
 - d. With a cap, it seemed like we would now be concerned about whether permit holders are actually using the permit. For example, a 10 permit cap doesn't mean much if several of those permits are not being used. So, I created a new subsection that has a permit expiring if the vacation rental use is not used for a period of 12 months. We can adjust this, but I thought 12 months was fair.
 - e. I also included Councilor Kaufman's provision that dwelling units in excess of 3,500 sq. ft. do not count against the 10 permit cap.
 - f. If there are already more than 10 permits in any zone, then I will probably want to add some additional provisions to account for existing permits.
 - g. In Section 6.051 I just added the phrase "continued maintenance" to the vacation rental standards to make it clear that these are standards used not only to judge the initial conditional use permit application, but the City will also continue to judge the permit holders on these standards. The City could use its current Zoning Ordinance enforcement mechanisms to revoke a conditional use permit if the permit holder fails to keep up the standards in Section 6.051.
- 4) As noted above in #1, I did not propose any changes based upon Councilor Kaufman's proposal related to owner-occupied dwellings renting out rooms. Since renting out a room is not a "vacation rental dwelling" we would need to come up with a new scheme for those uses. It may be more appropriate to create a business license regulation if the City wants to regulate couch surfing and renting out rooms within a dwelling.
- 5) I did not make any changes to the Zoning Ordinance based upon Councilor Kaufman's proposal for penalties. It seems to me that the Zoning Ordinance already has some good penalty provisions, plus the Ordinance already contains the ability under Section 9.070 for the Planning Commission to revoke a permit for violations. These seem like good existing enforcement mechanisms.
- 6) I did not incorporate vacation rental standards found in the Lincoln City example because I didn't know which of these the Council wanted to use – and I didn't really want to guess. The Lincoln City regulations are pretty darn comprehensive, but they also have dedicated staff that inspect the rentals. Increasing the vacation rental standards goes hand in hand with increasing staff time in overseeing the rentals and inspecting the rentals. If that is what the City wants to take on, then perhaps the Council can identify with standards it likes from the Lincoln City model. If the City is instead more concerned about making housing available, then I think you could get away with not increasing the rental standards and just moving forward with the permit caps. If the City wants to get into the vacation rental inspection business, then perhaps the best way to go about it would be to create new provisions in your business license program (that is what Lincoln City did). Regulating vacation rental standards within a business license program has some advantages over a land use program because of the extra hoops that you have to jump through for land use decisions and also land use legislative amendments.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

PROPOSED CHANGES TO CURRENT ZONING CODE LANGUAGE

Section 6.050 Vacation Rental Use Process.

In lieu of the procedure set forth in Section 6.020, an applicant for a conditional use permit, which would permit the use of an existing dwelling as a vacation rental dwelling, shall proceed as follows:

- a) The applicant shall file the application with the Planning Director.
- b) The Planning Director shall give notice of the application to those persons to whom notice is required under Section 6.030 of this Ordinance.
- c) If the Planning Director determines, after considering any information submitted within 10 days after the date notice was given, that the standards required by the Section 6.040 (4) and Section 6.051, of this Ordinance have been met, he or she shall issue the conditional use permit.
- d) If the Planning Director has a question as to whether the standards required by Section 6.040 (4) and Section 6.051 of this Ordinance have been met or determines that the standards have not been met, he or she shall submit the application to the Planning Commission for decision according to the procedure prescribed by Section 6.030 of this Ordinance.
- e) A cap of ten (10) permits per residential zone is established for vacation rental dwellings. (Ten permits in the 1-R zone, ten permits in the 2-R zone, and ten permits in the 3-R zone.) If the zone in which an application is submitted already contains ten (10) permits for vacation rental dwellings, the Planning Director will deny the application and not issue a permit. Instead, the applicant will be placed on a waiting list maintained by the Planning Director until such time as the total number of permits for vacation rental dwellings drops below ten (10) in that particular zone. When the total number of permits in a zone is reduced below ten (10), the applicant at the top of the waiting list will be invited to submit an application. If the applicant at the top of the waiting list does not submit an application within twenty-one (21) calendar days of being notified, the opportunity will be forfeited and the next applicant on the waiting list will be invited to submit an application. This procedure will be followed until the total number of permits in the particular zone reaches ten (10) permits. Dwelling units in excess of 3,500 square feet will not be counted towards the ten (10) permit cap.
- f) The permit for a vacation rental dwelling will expire upon the twelfth (12th) consecutive month of the dwelling unit failing to report and submit transient room taxes to the City as provided under the City Transient Room Tax and Community Promotion Fund Code.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

