

**CITY OF SALEM**  
**Written Testimony**  
**City Council**

555 Liberty St SE  
Salem, OR 97301

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**Monday, May 22, 2017**

**6:00 PM**

**Council Chambers**

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**4.a.**    [17-260](#)                      Short-term rental development standards and licensing requirements

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Direct staff to engross Ordinance Bill No. 5-17, amending the SRC to establish development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing those uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones, and advance it to second reading for enactment.

**Attachments:**    [Short-Term & Accessory Short-Term Comparison](#)

[Written Testimony - Lawson](#)

[Written Testimony - Gaynair](#)

[Written Testimony - Anderson](#)

*Add- Added Written Testimony*

## Bryce Bishop

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**From:** Carole Lawson <cslawson@outlook.com>  
**Sent:** Thursday, May 18, 2017 3:21 PM  
**To:** Angela Houck  
**Cc:** Sally Long; Bryce Bishop  
**Subject:** Re: City Council Hearing Notice - Case No. CA17-01 for Short-Term Rentals & Accessory Short-Term Rentals

I want to thank you for keeping us so well informed. I did attend this hearing and am remembering that the council is having a work session at 5:30 this coming Monday. I have a few thoughts for them if that is appropriate.

I am the owner of 1811 Chemeketa St NE, a B&B operating with a conditional use permit. As I was listening to the testimony of the south side neighborhood associations, it was like a flash back to when I was working with the NEN as I navigated through the conditional use process.

Here is what I heard:

Neighbors are concerned about parking, noise and general maintenance impacting the neighborhood.

There are not enough inspectors to inspect every property every year.

The neighborhood association was concerned about that because they did not feel like issues could be addressed in a timely manner.

The city offered a website with the names and contact info for the owners.

I ran into the one of the gentlemen who was speaking in opposition to the code changes because of the issues he had experienced in his own neighborhood as I was out and about in Salem. I am sorry I do not recall his name, but he was tall and represented the neighborhood Association. What came out of that conversation was that maybe there were some opportunities to meet everyone's needs.

We both liked the idea of a website, but he was hesitant to call the owner on every little thing and felt that there was the potential for it to become a he said/she said situation if small issues persisted because no complaint was filed. The idea we came up with was what if there was a log on for the owners who were required to enter their info as part of the licensing process. That should include phone number and email address as well as the owner's permanent address. To protect the owner's privacy, there could be a "Contact the owner" button which would dial the number from the mobile web page using the requester's cell (lots of places do this already and there are apps for it). The same could be true for email the owner. It should be open to anyone to do this.

The additional functionality that we thought might be helpful is for there to be a log on for neighbors as well. We thought they could enter name, address, phone, email and set up a username. Under this user name, they could enter comments on the website for things which are not urgent, maybe even associated with a start system, (5 stars good, 1 star bad). By identifying the neighborhood individual by only the username, it could alleviate the fear that by reporting small things, a neighbor could be targeted by an owner with the potential for making their lives miserable. It would allow anyone who is thinking about moving into the neighborhood or thinking about renting a place the opportunity to see how the neighbors feel.

We envisioned an email being automatically generated and sent to the owner with a link to log on and view the comment. There should also be a way for the owner to comment back to the concern (yes, thank you I spoke to the renters etc.). We also thought that this could be a way that the city can identify problem properties. The

ones with more issues are the ones which get inspected first, while the rest rotate in as staffing allows. It would give the city a complete record of the issues and responses which could be helpful in the future. We thought that it would help the neighborhood associations better track what is going with actual data instead of relying on the "complainers" and perhaps use that data to better manage their neighborhood. The city would have all of the data, names and contact info for both neighbors and owners. If there were bad actors, using the site to vent about other things or for a personal vendetta, they could easily be blocked.

We also thought that if there was a problem property, they should pay fines for the issues they create. Things like if continual small complaints trigger an inspection, they should pay an inspection fee of say \$150. If parking is an issue and it is not resolved in 24 hours, then maybe a fee of \$50/day per car - that kind of thing. We also thought that if there were a way to make the troublemakers pay for the trouble they cause, then the licensing fees could be lower. I have no issues with the \$100/yr for a regular Vacation Rental, but we thought the accessory rental might be able to pay only \$25/yr for example. Everyone would need to pay an inspection fee of something like \$100, but if the inspectors have to come out to continual unresolved complaints, then maybe more like \$150 for a special inspection.

