

Agenda - Dundee Tourism Committee

Date: Wednesday, March 6, 2019 Start: 8:30 am

Attendance: Chair Ted Crawford ____, Joe Buck ____, Megan Carda ____, Ayla Holstein ____, Nancy Ponzi ____, Jennifer Sitter ____, Marque Wright ____, Noel Johnson ____, Tracy Smith ____.

Agenda Items	Presenter	Time allotted
1. Welcome Tracy Smith to the Committee	Ted	5
Action:		
1. DNA PDX Update	Molly/Ted	5
Action:		
2. Wake Up in Wine Country Update	Molly	5
Action:		
3. Oregon Truffle Festival	Megan/Ted	5
Action:		
4. Vacation Rental Ordinance Update	Ted/Megan	30
Action:		
5. Updates from the area	All	5
Action:		

Meeting of the Tourism Committee December 19th, 2018

Committee Chair, Ted Crawford called the meeting to order at 8:30 am at the Dundee City Hall. Members of the committee present: Ted Crawford, Megan Carda, Jennifer Sitter, Noel Johnson, Ayla Holstein, and Marque Wright. Also in attendance: Rob Daykin, City Administrator; and Molly Baily, DNA PDX.

Minutes of the November 28, 2018 Tourism Committee were approved as presented.

The committee discussed paying DNA PDX hourly rate to take minutes.

Rob Daykin said that Dundee City Council approved to match the \$10k portion that Newberg had hoped to contribute to the WVVA grant. Rob submitted the grant award acceptance contract to Tori at WVVA.

Marque Wright, Jennifer Sitter, and Megan Carda will be on the Wake up in Wine Country marketing subcommittee to work with DNA PDX on the project.

Ted, Jennifer, Nancy and Megan's terms on the committee are expiring, but they are all interested in staying on. The committee is currently looking for another member (this person does not need to be a resident of Dundee). Jennifer will reach out to the new marketing person at Dobbles to see if she is interested.

Molly gave a report on what her team did last month. We captured content on 12.12 as our initial experience. They captured a variety of content, including a series of cinemagraphs. Which are like photos, but with a video component where something that continuously moves. The team captured a hot toddy being poured at Babica Hen, coffee and hot chocolate with marshmallows at Red Hills Market, beer at Deception, Red Wine at Domaine Droughin and bubbles at Argyle.

DNA PDX got drone footage of a couple walking through the vines, heading up Worden Hill Road in their car, and heading into Red Hills Market with the Christmas lights on. Also filmed Jody putting up Christmas lights at RHM. DNA PDX got footage of the tasting room attendant at Domaine Droughin stoking a beautiful fire, a quick shot of the fireplace in the Market Lofts with a wine and cheese board. The team captured still imagery as well.

Molly encouraged the committee to share ideas, charismatic people, good stories, beautiful things, and words (soundbites and quotes). DNA might like to do a little series like... Come do NOTHING in Dundee. Photos and video of the quiet stillness. Then also show what you can do if you're feeling like it. DNA would like to do tutorials too. If anyone knows something they'd like to share like, how to saber a bottle of sparkling.

Lizzy from DNA gave an update on the data and results on the social media impact so far. She said that we are seeing a much higher rate of impressions.

The committee discussed updating the banners through the city. Molly will ask Ashley for a quote for design the banners.

A few new city updates were discussed:

- Vans and RVs sitting around town
- Inn at Red Hills has a new owner
- Marque said sales are up
- Megan said occupancy is up

Rob said he will ask the City engineer about what's happening with the sign at the end of town and talk about putting in the sign and hold off on landscaping.

Where the ODOT has their property, we want to do additional landscape to do the additional sidewalk. We'll have power and water there. It was discussed if we could put the welcome sign on the south side of Parks and 99W.

The committee discussed doing a write in campaign to ODOT to try and get a crosswalk at 7th.

Rob said he will email everyone content about the vacation rental rules and the February City Council meeting will involve discussion around the topic of forming a good foundational policy.

The meeting was adjourned at 9:55 am.

Ted Crawford, Chair



Short-Term Rental (STR): Neighborhood Notice

Hello Neighbors!