Section 6.051 Standards Governing Vacation Rental Use.

Vacation Rental Dwelling. The following standards are required for issuance and continued maintenance of a conditional use permit for a vacation rental dwelling:

- a) No offensive noise, smoke, dust, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a vacation rental dwelling.
- b) The use shall not adversely affect the residential character of the neighborhood.
- c) There shall not be an excessive generation of traffic created by the vacation rental dwelling.
- d) One off-street parking space will be provided for each bedroom in the unit, but in no event shall less than two spaces be provided.
- e) The dwelling must maintain the residential nature of the front and side yards. The lot must be landscaped and maintained as a permanent residence similar to the surrounding area.
- f) The permittee must agree to comply with the requirements of the Transient Room Tax Ordinance (See Ordinance 369) and the Business License Fee Ordinance (See Ordinance No. 442).
- g) The permittee must provide receptacles for the deposit of garbage and subscribe to a solid waste collection service for the vacation rental dwelling.
- h) When the owner of the dwelling is a non-permanent resident of City of Gold Beach, or is absent during the rental period, the Planning Commission shall require proof of a local property agent that has the authority to act on behalf of the owner for issues related to the rental process.

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REPRINT AUGUST 2019 AGENDA REPORT

SUMMARY AND BACKGROUND:

We have been discussing housing and local housing shortage for most of 2019 both as the Council and as the Urban Renewal Agency. Last month Councilor Kaufman provided a discussion draft of possible code amendments for limitations on short term (vacation) rentals. Staff inquired with the City Managers List Serv about how other cities cope with vacation rentals. There were only a few responses, but the one from Lincoln City was most helpful. They are much larger than us, but they have similar issues and demographics. Attached to the report are the following:



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

- The relevant section of their 2016 comp plan update regarding vacation rental dwellings (full 34 page text here: [www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/Ordinance_2016-20_VRD_Land_Use_-_adopted_on_12-19-2016\(2\).pdf](http://www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/Ordinance_2016-20_VRD_Land_Use_-_adopted_on_12-19-2016(2).pdf))
- Their information handout about the VRD process
- Their VRD application with required standards
- Their health and safety requirements for VRD

They limit VRD in most residential zones to 10% of the dwellings within that zone. They also instituted a prohibition on new VRD in certain zones and have a sundown clause for existing VRD in operation at the time the code was adopted.

The City of Talent also responded with their short term rental code requirements. Their most interesting requirement is that a STR must be a primary residence of the owner and they must prove they occupy the dwelling at least 200 days per year.

A staff recommended amendment is a prohibition on sub-leasing of a dwelling or dwelling unit as a VRD. Currently we have some renters that are subleasing their rentals on sites such as AirBnB and VRBO. Some owners appear to be aware of the subleasing, others maybe not.

Also attached is the brief report staff provided at the July meeting on the status of current VRDs in Gold Beach.

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### **REPRINT OF JULY COUNCIL AGENDA REPORT**

*We have briefly discussed the concern about the increase in local vacation rentals and the possible adverse effects to the local rental housing market. Councilor Kaufman has prepared a DRAFT proposed amendment related to restrictions on short-term rentals to begin the discussion.*

*Staff made a quick internet search on the topic, and provided 3 articles of varying lengths regarding the issue for reference only.*

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COUNCILOR KAUFMAN'S PROPOSED DRAFT CODE

Short Term Rental Ordinance – 1st Draft

Short-Term Rentals also known as Vacation Rentals are a popular and growing business enterprise throughout the world. Coastal communities are highly desirable for this type of business. However, the cost of this business model reduces the availability of long-term housing where people can live as they are the housing structures.