What we are trying to accomplish is:

- 1) Give the neighbors voice in how their neighborhood functions.
- 2) Give the neighborhood and owners a way to interact in a non threatening way
- 3) Give the city a view into what issues may be arising with each vacation rental and how the parties may be resolving those issues
- 4) Provide a mechanism for the city to address the most chronic offenders first, even if the offenses are the small ones which the neighbors might not want to go through a formal process of filing a complaint, but still having negative impact on the neighborhood, thus maximizing the effectiveness of limited staff
- 5) Incentivise good behavior by making the lines of communication open and transparent as well as fees for bad behavior.

These are just a few thoughts. I hope it is helpful. I look forward to the discussion on Monday.

Carolyn Lawson  
1811 Chemeketa ST NE  
Salem, OR 97301

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**From:** Angela Houck <AHouck@cityofsalem.net>

**Sent:** Friday, April 28, 2017 2:56:21 PM

**To:** Angela Houck

**Cc:** Bryce Bishop; Sally Long

**Subject:** City Council Hearing Notice - Case No. CA17-01 for Short-Term Rentals & Accessory Short-Term Rentals

Good Afternoon,

The Hearing Notice for Code Amendment Case No. CA17-01 is attached for your information. Hard copies go out in the mail today to those of you who are to receive one. This case will be heard before the Salem City Council on **Monday, May 8, 2017 at 6:00 P.M.**

Code Amendment Summary: Amendments to Salem Revised Code (SRC) Chapters 30, 37, 59, 111, 400, 510, 511, 512, 513, 514, 515, 520, 521, 530, 545, 554, 700, and 806 establishing development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing such uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones.

Please direct questions or comments to the **CASE MANAGER:**

**Bryce Bishop**, Planner II  
[BBishop@cityofsalem.net](mailto:BBishop@cityofsalem.net)  
503.540.2399

Regards,

Angela Houck  
Planning Staff  
Community Development Dept.  
503-540-2313

## Amy Johnson

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**From:** Leigha Gaynair <leigaynair@gmail.com>  
**Sent:** Saturday, May 20, 2017 1:01 PM  
**To:** Chuck Bennett; Cara Kaser; Tom Andersen; Brad Nanke; Steve McCoid; Matthew Ausec; Chris Hoy; Sally Cook; Jim Lewis  
**Cc:** citycouncil  
**Subject:** Re: Short-term rentals amendment, proposed changes, citizen input

May 20, 2017

To: Salem City Council

From: Leigh and Robert Gaynair, Ward 1

Re: Changes to proposed code amendment: Short-term rentals

- Line 21, Section 8 (700.006) b. Structure Types. Remove guest houses as a non-allowable. **Guest houses are different than accessory dwellings, as they are not intended for long-term rental.** The difference is simple for code enforcement and inspection as a guest house **does not** have an oven or stove for cooking.
- Create an exception for owners that already have buildings on their property. A grandfather clause or at least an avenue for those persons who already have appropriate structures to use them for short-term rentals. The perimeters for licensing and inspection are already in place in the proposed amendments.
- Short-term rental hosts are providing a service to our community, not taking something away. Please note: Per Airbnb there are only 75 active host members in Salem. Of these, I can locate only four that are guest houses or equivalent.

Dear Salem City Council Members:

It has come to my attention that there are some council members who are considering banning short-term rentals in guest houses in our community. (Line 21, Section 8, b. Structure Type in the amendment). I urge you to reject this portion of the amendment. In addition, I ask that an exception be added giving a path to application for properties with guest houses or suitable dwellings. It is reasonable to have exceptions and prudent to have a path in place.

First, a guesthouse is not an ADU. An ADU is a fully functional home that offers housing for long term renting. A guest house does not have a kitchen. In our case, we renovated our space on purpose to not have a kitchen, as we do not want to be landlords. We want to be proprietors and offer a service for short-term guests.