The City of Coeur d'Alene recently adopted a code to allow short-term (vacation) rentals. Section 17.08 of the Municipal Code authorizes the use of residential units for short-term stays as defined in code. This will allow overnight guests on a short-term basis. This use is defined as a stay of 1 to 29 nights.

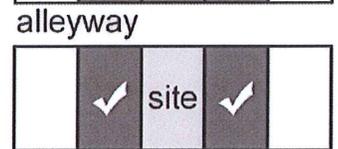
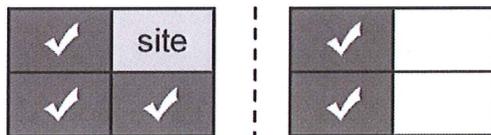
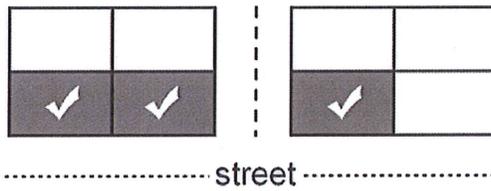
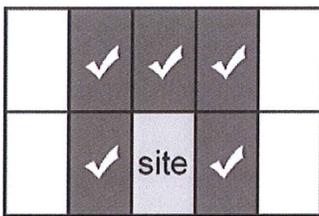
You are receiving this notice because I will be renting out my residential unit on a short-term basis, and as part of the permit application, I am required to mail or deliver this notice to the adjacent neighbors as illustrated below. I have also included contact information for a responsible party that may be reached at any time the home is occupied by a short-term renter. Please contact the responsible party first if you feel there is a code violation or that renters are creating a nuisance that directly impacts you. If they don't respond within an hour, then you can call the Police.*

Address of Proposed Short-Term Rental: _____

Name of Responsible Party: _____

Responsible Party Contact Number: _____

Date Notice Provided to Neighbor: _____



****Code requires the responsible party to resolve a problem within one hour. If they haven't responded within one hour, you may contact the Police at (208) 769-2302. Only call 9-1-1 in the event of a life threatening emergency.***

This notice is provided as a courtesy and you may contact the City of Coeur d'Alene's Planning Department during business hours with general questions about the STR code by phone (208) 769-2274, email planningdiv@cdaid.org, or in our office at 710 E. Mullan Ave., Coeur d'Alene, ID 83814.

Dear Dundee Tourism Committee,

As you are all aware, I am a stakeholder in the vacation rental industry; however, you may not know that I am a born and raised native of the communities of Dundee and Newberg. Growing up in Dundee, I recall all of the memories of riding my bike to the corner store for a 5 ¢ treat or a lifetime favorite memory of 5th grade Outdoor School with Dundee Elementary. This is my home, my community, and my future. And I want to express that my goal has always been to make every effort to ensure our community, family, and friends come first, and business second.

Below you will find my discoveries and recommendations on possible regulations for our community. Through my research and communications with affiliate vacation rental partners, one of the best vacation rental ordinance solutions that I have found to help guide us in this process are those of the City of Coeur d'Alene, ID. The reasons I was drawn to these regulations was mainly about their sense of community matching in line with our sense of community. They too have a rapidly growing and thriving tourism economy, and they too had the opportunity to jump on healthy regulations before things were out of control.

Since I have embarked into vacation rental management industry, many of the worries of community members that have been brought to my attention are based on fears, and fears can become reality if we don't face them head on. The truth is there are a lot of do-it-yourselfers out there who may not be educated on proper standards of being a lodging provider and/or expectations of the community. I believe it is our responsibility to help them understand the needs, desires and requirements of the community so we can all continue to grow a successful, safe, and prosperous tourism industry.

I believe these are the major concerns of neighbors and community members as vacation rentals expand in our hometown:

- Parties & Over Occupancy
- Not Paying Taxes
- Parking Issues
- Lack of Affordable Housing

I would like to take a moment to address these concerns from my personal perspective as both a community member and a stakeholder in the industry, as well as shine light on how the City of Coeur d'Alene faced these posing fears themselves.

Parties & Over Occupancy

- 1 family can be in a vacation rental at once.
- Ability to respond onsite within 1 hour.
 - This will cut down on non-responsive owners/managers who are not around to tackle challenges.
 - Carlton, OR, currently has a rule that a representative must live within 10 miles of the city limits and be registered with the city as an emergency contact.
 - McMinnville, OR, also requires a local representative to be registered with the city as an emergency contact.
- Currently the City quite time ordinances are in place to help with this, but I believe we as the Tourism Committee could create a "Good Neighbor" posting that is required to be insight at all times for lodging guests while in homes.

