



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: August 27, 2015  
Jurisdiction: City of Shady Cove  
Local file no.: VR 15-01  
DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/26/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 37 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
File No.: 002-15 {23735}  
Received: 8/26/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Shady Cove

Local file no.: **VR 15-01**

Date of adoption: 08/06/15

Date sent: 8/26/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 04/07/15

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No  
If yes, describe how the adoption differs from the proposal:

The adoption includes Vacation Rental Dwellings as a Conditional Use Permit in residential zoning districts instead of a permitted use. Vacation Rental Standards (Exhibit "A") differ from what was included in the original notice.

Local contact (name and title): Debby Jermain, Planning Technician

Phone: 541-878-8204

E-mail: info@shadycove.net

Street address: 22451 Hwy 62

City: Shady Cove

Zip: 97539-

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- |             |    |        |  |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this         |
| change.     |    |        |  |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

|   |  |
|---|--|
| Exclusive Farm Use – Acres:             | Non-resource – Acres:                        |
| Forest – Acres:                         | Marginal Lands – Acres:                      |
| Rural Residential – Acres:              | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres:                              |

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

|   |  |
|---|--|
| Exclusive Farm Use – Acres:             | Non-resource – Acres:                        |
| Forest – Acres:                         | Marginal Lands – Acres:                      |
| Rural Residential – Acres:              | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres:                              |

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Residential Districts: Sections 154.037 (R-1), 154.052 (R-2), and 154.067 (R-3)

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

|             |    |        |
|-------------|----|--------|
| Change from | to | Acres: |
| Change from | to | Acres: |
| Change from | to | Acres: |
| Change from | to | Acres: |

Identify additions to or removal from an overlay zone designation and the area affected:

|                           |              |                |
|---------------------------|--------------|----------------|
| Overlay zone designation: | Acres added: | Acres removed: |
|---------------------------|--------------|----------------|

Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts: Jackson County, Jackson County Fire District #4

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

City of Shady Cove

Ordinance No. 275

**AN ORDINANCE OF THE CITY OF SHADY COVE, OREGON AMENDING THE SHADY COVE CODE OF ORDINANCES TO INCLUDE VACATION RENTAL DWELLINGS AS A CONDITIONAL USE IN RESIDENTIAL ZONING DISTRICTS**

**Whereas**, Chapter 154, of the Shady Cove Code of Ordinances governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the City Council of the City of Shady Cove make the final decision regarding the application; and,

**Whereas**, The criteria used to evaluate the requested amendments to the Code of Ordinances are contained in Section 154.438 with additional considerations in Section 154.380(F).

**Whereas**, The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on May 14, 2015, to consider amendments to Chapter 154 of the Shady Cove Code of Ordinances to add vacation rental dwellings to the list of permitted uses in its residential zones and to establish regulations governing their use. The Commission received testimony from interested parties and staff. The staff recommendations, as submitted to the Planning Commission, are contained in a staff report that is part of the record; and,

**Whereas**, Following the close of the public hearing, the Planning Commission deliberated on the record of the proceedings, after which a motion was made and duly seconded, to recommend that the City Council approve File VR 15-01 to allow vacation rentals, not as a permitted use, but as a conditional use, in residential zoning districts; and,

**Whereas**, On June 18, 2015, the City Council, after providing proper public notice, met in Public Hearing to consider the Planning Commission recommendation.

**THE COUNCIL OF THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:**

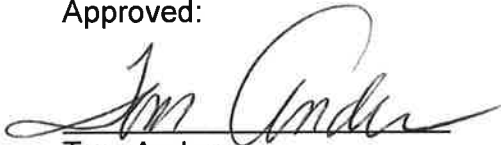
The Shady Cove Code of Ordinances is amended as follows:

- |                        |   |
|------------------------|---|
| Section 1: Title       | This Ordinance shall be known as the Vacation Rental Dwelling Ordinance of the City of Shady Cove, Oregon.  |
| Section 2: Description | Vacation Rental Dwelling regulations, attached as Exhibit A, approved by the City Council.  |
| Section 3: Amendment   | The conditional uses sections contained in Sections 154.037 (R-1), 154.052 (R-2), and 154.067(R-3) of the Shady Cove Code of Ordinances Plan Map are amended to add Vacation Rental Dwellings. Chapter 154 is further amended to add Vacation Rental Standards. |

**Section 4:** The City Council adopts as its own, and incorporates by reference, the Planning Commission recommendation attached as Exhibit B, to the extent that it is consistent with the City Council decision.

