

Summary of the Mayor's Recommendation for Accessory Short-Term Rentals in Multi-Dwelling Units

On November 19, 2014 at 2:00 pm, City Council will consider expanding the accessory short-term rental permit program to multi-dwelling buildings. This handout summarizes amendments proposed to the accessory short-term rentals regulations which currently apply to single-dwelling units. The amendments were informed by discussions held by a working group representing multi-dwelling housing interests and city staff.

Recommendation

1. **Allow Accessory Short-Term Rentals (ASTRs) in multi-dwelling units.** This expands the allowance to all residential units, including multi-dwelling structures, multi-dwelling development (an assortment of structures on one property), manufactured homes in a manufactured home park, and houseboats.
2. **Limit number of multi-dwelling units with ASTRs to 1 unit or up to 10% of all units.** BDS has determined that with this restriction, the need for a change of occupancy will not be triggered. The cap on the number of ASTRs, along with the requirement that the resident must occupy the unit at least 270 calendar year, ensures that the building more closely matches the non-transient nature of the R-2 (i.e. residential) building code occupancy class. The 10% cap also aligns with building code accessory use standards that allow up to 10% of a building to be used for alternative occupancies.
3. **Require owner and homeowners' (or condominium) association approval.** The application will require the notarized signature of the property owner and homeowner's association.
4. **No additional inspection required in multi-dwelling structures.** Portland Fire & Rescue conducts inspections for buildings containing 3 or more units every two years. Therefore, no additional inspection is required through this permit.
5. **Self-certification of smoke and carbon monoxide detectors.** While Portland Fire & Rescue conducts inspections for the common spaces in multi-dwelling buildings, they do not inspect each unit. Therefore, this proposal requires that the resident certify that bedrooms have smoke detectors that are interconnected with smoke detectors in adjacent hallways and carbon monoxide detectors where carbon monoxide sources are present.
6. **Notification is required.** Residents in multi-dwelling structures will be required to send a notification letter that contains the description of their proposed short-term rental with their contact information to:
 - property manager;
 - residents and owners of units adjacent, across the hallway, above and below the unit; and
 - ONI recognized organizations.
7. **Permit Fee for ASTR in multi-dwelling structure.** The estimated fee is \$100 for a two-year permit.

Amendments to Type A Accessory Short-Term Rental Regulations

		Single-Dwelling Units	Multi-Dwelling Units
1	Accessory Use	Allow as accessory to residential (Household Living) use. This means that the individual or family who operate the accessory short-term rental must occupy the unit for a least 270 days each year.	
2	Building Type	Allow in all single-dwelling units, including: houses, attached houses, duplexes, Accessory Dwelling Units (ADUs), manufactured dwellings, <u>houseboats, and single-dwelling units in multi-dwelling development.</u>	Allow in residential units in multi-dwelling buildings (3+ units).
3	Cap	No cap.	Limit number to 1 or 10% of the units in a multi-dwelling building.
4	Bedroom Requirements	Allow the operator to rent bedrooms that the Bureau of Development Services has verified: <ol style="list-style-type: none"> a. Met the building code requirements for sleeping rooms at the time they were created or converted; and b. Have smoke detectors that are interconnected with smoke detectors in adjacent hallways and carbon monoxide detectors where carbon monoxide sources are present. 	Allow the operator to rent bedrooms. Portland Fire & Rescue conducts an inspection of the multi-dwelling buildings every two years. Resident self-certifies that the bedrooms have smoke detectors that are interconnected with smoke detectors in adjacent hallways and carbon monoxide detectors where carbon monoxide sources are present.
5	Process	Allow 1 and 2 bedroom Accessory Short-Term Rentals through a Type A permit process: <ul style="list-style-type: none"> - Administrative permit - 1-2 week process - Initial BDS Inspection required, then one every six years. Intervening years the resident certifies there has been no changes to room to be rented since BDS inspection and it has smoke and carbon monoxide detectors. - Renewal required every 2 years - Fee: \$180 for initial permit - <u>Property owner notarized signature required</u> - May be revoked for failure to comply with the regulations 	Allow 1 and 2 bedroom Accessory Short-Term Rentals through a Type A permit process: <ul style="list-style-type: none"> - Administrative permit - 1-2 week process - No inspection required through this permit, as Fire & Rescue conducts an inspection every 2 years - Resident certifies for smoke and carbon monoxide detectors. - Renewal required every 2 years - Estimated fee: \$100 - Property owner and Homeowners' Association notarized signature required - May be revoked for failure to comply with the regulations
6	Required Notice	Resident sends a notice, including their contact information, to <u>residents and owners</u> of property abutting or across the street from the residence and to all ONI recognized organizations.	Resident sends a notice, including their contact information, to the property manager (if there is one), residents and owners of units adjacent, across the hallway, above, and below the unit, and all ONI recognized organizations.
7	Posting Permit No.	Accessory short-term rental permit number must be included in all advertising and posted in the dwelling unit.	
8	Number of Guests	Maximum number of occupants is the same as what is currently allowed in a household. Household is defined as "One or more persons related by blood, marriage, domestic partnership, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit..."	
9	Home Occupations	Do not allow in conjunction with a Type B home occupation which allows residents to use their homes as a place of work, and either one employee or up to 8 customers a day can come to the site.	
10	Employees	Do not allow nonresident employees. Allow hired service for normal maintenance of the residence or site, such as yard maintenance and housecleaning.	