

City of Talent

Community Development Department - Planning



STAFF REPORT

Type III Land Use Application — Planning Commission

Date: June 18, 2015

Item: SPR 2015-004, Vacation Rental

Applicant:	Jeanne Sexton 6086 Dark Hollow Rd. Medford, Oregon 97501
Property Owner:	Jeanne Sexton 530 Tulipan Way Talent, Oregon 97540
Requested Action:	Conversion of a Multiple Family home to a vacation rental.
Assessor's Map Number:	38-1W-25CA, Tax Lot 401
Site Location:	530 Tulipan Way
Zoning:	RM-22 (Multiple Family – High Density)
Deemed Complete:	May 13, 2015
Notice Mailed:	May 15, 2015
120-Day Limit:	September 10, 2015

REQUEST

The request is for a Site Development Plan Review to allow the use of an existing single family dwelling as a vacation rental.

BACKGROUND

According to the applicant's host page on VRBO's website, the vacation rental has been in operation since January of 2015. The City was not aware of the business until a complaint describing excessive noise and parking issues was received on April 28, 2015 (CV-015-015). A code violation case was opened once the City reviewed the property file and verified that no land use application had been

approved for the use. Once notified, the applicant submitted the Site Development Plan Review application to correct the violation.



PROPERTY CHARACTERISTICS

This 0.07 acre lot is located on Tulipan Way. The lot contains a townhouse partitioned by a common firewall with 524 Tulipan Way; each side of the townhouse has approximately 1,272 ft² of floor space. The front elevation of the dwelling faces Tulipan Way to the west, while the back of the dwelling faces a large lot to the east. The site is completely surrounded by similarly zoned Multiple-Family – High Density (RM-22) lots except for the east boundary, which is zoned Commercial Neighborhood (CN). Tulipan Way provides vehicular access to this site however, a shared driveway for 524 and 530 is also present.

Wastewater Service

Wastewater service is currently being provided to the subject parcel by Rogue Valley Sewer Service (RVS).

Stormwater

Stormwater on the site is directed to street.

Water Service

Water service is currently being provided to the subject parcel by the City of Talent.

APPROVAL CRITERIA

8-3 Division C. Article 4 of the Talent Zoning Ordinance regulates Residential Zone – Multiple-Family – High Density. The purpose of this residential zone is to *“provide a healthful and livable residential environment, together with the full range of urban services, for housing units at densities higher than provided for in other residential zones. This zone is also intended to accommodate housing alternatives to conventional housing and an areas where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur*

indistinguishably or compatibly with the residential character.” Approval of the proposed site development plan is contingent upon meeting the above stated approval criteria.

8-3 Division L. Article 1 of the Talent Zoning Ordinance regulates Site Development Plan Review. The purpose of a Site Development Plan Review is to “*determine and establish compliance with the objectives of the Zoning Code in those zones where inappropriate development may cause a conflict between uses in the same or adjacent zone; to determine the conformance with any City plan; and to encourage the best utilization of land in order to preserve public safety and general welfare*” Approval of the proposed site development plan is contingent upon meeting the above stated approval criteria.

AGENCY COMMENTS

As of the date of this staff report, no agency comments have been received.

PUBLIC COMMENTS

As of the date of this staff report, no public comments have been received.

ISSUES

Noise

The Complaint Form CV-015-015 describes multiple instances of excessive noise originating from the subject property between March and April, and occurring at all hours. Throughout this time frame, the site was being used as a vacation rental.

Parking

The Complaint Form CV-015-015 describes trouble with renters and their visitors contributing to parking congestion in the vicinity.

Licensing

Oregon Revised Statue 624.020 requires that all vacation rental facilities be licensed through the Oregon Health Authority (OHA). The City does not have any records of the vacation rental licensing. To ensure the safety of both local residents and visiting tourists, the City must be certain that all required State licenses are obtained. OHA has many rules and regulations for vacation rental facilities that the City does not enforce, however, as a local public agency, it is our responsibility to work with other agencies when we are aware of a specific requirement. As a condition of approval, the applicant would be required to provide evidence of OHA approval for the proposed vacation rental.

The City also has licensing requirements that must be completed before a vacation rental business can be initiated. A standard requirement is the City business license, which is a yearly license allowing the continuation of the business. Furthermore, the City has a transient tax required by Ordinance #556. These requirements have been included as a condition of approval prior to issuance of a business license.

RECOMMENDATION

Based on the findings for the Site Development Plan Review stated in the Proposed Final Order, staff recommends approval of the Site Development Plan, with conditions outlined in the Proposed Final Orders.

ATTACHMENTS

The following information was submitted regarding this application:

- Applicants Statement
- Proposed Site Plan
- Proposed Final Order



Zac Moody, Community Development Director

6/19/2015

Date

Staff has recommended this proposal for approval, but it will require at least one public hearing before the Planning Commission for a decision. The Talent Zoning Code establishes procedures for quasi-judicial hearings in Section 8-3M.150.

A public hearing on the proposed action is scheduled before the Planning Commission on June 25, 2015 at 6:30 PM at the Town Hall.

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.