**PASSED AND APPROVED** by the Common Council of the City of Shady Cove this 6th day of August 2015.

Approved:



Tom Anderson  
Mayor

Attest:



Aaron Prunty  
City Administrator

**Council Vote:**

|                     |          |
|---------------------|----------|
| Mayor Anderson      | <u>Y</u> |
| Councilor Burgess   | <u>Y</u> |
| Councilor Mitchell  | <u>Y</u> |
| Councilor Sanderson | <u>Y</u> |
| Councilor Ulrich    | <u>Y</u> |

## EXHIBIT "A"

### PROPOSALS FOR A VACATION RENTAL ORDINANCE

Approval of this ordinance adds vacation rentals as a conditional use in all areas zoned residential.

Vacation rentals that were included in the City's trial between June 1, 2014 and December 31, 2014 will be grandfathered, and exempt from the conditional use requirement, provided that the owner of that property has a valid vacation rental Business License for fiscal year 2015-2016. Should the property owner of the grandfathered residence fail to meet the foregoing or expand the size of that residence, the conditional use process will be in effect.

#### STANDARDS

1. Maximum occupancy: 10 people
2. Maximum number of vehicles: 4
3. Vehicles must be parked on the rental property, not on the public right of way
4. Not more than 50% of the front yard setback area may be used for parking. The balance must be "landscaped" to prevent parking
5. No outdoor activities, constituting a nuisance or loud noise are permitted after 9:00pm
6. Vacation rentals must comply with all City policies, standards and ordinances
7. Animals, other than service animals, are not permitted
8. Vacation rental property owners must subscribe to a scheduled waste collection service and provide garbage and recycling receptacles on the property
9. With the exception of enclosed barbecues, any outside fire is prohibited

#### SAFETY REQUIREMENTS

1. Smoke alarms must be present and functioning. Smoke alarms 10 years and older must be replaced with new smoke alarms that have a 10-year battery and hush button. Smoke alarms must be installed on each floor of the residence, including basement and attached garage, if existing
2. At least one 2A-10BC rated fire extinguisher must be visible and readily accessible for each floor of the residence including basement, if existing. Portable fire extinguishers shall be fully charged and serviced annually
3. Exit doors cannot be blocked to prevent egress. Corridors and exit ways must be free of obstructions. Each sleeping room will have at least one operable window for use as a secondary means of escape
4. At least one plug-in rechargeable flashlight will be readily accessible on each occupied floor of the residence
5. If on the second floor, there is no other means of escape, two story vacation rentals must provide a roll out ladder for use as a secondary means of escape
6. A carbon monoxide alarm must be present and functioning in a structure having a carbon monoxide source as defined in ORS 105.836

#### GENERAL

1. A 500 foot minimum spacing between vacation rental properties, on the same side of the river, is required
2. A copy of the vacation rental standards shall be posted in a conspicuous place inside the vacation rental
3. Owners of vacation rental property must have a local contact, and provide the City Administrator with the name and telephone number for that contact
4. Written consent is required from affected property owners if the vacation rental property is accessed by a shared driveway. A copy of the written consent is to be provided to the City Administrator
5. Transient Occupancy Tax will apply to all rentals of 30 days or less

## EXHIBIT "A"

### ENFORCEMENT

1. Annually, prior to the issuance of a Business License for vacation rentals, the City's CSO will make a premise visit. The visit will ensure that all safety requirements (smoke alarms, fire extinguishers, flash lights and exit provisions) are in place as well as a posted sign reflecting vacation rental standards
2. Complaint handling:
  - a. Any confirmed complaint made to the City, regarding vacation rentals, will be evaluated by the City Administrator for validity. If deemed valid the complaint will be directed to the City's CSO for action
  - b. Complaints filed directly with the Sheriff's Office, will be handled by that group. Information concerning resultant action will be provided to the City Administrator
3. Valid complaint action:
  - a. A first valid complaint will result in a warning.
  - b. A second valid complaint is subject to a fine of up to \$500.00 per day, for each day during the period of the rental which generated the complaint
  - c. A third valid complaint will result in cancellation of the Business License, and may include additional fine(s)
4. With the exception of the grandfathered property noted in this ordinance, property owners offering their property for vacation rental without going through the conditional use process and/or possessing a valid Business License is a violation of this ordinance. In addition to a cease and desist order, the property owner will be subject to a fine of up to \$500.00 for each day the property is/was rented for vacation purposes.