- How Lifestyle Properties is currently tackling this challenge: Fridge magnets with contact information for neighbors. Also, presenting neighbors with the house rules that are posted for guests, so they know what we have asked of them. Personally we are on call 24/7, and we are happy to tackle any challenge immediately when we *know* it is occurring.
- NOTE for Education Purposes: Owners/Managers are legally allowed to evict short-term rental guests if there is a problem.

Not Paying Taxes

- Require each individual vacation rental to be registered, not just the property management company or single owner with multiple properties, and list their registration number across all listing sites.
 - If no permit number is listed, then they will be asked to provide info, apply, or are operating illegally.
 - Requiring registration can decrease ignorance.
- Suggest a \$295 permit fee to verify that the owners/managers are being compliant and a \$95 renewal fee annually.

Parking Issues

- 1 legal off-street parking space per bedroom, with a minimum of 2.
 - With this rule and one family occupancy, I believe the 3 room maximum can be lifted.
 - May suggest however a cap on bedrooms of 6 in city limits; conditional use permit required thereafter.

Lack of Affordable Housing

- I still need to get exact figures, but vacation rentals are well under 1% of the housing stock. The fear of them taking over affordable is not reality. Housing has become more expensive due to a healthy economy and tourism in general.
 - My personal goal in business is to educate homeowners on the real costs of owning a vacation rental and helping them to determine if that option is truly the best route for themselves and their property. Oftentimes in educating homeowners on this, they realize long-term is the best fit. And other times they know their intended purpose it to use it frequently, and then it does in fact make sense!
- Vacation rentals contribute to the overall health of a community as they bring in tax dollars that then are not needed from local property owners. 30% of the tax dollars go back to the improvement of our overall community and neighborhoods, all while helping to create a community worth living in. Economic tourism development is a positive for our town.
- The solution to lack of affordable housing, is building affordable housing when it is needed. Less large and luxury neighborhoods. Smart, efficient and affordable neighborhood planning in the future will help create opportunities to families of all levels.
 - In addition, I encourage HOAs and CC&Rs to develop rules and regulations for themselves, if the neighborhood chooses that vacation rentals are not the right fit for their micro community, they can make that choice as well. Then potential buyers know that the neighborhood is not a good fit for a vacation rental, and they need to look elsewhere.

I believe my proposal for the continued development for the City of Dundee's vacation rental ordinances is simple, straightforward, and can work for the overall positive growth of the industry. As well as it has been working well in a similar minded community of Coeur d'Alene. We still have an opportunity to be on top of the growth in our community before we run into issues as other communities have. I encourage

revamping our regulations, taking the steps to verify applicants, and striving to build a positive community vibe as the tourism industry expands in our town.

I look forward to continuing to develop the industry I am invested in and the community I am rooted in. I am confident that this committee can create an excellent proposal for our growth that keeps all neighbors, lodging visitors, and stakeholders pleased with tourism in our growing community.

Short-Term Rental Ordinances in Coeur d'Alene:

https://www.cdaid.org/files/Arts/3594_CB_17-1037_Short_Term_Rental_final.pdf

Community members online registration for vacation rentals in Coeur d'Alene:

<https://www.cdaid.org/3222>

All my best,

Megan Carda

Co-Founder & Managing Director

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CITY OF DUNDEE
ORDINANCE NO. 537-2014

An Ordinance amending the Dundee Development Code to incorporate standards for short term vacation rentals

WHEREAS, the City of Dundee is generally lacking in lodging options, and the availability and regulation of short term vacation rentals is an emerging issue locally and regionally. By having more lodging options available, Dundee can better capitalize on increased local tourism. Many short term vacation rentals are peer-to-peer and internet based, so Dundee will be ahead of the curve by enacting regulations up front for short term vacation rentals, rather than trying to catch up to rentals already on the market.

WHEREAS, the Dundee Planning Commission held workshops in March and September of 2014 to discuss potential code amendments to allow short term vacation rentals. As a result of the workshop discussions, staff created Development Code amendments that will permit short term vacation rentals through the same approval processes as bed and breakfast establishments, and will create process, rules, and standards for vacation rentals.

