



**City of Florence Council
Work Session**

In Person & Videoconference
 Florence City Hall
 250 Hwy 101
 Florence, OR 97439
 541-997-3437
www.ci.florence.or.us

- Meeting materials including information on each agenda item are published at least 24 hours prior to the meeting, and can be found of the City of Florence website at www.ci.florence.or.us/council.
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September 12, 2024

WORK SESSION AGENDA

8:30 a.m.

Councilors:

Rob Ward, Mayor
 Sally Wantz, Council President Bill Meyer, Council Vice-President
 Jo Beaudreau, Councilor Robert Carp, Councilor

With 48-hour prior notice, an interpreter and/or TTY: 541-997-3437, can be provided for the hearing impaired.
 Meeting is wheelchair accessible.

In addition to attending in person, members of the public can listen and view the meeting through the 'GoToWebinar' platform at the following link:

<https://attendee.gotowebinar.com/register/7350226877426285407>

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

8:30 a.m.

WORK SESSION DISCUSSION TOPICS

- CITY COMMITTEE DISCUSSION** **8:30 a.m.**
 As a continuation from the [July 25th City Council Work Session](#), City Council will receive recommendations from Community Development Director Wendy Farley Campbell regarding next steps for the City Committees on Transportation (TC) and Environmental Management Advisory (EMAC). These recommendations will guide further action and strategy for these committees moving forward.
- SHORT-TERM RENTAL (STR) POLICY** **10:00 a.m.**
 As a continuation from the [June 13th Work Session](#), City Council will review draft STR policy updates aimed at ensuring adequate workforce housing. Since the last session, staff has explored services from Deckard Technologies and Granicus for STR registration and enforcement, and has prepared draft code for review, incorporating feedback from previous STR sub-committees.

COUNCIL CALENDAR		
<i>All meetings are held in person with a virtual option unless otherwise indicated</i>		
Date	Time	Description
September 16, 2024	5:30 p.m.	City Council Meeting
October 7, 2024	5:30 p.m.	City Council Meeting
October 10, 2024	8:30 a.m.	City Council Work Session

PUBLIC MEETINGS PROCEDURES

The September 12, 2024 City Council Work Session will be in person at City Hall.

Expressing Views to the City Council: Work Sessions do not allow time for general public comments (written or verbal). Public Comment periods are provided at City Council regular sessions which are generally held on the 1st and 3rd Mondays of each month beginning at 5:30 p.m. For the latest City Council meeting calendar, visit the City of Florence website at <https://www.ci.florence.or.us/calendar>.

For more information on the City of Florence's Public Meeting Policies, visit the City of Florence website at <https://www.ci.florence.or.us/council/rules-procedure>.



Memorandum:

To: Florence City Council
From: Wendy Farley Campbell, Community Development Director
Meeting Date: September 9, 2024
Subject: Committees—Transportation (TC) and Environmental Management Advisory (EMAC)

Background

On April 15th and again on June 17th the City held committee volunteer recruitments for both the EMAC and TC. At the close of the recruitment periods neither the TC or EMAC had enough applications to meet the quorum requirements in Section 2 of their respective enabling provisions in Florence City Code (FCC) Title 2 Chapters 6 and 7. On [July 25th](#) the City Council held a work session where they reviewed and discussed the recruitment of these two committees, the related work plan tasks and committee responsibilities outlined in city code.

Since that meeting staff have researched several aspects of these committees and the duties or responsibilities they have assigned in code or assumed through the workplan. One research activity included reviewing the city archives for previous city code language related to historical committee duties and responsibilities of the current TC and EMAC committees and their predecessors under other names. Another activity included researching other jurisdictions to identify how they handle some of the same responsibilities for tasks the city is required to perform under current code language, state requirements, and recognition programs. This last task included reviewing committee types and naming, responsibilities, activities, staff support and volunteer numbers and make-up, and meeting frequency. The cities reviewed included Newport, Lincoln City, Corvallis and Eugene. These cities were chosen because they were known to have similar responsibilities and in some cases community aspirations. Some of the summary findings of these two activities are included below.

Transportation Committee

The Transportation Committee, established under [FCC 2-6](#), was formed in its current configuration February 2019 via Ordinance 17, Series 2018. The action combined and expanded the roles of the Airport Advisory Committee and Transit Advisory Committee. The Transit Advisory Committee started as a task force in 2000 for the implementation of the Rhody Express bus system and then became a standing committee within a year. The Airport Advisory Committee was not researched as no city code was readily identified to have been deleted in the 2018 action. There are no responsibilities that are required by the city, state or program for this committee.

