

City of Astoria

1095 Duane Street Astoria OR 97103 (503) 338-5183 comdevadmin@astoria.or.us

HSL			

HOMESTAY LODGING PERMIT APPLICATION PACKET

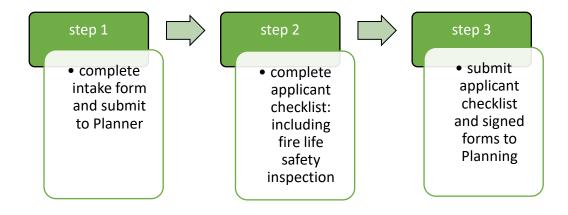
Rental of a home or dwelling for less than a month is called a short-term rental (STR) or a "vacation rental," and these types of uses are **prohibited** in all residential districts. Astoria only allows "vacation rentals" in commercial zones, such as where hotels/motels are located. This helps prioritize housing stock in residential areas for long-term residences and limits the number of vacant second homes in town.

Astoria allows homestay lodging under certain conditions. These short-term rentals require a license to allow one or two bedrooms for rent for less than 30 days, while the homeowner is onsite. This includes rentals known as AirBnB, VRBO, or similar "vacation rental" advertising platforms. Such rental facilities may or may not provide a morning meal. Rooms used by guests may not include a kitchen.

It is unlawful for any person to operate a homestay lodging or list a homestay lodging on an advertising platform without first obtaining a license from the City.

The City's purpose in regulating homestay lodgings is to allow for economic use of underutilized bedrooms in dwellings and provide financial assistance to preserve both the housing stock and historic properties. The license process ensures that facilities are appropriately located; meet zoning requirements; adhere to safety regulations; and don't reduce the number of potential long-term housing units.

This packet contains application materials and information to aid in complying with Homestay Lodging requirements for the City of Astoria. Please use the checklist below as a step-by-step guide to complete the application. Depending on the location of the home, additional permits may be required. To streamline the application process, please complete the steps in the recommended order.



HOMESTAY LODGING LICENSE INTAKE FORM

Proper	ty Address:	
Proper	ty Owner / Applicant Name:	
Mailing	g Address:	
Phone:	Business Phone: Email:	
Numbe	er of Bedrooms to be rented within Primary Residence: \Box 1 \Box 2	
Numbe	er of off-street parking spaces provided:	
Locate	d in R-1 zone? Yes □ No □	
Is there	e an Accessory Dwelling Unit on the site? Yes 🗆 No 🗆	
	Briefly address each of the following standards and how the proposed homestay use complies (use additional pages if needed):	
1.	Only one Homestay Lodging facility is allowed per lot, parcel, or the aggregate of contiguous lots he in a single ownership. In the case of a condominium facility, as allowed by Covenant, Conditions and Restrictions (CC&Rs), each condominium unit may have a Homestay Lodging facility in compliance all other requirements.	
	A Homestay Lodging facility may not be located in an accessory structure on the lot or parcel, or the aggregate of contiguous lots held in a single ownership.	
	Please confirm location of lodging facility on the site.	

_	estay Lodging facility may be located on a lot, parcel, or the aggregate of contiguous lots hel e ownership that also contains an Accessory Dwelling Unit (ADU) in the R-2 and R-3 Zones wit ional Use permit.
If you h	have an ADU permit, please provide the ADU permit number here.
guest c	cility must be the owner's primary residence and occupied by the owner at the same time as a occupancy. In the case of multiple dwelling units in one building such as a duplex or triplex, et ner shall live in the same unit as the guest rental space.
Please deed.	confirm where the owner will reside. Identify any other current owners listed on the prop
List oth	er dwellings used as a part-time residence by owner with approximate dates of occupancy
	SUBMIT THIS (2) PAGE INTAKE FORM
	SUBMIT THIS (2) PAGE INTAKE FORM TO THE PLANNING DEPARTMENT

Date Submitted: _____

HOMESTAY LODGING LICENSE INSTRUCTIONS

Required Documents / Signatures

1. Complete the Homestay Lodging Intake Form	Once complete, submit to Planning for review to determine the next step
2. Complete the Homestay Lodging License Application Form	Signature of homeowner
Parking diagram to include scaled site plan drawing including dimensions and location of dwelling and on-site parking Parking shall be provided in accordance with Development Code Article 7 unless a Variance is obtained. In addition to the requirements of Article 7, the following shall apply: a. The owner shall notify every guest / renter in writing of the required off-street parking and other parking spaces available to serve the transient rental guest. b. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. c. Renters may be cited and fined under existing State and/or City law in the event they park illegally.	Parking Diagram Attach copy of draft notice with directions regarding parking to guests
Scaled floor plan including the location of the rooms to be used. Include location and size of egress/exit windows in the lodging rooms, kitchen and bathroom facilities, etc.	Scaled Floor Plan
3. Owner Occupancy Affidavit	Affidavit of living onsite at same time as guests (see attached)