WHEREAS, the Dundee Planning Commission considered the amendments at their November 19, 2014, meeting. The Planning Commission adopted an Order of Recommendation recommending that City Council adopt the proposed Development Code amendments.

WHEREAS, after proper notice, the Dundee City Council held a hearing on December 16, 2014, to consider the proposed Development Code amendments. The Council finds that the proposal meets the applicable criteria.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNDEE HEREBY ORDAINS AS FOLLOWS:

1. The Dundee Development Code is hereby amended as follows. The following proposed language would be included in the Development Code as shown. Proposed additions to the Code are shown as underlined.

17.203.240 Vacation Rentals

All short term vacation rentals shall conform to the following standards:

- A. **Purpose. The purpose of this section is to provide a process and standards for allowing short term vacation rental units. Vacation rental units shall be allowed anywhere residential uses are allowed, except they will not be allowed in multifamily dwellings.**

- B. Review Process. Vacation rentals shall be processed as a Type I application when the dwelling has three or fewer bedrooms, and as a conditional use application when the dwelling has four or more bedrooms.
- C. Notice. A written notice of the vacation rental decision shall be sent to all neighboring properties within 100 feet of the proposed vacation rental. The notice shall contain all of the following information:
1. The name, address, and telephone number of a local contact person responsible for maintenance and responding to emergencies, so that residents may report any problems with the vacation rental.
 2. The contact information for the City of Dundee.
- D. Business License and Transient Room Tax. The owner of the vacation rental unit shall annually renew a business license with the City of Dundee, and shall comply with Dundee Municipal Code Chapter 3.04, Transient Room Tax.
- E. Standards.
1. Off-Street Parking. A minimum of one off-street parking space per guest room, pursuant to DMC 17.304.040, must be provided on the site.
 2. Trash and Recycling Facilities. The applicant shall provide for regular trash collection. Available bins must have adequate capacity for the renters, and no uncontained garbage is allowed on the site.
 3. Pets. Pets shall comply with Dundee Municipal Code Title 6.
 4. Noise Limits. All activities associated with the vacation rental shall comply with the noise standards in Dundee Municipal Code Chapter 8.28.
 5. RVs and Other Temporary Shelters. The premises of the vacation rental may not include any occupied recreational vehicle, trailer, tent, or other temporary shelter during the rental occupancy.
 6. Landscaping. The property shall be landscaped and continuously maintained in good repair in the manner of a permanent residence.
 7. Nuisances. All activities associated with the vacation rental shall not cause a nuisance as defined in Dundee Municipal Code Chapter 8.16.
 8. Posting of Information. The applicant shall keep posted a list of information about the vacation rental adjacent to the front door inside the dwelling. At a minimum, the posting shall include the following information:
 - a. The name and contact information for a local contact person responsible for maintenance and responding to emergencies.
 - b. The current annual vacation rental business license.
 - c. The contact information for the City of Dundee.
 - d. Any requirements for the vacation rental to ensure it complies with this code.

9. Guest Register. The owner or local representative shall maintain a guest register listing each tenant of the vacation rental along with the number of dwelling occupancy days. The register shall be available for city inspection upon request.
- F. Complaints and Permit Revocation. Complaints regarding the use of the vacation rental shall be reviewed by the City Administrator or designee. The City shall notify the property owner in writing of any corrective action necessary to mitigate the complaint, and the owner shall have 30 days to correct the identified issue. If the city receives two or more unresolved complaints within a twelve month period, the City Administrator may schedule a hearing before the Planning Commission to consider adding additional conditions for mitigation or revoking the vacation rental permit. The owner may appeal the Planning Commission decision to the City Council.

17.501.020 Definitions

“Vacation rental” means a dwelling unit built for permanent use that is rented out in its entirety for the purpose of overnight lodging to visitors for less than 28 days at any one time. Vacation rental does not include a dwelling in which individual rooms are rented out separately; this type of use would fall under “bed and breakfast establishment”.

“Boarding, lodging, or rooming house” means a building where lodging with or without meals is provided for a period of longer than 30 days at a time for compensation for not more than five persons in addition to members of the family occupying such building.