The Cities researched have diverse ways of addressing the responsibilities of the TC which include having more than one committee. Most address all of the transportation modes. Eugene, the only city with a city run airport had a separate airport committee, which made sense in that situation. The formation of the committee included a Chamber of Commerce Member which would be recommended addition to the Florence TC make-up. All of the committees researched include reviewing and providing input on long range planning projects, grant applications for transportation related projects, and other transportation related activities such as electric car charger installation. They also included heavy emphasis on promoting alternative modes of transportation via community activities and engagement. Another recommendation is to rewrite of the TC responsibilities to improve readability, create more connection and clarity, and modernize with local, regional and national trends.

Environmental Management Advisory Committee

The Environmental Management Advisory Committee (EMAC), established under [FCC 2-7](#), was formed in via Ordinance 5, Series 2009 in an action that renamed the committee from the Solid Waste Committee and expanded the duties to address bio-solids, composting, and energy and environmental resources as they affect delivery of solid waste services. In 2018 the code was amended to apply title-wide changes for consistency and also add additional responsibilities such as promoting the care and planting of trees and vegetation, mitigation of noxious weeds, and developing strategies to support waste reduction, reuse and recycling. The Committee has responsibility for four main reporting requirements: Opportunity to Recycle education for DEQ, Arbor Day promotion and observance for Tree City designation, and solid waste management of both haulers and citizens and garbage pick-up rate reviews in accordance with FCC 9-4.

Comparisons-The Cities researched that have similar volunteer or city responsibilities have a mostly singular way of addressing them, they have one committee which includes the word “Sustainability” within the name. Those committees as you can imagine then address a fairly diverse list of topics most of which EMAC has incorporated or wished to. Some notables were backyard farming, e-charging, sustainability, housing, and heritage tree programs. One of the cities included some of the roles of the TC related to mobility and long-range planning review. One of the jurisdictions had a Civic Beauty and Urban Forest Committee which basically performed the vegetation roles of EMAC but also included promotions and programs related to improving the streetscape in both commercial and residential areas of town. This is similar but not the same as EMAC’s help with promoting Adopt-a-Street.

Solid Waste Management and Education-None of the cities included volunteer solid waste management responsibilities (hauler auditing, site and vehicle inspections, rate reviews, customer complaint resolutions, nuisance responses). It is presumed that staff address solid waste management in some department(s) such as Business Licensing, Public Works and/or Code Enforcement as they were not listed in any tabs related to Planning or Community Development. Eugene Waste Prevention staff perform the education required for Opportunity to Recycle (OTR). Other cities (to include Eugene) utilize contracts with other jurisdictions, their hauler, or organizations to meet OTR requirements.

Rate Review-Eugene is the only city, like Florence (other than Portland for Commercial accounts), which has a hauler license system and so was the only comparable for reviewing solid waste rate review processes. In March 2024 the Eugene changed from a previous methodology to utilizing a City Manager/designee framework to handle the rate reviews. Their rate review reporting requirements and solid waste management chapter overall

served as an excellent model addressing accountability and clarity in financial information reporting, recycling education provision, and customer responsibility to meet the nuisance code and the state's Opportunity to Recycle reporting requirements.

Additional Comments

Some common threads or notables in reviewing the city comparables include:

- All demonstrated a written commitment in one or more ways to support and ensure opportunity for public engagement, civic involvement, and community input.
- A task force was or is being utilized in two cases for evaluating the cities' committee organization and responsibilities.
- One of the cities had a clear goals and responsibilities work plan. It was organized into categories of staff led for their review and input, committee led via sub-committee, and another committee was lead for which they were providing input.
- Most were well staffed with two staff support persons and very light land use planning case loads.
- Reports and input were sought and provided across multiple internal departments and external organizations—Police reported on traffic incidents and committee would assess whether there was a safety concern to address, Chamber staff were collaborated with for community events...promotion, mutual benefits, etc.
- Committees can meet even without a quorum as long as they are collaborating and not decision making

Discussion Points

Consider one or more of the following or any additional from Council discussion

- Readvertise recruitment of one or both committees
- Remove vegetation related items from EMAC and create a separate committee
- Revise the existing committee duties via code amendments, such as adding the Tree City duties, reassigning rate review, rewording for clarity and to increase interest and enthusiasm.
- Revise the existing committee quorum language to permit a committee to meet as long as no action items are taken that commit funds or make decisions. They could then provide input on city projects, plan events, draft code updates, write and development promotion and education.