Verification of occupancy (minimum of two unexpired documents – please check two provided with application) Copy of Oregon Driver's License Voter Registration Income Tax Statement Clatsop County Tax Assessor Record	Attach (2) documents
4. Completed Fire/Life/Safety Inspection Form (see attached Tip Sheet prior to scheduling your inspection)	Attach copy of Home Safety inspection report and inspector certificate
5. Guest Notice to Post in Home (see example provided) The owner shall post a notice within the guest entry of the Homestay Lodging facility or within each guest bedroom advising guests of the location of guest parking spaces, and Astoria City Municipal Code Section 5.025 that prohibits unnecessary noise. Content of the notice shall be reviewed and approved by the City (may use City provided notice form).	Attach a copy of the notice
6. Sign Permit Application (if applicable)	Sign Permit #
 7. Public Notice for New Homestay Licenses Prior to the issuance of a new Home Stay Lodging License, the City shall provide mailed notice as follows: (a) Not less than 15 days prior to the issuance of a license, notice shall be sent to all property owners within 100 feet, excluding rights-of-way, of the outside boundary of the Home Stay Lodging facility. Addresses for a mailed notice required by this Code shall be obtained from the County Assessor's real property tax records. Failure of a property owner to receive notice shall not invalidate a license. (b) Notice may also be provided to others who may be affected or otherwise interested in the license application. (c) Notice is not required for license renewals. 	

8.	Obtain other compliance as required	Attach copy of any inspections	
	It is the property owner's responsibility to assure that the Homestay Lodging facility and all sleeping rooms remain in substantial compliance with Oregon State requirements for the following: Health (Clatsop County Health Dept, 820 Exchange #100, Astoria, (503) 325-8500, Safety, Building (Astoria Building Official, (503) 325-1004, buildingofficial@astoria.or.us), and Fire Codes (Astoria Fire Department, (503)325-2345), Traveler's Accommodation Statutes (OR Health Division, (971) 673-0448, http://public.health.oregon.gov/healthyenvironments/recreat ion/poolslodging/Pages/rules.aspx), and with the Uniform Housing Code (http://ecodes.biz/ecodes_support/free_resources/oregon/11_residential/11_orresidential_main.html).	completed or permits obtained by these other organizations	
9.	Provide Listing Details	Please proved listing URL or	
	The owner shall provide the City with the listing details for proposed advertising platforms including but not limited to Airbnb, VRBO, realtor, etc.	title/description	
	The owner shall include the City Homestay Lodging license number on all advertising and with all Transient Lodging Facility Intermediaries.	A "screen shot" or other proof must be provided after License approval but prior to operation	
10.	Register for Transient Lodging Tax	Finance Dept (3rd Floor City Hall) for packet, then obtain	
	LT File # :ate Approved:	file number	
11.	Register for a Business License (OTA form) OTA File / Customer #:	Obtain file number from Finance Dept (3 rd floor City Hall)	
C	Date Approved:		
12.	Submit Final Materials to Planning Department for Review		



Fee	Paid Date:	Ву	
	Initial License		\$500
	Existing approved operation	on	\$150

HOMESTAY LODGING LICENSE		
A Homest	ay Lodging License is non-t	ransferable.
	nfirm acknowledgement thaticense approval.	at any change in property ownership shall require new Homestay
Initials:		
	_	unity Development Department that use of the property as a Astoria Development Code is required.
	e Conditional Use permit ap nent Department at the time	proval and/or obtain signature on this form by the Community e of application.
Condition	al Use Permit Approval atta	ched:
Signature	:	Date:
	City of Astoria, Community	Development Department
owner occupied. The such transient lodge include a kitchen. OWNER OCCUPIE OWNER: For purporal a revocable living the companies or similated than fee interest. PRIMARY RESIDE By signing this appreside in the dwell will comply with a such as a	GING: A transient lodging facility whis includes any accommodation in ing identification. Such facilities mediate by a coses of this chapter the term owner ust, or a purchaser under a recordar organizations, an authorized again included in the including as their primary reside all requirements of the Licentification.	er only includes individuals, holding fee simple title to property, the beneficiaries of ded instrument of sale. This does not include corporations, limited liability lent of the owner, or those holding easements, leaseholds, or purchasers of less permanent residence of the owner for not less than six months of the year. Inner, certifies that all information is correct, that the owner will nee, and that use of the property as a homestay lodging facility use, as defined by Code.
Signature of Prop	erty Owner:	Date:
STAFF USE:		PN Date Sent:
If applicable: VAR# CU#	ADU# Sign Permit#	Expiration/Renewal Date:

HSL Standards Verification		Comments
1. Intake Form		
2. Only one HSL on site; floor plan; no		
kitchen in HSL		
3. Owner occupied		
(minimum two documents):		
□Copy of ODL □Voter registration		
□Income tax statement		
☐Clatsop County Tax Assessor Record		
4. Not in accessory structure		
5. No ADU on site in R-1; CU permit if		
ADU on site in R-2 or R-3 Zone		
6. Health, safety, & various codes		
compliance		
7. Fire/life/safety inspection		Date Completed:
8. Proposed signs, permit obtained		·
9. OT application and fee		#:
10. Transient Lodging Tax		#:
11. Parking & notices to guests;		
parking plan		
12. Entry notice posted		
13. Advertising platforms & ID		
14. License posted on advertising		
platform		
15. Non-transferable		
16. Compliance with Zoning		
Approved with following conditions by: Conditions:		Date:
	,,	c
For office use only:		f applicable)
License Expiration Date		pproval by Finance Department:
Date Public Notice Mailed		pproval by Fire Department
Approval by Finance	<i> </i>	pproval by BO



HOMESTAY LODGING LICENSE FAQS

Astoria allows short-term rental facilities in residential zones in several different classifications. They are referred to as Home Stay Lodging, Bed and Breakfast, Inn, or Hotel/Motel. There are limitations and conditions on each of these classifications which are described below. Astoria only allows "vacation rentals" in commercial zones and classify them the same as hotels/motels. The limitations and regulations help prioritize housing stock in residential areas for long-term residences and limit the number of second homes in the City that can often remain vacant. This information sheet does not specifically address hotels / motels or facilities in non-residential zones.

Common terms to understand Short-Term Lodging

- Home Stay Lodging: A transient lodging facility with no more than two (2) bedrooms available for transient rental, and which is owner occupied. This includes any accommodation meeting these requirements including facilities known as Airbnb, VRBO, or other such transient lodging identification. Such facilities may or may not provide a morning meal. Rooms used by transient guests shall not include a kitchen. (City Code Section 8.755)
- Accessory Dwelling Units (ADU): An accessory dwelling unit is one additional subordinate or auxiliary living unit, including kitchen facilities, in an existing house or detached from the main dwelling. A dwelling with an accessory dwelling unit is distinguished from a duplex by the retention of the appearance as a single-family dwelling. (Development Code Section 1.400)
- **Bed & Breakfast:** Any transient lodging facility which contains between three (3) and seven (7) guest bedrooms, which is owner or manager occupied, and which provides a morning meal. (Development Code Section 1.400)
- **Hotel/Motel:** A building in which lodging is provided for guests for compensation. (Development Code Section 1.400)
- Inn: A transient lodging facility with up to 11 guest bedrooms, which is owner or manager occupied, and which provides a morning meal. Inns may conduct associated business activities on an occasional basis, such as wedding receptions, club meetings and luncheons, conferences, and reunions. (Development Code Section 1.400)

What about AirBnB and VRBO?

These are advertising platforms used for listing short-term rentals or vacation homes. The use would be classified by the City as "Home Stay" or "Bed and Breakfast" lodging facilities. Many people list their rentals on these sites, but they must meet the City codes and requirements. Not all listings are legal rentals.

How does Astoria regulate short-term rentals?

Astoria allows Home Stay Lodging, Bed & Breakfast, and Inn establishments under certain conditions and in particular zones. The following must be addressed for each establishment prior to advertising or having guests/renters:

- 1. The facility must obtain the necessary zoning permits which may include a Home Stay Lodging License and/or a Conditional Use Permit.
- 2. The home must be owner-occupied for Home Stay Lodging, or owner or manager occupied for Bed & Breakfast or Inn, as their primary residence. Owners must reside in the home when they have guests/renters.
- 3. Owners must register for and submit transient lodging taxes with the City's Finance Dept.
- 4. Owners must obtain an Occupational Tax (business license).
- 5. The site must meet off-street parking requirements.
- 6. The owner must comply will all requirements identified in City Code Sections 8.750 through 8.800 for a Home Stay Lodging.