Table 17.202.020: Zoning Use Table

C. Commercial Uses	R-1	R-2	R-3	C	CBD	LI	P	PO	A	EFU	Special Use Requirements
<u>Vacation rental, with three or fewer bedrooms</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>DMC 17.203.240</u>
<u>Vacation rental, with four or more bedrooms</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>DMC 17.203.240</u>

2. The findings in support of these amendments, as shown in Exhibit A, are hereby adopted and by this reference incorporated.

3. This ordinance shall take effect on January 15, 2015, thirty days after its enactment.

ADOPTED by the Dundee City Council this 16th day of December, 2014.

Approved:



Ted Crawford, Mayor

Attest:



Rob Daykin, City Administrator/Recorder

Exhibit A: Findings (LURA 14-07 – Vacation Rentals)

Amendments are required to be consistent with all applicable local and state laws including the Dundee Comprehensive Plan and Statewide Planning Goals.

Dundee Comprehensive Plan

Recreation and Willamette River Greenway. Goal: To provide adequate park land and recreation facilities for area residents and visitors and preserve land within the Willamette River Greenway.

Finding: While a vacation rental is not necessarily a recreation facility, it does provide a place for tourists to stay while they are visiting the area to take advantage of recreation or tourism facilities in the area. Therefore, providing opportunities for vacation rentals throughout Dundee enables the city to better capture tourists and other visitors, and to promote recreation and other tourism opportunities in Dundee and the surrounding region by offering unique places for visitors to stay.

Economy. Goal: To maintain a level of economic development adequate to meet public need. Objective (2): To assure that commercial and industrial developments preserve and enhance the aesthetic character and livability of Dundee.

Finding: The Development Code amendments would permit vacation rentals to be located in several zoning districts throughout the city. This may help encourage local economic development and help keep tourism dollars flowing through our local economy. The Dundee region has many tourism related opportunities, and these regulations will capitalize on tourism by providing a unique place for visitors to stay within the city. At the same time, the regulations will preserve the aesthetic character and livability of Dundee by ensuring that vacation rentals have a local contact person, provide adequate off-street parking spaces for their guests, and other standards to ensure vacation rentals are maintained in the character of a residential dwelling.

Statewide Planning Goals

Goal 8: Recreational Needs (OAR 660-015-0000(8)) – To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: The proposed Development Code amendments will help satisfy the recreational needs of visitors to the Dundee area by providing them with a unique lodging option within the city. This is beneficial because visitors will stay longer and spend more tourism dollars in the city when they have various lodging options. Vacation rentals can also benefit tourism by giving area visitors a more comfortable home base from which to explore other regional recreation and tourism opportunities.

Goal 9: Economic Development (OAR 660-015-0000(9)) – To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Dundee's Development Code does not currently permit vacation rentals. The proposed Development Code amendments would allow vacation rentals to be located within all

of the residential and commercial zoning districts of the city. Vacation rentals promote economic development by allowing an owner to purchase a home, potentially a second/vacation home, in Dundee and use it for economic purposes when it cannot be used by the primary owner. This in turn could promote local economic development as users of local vacation rentals spend their time and money in local establishments. Therefore, the proposed amendments would further economic development efforts at the local level.

COUNCIL BILL NO. 17-1037
ORDINANCE NO. 3594

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW ARTICLE X, SHORT-TERM RENTALS, TO CHAPTER 17.08 OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon recommendation of the Planning and Zoning Commission, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said Article X, Short-Term Rentals, Chapter 17.08, of the Coeur d'Alene Municipal Code be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That a new Article X, Short-Term Rentals, be added to Chapter 17.08 of the Coeur d'Alene Municipal Code as follows:*

**CHAPTER 17.08
SPECIAL/HAZARD AREA REGULATIONS**

**ARTICLE X
SHORT-TERM RENTALS**

- 17.08.1010: PURPOSE:**
- 17.08.1020: DEFINITIONS:**
- 17.08.1030: PERMIT REQUIRED:**
- 17.08.1040: STANDARDS:**
- 17.08.1050: VIOLATIONS; PENALTIES:**

17.08.1010: PURPOSE:

A. The purpose of this Article is to establish regulations for the use of Residential Dwellings as Short-Term Rentals to safeguard the public health, safety and general welfare, to protect the integrity of the City's neighborhoods, to establish a system to track the Short-Term Rental inventory in the City, to ensure compliance with local performance standards, to provide a means of contact for the Responsible Party of a Short-Term Rental, to establish a Good Neighbor Policy for Occupants of Short-Term Rentals and their guests, and to allow private property owners the right to fully and efficiently utilize their property without undue regulation or interference.

