



AGENDA

ASTORIA CITY COUNCIL WORK SESSION

WEDNESDAY, DECEMBER 13, 2017
9:00 AM
2nd Floor Council Chambers
1095 Duane Street · Astoria OR 97103


- 1) CALL TO ORDER**
- 2) ROLL CALL**
- 3) DISCUSSION ON HOMESTAY LODGING**
- 4) ADJOURNMENT**

**THIS MEETING IS ACCESSIBLE TO THE DISABLED. AN INTERPRETER FOR THE
HEARING IMPAIRED MAY BE REQUESTED UNDER THE TERMS OF ORS 192.630 BY
CONTACTING JENNIFER BENOIT WITH THE CITY MANAGER'S OFFICE
AT 503-325-5824**



CITY OF ASTORIA
Founded 1811 • Incorporated 1856
COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: December 11, 2017
TO: CITY COUNCIL
FROM:  BRETT ESTES, CITY MANAGER
SUBJECT: Home Stay Lodging Work Session Information for 12/13/17

Wednesday, December 13, 2017, at 9:00 am City Council will hold a work session to continue a discussion on regulating Home Stay Lodging. At a work session in May 2017, Council directed the Community Development Department to create an updated permitting process to better regulate and enforce home stay lodging uses.

This upcoming work session allows for a conversation to review what a new permit will accomplish, and discuss policy solutions to move forward to establish a policy that fits the needs of our community. Staff will be prepared to discuss and receive feedback on potential permit options, suggest provisions, as well as share an update on code enforcement.

Attached to this memorandum are the following documents:

- Existing homestay lodging code enforcement data including zoning, business license, and transient lodging tax data. This information is captured on a tracking sheet showing required steps for code compliance
- FAQ flyer clarifying “vacation rentals” vs transient lodging, and current requirements for establishing home stay lodging

Home Stay Lodging is currently regulated by the City’s Development Code and City Code.

By: 

Nancy Ferber
City Planner

Homestay Lodging and Short-term Rental Policy Frequently Asked Questions (FAQ)

Astoria only allows “vacation rentals” in commercial zones, such as hotels/motels. This helps prioritize housing stock in residential areas for long-term residences, and limits the number of second homes in town that can often remain vacant. The City has policies that allow specific short-term rentals, such as “AirBnB” options.

Common terms to understand homestay lodging (Development Code Section 1.400)

- Homestay Lodging: *a tourist accommodation with no more than two bedrooms available for transient rental, and which is owner occupied. Such facilities may or may not provide a morning meal.*
- Hotel/Motel: *a building in which lodging is provided for guests for compensation.*
- Accessory Dwelling Units (ADU) *An accessory dwelling unit is one additional subordinate or auxiliary living unit in an existing large, older house. A dwelling with an accessory dwelling unit is distinguished from a duplex by the retention of the appearance as a single-family dwelling. (Added by Ordinance 04-10, 11/1/04).*
- Bed & Breakfast: *any transient lodging facility which contains between three and seven guest bedrooms, which is owner or manager occupied, and which provides a morning meal.*

What about AirBnB and VRBO?

These are advertising platforms used for listing short-term rentals or vacation homes. Many people list their rentals on these sites, but they must meet the City codes and requirements. Not all listings are legal rentals.

What does Astoria allow for short term rentals?

Astoria allows homestay lodging and bed & breakfast establishments under certain conditions and in particular zones. The following must be addressed for each establishment:

1. The home must be owner-occupied, and owners must be on-site when they have guests/renters
2. Owners must submit transient lodging taxes with the City’s Finance Department
3. Owners must submit a business license prior to advertising or having guests/renters
4. The site must meet off-street parking requirements

Where is homestay lodging allowed?

Short Term Rentals	Permitted Zones	Bedrooms	Notes
Homestay Lodging	R-1 (Conditional Use), R-2, R-3	1-2 bedrooms	Owner occupied
Bed & Breakfast	R-2/R-3 Conditional Use	3-7 bedrooms	Owner or manager w/ breakfast served
Motels, Hotels, & Bed & Breakfast	Commercial Zones only	No limit	No owner occupied requirement

How much parking is required? What is off-street parking?