CITY OF FLORENCE
COMMUNITY
DEVELOPMENT

Memorandum:

To: City of Florence City Council
From: Clare Kurth, Associate Planner
Meeting Date: September 12, 2024
Subject: 2nd Short-Term Rental City Council Work Session

INTRODUCTION

This is the 2nd City Council work session of the 2023-2025 Work Plan Task to evaluate and update short-term rental (STR) policies to ensure adequate workforce housing supply. The first work session was held [June 13, 2024](#). The first work session provided the City Council with an overview of the timeline and overview of work done to that date. Since the previous work session, staff has attended demonstrations with Deckard Technologies and Granicus to learn about services they provide related to registration of STRs, enforcement, and identifying rentals in the area. Staff has also prepared draft code for City Council review that incorporates comments from the previous STR sub-committees that have worked on this project.

OVERVIEW

The two main objectives for Council at this work session include **1.** providing feedback on the initial draft of STR code included as Attachment 1; and **2.** providing next step direction to staff for public outreach and input. Additional STR code updates to FCC Title 3 will be included at the Council adoption meeting as needed to implement the new STR code chapter. These include adding a business license classification to FCC 3-1 for STRs and updating definitions or other language to FCC 3-7. Unless the opportunity exists to regulate locations and/or number of permits within this code title, the addition of location and site development characteristics under FCC Title 10 – Zoning Regulations will be explored. A list of those considerations is included below.

1. PROPOSAL SUMMARY

Attachment 1, Proposed FCC Title 3 Chapter 13:

Sections 1, 2 & 3 include the Purpose, Definitions and Renewal. Definitions include verbiage from FCC 10-2 and Newport code as appropriate. Renewal includes language about advertising without receipt of a renewal.

Sections 4 and 5 include a list of information or acknowledgements that are required to be submitted with an application, such as but not limited to proof of solid waste service, incorporation of good neighbor guidelines, occupancy limits, proof of insurance, fee, and contact information for the owner and agent. Section 5 includes the limitations on term and transferability.

Section 6 include the license endorsement process, operational requirements, inspection and renewal information. It covers items like but not limited to fire, emergency and structural checklists and inspector endorsements, mandatory postings, complaint processing, nuisance, parking, and events.

Section 7 includes criteria for required building initial inspection and periodic re-inspections.

Sections 8, 9 and 10 include criteria covering appeals, violations and penalties, using existing code with some additions related to repeat offenses.

Future Discussion

Unless these “place” and “manner” criteria can be included in the business license code some questions to consider with continued development of STR regulations include:

1. Should specific areas of town encourage STRs or should discourage / prohibit STRs?
 - a. The STR sub-committee suggested encouraging STRs in the Old Town and Mainstreet Districts to encourage walkability to the Old Down District and help with parking concerns.
 - b. The STR sub-committee suggested discouraging or prohibiting STRs near the Siuslaw School to minimize existing traffic concerns in the area.
2. Should Florence consider a buffer area between STRs to maintain the neighborhood characteristics of residential neighborhoods.
3. What strategies may work for limiting STR to the maximum 264 unit of short-term rentals AND 2nd Homes (Pg. 49-51 of 91) that the [2018 Housing Needs Analysis and Economic Opportunities Analysis](#) anticipated Florence could accommodate in the 20 year planning period that started in 2017?
 - a. Two housing policies were recommended in this document (pg. 14 of 91).
 1. Establish a cap on the number of short-term vacation rentals properties available in residential zones
 2. Prepare clear and objective city policy that defines and limits short-term rentals
 - b. Some considerations for limiting STRs may be a maximum number City wide, a percentage of total residential units, or a maximum number of licenses reviewed and issued each year.
4. Are there other regulations the City should consider such as requiring landscaping, minimums or maximum nights rented per year, onsite parking, etc.?

Any other questions or discussion items the City Council may like to discuss?

2. NEXT STEPS

Consultants, staff and city volunteers have researched STRs over the last 2 years and considered various options to find a best fit for the City of Florence.