B. Nothing in this Article shall be construed so as to nullify or override any lease agreements, or covenants, conditions, and restrictions applicable to the property that may prohibit or restrict its use for Short-Term Rental purposes.

17.08.1020: DEFINITIONS:

A. “Good Neighbor Policy” shall mean the list of general rules of conduct, best practices, and standards of respect prepared by the Planning Department and required to be provided to Occupants and their guests utilizing Short-Term Rentals within the City.

B. “Occupant” shall mean the person or persons who contract with the Responsible Party for use of the Short-Term Rental.

C. “Residential Dwelling” shall mean a single unit providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Tents, recreational vehicles, campers, and similar units not designed for permanent residential use are excluded from this definition.

D. “Responsible Party” shall mean the owner of a Residential Dwelling being used as a Short-Term Rental, as well as any person designated by the owner who is responsible for compliance with this Article by an Occupant and any guests utilizing the Short-Term Rental. The Responsible Party shall provide for the maintenance of the property and ensure compliance by the Occupant and any guests with the provisions of this Article, or any other applicable law, rule, or regulation pertaining to the use and occupancy of a Short-Term Rental. The owner of the property shall not be relieved of responsibility or liability for noncompliance with the provisions of this Article, or any other applicable law, rule, or regulation pertaining to the use and occupancy of a Short-Term Rental because of the designation of another Responsible Party. All Responsible Parties shall be at least twenty-one (21) years old.

E. “Self-Inspection Checklist” shall mean the current form approved by the City for use with a Short-Term Rental application.

F. “Short-Term Rental” shall mean a Residential Dwelling which is rented for thirty (30) days or fewer, and which is sometimes referred to as a “vacation rental.” This term does not include a Bed-and-Breakfast facility, an RV Park or campground, or a hotel or motel.

17.08.1030: PERMIT REQUIRED:

A. An applicant for a Short-Term Rental permit must be the owner of the Residential Dwelling to be offered for rent. No person with less than a fee ownership interest may apply for a Short-Term Rental permit.

1. A Short-Term Rental permit is valid only for the Residential Dwelling identified in the application. An applicant shall file a separate application and obtain a separate permit for each Residential Dwelling to be used as a Short-Term Rental
2. A Short-Term Rental permit is non-transferable.

B. Prior to offering a Short-Term Rental to the public, the owner of the Residential Dwelling shall complete an application on a form provided by the City and file it with the City Clerk or his/her designee. The application shall include:

1. The owner's legal name, date of birth, contact number, both physical and mailing addresses, and email address;

2. If the Short-Term Rental is to be operated or managed by someone other than the owner, the name, date of birth, contact number, both physical and mailing addresses, and email address for a Responsible Party with day-to-day authority and/or control over the Short-Term Rental;

3. The address of the Short-Term Rental; and

4. The signatures of the owner and other Responsible Party, if any, agreeing and acknowledging that they are jointly responsible for the compliance by the Occupant and any guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the Short-Term Rental, and for any unreasonable noise, disturbances or disorderly conduct by the Occupant and/or guests while utilizing while on the property of the Short-Term Rental.

5. The fee established by Resolution of the City Council.

C. If any information required by subsections B(1) through (4) hereof changes, a Responsible Party shall promptly advise the City.

D. At the time an application is filed with the City, a Responsible Party shall complete and file with the City the Self-Inspection Check list. A new Self-Inspection Checklist shall be completed and filed with the City each year thereafter during which the Short-Term Rental will be offered to the public.

E. Short-Term Rentals are not a grandfathered use. All Short-Term Rentals in the City must have a permit to operate.

F. A Short-Term Rental permit expires on March 31 of each year; PROVIDED, if the Residential Dwelling identified in the application is sold or title is otherwise transferred, the permit shall automatically expire upon the transfer of title.

1. To renew a Short-Term Rental permit, the holder shall submit an application for renewal on a form provided by the City to the City Clerk or his/her designee, together with the renewal fee.