EXHIBIT "B"

BEFORE THE PLANNING COMMISSION  
OF THE CITY OF SHADY COVE  
COUNTY OF JACKSON, STATE OF OREGON

IN THE MATTER OF CONSIDERATION OF )  
AMENDMENTS TO CHAPTER 154 OF THE )  
SHADY COVE CODE OF ORDINANCES TO ) RECOMMENDATION  
ADD VACATION RENTAL BY OWNER (VRBO) ) TO CITY COUNCIL  
AS A PERMITTED USE IN THE RESIDENTIAL )  
ZONING DISTRICTS )

**APPLICANT: City of Shady Cove Planning File No. VR 15-01**

RECITALS:

- 1) Chapter 154, of the Municipal Code of the City of Shady Cove governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the City Council of the City of Shady Cove make the final decision regarding the application; and,
- 2) The Shady Cove Planning Commission, after providing proper public notice, met in Public Hearing on May 14, 2015, to consider amendments to Chapter 154 of the Shady Cove Code of Ordinances to add vacation rental dwellings to the list of permitted uses in its residential zones and to establish regulations governing their use. The Commission received testimony from interested parties and staff. The staff recommendations, as submitted to the Planning Commission, are contained in a staff report that is part of the record; and,
- 3) On May 14, 2015, following the close of the public hearing, the Planning Commission deliberated on the record of the proceedings, after which a motion was made and duly seconded, to recommend that the City Council approve File VR 15-01 to allow vacation rentals, not as a permitted use, but as a conditional use in residential zoning districts. The motion passed by a roll call vote of 3 to 0.

NOW THEREFORE, the Planning Commission of the City of Shady Cove finds, concludes, and recommends as follows:

SECTION 1: FINDINGS

- 1) The Planning Commission hereby incorporates by reference all oral deliberations and findings of fact established in the record of the public hearing, and cites by reference: oral and written testimony of interested citizens and staff, and findings of fact which are a part of the record, the City Planner's staff report; and,
- 2) The Planning Commission hereby finds that it has received all information and evidence necessary to consider the above request; and,



- 3) The City provided public notice through the Upper Rogue Independent, and mailed notices to owners of all properties within the city limits via United States Postal Service. The Planning Commission finds and concludes that proper notice has been given; and,
- 4) The Planning Commission received testimony from those who supported vacation rentals, citing the positive effect on the city's economy. It also heard from opponents who were concerned about the potential adverse effects on surrounding residential uses. Others spoke neither for nor against the proposal, but had concerns about the difficulty of ensuring compliance with the proposed operating standards. They also recommended informing applicants of the need to carry liability insurance. During deliberations, the Commission discussed the merits of limiting occupancy to two adults per bedroom, continuing the maximum occupancy in proposed Standard 1. This would permit fewer guests in smaller homes.
- 5) The criteria used to evaluate the requested amendments to the Code of Ordinances are contained in Section 154.438 with additional considerations in Section 154.380(F). The Planning Commission finds that the request meets the criteria and considerations.

## SECTION 2: CONCLUSION

The Planning Commission concludes that the proposed amendments to Section 154 of the Shady Cove Code of Ordinances comply with procedural requirements of the Shady Cove Code of Ordinances. The commission also concludes that, based on the hearings record, it is appropriate to include vacation rentals as a conditional use rather than a permitted use, requiring a public hearing before approval of a vacation rental.

## SECTION 3: DECISION

Based on the record of the public hearing on this matter, the Planning Commission recommends approval of amendments to Section 154 of the Shady Cove Code of Ordinances to include vacation rentals as a conditional use in residential zoning districts. The Commission recommends modifying Standard 1 to allow a maximum of two adults per bedroom, with a maximum occupancy of ten persons. The Commission further recommends adding the following approval standards:

19. Owner shall provide liability insurance.
20. The City shall maintain a registry of vacation rentals.
21. Existing members of the VRBO registry are exempt from the conditional use permit requirements unless they are to be expanded.