SECTION 10. MISC. ITEMS (including policy discussions and determinations)

The purpose of this ordinance is to reduce the impact of the short-term rental business on work force housing.

All residential zones in the City of Gold Beach, 1R, 2R and 3R including the R1, R2 and R3 prior county zoning codes short-term rental housing will be limited to a maximum of ten units (10). Current conditional use holders are counted first, new applications will be held until the next opening arises.

Commercially zoned dwelling units do not need a conditional use permit but do need to register their business with the City and collect the bed taxes.

Exceptions

Dwelling units that are over 3500 square feet will not count towards the maximum number of units.

Dwelling units that are owner occupied and are only renting out “bedrooms” and not the full living space. These units must meet the conditional use standards including one additional off-street parking space for each bedroom rented. (Current code requires two parking spaces per dwelling).

Penalty for noncompliance –

An unpermitted short-term rental advertised will result in a compliance letter, the operator must cease business immediately and take down all advertising. Reservations on the books further than thirty days from the notice must be terminated. Reservations less than thirty days will be temporarily allowed, but bed tax must be collected and reported, and operator must apply for conditional use within thirty days of notice.

A second notice any time after the first thirty-day notice to the same owner or operator will result in a second letter, a fine of \$200.00 per day the violation continues. Unpaid fines will be sent to collections and a lien will be put on the property.

A third notice of violation to the same owner an operator will result in a final warning letter, the City will take action to remove the water meter and will post that the property is operating an illegal business. Costs of all enforcement including attorney fees, preparing letters, research for advertising, reporting to the vendors like AirBnB and VRBO, postage and the like will be assessed in addition to the daily fines.

If the business does not cease operation, the City may remove the water meter at the owner’s expense and replacement to be at the normal listed fees.

| STR/VR INSIDE THE CITY AS OF FEB 2021 | |
|---------------------------------------|----------------|
| HOUSES IN COMMERCIAL ZONE | |
| SEBASTIAN SHORES HOUSES | |
| Water's Edge | VIZCAINO |
| Blanchett Rental | VIZCAINO |
| BEACH HOUSE 101 | VIZCAINO |
| C-Shore | VIZCAINO |
| Bella Costa | VIZCAINO |
| La Dolce Vita | VIZCAINO |
| Next-ta-Sea | VIZCAINO |
| Seaview Grotto | VIZCAINO |
| Don't Worry Beach Happy | VIZCAINO |
| Oceans Apart | VIZCAINO |
| Paradise Point | VIZCAINO |
| Ebb & Flow | VIZCAINO |
| Marbella | VIZCAINO |
| Ocean Lovers Landing | VIZCAINO |
| Villa Amore | VIZCAINO |
| Sunset Beach House | VIZCAINO |
| Mermaid's Den | VIZCAINO |
| Pardiso Del Mar | VIZCAINO |
| Sea House Ocean Villa | VIZCAINO |
| NON-SEB SHORES COMMERCIAL | |
| Seaview Cottage | CAUGHELL ST |
| DB's Beach House | KERBER DR |
| Gold Beach Manor | KERBER DR |
| GRUMPY GNOME | FOURTH ST |
| FEB 2021 COMMERCIAL ZONE | |
| | 23 |
| HOUSES IN RESIDENTIAL ZONE | |
| Harbor View Cottage | HARBOR VIEW LN |
| Carter House | NAUTICAL WY |
| Coker VR | TURNER ST |
| Conner | HOUND DOG RD |
| Botany Hill House | BROOKS RD |
| Wild Coast Lookout | BROOKS RD |
| La Mer | TURNER ST |
| Suzanne's Ocean View | JOHNSON LN |
| Kenniger | MATEER RD |
| Flip Flop Inn | TENTH ST |
| Riley Creek Bungalow | RILEY CREEK WY |
| Creekside House | ORCHARD LN |
| Olin | EIGHTH ST |
| SEIBEL | SECOND ST |
| Riverview House | RIVERVIEW DR |
| COTTAGE BY LAURIE | GAUNTLETT ST |
| TAYLOR CREEK LODGE | MATEER RD |
| DEER HAVEN A/B/C/D | LEITH |
| FEB 2021 RESIDENTIAL ZONE | |
| | 21 |