2. The renewal application must be submitted by March 1 of each year. A permit for which a renewal application is not submitted by March 1 shall expire on March 31.

3. If a permit has expired, a new application shall be required.

G. Subject to § 17.08.1010(B), any Residential Dwelling in the City may be rented without a permit for no more than fourteen (14) days per calendar year, where those fourteen (14) days are divided into no more than two (2) stays.

17.08.1040: STANDARDS:

A. Accessory Dwelling Units and Properties with Multiple Dwelling Units.

1. An Accessory Dwelling Unit (ADU), as defined by § 17.02.030(E) of this Code, which existed on the effective date of this Article may be rented as a Short-Term Rental, provided that either the principal dwelling or ADU on the property must be occupied by a majority owner of the property or an immediate family member of the property owner more than six (6) months out of any given year.

2. After the effective date of this Article, an ADU may only be used as a Short-Term Rental if the required impact fee is paid for the ADU. Once the impact fee is paid, either the principal dwelling or ADU on the property must be occupied by a majority owner of the property or an immediate family member of the property owner more than six (6) months out of any given year.

3. A principal dwelling and its associated ADU may not both be rented out concurrently as Short-Term Rentals.

4. For properties with more than one dwelling unit, including multiple lots developed as a single parcel, only one dwelling unit per property may be used as a Short-Term Rental at any one time.

B. Duplex and Multiple-family Housing.

1. If multiple units in a Duplex or Multiple-family housing (including condominiums and apartments) are owned by the same person or persons, only one unit may be used as a Short-Term Rental.

2. The owner(s) of multiple units in a Duplex or Multiple-family housing must designate which dwelling unit will be rented as a Short-Term Rental and advise the City of said designation in the application for a permit.

C. Duties of Responsible Party.

1. A Responsible Party must be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within sixty (60) minutes to complaints regarding the condition of the Short-Term Rental or the conduct of the Occupant of the Short-Term Rental and/or their guests.

2. A Responsible Party shall obtain the name, address, and contact number of each Occupant of a Short-Term Rental.

3. A Responsible Party shall provide the information required in section 17.08.1040(B)(2) to the City at the City's request, if available.

4. A Responsible Party, upon notification that any Occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of a Short-Term Rental, shall promptly respond in an appropriate manner within sixty (60) minutes and require an immediate halt to the conduct, and take such steps as may be necessary to prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls or complaints regarding the condition, operation, or conduct of an Occupant or guest in a Short-Term Rental in an appropriate manner within sixty (60) minutes shall constitute a violation of this Article.

5. A Responsible Party shall prepare a written notice, and shall mail or deliver the notice to all residents and owners of property abutting or across the street from the Short-Term Rental, which notice shall state the intent to operate a Short-Term Rental and the number of bedrooms that will be rented to overnight guests, and include information on how to contact the Responsible Party by phone.

6. A Responsible Party shall post on or near the front door of the Short-Term Rental a notice which includes the address of the Rental, emergency contact numbers, and a diagram showing emergency exit route(s) approved by the Fire Department.

D. Information Provided to Occupants

1. At the time of each occupancy of the unit, the Responsible Party shall provide to the Occupant of a Short-Term Rental the following:

- a. a current copy of the Short-Term Rental permit;
- b. the name and contact number of all Responsible Parties;
- c. a copy of the Good Neighbor Policy as approved by the City Planning Department;
- d. a notice of the trash pick-up day, and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the dwelling; and
- e. parking locations and requirements.

E. Occupancy.

1. The maximum number of overnight guests occupying a Short-Term Rental shall not exceed the definition of "family" as provided in § 17.02.055(B).

2. Guests of an Occupant may use a Short Term Rental only when an Occupant is present and may not stay overnight.

3. A Responsible Party may rent either the entire Residential Dwelling or one (1) room of the Residential Dwelling to an Occupant. Under no circumstances shall a Responsible Party rent individual rooms in a Short-Term Rental to different Occupants for the same night or nights.

4. No recreational vehicle, travel trailer, tent, or other temporary shelter shall be used as a Short-Term Rental or in conjunction therewith to provide additional sleeping areas or otherwise.