While much of the Council has been aware or part of some of those processes, they may wish to continue their discussion or they may feel the draft is ready for initial public input or testimony at a hearing as listed below:

1. Subsequent work session(s); if work is needed on a specific aspect of the code (licensing, penalties, RVs)
2. Offer a special meeting(s) to receive feedback from the public on the topic
 - Consider additional or alternative location to the Florence Event Center to reach a broader group of citizens, and potentially allow for smaller turnouts to improve comfort with public comments.

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- Other locations may include Siuslaw Middle School, Bromley Room at the Siuslaw Library, the Senior Center, Fire Station, and churches.
3. Direct staff to initiate STR business licensing code updates through a public hearing
 - Public hearing; possible adoption by the City Council

Depending on Council's selections from above, staff's next steps could include:

1. Revise FCC 3-13 Code draft as directed by City Council, update to FCC 3-1 to Include another business license classification (FCC 3-7 definitions if needed).
2. Preparing other materials and public outreach for a work sessions and special meetings.

ITEMS ATTACHED

Below is a brief explanation of each of the four attachments to this memo that have been used to assemble information and guide recommendations presented during this work session.

Attachment 1: FCC 3-13 Short-Term Rental Business License Regulations (draft)

The plan is to adopt STR business license registration and regulations into Florence City Code to ensure adequate housing supply for the workforce as stated in to adopted City of Florence 2023-2025, 2021-2023, and 2019-2023 Work Plans. The draft code is modeled after the City of Newport Oregon which has both a business license endorsement and a land use process similar to the approach recommended for Florence. In preparing the draft code for City Council, staff considered and incorporated the work of the STR Sub-Committees. This code seeks to find a balance between ensuring adequate supply of work force housing as stated in the Work Plan, mitigating concerns identified in the STR survey and outreach efforts, and respecting personal property rights and economic opportunities for operators.

Reference Links

- June 13, 2024 City Council Work Session:
<https://www.ci.florence.or.us/council/city-council-work-session-88>
- 2018 Housing Needs Analysis and Economic Opportunities Analysis:
https://www.ci.florence.or.us/sites/default/files/fileattachments/planning/page/5391/housing_needs_analysis_and_economic_opportunities_analysis_-_nov._2018_0.pdf

Title 3
Chapter 13
Short-Term Rental Licenses

Section:

- 3-13-1: Purpose
- 3-13-2: Definitions
- 3-13-3: Annual Short-Term Rental Business License Renewal Required
- 3-13-4: Application Information and Fees
- 3-13-5: Term of Annual Business License and Transferability
- 3-13-6: Business License and Renewal
- 3-13-7: Inspections
- 3-13-8: Appeals
- 3-13-9: Violations
- 3-13-10: Penalties

3-13-1: Purpose:

A short-term rental (STR) business license is required to operate a STR within the City of Florence. This chapter provides an administrative framework for licensing the annual operation of a STR, to ensure the safety and convenience of renters, owners, and neighboring property owners; protect the character of residential neighborhoods; and protect the City's supply of housing.

It is the intent of these regulations to strike a reasonable balance between the need to limit STR options within neighborhoods to maintain the neighborhood character and protect housing stock, while also recognizing the benefits of STRs in providing economic benefits, as well as transitional housing for employees of businesses, and others who want housing for a limited duration.

3-13-2: Definitions

The following definitions apply in this chapter.

Authorized Agent	A person or entity, such as a property management company, designated by the owner to act on the owner's behalf. An authorized agent may or may not be the designated point of contact for complaints. *
Bed and Breakfast	A single-unit dwelling containing rooms for rent in accordance with Title 10, Chapter 4 (Conditional Uses) (FCC 10-2)
Bedroom	A habitable room that is intended to be used primarily for sleeping purposes; and meets building and fire codes as a bedroom *
Dwelling Unit	A building or portion thereof which is occupied in whole or in part as a residence, either permanently or temporarily by one or more families; but excluding hotels, motels, and tourist courts as defined in FCC 10-2; with permanent provisions for living, sleeping, eating, food preparations, and sanitation. Dwelling includes both buildings constructed on-site and manufactured homes. (FCC 10-2)