| HOUSES IN COMMERCIAL ZONE | |
|---------------------------|----|
| January-20 | 19 |
| February-21 | 23 |

| HOUSES IN RESIDENTIAL ZONE | |
|----------------------------|----|
| January-20 | 11 |
| ** FEBRUARY 2021 | 21 |

** 5 CONDITIONAL USE PERMITS WERE PROCESSED
DEER HAVEN HAS 4 UNITS - SOME ARE LTR

3 NEW UNREGISTERED UNITS WERE FOUND IN QUARTERLY
ONLINE SWEEP - OWNERS HAVE BEEN CONTACTED

| REGISTERED VR INSIDE CITY AS OF JAN 2020 | |
|------------------------------------------|-------------|
| VILLA AMORE Vizcaino Ct | COMMERCIAL |
| PARADISE POINT Vizcaino Ct | COMMERCIAL |
| PARADISO DEL Mar VIZCAINO CT | COMMERCIAL |
| C-SHORE Vizcaino Ct | COMMERCIAL |
| EBB & FLOW Vizcaino Ct | COMMERCIAL |
| TURNER ST HOUSE COKER Turner St | RESIDENTIAL |
| OCEAN LOVERS LANDING Vizcaino Ct | COMMERCIAL |
| SUNSET BEACH HOUSE Vizcaino Ct | COMMERCIAL |
| HARBOR VIEW COTTAGE Harbor View | RESIDENTIAL |
| ORGB36 MERMAIDS DEN VIZCAINO | COMMERCIAL |
| ORGB29 RILEY CREEK WAY | RESIDENTIAL |
| RAMIREZ KERBER | COMMERCIAL |
| KENNIGER MATEER RD | RESIDENTIAL |
| BLANCHETT VIZCAINO | COMMERCIAL |
| ORGB33 LA MER TURNER | RESIDENTIAL |
| OCEANS APART VIZCAINO | COMMERCIAL |
| Seaview Cottage CAUGHELL | COMMERCIAL |
| SEA HOUSE Vizcaino Ct | COMMERCIAL |
| DON'T WORRY BEACH HAPPY VIZCAINO CT | COMMERCIAL |
| CARTER HOUSE Nautical Way | RESIDENTIAL |
| WATERS EDGE BLADE VIZCAINO | COMMERCIAL |
| SEAVIEW GROTTO MATHESON Vizcaino Ct | COMMERCIAL |
| CREEKSIDE HOUSE Orchard Lane | RESIDENTIAL |
| BJORKLUND HOUSE Crook St | RESIDENTIAL |
| BRACE VR Ellensburg Ave | COMMERCIAL |
| LA DOLCE VITA Vizcaino Ct | COMMERCIAL |
| FLIP FLOP INN 10th St | RESIDENTIAL |
| WILD COAST LOOKOUT Brooks Rd | RESIDENTIAL |
| MARBELLA Vizcaino Ct | COMMERCIAL |
| SUZANNE'S HOSPITALITY Johnson Lane | RESIDENTIAL |
| JAN 2020 COMMERCIAL ZONE | |
| | 19 |
| JAN 2020 RESIDENTIAL ZONE | |
| | 11 |

Health & Safety Standards for Vacation Rental Dwellings

Effective January 1, 2015

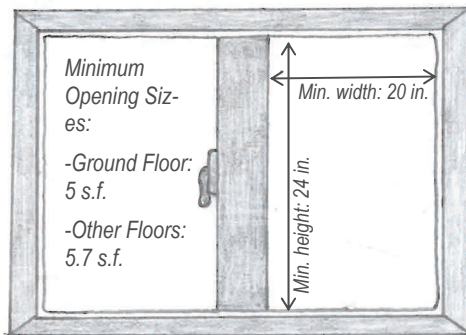
On May 12, 2014, the City Council of Lincoln City adopted an ordinance amending the vacation rental dwelling (VRD) license standards to include health and safety standards as approval criteria. This pamphlet lists those standards. The standards will go into effect on January 1, 2015. The approval of your 2015 VRD license renewal application will be subject to compliance with the standards.