What will be required of existing Home Stay Lodging facilities?

If a Home Stay Lodging facility is legally operating within the City with current permits including Occupational Tax, Transient Lodging Tax, and Conditional Use permit if necessary, then the owner may apply for a Home Stay Lodging License "Renewal" under the revised Code requirements. There are some Code requirement exceptions for existing facilities which are listed in City Code Section 8.770. A renewal application must be submitted by June 2, 2019. If a Home Stay Lodging facility was operating without City permits, it would need to apply for an initial Home Stay Lodging License.

Where are Home Stay Lodging and Short-Term Lodging allowed?

Short Term Rentals	Permitted Zones	Bedrooms	Notes
Home Stay Lodging	R-1 Conditional Use & HSL License R-2 & R-3 HSL License & Outright Use	1-2 bedrooms	Owner occupied; License must be renewed every two years
Bed & Breakfast	R-1, R-2, R-3 Conditional Use	3-7 bedrooms	Owner or manager occupied
Inn	R-1, R-2, R-3 Conditional Use	Up to 11 bedrooms	Owner or manager occupied; allows accessory events
Motels, Hotels, Inn, Bed & Breakfast, Home	Non-Residential Zones only (Outright Use or Conditional Use	No limit	No owner-occupied requirement

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

On-street

off-street

One space per bedroom in addition to two spaces required for the single-family dwelling. These spaces must be located within the property boundary (in a driveway, or garage).

Parking spaces must be $9.5' \times 20'$ or $8.5' \times 16'$ 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 Development Code Sections 7.062 and/or 12.040.

Can I have an Accessory Dwelling Unit (ADU) and Home Stay Lodging on the same property?

Both are permitted in certain residential zones. Home Stay Lodging is prohibited in an ADU. There is a proposal to limit Home Stay Lodging facilities in conjunction with an ADU on the same site. The City Council is expected to review the proposal in 2019.

What else do I need to do to operate a Home Stay Lodging facility?

Meet with City Staff to verify zoning and adequate off-street parking. Then obtain the necessary license and/or conditional use permit, pay the business license fee, and set up transient tax submission with the Finance Department.

Do I need a business name for my Home Stay Lodging?

No. This is optional. Some homeowners choose to set up the Home Stay as a separate business entity from the household. Check with CEDR (Clatsop Economic Development Resources) on requirements for setting up a business name and other small business requirements.

Will AirBnB collect and distribute transient lodging taxes on behalf of a client?

The City is working with AirBnb and other advertising platforms to do just that. However, until such time an agreement is reached, homeowners are responsible for collecting and remitting transient lodging taxes to the City's Finance Department.

Do I have to notify my neighbors to operate Home Stay Lodging?

During the Home Stay Lodging license review and/or a conditional use permit review, the City will send a public notice to neighbors. A public hearing will be scheduled for conditional use permit review. It is strongly encouraged that property owners talk with their immediate neighbors to prevent potential conflicts.

Does the City require or offer a safety inspection program?

The City requires a safety inspection for Home Stay Lodging facilities at the time of initial application and once every two years upon renewal of the license. The inspection may be done by the City Building Official or an independent certified inspector. Inspection requirements are identified in City Code Section 8.765.1.i. In addition, the Home Stay Lodging facility and all sleeping rooms shall remain in substantial compliance with Oregon State requirements for the following: Health, Safety, Building, and Fire Codes, Traveler's Accommodation Statutes, and with the Uniform Housing Code.

How long does the City review process take?

Simple applications with all information provided by the applicant will take about one month to process. If a conditional use permit, variance, or other review is required, it will take about 6 to 8 weeks depending on date of application. Submittal of "complete" applications and documents is required to start the review process.

Who do I contact if I have questions?

Community Development Department 1095 Duane Street Astoria OR 97103 503-338-5183 comdevadmin@astoria.or.us



Instructions: to comply with owner occupancy requirement, applicant must submit signed affidavit