Next, I would like to tell you my story in hopes that it gives you some insight into the sharing community and short-term rental. I am 46 years old and a cancer survivor. It has been my dream since I was 21 years old to be a proprietor. I worked long and very hard to realize my dream. When we moved to Salem two years ago, we bought our home in the Highland Neighborhood due to the possibility of having an Airbnb rental. Our property had an old garage/barn in the back which I spent my nest egg renovating. In August of 2016 it was complete and we listed it with Airbnb and what has occurred since is a dream come true. We have wonderful guests and I am able to earn money. My cancer treatments left me with several challenges that make traditional employment difficult physically. Without our Airbnb income we will not be able to meet our finances.

A few important things to know about Airbnb- It is a platform for hosts and guests to connect and they have built in safe guards so I am able to screen guests and be very clear about rules and expectations. These safe guards and processes allow us to host people with confidence where expectations are mutually agreed. One of the many rules is quiet hours. Additionally, they address parking, parties and so forth. These concerns are already addressed in the host/guest agreement. Our neighbors have offered to answer any questions you may have about their experience living next to an Airbnb. You will find that their comments are positive.

We are dog friendly, which is in short...a wonderful service to dog owner's who often have a very difficult time finding places to stay with their pets. A few of the people we have hosted: A military couple with four dogs on their way to their next assignment, parents of Willamette University students, people visiting family for weddings, birth's, graduations, medical students doing their short term rotations at the State hospital, travelers wanting to stop between San Francisco and Seattle, couples looking to relocate here, individuals starting new jobs with the state, legislative staff, police academy candidates, and the list goes on and on. These are folks who want a *private* place to stay and cannot afford a hotel or are unable to stay at a hotel due to their pets or personal needs. I have heard countless times that the hotels are often booked or are too expensive or do not meet their needs. We are providing a service as hosts to not only the guests, but also the community. I offer locally crafted soaps, drinks and toiletries and do not have a full kitchen on purpose so guests will go to our locally owned restaurants. I have a full list of activities, venues and eateries. Our guests love this and I have many reviews thanking us for recommendations. We are doing our part to make Salem a destination and it is working.

I would urge you to listen to the people actually involved in the sharing community and their immediate neighbors and not hearsay or unfounded fears. I live in a city neighborhood and there are literally ADU's everywhere- Five in my block alone, that house long and short-term rentals and to be frank, many of these in our historic neighborhood's are owned by rental home collectors and are not well kept nor suitable living spaces. Short-term rental folks like myself take pride in our spaces and work hard to give guests a positive view of Salem, its neighborhoods and its residents. Airbnb has a review system and we exceed expectations becoming qualified as super hosts. This means we do an excellent job and have the guest reviews to prove it.

**It is very important to me that you really hear what I am saying.** This is my dream. This is my income. This involves me in my community on a positive level I hadn't thought possible. We look to you now. **I** look to you now to support hosts and guests so we can continue to be positive participants. Thank you in advance for your time and inclusion of the changes I have proposed.

Leigh Gaynair, Ward 1

(541) 948-9312

## Amy Johnson

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**From:** Bryce Bishop  
**Sent:** Monday, May 22, 2017 12:26 PM  
**To:** Amy Johnson  
**Subject:** FW: Airbnb

**From:** Linda Anderson [mailto:[anderson9019@icloud.com](mailto:anderson9019@icloud.com)]  
**Sent:** Monday, May 22, 2017 12:10 PM  
**To:** Bryce Bishop <[BBishop@cityofsalem.net](mailto:BBishop@cityofsalem.net)>  
**Subject:** Fwd: Airbnb

Begin forwarded message:

**From:** Linda Anderson <[anderson9019@icloud.com](mailto:anderson9019@icloud.com)>  
**Date:** May 22, 2017 at 11:57:25 AM PDT  
**To:** [bbishop@cityofsalem.net](mailto:bbishop@cityofsalem.net)  
**Subject:** Airbnb

Hi Bryce,  
Thank you for the phone call today regarding Airbnb options.

I support the allowance of no more than 2 people per room with a mirror exception of an infant or minor child and short term stays. I feel that a term of 95 days a year is fair for the home owner to be away from the home and have Airbnb occupants short term.

If the council could positively consider these options I feel that would help the shortage of rooms in the Salem area and build upon the sharing community spirit.

Thank you for the consideration.  
Linda Anderson