The intent of this pamphlet is to provide you with ample time prior to the January 1, 2015 effective date to assess your property for compliance with the standards and correct any issues you may find so that the renewal of your VRD license will not be delayed or denied due to compliance issues.

Information on where you can access the complete text of the ordinance on the web is located in the bottom right-hand corner on the other side of this pamphlet.

1. Bedroom Egress - Bedrooms must have either a door or window accessing the outside so that occupants can escape in case of fire in the house. If existing conditions lack sufficient egress, owners must reduce the occupancy of the VRD or bring the egress into compliance*.

*Enlarging windows requires a building permit.



Windows must meet both minimum dimensions and opening size requirements.

Max height: 44 in.

Floor level

Opening size or height may be reduced in limited circumstances..

2. Hand & Guard Rails - These rules apply to staircases, lofts, platforms, decks, and porches both in the house and outside on the property*.

Handrails shall have at least 1.5" of clearance around them and be of a dimension that is easily graspable (as described in the Oregon Residential Specialty Code).

Maximum distance between railings is based on building code in effect at time of construction, though never more than 9". (Current building code states max. 4")

Railings need to be secure, not loose or wobbly.

Minimum guard-rail height on stairs is 34". Handrail height shall be between 30" and 38". Both measurements made from toe of stair.

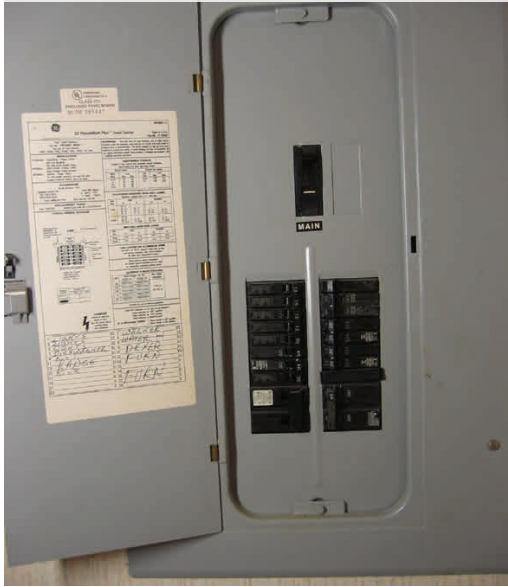
Minimum guardrail height: 36" (except on stairs).

Guardrails required if rise from floor or ground higher than 30"

Handrails required if there are four or more risers (i.e. steps, stairs, etc.)

*Stairs that are deemed as landscaping and not part of a required means of egress are exempt from these requirements.

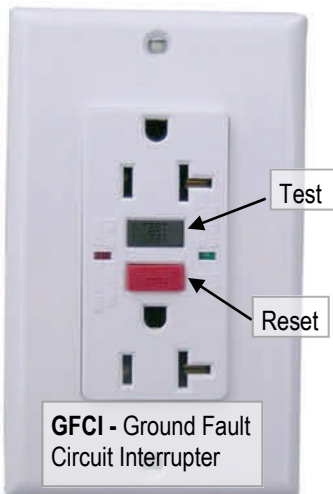
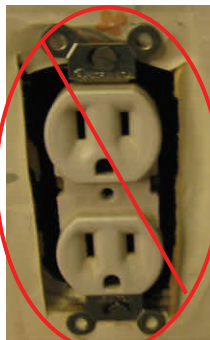
3. Circuit Breaker/ Fuse Box - Access to the box must be unobstructed and safe. All circuits must be labeled and all empty breaker spaces plugged.