Home Share	A short-term rental, other than a bed and breakfast, where a portion of a dwelling unit is rented while the homeowner is present. For the purposes of this definition, “present” means the homeowner is staying in the dwelling overnight for the duration of the rental. *
Owner	Means the natural person(s) or legal entity that owns and holds legal or equitable title to the property. *
Occupant	As defined in FCC 3-7-1 Any Individual who exercises occupancy or is entitled to occupancy in transient lodging for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days.
Rent	As defined in FCC 3-7-1 <i>The consideration paid or payable by an occupant for the occupancy of space in transient lodging valued in money, goods, labor, credits, property, or other consideration. If a separate fee is charged for services, goods or commodities and the fee is optional, that fee is not included in rent.</i>
Short-Term Rental (STR)	As defined in FCC 3-7-1 <i>A house, duplex, multi-plex, apartment, condominium, houseboat, trailer, or other residential dwelling unit where a person rents a guest bedroom or the entire residential dwelling unit for transient lodging occupancy. Generally, a short-term rental is zoned residential or has a building occupancy that only allows residential use.</i>
Sale or Transfer	<i>Sale or Transfer. Means any change of ownership during the period of time that a license is valid, whether or not there is consideration, except:</i> <ol style="list-style-type: none"> 1. <i>A change of ownership in real property where title is transferred pursuant to a declaration of right of survivorship as recognized in ORS 93.180.</i> 2. <i>A transfer of ownership in real property to a trust, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity so long as the conveyance does not result in any new individuals possessing titled or equitable interest in the property.</i> 3. <i>A transfer of ownership between titled interest holders.</i> 4. <i>A transfer of ownership between, or to include spouses, domestic partners, or children. *</i>
Transient Lodging or Transient Lodging Facilities	As defined in FCC 3-7-1 <ol style="list-style-type: none"> A. <i>Hotel, motel, and inn dwelling units that are used for temporary overnight human occupancy;</i> B. <i>Spaces used for overnight parking of recreational vehicles or placement of tents during periods of human occupancy; or</i>

- C. Houses, cabins, condominiums, apartment units or other dwelling units, or portions of any of these dwelling units that are used for temporary human occupancy.

Transient Lodging Intermediary

As defined in FCC 3-7-1

A person other than a transient lodging provider that facilitates the retail sale of transient lodging and:

- A. *Charges for occupancy of the transient lodging;*
- B. *Collects the consideration charged for occupancy of the transient lodging; or*
- C. *Receives a fee or commission and requires the transient lodging provider to use a specified third-party entity to collect the consideration charged for occupancy of the transient lodging*

Transient Lodging Provider

As defined in FCC 3-7-1

A person that furnishes transient lodging.

3-13-3: Short-Term Rental (STR) Business License Required

No owner of property within Florence city limits may advertise, offer, operate, rent or otherwise make available for occupancy or use an STR without a business license with an STR endorsement. To advertise or offer includes using any media, whether written, electronic, web-based, digital, mobile, or otherwise.

3-13-4: Application Information and Fees

- A. Applications for STR business license are to be on forms provided by the City, and shall include the following:
 1. Owner Information. Owner’s name, permanent residence address, telephone number, email address (if available) and STR address and telephone number. In circumstances where the owner is a legal entity, a copy of the articles of organization or equivalent shall be provided identifying ownership interest holders in the STR property.
 2. Authorized Agent. The name, telephone number, mailing address and email of the authorized agent.
 3. Local Representative Information. The name, telephone number, mailing address and email of a local representative who can be contacted concerning use of the property or complaints related to operation of the STR. For the purposes of this requirement, local means the representative’s address is within 10 vehicular miles of the City of Florence Urban Growth Boundary (UGB).
 - a. The local representative shall be a permanent resident of the City of Florence or within 10 vehicular miles from the UGB border and able to reach the STR within 30 minutes.