This RECOMMENDATION for APPROVAL is given to the Shady Cove City Council this 29th day of May 2015, in Shady Cove, Oregon.

  
\_\_\_\_\_  
Dick McGregor, Planning Commissioner

**CITY OF SHADY COVE**  
**LEGISLATIVE DECISION STAFF REPORT**  
**HEARING DATE: May 14, 2015**  
**FILE: VR 15-01**

**I. PROPOSAL**

Amend the following sections of the Shady Cove Code of Ordinances to add Vacation Rentals by Owner (VRBO) as a permitted use in the residential zoning districts.

Add to Section 154.006 Definitions:

Vacation Rental. A dwelling unit containing not more than five (5) bedrooms that is rented for 30 or fewer consecutive days.

Add *Vacation Rental, consistent with standards in 154.XXX*, as a permitted use in the following Ordinance Sections:

- 154.036 Low Density Residential, R-1
- 154.051 Medium Density Residential, R-2
- 154.066 High Density Residential, R-3

Add Section 154.280 Vacation Rental

Vacation rentals are subject to the following standards:

1. Maximum occupancy: 10 people
2. Maximum number of vehicles: 4
3. Vehicles must be parked on the property in designated spaces.
4. A minimum of 50 percent of the front yard setback area must be landscaped. Up to half of the required landscape area may consist of hardscape features such as patios and deck, but no driveways or parking areas.
5. No outdoor activities constituting a nuisance or loud noise are permitted after 9:00 PM, in compliance with Chapter 90 of the Code of Ordinances, a copy of which shall be posted on the premises.
6. The vacation rental must comply with all City policies, standards and ordinances.
7. No animals, other than service animals, shall be permitted.
8. Property owner shall subscribe to a scheduled waste collection service and provide garbage receptacles on the property.
9. A copy of these vacation rental standards shall be posted in a conspicuous place inside the house.
10. Property owners of vacation rentals must have a local contact, and provide a name and phone number for that contact.
11. Written consent is required from affected owners for applications that rely upon shared driveways.
12. Vacation rentals shall not receive access from a private street.
13. Transient occupancy taxes (TOT) will apply for all rentals of 30 days or less.

## **II. AUTHORITY AND CRITERIA**

The amendment of the City's code is a legislative action, governed by Section 154.380(F) (Type IV Legislative Procedure). This section states:

*The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:*

*(1) The Statewide Planning Goals and Guidelines adopted under O.R.S. Ch. 197 (for comprehensive plan amendments only);*

*(2) Comments from any applicable federal or state agencies regarding applicable statutes or regulations;*

*(3) Any applicable intergovernmental agreements; and*

*(4) Any applicable comprehensive plan policies and provisions of this chapter that implement the comprehensive plan. Compliance with § [154.381](#) shall be required for Comprehensive Plan amendments and land use district map and text amendments.*

## **III. BACKGROUND AND DISCUSSION**

In May 2014, the City Council authorized a six-month trial period to permit rental of private dwellings as vacation quarters for less than 30 days. This category differs from bed and breakfast facilities where rooms are available for short stays, but the owners remain in the home as well. It also differs from typical residential rentals that are for 30 days or more.

Based on a successful trial period, the City Council directed staff to prepare an ordinance adding vacation rentals to the Code of Ordinances. This staff report outlines the foundation for the ordinance.

## **IV. CONFORMANCE WITH APPLICABLE CRITERIA**

Section 154.380 of the Code of Ordinances establishes the review procedures for legislative amendments to the Code, requiring Planning Commission review resulting in a recommendation to City Council. Section 154.438 establishes three criteria for a legislative, but because the third criterion relates to specific site development plans and not to text amendments, only the first two criteria apply. The applicable criteria are:

1. The proposal shall be consistent with the city's adopted goals and policies pertaining to land use, growth, and development, and
2. The proposal shall be consistent with all applicable statewide planning goals, including the urbanization factors of goal #14.

### **Comprehensive Plan Compliance**

Citizen Involvement Policy 3 states that the City will ensure two-way communication between citizens and decision-makers.