4. Electrical Outlets & Switches -

b. All outlets & switches must have faceplates.

a. Outlets located outdoors, in kitchens, or bathrooms must be tied to or installed with an outlet with a built-in breaker called a GFCI to protect against shock in wet or humid conditions.



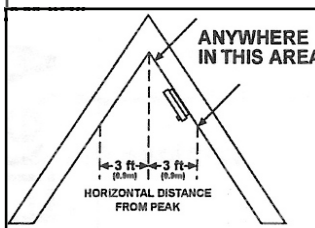
5. Carbon Monoxide (CO) Detectors - CO alarms are often similar in appearance to a smoke detector. They must be installed in all houses that have a CO source inside. Sources include woodstoves, natural gas stoves and heaters, and attached garages (exhaust fumes from vehicles contain CO). According to the State Fire Marshal, they should be installed:

- On each level of your house with sleeping areas.
- In each bedroom or within 15 feet outside of each sleeping area.
- As directed by manufacturer's instructions.

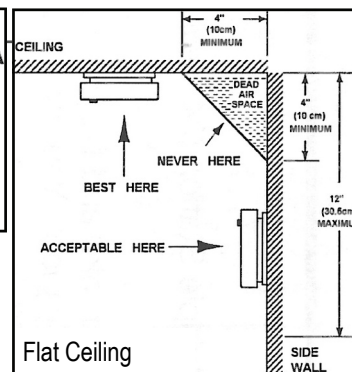
For more information, visit the State Fire Marshal's website:

www.oregon.gov/OSP/sfm/Pages/commed_co_program.aspx

6. Smoke Detectors (SDs) - SDs must be located on each floor (even if there isn't a bedroom on the floor, it still needs a SD), in each bedroom, and directly outside each bedroom. In hallways connecting multiple bedrooms, one smoke detector can serve multiple bedrooms within a clear line of site and less than 20 feet from the bedroom door. Below are diagrams from a SD manufacturer showing proper placement of common models on walls and ceilings. Refer to the manufacturer specifications for your particular model to confirm.



Vaulted Ceiling



Flat Ceiling

7. Compliance with building code - Any improvements to the house need to comply with the building code in effect when the improvements were made. Any work done without a required permit will be in violation of this standard.

8. Tripping Hazards - There can't be any obvious tripping hazards in the house. Examples would be extension cords across floors, loose stairs, broken flooring, etc.

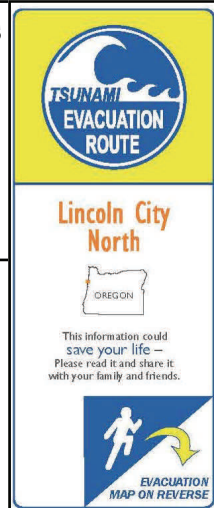
9. House Numbers - House numbers need to be clearly visible from the street and either reflective or illuminated to facilitate police or ambulance response.



Example of back-lit, solar-powered house numbers.

10. Tsunami Evacuation Maps

VRDs must post the official Oregon State Dept. of Geology and Mineral Industries Tsunami Evacuation Map appropriate for its location, either north Lincoln City or south Lincoln City.



For a copy of the complete text and ordinance, visit:

www.lincolncity.org >
 "City Charter and Laws" >
 "Recently Adopted Ordinances" >
 "2014-07 Health and Safety Standards".

For more information on vacation rental dwelling regulations, contact Timothy Novak at (541) 996-1226 or timothy@lincolncity.org

For more information on building codes, contact Brandon Zipser, Building Inspector, at (541) 996-2153 or Brandon@thebidgdept.com



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. b.**
Council Meeting Date: March 1, 2021

TITLE: Council Rules Revision Suggestions

SUMMARY AND BACKGROUND:

Mayor will give an update on where she and legal counsel are at on the revisions.