- b. Any change in local representative shall be submitted to the City for review prior to continued rental of the STR.
4. Liability Insurance. Letter of intent to insure (for new applications) or certificate of insurance (for renewals) establishing that the owner will have, or has, liability insurance which expressly covers the vacation rental operations on the subject property in the amount of \$1,000,000 combined single limit for bodily injury and property damage. Where letters of intent to insure are provided, certificate of insurance shall be submitted to the city prior to use of the property as a STR.
5. Occupancy. The occupancy limits and number of bedrooms
Maximum occupancy shall not exceed 2 persons per bedroom plus an additional 2 persons (i.e. a 1-bedroom unit may have a maximum 4 occupants and a 2-bedroom unit may have a maximum 6 occupants).
6. Parking. Evidence that required off-street parking spaces are available, with a site plan including a parking diagram of the parking spaces shall also be provided.
 - a. Parking shall be in compliance with parking requirement of FCC 10-3, or
 - b. Off-street parking shall be provided at a minimum of 1 space per each 1 bedroom, whichever is greater.
7. Good Neighbor Guidelines. Written acknowledgement that a copy of the good neighbor guidelines has been reviewed and shall be relayed to STR occupants, by incorporating the guidelines into a rental contract, including the guidelines in the rental booklet, posting it online, or a similar method of publication And;
 - a. The Good Neighbor Guidelines shall be posted in a conspicuous place in the STR (such as posted near the main entrance at approx. eye level)
8. Listing Number. For renewals, the listing numbers or website addresses of where the STR advertises.
9. Fire Safety. Completed checklist identifying that the STR complies with State Fire and Building Codes.
10. Structural Safety. Completed checklist identifying that the STR complies with the Structural safety standards in FCC 4-1 and State Building Codes
11. Waste Management. Proof of solid waste service for the property, by a company with a valid solid waste management license in the City.
12. Signs: A verification that all signs posted on the property shall meet sign regulations in accordance with FCC 4-7.
13. Other information deemed necessary. Such other information as the City Manager or designee deems reasonably necessary to administer this chapter.

- B. Incomplete Application. If a license application does not include all required materials, the application will be considered incomplete and the City will notify the applicant, in writing, explaining the information required. If the applicant provides the missing required information within 30 calendar days of the date of the notice, the application will be reviewed. If the missing required information is not submitted within 30 calendar days of the notice, the application will be deemed withdrawn.
- C. License Fee. The STR business license application fee, and any of its components requiring city action, shall be established by resolution of the City Council. The required licensing fee shall be submitted at the time of application and is non-refundable.

3-13-5: Term of Annual STR Business License and Transferability

- A. Term. A STR business license endorsement shall be issued for a period of 12-months, effective July 1st of each year, and may be renewed annually by the owner provided all applicable standards of this chapter are met.
- B. Transferability. A STR business license shall be issued in the name of the owner(s) and is not transferable.

3-13-6: Business License and Renewal

- A. Endorsement Must Be Obtained. An endorsement to a business license for a STR shall be obtained and renewed as required in this section. The ability to operate a STR rental in the City of Florence shall be discontinued for failure to obtain or renew an endorsement to operate as provided in this chapter.
- B. Application and Renewal Application Process. A person engaging in a STR who has not yet obtained a business license endorsement, or who is required to renew an existing endorsement, shall do so as follows:
 - 1. Time of Application.
 - a. Short-Term Rentals. A business licenses for a STR shall be obtained before beginning operations. Business license applications, completed in accordance with the provisions of FCC 3-13-4, may be submitted and issued at any time. The license shall be renewed annually in accordance with this Chapter of Title 3 and FCC 3-1.
 - 3. Expiration of Business License. Failure of an owner to renew a business license for a short-term rental shall result in expiration of the business license, and the ability of the owner to operate shall be conclusively presumed to be discontinued with no further action by the City.
- C. Approval Standards. The owner or authorized agent has the burden of proof to demonstrate compliance with standards for the approval or renewal of an endorsement. The approval standards also serve as continuing code compliance obligations of the owner. To receive approval, an owner or authorized agent must demonstrate that the approval standards listed below have been satisfied:

1. Zoning. The property is in compliance with requirements of the underlying zoning district.
2. Contact Information. The owner or authorized agent has provided information sufficient to verify a local representative will be available to be contacted about use of the STR during and after business hours. The local representative shall be available to be contacted by telephone to ensure a response to the STR address at all hours (24 hours a day, seven days a week) while the dwelling unit is occupied for rent. The local representative must be within 10 vehicle miles of the Florence UGB and be able to reach the premise within 30 minutes. The individual identified as the local representative may be changed from time to time throughout the term of a license. To do so, the license information shall be revised with the city at least 14-days prior to the date the change takes effect, except when the failure to do so is beyond the owner or authorized agent's control. In an emergency or absence, contact forwarding information to a temporary local representative should be provided by the owner or authorized agent. In the case of home shares, the local representative shall be the permanent resident who will be hosting the occupant.
3. Fire and Emergency Safety. A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, unobstructed exits, etc.) shall be required with each new endorsement and renewal. The owner shall be responsible for completing the fire safety checklist and ensuring continued compliance. Verification by the City of Florence Fire Marshall shall be required prior to issuance of a new endorsement and may be required for renewals at the City Manager's discretion.
4. Structural Safety. A completed checklist, signed by the City of Florence Building Official, shall be required indicating that the STR has been inspected and complies with the building safety standards listed below shall be completed prior to issuance of a new endorsement and may be required for renewals at the City Manager's discretion.
 - a. Bedrooms shall have an operable emergency escape window or exterior door with a minimum opening size of 5.7 sq. ft. (5.0 sq. ft. at grade floor), with minimum net clear dimensions of 20-inches in width and 24-inches in height and having a sill height not more than 44-inches above the finished floor.
 - b. All stairs with 4 or more risers shall have a handrail on at least one side. Handrails shall be secure, continuous, and have returns at each end.
 - c. The open sides of stairs, decks, porches or other walking surfaces more than 30-inches above grade or the floor below shall have guardrails configured such that a 4-inch sphere cannot pass through.
 - d. Windows within a 24-inch arc of doors and glass within bathtub or shower enclosures shall be safety glazed, or have an equivalent means of protection.
 - e. Wood frame decks shall be structurally sound. In cases where a deck supports a hot tub or other features of a similar size and weight, engineering analysis of the supports may be required.

- f. Electrical plug-ins and light switches shall have faceplates.
 - g. Electrical breaker boxes shall have all circuits labeled, and empty breaker spaces must be plugged.
 - h. GFCI (Ground Fault Circuit Interrupter) protection shall be provided for exterior outlets, kitchens, garages, laundry areas, and bathroom receptacles.
 - i. Functioning smoke detectors shall be installed in all bedrooms and outside each bedroom in hallways or other rooms providing access to bedrooms, and on each story including basements. Such alarms shall be installed in compliance with State Fire Marshal Rules and any applicable requirements of the State Building Code, and there shall be available in the premises a written notice containing instructions for testing the alarms.
 - j. Functioning carbon monoxide alarms shall be installed if the STR (a) contains a heater, fireplace, appliance or cooking source that uses coal, kerosene, petroleum products, wood or other fuels that emit carbon monoxide as a by-product of combustion; or (b) includes an attached garage with an opening that communicates directly with a living space. Such alarms shall be installed in compliance with State Fire Marshal Rules and any applicable requirements of the State Building Code, and there shall be available in the premises a written notice containing instructions for testing the alarms.
 - k. Water heaters shall be strapped and secured in accordance with seismic protections standards, with a TEP (Temperature and Pressure Relief) line that is run to an approved location.
 - l. A 2A10BC fire extinguisher shall be provided on each floor.
 - m. Address numbers shall be posted and visible from the street.
 - n. Any violation of applicable codes that the Building Official determines to be hazardous shall be corrected prior to use of the property as a vacation rental.
5. Proof of Use. For vacation rental renewals, room tax remittance records must show that the STR has been rented at least 30 days within the 12 month fiscal year.
 6. Room Tax Compliance. The STR shall be in compliance with room tax requirements of Title 3 Chapter 7 of the Florence City Code.
 7. Violations. A STR business license endorsement that is revoked shall not be renewed. An owner whose endorsement has been revoked shall not be eligible to reapply for a new endorsement for a period of two years.
- D. STR Operational Requirements
1. Complaints. The owner, authorized agent, or local representative shall respond to neighborhood complaints within one hour and shall maintain a written record of

complaints, the dates they were received, and efforts taken to resolve issues that have been raised. The written record shall be provided to the City upon request.