Finding: In addition to placing notice of the hearing in the newspaper, the City also provided written notice to owners of residentially zoned property. One response was from an owner who did not object to the vacation rental use of a dwelling on an adjoining

property, where the dwelling was able to accommodate up to four people; however, the owner felt that five bedrooms serving up to ten people would be disruptive to permanent residents. Another owner was concerned that the ordinance amendment could force owners to provide visitor accommodations; however the intent of the amendment is simply to include vacation rentals among the list of permitted uses in residential zones.

#### Economic Development:

Policy 1 states that the City shall give planning priority to businesses that are related to the community's unique location and to tourism. Policy 3 states that the City shall continue to review and refine its land use regulations to ensure that they are reasonable and accurately reflect the goals and objectives of the community. Policy 6 states that the City shall ensure that new development will provide for adequate parking and circulation, be compatible with its surrounding and be an asset to the community.

Finding: Policy 1 is intended to be implemented primarily through the city's commercial district, but while the vacation rental ordinance is targeted at residential uses, it provides tourist accommodations that promote Shady Cove's strategic location for river access and other nearby recreational attractions, such as Crater Lake. The tension of vacation rentals revolves around minimizing potentially adverse effects on surrounding property owners. The approval standards seek to increase compatibility, while providing adequate parking and circulation.

Land Use Policy 3 states that zoning regulations will include clear and objective standards for the review of conditional uses, site plans and variances.

Finding: Vacation rentals are proposed as a permitted use, but include clear and objective operating standards, many of which were in place during the trial period. Fire District 4 recommends the following additional standards to ensure fire and life safety:

1. Smoke alarms must be present and functioning. Smoke alarms 10 years and older must be replaced with new smoke alarms that have a 10-year battery and a hush button. Smoke alarms must be installed on each floor of the residence, including basement and attached garage (if present).
2. At least one 2A-10BC rated fire extinguisher must be visible and readily accessible for each floor of the residence including basement (if present). Portable fire extinguishers shall be fully charged and serviced annually.
3. Exit doors cannot be blocked to prevent egress. Corridors and exit ways must be free of obstructions. Each sleeping room will have a least one operable window for use as a secondary means of escape.
4. At least one plug-in rechargeable flashlight will be readily accessible on each occupied floor of the home.

Staff concurs with these suggested additions.

## **Statewide Planning Goal Compliance**

Shady Cove's Comprehensive Plan was acknowledged by the Land Conservation and Development Commission to be in compliance with Statewide Planning Goals. The urbanization factors in Goal 14 are an issue primarily when a city adds land to its urban growth boundary, and are not pertinent to the proposed text amendment.

## **V. RECOMMENDATION**

Vacation rentals of single-family dwellings are an increasing activity throughout the state, but do raise some concern about their effect on the neighborhoods where they are located. Because the owners are not present during the rentals, there is less oversight on the activities of guests as well. The proposed operating standards are intended to maintain compatibility with surrounding properties, providing tourist accommodations, but in a way that does not diminish the residential character of the neighborhood. The trial period demonstrated that vacation rentals can be compatible with residential uses. In areas where tourism is a significant part of the economy, such as Bend, city officials are considering amendments to control the number rentals, as well as measures to pull the licenses of those who violate the operating standards.

Two issues are not covered in the operating standards, but may warrant consideration. Current vacation rentals are conducted in existing dwellings, yet the standards permit use of up to five bedrooms. This could influence the design of new homes to look more like a small motel than a single-family dwelling. It might be appropriate to require standards that maintain a residential rather than commercial appearance, or as some communities such as Portland have done, restrict the rentals to one or two bedrooms.

The second issue is the density of vacation rentals. Some cities have adopted a maximum percent of dwellings that may be rented as vacation units. An alternative is to require a minimum spacing between vacation rentals, such as 500 feet between properties on the same side of the river.

Staff recommends approval of the code amendment to include vacation rentals as a permitted use, but an alternative available to the Council is to require a conditional use permit instead of an outright permitting the use. Conditional uses would require a Planning Commission public hearing, making review process for vacation rentals similar to bed and breakfast facilities. Existing vacation rentals would be exempt from the conditional use permit requirements unless they were to be expanded. The advantage of the conditional use permit process is that it would allow greater participation by the neighbors in evaluating the appropriateness of the proposed use and ensuring a balance between providing tourist accommodation while protecting the residential character of an area.

**VI. PLANNING COMMISSION ACTION**

Recommend City Council approval of the proposed amendments as drafted, approval with revisions, denial, or continuance for further consideration.