REPRINT PRIOR AGENDA REPORTs ON THIS TOPIC

FEBRUARY 2021 REPORT

Council Rules (Resolution R1314-08 copy attached) Revision Suggestions from Mayor:

Agenda Item request – Go over these items and determine Council interest in making changes, get input and add to this list. Get approval for the Mayor to work with the City Attorney and City Administrator to finalize and bring back a draft for Council approval.

Council Rule 9

At a LOC training the concept of decorum and what is expected of the audience I thought was good. The former Mayor did not like the suggestions, but I would like to run them by this Council in case it is of interest. 1. Citizens may bring a sign to the meeting, it may be up to 8.5" x 11" in size, must be of a paper material not to exceed 100-pound card stock. Not device shall be attached to the sign, like a post, stick or other item that could be used as a weapon. 2. Each Councilor and Mayor signs the rules as part of being sworn in. (The in practice use of this is if a person gets out of line more than once, we can sit with that person and go over what they agreed to do and it tends to work).

Rule 10 – *Would it be more prudent to have a time limit for all public comment and then divide by the number of people that want to speak? For example, 15 minutes for each section of public forum. Five want to speak so each get up to three minutes. Maximum would be 5 minutes unless the Council extended time. The goal of public forum is typically to understand public concerns and add to a future agenda if it makes sense to do so, at that point, a longer discussion is reasonable. Do we want to allow Council follow up questions in this section?*

Rule 17 – *Suggest revision to allow a quick round table discussion to each Councilor and Mayor prior to making a motion? The goal is to allow a clearly worded motion based on input. Currently the rule requires a motion to proceed. That works for easy things, not so much when you are crafting it as you go.*

Rule 22 – *revise to add agenda section between 2. Roll Call and 3. Special Orders of Business for: Additions to Agenda (as allowed in Rule 26).*



SECTION 10. MISC ITEMS (including policy discussions & determinations)

Adding section on public hearing process suggestion: (from Eugene with minor revision)

Legislative Public Hearings

Persons wishing to speak shall submit a “request to speak” form prior to the commencement of the public hearing at which the person wishes to speak. The Mayor or presiding officer shall inform the audience of this requirement to sign up prior to the commencement of a public hearing. Mayor or designee will introduce the matter to be discussed and then open the public hearing. Speakers will be limited to _____ minutes. Councilors may ask clarifying or follow-up questions of individuals providing testimony after that individual has completed their testimony. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Mayor or presiding officer may intervene if a councilor is violating the spirit of this guideline. At the end of the Public Hearing, each member of the Council has the opportunity to comment on or discuss testimony given during the Public Hearing.

Other considerations to add to the Council Rules –

From the LOC Model Charter- I like the concept of both but would want it “tweaked” to fit our city and have the Council and city attorney make revisions.

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff. All members of the council shall respect the separation between the council’s role and the city’s manager’s [city administrator’s] responsibility by:

A. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager [city administrator].

B. Refraining from actions that would undermine the authority of the city manager [city administrator] or a department head.

C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager [city administrator].

1. Questions from individual members of the council requiring significant time or resources (two hours or more) shall normally require approval of the council.

2. Members of the council shall normally share any information obtained from staff with the entire council. This section is not intended to apply to questions by members of the council acting in their individual capacities rather than as members of the council, nor to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney. Council members may make requests to the city attorney for advice no more than once a month, so long as the request does not require more than two hours of the attorney’s time. A councilor may make additional requests within a month or make a request that exceeds two hours with the concurrence of the majority of the council.

CHAPTER 10 – Censure [and Removal]



SECTION 10. MISC ITEMS (including policy discussions & determinations)

I. The council may enforce these rules and ensure compliance with city ordinances, charter and state laws applicable to governing bodies. If a member of council violates these rules, city ordinances, the city charter or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member with a public reprimand [or removal as provided for in the city charter].

II. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

Also add section for Remote Meeting protocols

Temporary Protocol of the “Remote Meeting” platform.