One space per bedroom in addition to two spaces required for the single family dwelling. These spaces must be “off-street”-located within the property boundary (in a driveway, or garage). Parking spaces must be 9.5’ x 20’ or 8.5’ x 16’ for compact cars. “On-street” spaces cannot count towards meeting the parking requirement

**Are variances granted to meet the parking requirement?**

Variances to parking standards may be allowed but must meet requirements outlined in codes 7.062 and/or 12.404.

Can I have an accessory dwelling unit and homestay lodging on the same property? As of January 2017, both are permitted in certain residential zones. There is a proposal that will prohibit homestay lodging in ADUs. The City Council is expected to review the proposal in 2017.

What else do I need to do to operate a homestay lodging facility?

Meet with City Staff to verify adequate off-street parking and zoning. Then pay the business license fee, and set up transient tax submission with the Finance department.

Do I need a business name for my homestay lodging?

No. This is optional. Some homeowners choose to set up the homestay as a separate business entity from the household.

Will AirBnb collect and distribute motel taxes on behalf of a client?

The City is working with AirBnb to do just that. However, until such time an agreement is reached, homeowners are responsible for collecting and remitting motel taxes to the City’s Finance Department.

Do I have to notify my neighbors to operate homestay lodging?

If the proposal is a conditional use, public notice is sent to neighbors and a public hearing is scheduled. Otherwise, it’s voluntary, but strongly encouraged to notify immediate neighbors to prevent potential conflicts.

Does the City require or offer a safety inspection program? The City does not require a safety inspection program. However, the Astoria Fire Department (503-325-2345) can do voluntary inspections to verify smoke/carbon monoxide detectors, fire extinguishers, proper egress, tsunami maps, and first aid.

Who do I contact if I have questions?

Community Development Department
1095 Duane Street Astoria, OR 97103
(503) 338-5183 planning@astoria.or.us

	POSTING NAME	HOST	OWNER	LOCATION	\$	ADDRESS	ZONE	OTA	TAX	DATE	Notes/Next Steps
1	Astoria hilltop bungalow private bed and bath	Jennifer	Jennifer G and Kristian T Fremstad	Central	\$ 79	1421 Jerome	R-1	No	No	6/1/2016	Needs CUP, OTA, Tax, Parking Plan
2	Uniontown Studio	Kathleen	Kathleen/Stevan Morgain?	Uniontown	\$ 95	W Duane/Hume-212 Alameda?	R-3	No	No	?	Needs CUP, OTA, Tax, Parking Plan, verify entire unit-Says Collects City Tax
3	Lichen Room	Melissa Reich/Susan Hawthorne	Same	Alderbrook	\$ 75	5295 Birch	R-2	No	No	?	
4	Charming Young's	Brenda	Brenda Carrier	Bay	\$ 60	1830 SE 1st	R2	Yes	Yes	?	In compliance
5	Hilltop Garden	Rosalyn	Rosalyn Edelson	Uppertown	\$ 85	4041 Franklin	R-2	Yes	Yes	?	In compliance-verify owner occupied
6	Windwater	Rafael	Rafael Otero	Uppertown	\$ 275	172 Duane	R-1	Yes	Yes	12/11/2013	In compliance-verify owner occupied
7	Rwalk Townhouse	Fred	Fred Van Horn	Columbia Landing	\$ 400	3950 Expedition Ln	C-3	submitted pending review	pending review	3/1/2017	Review in process- CC&R's limit to 4 night minimum
8	AST Modern Victorian	Suzy	?	Central	\$ 64	767 Lexington?	?	No	No	?	Need exact address, OTA, Tax, Parking Plan
9	Large Hilltop House	Thomas	?	Central	\$ 175	S. slope-unknown R-3 or R-1	?	No	No	?	cannot advertise entire home, needs OTA, Tax, Parking, missing address
10	Historic Retreat	LaRea	?	Uppertown	\$ 99	?	R-3	No	No	?	Needs OTA, Tax, Parking confirmation
11	Col River Private Apt	LaRee	LaRee Johnson Bruton		\$ 99	161 - 3rd	R-3	No	No	?	Needs OTA, Tax, Parking confirmation
12	Big Blue 2	Berenice&Vic	Berenice Lopez Dorsey	Uniontown	\$ 180	328 Alameda	R-3	Yes	No	8/8/2016	Renting out #2 and #3
13	Classy AST --BB 3	Berenice&Vic	Berenice Lopez Dorsey	Uniontown	150+	328 Alameda	R-3	Yes	Yes	8/8/2016	triplex, one unit is long term renter
14	Mellow Room	Kellie	Kellie Clay	Central	\$ 60	1050 Irving	R3	No	No	1/1/2011	verify address, zoning, parking, OTA, Tax, Occupancy
15	Upscale Riverwalk	Brooke	Brooke and Stephen Myvold	Columbia Landing	\$ 300	258 29th	C-3	No	No	?	confirm Columbia Landing CC&R requirements, parking, OTA, tax
16	Art Room	Chris	Chris-woks at Blue Scorcher	Central	\$ 65	?	likely R-2	?	?	?	Need exact address, OTA, Tax, Parking Plan

