

## FAQ Vacation Rental Dwelling (VRD) Information

### **What is a Vacation Rental Dwelling?**

“Vacation rental dwelling” (VRD) is defined as an existing single-family detached dwelling which is rented, or is available for rent (whether advertised or not) for a period of less than one month to a family, group or individual. A VRD is considered to be a conditional use.

### **Can I have a Vacation Rental Dwelling?**

Bandon Municipal Code (BMC), Chapter 16.12.090 (K), Standards governing conditional uses, lists the criteria a property must meet to be eligible to apply to become a vacation rental dwelling. (Ord. 1654, 4/6/23) VRD's are allowed in the City of Bandon in specific zones, only as a conditional use. Conditional uses are allowed only if approved by the Planning Commission through a public hearing process.

### **What is the criterion a property must meet in order to apply for a VRD Conditional Use Permit?**

BMC Section 16.12.040, Approval Standards for Conditional Use Permits and 16.12.090(K), regarding Conditional Use Permit requirements for Vacation Rental Dwellings, are as follow:

#### **16.12.040 Approval Standards for Conditional Uses:**

The approval of all conditional uses shall be consistent with:

- A. The comprehensive plan;
- B. The purpose and dimensional standards of the zone, except as those dimensional standards have been modified in authorizing the conditional use permit;
- C. That the site size and dimensions provide adequate area for the needs of the proposed use;
- D. That the site size and dimensions provide adequate area for aesthetic design treatment to mitigate possible adverse effect from the use of surrounding properties and uses;
- E. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;
- F. All required public facilities and services have adequate capacity to serve the proposal, and are available or can be made available by the applicant;
- G. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- H. All other requirements of this title that apply

#### **16.12.090(K) Vacation Rental Dwellings**

Vacation rental dwellings (VRD's) are a conditional use in the CD-1, CD-2, CD-3 and C-3 zones, and are subject to the requirements of this chapter. Conditional use permits are a discretionary decision by the City subject to review by the Planning Commission. All vacation rental dwellings shall comply with the following approval criteria:

1. VRD's are only allowed in single-family detached dwellings. Any dwelling proposed as a VRD shall be at least three years old, calculated from the date of issuance of a certificate of occupancy from the City of Bandon;
2. Including the subject property, the saturation rate within a 250-foot radius of the subject property must be less than 30%;
3. In the CD-1 zone, dwelling units proposed for VRD status may be located only in the VRD-overlay zone as indicated on the attached map. VRD's are allowed as a conditional use in all areas of the CD-2 and CD-3 zones;
4. The VRD Conditional Use Permit is valid for a specific owner of a specific dwelling and is not transferable. The permit shall become null and void when the owner sells or transfers the real property. No owner shall be issued a new VRD permit who holds another VRD permit;
5. VRD's with shared beach access shall provide written permission from all persons with an interest in a private beach access to be used by the VRD, or take positive action to notify renters of the location and the required use of public beach access points;

6. VRD's using a joint access driveway shall provide evidence that all other owners of property utilizing the private access agree to the proposed vacation rental dwelling using the private access;
7. The applicant shall provide evidence that the VRD will be maintained at or above the level of surrounding dwellings in the neighborhood, including landscaping, signage and exterior maintenance;
8. VRD's must accommodate one off-street parking space for each bedroom in the VRD, with a minimum of two off-street parking spaces. A bedroom is defined as an enclosed sleeping area with a built-in closet. Approved off-street parking areas shall be available to accommodate full occupancy of the VRD without the use of on-street parking;
9. Occupancy of any VRD shall not exceed 3 people per bedroom, up to a maximum of 10 people. The occupancy determined by the Planning Commission may be less than the maximum allowed;
10. Property Owners shall be required to comply with the requirements of all other permitting agencies.

### **How do I find out if my property is eligible to apply for a VRD Conditional Use Permit?**

If you have reviewed the Conditional Use Permit Criteria and are unsure whether your property is eligible to apply for a VRD Conditional Use Permit, fill out and submit a Public Records Request through the City's website or contact staff for help accessing a paper form.

Staff will calculate the neighborhood VRD density, which is the quickest way to determine whether a property is ineligible to apply for the VRD Conditional Use Permit. This VRD saturation study is \$25. The VRD saturation rate is calculated using the following ratio;

*Numerator: Subject Property + permitted VRD units (each unit within a multi-family VRD is counted individually)*  
*Denominator: Subject Property + eligible properties (single-family detached dwellings)*

### **What are some general regulations that I should be aware of?**

Vacation Rental Dwellings (VRD's) are considered short term rentals (30 days or less) and are subject to the City's Transient Occupancy Tax (TOT), as found in the Bandon Municipal Code 3.32. VRD's are required to pay a tax in the amount of 9.5% of the rent charged for overnight accommodation;

Tsunami Preparedness - All VRD's shall post the Bandon Tsunami Evacuation Route Map in a conspicuous location within the dwelling;

Smoke Detectors shall be provided in all potential and actual sleeping areas, whether or not such detectors are required by the building code;

No more objectionable traffic, on-street parking, noise, smoke, light, dust, litter or odor is emitted from the VRD than a normal neighborhood dwelling;

Evidence shall be provided ensuring that there is regular garbage removal from the premises;

There shall be an owner or designated local management person immediately available to handle complaints and problems on a 24-hour basis, and that contact information shall be kept on file in the Police and Planning Departments. The owner/management person shall be available by phone and physically able to respond to the VRD within a reasonable time period;

Compliance with all reporting and accounting requirements of the TOT ordinance shall be done in accordance with the City of Bandon requirements;

If the VRD activity ceases for a period of one year, or fails to be rented for more than 10 nights within a calendar year, as determined by the TOT receipts and rental documentation, the VRD permit becomes null and void with no further proceedings.