Revision 12-31-2020

As the new Mayor of Gold Beach, Tamie Kaufman is presenting this temporary protocol to be added to the “Council Rules” to allow for public attendance to the remote meetings. The goal is to allow public attendance and input similar to an “in person” meeting.

- A. The City Administrator will decide the meeting platform (currently Zoom). The agenda will include how to attend the meeting information so that the public may attend.*
- B. Fifteen minutes before the meeting start, the City Administrator or designee will open the meeting platform and allow people into the meeting (similar to unlocking the front door for an “in person” meeting). The Mayor or other designee will welcome people into the meeting and if possible, add the name of the attendees to the remote platform. The Mayor or designee will ask if the person would like to speak in the public forum and will keep a list of persons that would like to speak (similar to having a “slip” filled out in the “in person” meeting).*
- C. The meeting will start on time if there are no technical difficulties.*
- D. Please city officials please refrain from communicating outside of the meeting platform (like text messages). You may use the public chat feature or raise hand to communicate silently. You may also use the private chat, but remember all communication is subject to public records requests.*
- E. During public comment, public hearings or public input into a decision, per rule #9 c the public may speak up to five minutes uninterrupted. Additional time may be granted by majority vote of the Council.*
- F. Mayor will follow the Council Rules for the meeting, however, during the “remote meeting” each Councilor will be allowed to discuss each agenda item and the Mayor will follow the “voting” order and call on each Councilor for input to ensure that everyone is heard before moving to the decision. A Councilor may also request that a motion be made prior to discussion. The Councilor making the motion may discuss first.*
- G. These protocols will be amended as tested to improve the meeting experience. Once perfected will be requested to be added to the Council Rules.*



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. c.**
Council Meeting Date: March 1, 2021

TITLE: Council Budget Goals/Priorities for FY2122 Budget Prep

SUMMARY AND BACKGROUND:

The Mayor requested an agenda item to discuss Councilor's budget goals/priorities in order to steer the Budget Officer's work in preparing the proposed FY2122 budget in either April or May.



SECTION 10. MISC ITEMS (including policy discussions & determinations)

GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **10. d.**
Council Meeting Date: March 1, 2021

TITLE: Review Q2 Financials

SUMMARY AND BACKGROUND:

The Quarter 2 (October, November, December) financials will be uploaded separately.



MAYOR'S REPORT



SECTION 12. MAYOR & COUNCIL MEMBER COMMENTS

MAYOR KAUFMAN'S MONTHLY REPORT

Agenda Item No. **12. c.**
Council Meeting Date: March 1, 2021

March is Women's History Month

Amendment XIX

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.

While women did have voting rights in the colonies prior to 1776, by 1807 all states had banned women from voting. In 1848 the Declaration of Sentiments was approved at the Seneca Falls Convention which called for equality of the sexes. New states added in the West started to allow women to vote in the late 19th century. In 1878, the proposal for a US Constitutional Amendment was made and was finally rejected in 1887. During World War 1, the demands for Women's Rights to vote were starting to gain traction. This is when President Woodrow Wilson supported the efforts of the Amendment in 1918. The Congress passed the legislation in 1919 after many attempts. The House passed 304/89 and the Senate 56/25 with 14 absent votes (ironically it was the Southern Democrats that were mainly opposed with 20 Democrats and 36 Republicans as the yeas). Next it was on to the states to ratify.

Thirty-five states had ratified the 19th Amendment and several other states had turned it down. Oregon passed it on January 12, 1920. Tennessee became the battleground state for the 36th required state to pass the Amendment. The deciding vote in Tennessee was on Harry T. Burn, a 24-year-old legislator that was voting, "no." At the urging of his mother, he changed his vote to "yea" making the 19th Amendment ratified by 75% of the states.

It was finally adopted on August 26, 1920. We live in a time that no one remembers women not being able to vote. We are blessed to have this challenge behind us so that we can work on other important issues, but we should take a moment and remember that people worked extremely hard to gain the right to vote. Many of the vocal women were punished, ridiculed, and jailed.