F. Outdoor storage.

1. Storage of equipment, inventory, or work-related items other than vehicles, shall be within the residence or a permitted accessory building. Outdoor storage and storage containers are prohibited. For purposes of this Chapter, the term “storage container” refers to industrial and commercial shipping containers and buildings, including PODS and like containers, which are designed to be portable and/or temporary and which do not meet the design criteria for accessory buildings. The term does not include sheds or small storage buildings intended for incidental residential use and which are compatible with residential use.

G. Parking.

1. All Occupants and guests shall, to the greatest extent possible, utilize any off-street parking of the Residential Dwelling which constitutes the Short-Term Rental. On-street parking by Occupants and guests shall be governed by the applicable provisions of Chapters 10.20, 10.22, 10.24, and 10.27 of this Code.

2. An ADU, built after the effective date of this Article and used as a Short-Term Rental, requires one off-street parking space in addition to parking spaces required for the principal dwelling.

H. Signs and Advertising.

1. No sign indicating that the residence is a Short-Term Rental or that it is for rent or lease shall be displayed such that it is visible from any other public or private property.

2. The street number of a Short-Term Rental shall be posted in accordance with Fire Department IFC requirements.

3. All advertising for the Short-Term Rental shall include the City permit number and the maximum number of vehicles accommodated by off-street parking spaces.

I. Trash.

1. Trash and refuse shall not be left stored within public view except in proper containers for the purpose of collection by the authorized waste hauler on scheduled trash collection days.

2. The Short-Term Rental property shall, at all times, be kept in a neat and sanitary condition, in compliance with the requirements of Title 8 of this Code.

J. Zoning.

1. Subject to the standards and restrictions applicable in each zone, the standards and restrictions contained in this Article, and any permit requirements, the use of a Residential Dwelling as a Short-Term Rental is permitted as of right in all residential and commercial zones, MH-8 provided that the Residential Dwelling is installed as required by State law, and DC.

17.08.1050: VIOLATIONS; PENALTIES:

A. Violations.

1. It is unlawful for any Responsible Party to offer for Rent a Short-Term Rental or to operate a Short-Term Rental without a City permit.

2. It is a violation this Article if a Responsible Party, or an Occupant or guest knowingly and willfully violates any provision of this Article.

B. Penalty.

1. For a first offense, the violator shall be subject to a civil penalty in an amount established by Resolution of the City Council.

2. For any subsequent offense, the violator shall be subject to a misdemeanor, pursuant to section 1.28.010 of this Code.

3. In addition to any other remedy or procedure authorized by law, for three (3) or more violations of or failure to comply with any of the standards of this Article in a calendar year, the City Clerk or his/her designee may revoke any or all of the owner's permits and, in addition, may order that no new permit shall be issued for up to three (3) years pursuant to the following procedures.

a. Prior to the revocation of any permit or the denial of a permit for repeated violation of the provisions of this Article, written notice of the reasons for such action shall be served on the Owner and/or Responsible Party in person or by certified mail at the address on the permit application. Revocation shall become final within ten (10) days of service unless the Owner and/or Responsible Party appeals the action. The Owner and/or Responsible Party shall provide the appeal

in writing to the City Clerk or his/her designee within ten (10) days of receipt of the notice. The written notice of appeal must state the reasons for the appeal and the relief requested.

b. Should the owner and/or Responsible Party request an appeal within the ten (10) day period, the City Clerk or his/her designee shall notify the owner and/or Responsible Party in writing of the time and place of the hearing.

c. Appeals shall be heard by a neutral hearing officer designated by the City.

d. For good cause shown, the hearing officer may affirm or reverse the decision to revoke a permit. The hearing officer may affirm, reverse, or modify a decision to deny a new permit for upon a showing of good cause.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 4. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on December 5, 2017.

APPROVED, ADOPTED and SIGNED this 5th day of December, 2017.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. 3594
Adding Article X to Chapter 17.08 of the Coeur d'Alene Municipal Code

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW ARTICLE X, SHORT-TERM RENTALS, TO CHAPTER 17.08 OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 3594 IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am a Chief Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. 3594, Adding Article X, Short-Term Rentals, to Chapter 17.08 of the Coeur d'Alene Municipal Code, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 5th day of December, 2017.

Randall R. Adams, Chief Civil Deputy City Attorney