2. **Guest Registry.** The owner or authorized agent shall maintain a guest and vehicle register for each occupancy. The register shall include the name, home address, and phone number of the primary occupant; the total number of occupants; vehicle license plate numbers of all vehicles used by the occupants, and the date of the rental period. This information shall be provided to emergency responders, and city finance and code compliance personnel when requested for enforcement or audit purposes. Guest registry information is to be treated as confidential to the extent allowed by law.
3. **Mandatory Postings.** The STR business license endorsement issued by the City shall be displayed in a prominent location within the interior of the dwelling adjacent to the front door. The endorsement will contain the following information:
 - a. A number or other identifying mark unique to the STR endorsement which indicates that it was issued by the City of Florence, with date of expiration.
 - b. The name of the owner and authorized agent and a telephone number where the owner and authorized agent may be contacted.
 - c. The property address.
 - d. The number of approved parking spaces.
 - e. The maximum occupancy permitted for the STR.
 - f. Any required information or conditions specific to the operating license.
 - g. The City of Florence official logo.
4. **Emergency Information.** The owner or authorized agent shall provide information within the dwelling unit to inform and assist occupants in the event of a natural disaster, power outage, or other emergency. Required information includes, but is not limited to:
 - a. A tsunami evacuation map produced by Lane County Emergency Services, Oregon Department of Geology and Mineral Industries or other agency with similar authority.
 - b. Phone numbers and addresses for emergency responders and utility providers.
 - c. Other information as established by resolution of the City Council.
5. **Noise.** Noise levels shall conform to the requirements of FCC 6-1 of the Florence City Code.
6. **Nuisance.** The STR shall not be used in a manner that creates a public nuisance as defined in FCC 6-1.
7. **Required Parking.** Off-street parking spaces approved for a STR use shall be available for occupant use at all times that the STR is rented. A parking diagram illustrating the

location of the approved parking spaces shall be provided to occupants and be available in a prominent location within the STR.

8. Occupancy. Maximum occupancy shall be limited to no more than 2 persons per bedroom, plus 2 additional persons. (as an example, a 2 bedroom unit may have a maximum 6 occupants and a 1 bedroom may have 4)
9. Solid Waste Management. Weekly solid waste disposal service shall be provided while a STR business license is active for the property. Trash and recycling receptacles shall be stored in a trash enclosure that is a minimum of 5 feet in height and made of solid wood, masonry walls or similar materials.

3-13-8: Inspections

- A. STR properties shall be subject to initial inspection, and periodic re-inspection, by the City with the provisions of this chapter. The timeframe for re-inspections is subject to the City's discretion and available resources.
- B. Initial inspections shall include a fire and life safety inspection and inspection to verify required information is posted and available on site.
 1. Initial inspection shall be requested in writing by the applicant and completed prior to issuance of a STR business license and prior to the renting of the STR.
 2. The initial inspection shall be completed within 30 days of written request.
- C. Any fire and life safety deficiency identified during the inspection shall be corrected prior to issuance of a STR business license and confirmed during a subsequent inspection, to be conducted within.
- D. For inspection beyond the initial inspection and one follow up inspection, the applicant or property owner shall pay an additional fee amounting to the hourly rate of the staff performing the inspection

3-13-9: Appeals

The City's decision on a complete STR business license, license renewal, or license revocation may be appealed by the property owner as provided in FCC 3-1-7-4.

3-13-10: Violations

Penalties, as specified in section FCC 3-13-11, shall be imposed for one or more of the following violations:

- A. *Advertising; renting; using; or offering for use, occupancy or rent; a STR where the owner does not hold a valid endorsement issued pursuant to this section.*
- B. *Advertising; renting; using; or offering for use, occupancy or rent; a STR in a manner that does not comply with the business license requirement of this Title and Chapter of Florence City Code.*

- C. *Failure to comply with the City business license standards and operational requirements of this Title or Chapter of Florence City Code*
- D. *Failure by the owner to pay the transient room tax required by FCC 3-7*
- E. *Failure of the owner or owner's representative to respond to tenant, citizen or City complaints or inquiries. "Failure to respond" occurs if City staff is unable to reach the owner or designated representative after three attempts within a 48-hour period, using the information that the owner or designee has on file with the City.*
- F. *Any general offense included in FCC 6-1 that constitutes a public nuisance or creates a concern for public safety, health, and welfare.*

3-13-11: Penalties

A violation of this Chapter shall be a civil infraction subject to a penalty of not more than \$200 per violation. For continuing violations, each day shall constitute a separate violation. In addition, where the owner possesses a valid STR business license, the penalty may include the following:

- A. For the first violation within a 12-month period, the City shall issue a written warning to the owner.
- B. For the second violation within a 12-month period, the City shall suspend owner's business license to operate a short-term rental endorsement for 30 days.
- C. For the third violation within a 12-month period: the City shall revoke owner's business license to operate a short-term rental.

**Definitions under FCC 3-13-2 are from Newport Municipal Code, not Florence*

Grey italics are code sections proposed to be deleted or revised in the next draft revision.