	POSTING NAME	HOST	OWNER	LOCATION	\$	ADDRESS	ZONE	OTA	TAX	DATE	Notes/Next Steps
17	Charming 2BR	Evolve Vacation	Steven/Janis Larson	Uppertown	\$ 149	3391 Irving	R2	No	No	1/1/2014	"Cheri & Rick Nahstoll of M&N Cleaning Service are the managers for our property at 3391 Irving Ave. Cheri's phone # is 503 791 9115" long term tenants in basement unit? 3rd party rental company, needs OTA, parking, Tax and occupancy verification-whole house - I have Kathy Arndt as prop.manager.
18	Spectacular View	Frank & Meg	Frank Linza	Central	\$ 190	364 Floral	R-3	Yes	Yes	6/6/2015	Previously in compliance, need confirmation owner is living on site
19	Studio Panoramic	Alexandra	?	Uniontown	\$ 85	?	?	?	?	?	
20	Quaint & Secluded	Leslie	Robert/Leslie Boehm	Central	\$ 75	641 Commercial		?	No	?	
21	New Moon Garden	Dwight	Dwight Caswell	Uniontown	\$ 72	457 Alameda Avenue	R-3	Yes	Yes	7/5/2016	
22	Rview Vintage Coach	Nick	Nick Carrier	Uppertown	\$ 85	3171 Harrison	R-2	Yes	Yes		signed up for a room-cannot rent out RV in yard.
23	Art House/Light House	Susan	Banyas Susan G Trust	Central	\$ 125	1421 Irving Avenue	R-1	yes 5/6/16	Yes	TRT 4/29/2016	
24	Victorian Stay	Kelly	Kelly Olson	Uppertown	\$ 100	3710 Harrison Avenue	R-2	Yes	Yes	7/14/2015	
25	Victorian Experience	Kathy		Central	\$ 95	?	?	?		?	?
26	Cozy Getaway	Peter	Peter Nevins/Richard Bracke	South	\$ 70	1233 Grand	R-3	Yes	Yes	6/6/2016	?
27	Serene Bedroom	Yvonne		Uppertown	\$ 72	3862 Franklin Avenue	R-2	Yes	Yes	10/7/2013	
28	Sparkly Queen	Yvonne	Edwards Mickey Tr/Edwards Yvonne T	Uppertown	\$ 76	3862 Franklin Avenue	R-2	Yes	Yes	10/7/2013	
29	VJ B&B	Veja	Lahti Veja A	South	\$ 100	1785 5th St	R-2	?	?	?	?
30	Spacious 2BR	Delane	Delance Blackstock	Uppertown	\$ 129	2740 Grand Avenue	R-2	Yes	Yes	1/25/2016	Owner has this listed as 2742 Grand Apt A for Transient Tax
31	Hillside Exchange	Sarah & Andy		Uniontown	\$ 60						
32	Lilac Loft	Alyssa	Alyssa Jean Graybeal	South	\$ 85	1667 6 th Street	R-2	Yes	Yes	6/17/2016	
33	Cathy & Jay	Jay Rosen?		Historic Home 1889 Victorian		Shively/McClure		No	No		owner operated, Co-op is 7 blks away, confirm if it's Jay Rosen
34	Kathy	Kathy Patenaude		461 Floral			R3	No	No		Needs follow up
35	Painted Lady	Evolve Vacation									1st floor is long term renters-Top floor vaca rental since 1999
36	Fisher Bro Bldg	Joe Barnes	Joe Barnes	42 - 7th			S-2A	No	No		Condos on top floor of Fisher Bros. Bldg-previously approved ?

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37	Fabulous Col. Rivr View	Char	Charlene Sudenga	5322 Ash			R2	No	No		Since 2006 CU12-02, owner may not be on site, needs letter re: requirements of CUP and revocation
38	Bayview Retreat	Julia		1 blk from Tapiola covered pkg				No	No		Private quiet room w/ view - says collects City Tax
39	Columbia Rivr View Rm	O Lynne						No	No		Says collects City Tax
40	River View,private bath, close to everything	Matt	Tad Gotting	725 11th	\$75		R-3	No	No		
41	Astoria Modern Victorian		Suzanne Olsen	787 - 6th	\$64		R-2				
42	Astoria Coastal Getaway	Lacy	Lacy/Aaron Brown	409 -2nd	\$110	409 -2nd	R-1	Yes	Yes		CUP approved by APC
43	Astoria Rental Close to the Goonie House		Alfredo Aragon/Patricia Geraghty		\$67						
44	Classic Astoria Home		Scott/Shannon Throm	3476 Grand	\$214		R-2				No longer active? Info from County staff
45	Historic Craftsman House with Columbia River Views from front yd		Grady Smith/Allison Walkowski	2624 Grand	\$129		R-2				

	NAME	HOST	OWNER	LOCATION	PRICE	ADDRESS	ZONE	CUP if applicable	OTA	TAX	DATE	Notes
1	Garden Path	Peter & Richard	Richard P Bracke and Peter Nevins	Central	\$ 90	1233 Grand Ave	R-3		Yes	Yes	7/8/2016	In compliance
2	Old Home on Bay 1	Kelly	Kelly Olson	Bay	120?	681 W Marine Drive	C-3		Yes	Yes	1/14/2014	In compliance
3	Private Theater	Darcy	Darcy Cronin	Central	\$ 75	656 11th Street	R-3		Yes	Yes	2/14/2017	In compliance
4	Private Entry	Katrina	Katrina Gasser	South	\$ 54	774 Alameda Avenue	R-1	CU16-07	y	y	7/27/2016	In compliance
5	AST Coastal Getaway	Lacy	Pierie Timothy J/Terri	Uniontown	\$ 120	409 2nd St	R-1	CU 17-02	y	42796	2/28/2017	In compliance
6	Cheryl Cameron	N/A	Cheryl Cameron	656 11th	N/A		R-3		N/A	N/A	8/2/	first letter sent 8/28/17, email from Cheryl confirming not being used as AirBnB or vaca rental received 9/1
7	Kim Postelwait	Kim Postelwait	Kim Postelwait	171 W Bond	not yest listed	171 W Bond	C-3		Yes	Yes	10/30/2017	In Compliance renting out just 1 bedroom, parking spot in existing garage.
8	Bob and Cindy Magie			1565-1569 Exchange			C-3					In compliance-Mike Morgan reviewed parking plan?
9	Charming Yngs Rivr	Brenda	Brenda Carrier	1830 SE 1st					yes	yes		
10	Old Home on Bay 2	Kelly	Kelly Olson	Bay	120?	681 W Marine Dr	C-3		Yes	Yes	7/1/2015	
11	Fisher Library	Kris	Kris Haefker	Central	\$ 95	687 12th Street	R-3		Yes	Yes	2/21/2017	
12	Fisher Drawing	Kris	Kris Haefker	Central	\$ 85	687 12th Street	R-3		Yes	Yes	2/21/2017	
13	Fisher Corner	Kris	Kris Haefker	Central	\$ 85	687 12th Street	R-3		Yes	Yes	2/21/2017	
14	Charming Home	Warren	Claudine Gregory-Uniontown LLC	Uniontown	\$ 125	321 w marine	C-3		Yes	Yes	3/23/2017	*note now under Claudine Gregory, have not been renting out since Warren passed
15	Charming 2BR suite	Warren	Claudine Gregory-on behalf of Warren Williams	Uniontown	\$ 99	321 w marine	C-3		Yes	Yes	3/23/2017	*note now under Claudine Gregory, have not been renting out since Warren passed
16	Walk to Downtown	Erin	James & Erin Cooley	Central	\$ 89	194 Commercial Street	R-3		No	YES	4/24/2016	Cooley Guest house. Have not paid OT for 2017