AFFIDAVIT OF OWNER OCCUPANCY

HOME STAY LODGING LICENSE - HSL					
Proj	perty Address:				
Pro	perty Owner / App	licant Name:			
Mai	lling Address:				
Pho	ne:	Business Phone:	Email:		
City	Code Section 8.755. D	efinitions.			
	beneficiaries of a revo corporations, limited l	cable living trust, or a purchaser under	cludes individuals, holding fee simple title to property, the a recorded instrument of sale. This does not include ions, an authorized agent of the owner, or those holding t.		
	<u>OWNER OCCUPIED</u> : Oc	ccupancy of a residence by an individu	al owner.		
-	<u>PRIMARY RESIDENCE</u> : year.	Dwelling maintained as the permanen	t residence of the owner for not less than six months of the		
City (1)		ments to show proof of owner occupa	ncy such as voter registration, Clatsop County Tax Assessor		
	records, ID/driver	's license, and income tax information.			
(1)	City Code Section 8.775. Standards. The facility shall be the owner's primary residence and occupied by the owner at the same time as the guest occupancy. In the case of multiple dwelling units in one building such as a duplex or triplex, etc., the owner shall live in the same unit as the guests.				
Affi	davit:		-		
sam	ne dwelling unit an		nat I am the property owner and shall reside in the s as my primary residence. I have attached copies		
Sign	nature of Property	Owner:	Date:		



NOTICE TO GUESTS

HOME ST	AY LODGING LICENSE - HSL		
Property Address:			
Property Owner / Applicant Name:			
Mailing Address:			
Phone: Busi	ness Phone: Email:		
	orimary residence and occupied by the owner at the same time as the guest occupancy. Its in one building such as a duplex or triplex, etc., the owner shall live in the same unit as		
or unnecessary noise that annoys disturbing or unnecessary noises i	e. No person may make, assist making, continue or cause to be made any loud, disturbing, disturbs, injures or endangers the comfort, repose, health, safety or peace of others. Let in violation of this section include but are not limited to the following: (A complete list of any on the City's web site at www.astoria.or.us , City Code, Article 5, Section 5.025.)	oud,	
-	se Renewal Procedures, states that "The City may deny a request for [license] renewal u y State law or City ordinance by the applicant or violation of any State law or City ordina Stay Lodging facility."	-	
75.7, Standards, states "(a) The owner shall notify every guest / renter in writing of the required off-street parking and other parking space available to serve the transient rental guest. (b) Parking shall not, under any circumstances, hinder the path of any emergency vehicle. (c) Renters may be cited and fined under existing State and/or City law in the event they park illegally."			
Guests shall park only in parking spaces identified on this map for guests.	Insert site plan showing parking spaces:		
Parking in violation of City Code may result in a citation to the guest by the City.			

Signature of Property Owner:_____

YOU ARE RECEIVING THIS NOTICE BECAUSE THERE IS A HOME STAY LODGING LICENSE APPLICATION NEAR YOUR PROPERTY IN ASTORIA

	ASTORIA NSE APPLICATION			
Notice is hereby given that the Astoria Community Development Department has received the following request(s):				
Homestay License Application for the propert	y located at,			
owned by				
n accordance with Astoria Development Code Sections Lodging License, the City shall provide mailed notice	s 8.765(2), prior to the issuance of a new Home Stay e as follows:			
owners within 100 feet, excluding rights-of-way, of facility. Addresses for a mailed notice required by t	e of a license, notice shall be sent to all property the outside boundary of the Home Stay Lodging his Code shall be obtained from the County Assessor's ner within 100' of property to receive notice shall not			
(b) Notice may also be provided to others who icense application.	o may be affected or otherwise interested in the			
c) Notice is not required for license renewals	S.			
·	on for or against the request(s) by letter addressed to the , Astoria OR 97103. Comments from interested parties is mailed.			
The Community Development Department reserves the will be provided.	e right to modify the proposal. No further public notice			
THE CITY OF ASTORIA	DATE SENT:			
	DATE CLOSED:			

Tiffany Taylor, Administrative Assistant ttaylor@astoria.or.us 503-338-5183



TIPS FOR PASSING YOUR HOME STAY LODGING FIRE/LIFE/SAFETY INSPECTION

The City of Astoria requires a fire/life/safety inspection every two years to keep you and your guests safe. The inspection is completed at the time of initial license and/or renewals. Here are some tips on passing your fire/life/safety inspection:

Smoke Alarms: Smoke alarms shall be placed in each sleeping room and in common hallways adjacent to sleeping rooms. The City of Astoria recommends sealed-10-year smoke alarms to prevent your guests from removing the batteries. We also recommend you add testing smoke alarms to the cleaning/checkout sheet for your rental.

Carbon Monoxide (CO) Detectors: CO detectors are required on each floor that contains CO producing devices (natural gas/propane appliances, woodstoves, fireplaces, etc.) and each floor that connects to an attached garage.

Fire Extinguishers: Fire extinguishers should be available on each floor of your rental. The minimum requirement is a 2A:10BC (5 pound) extinguisher. Fire extinguishers are required to be inspected, serviced and tagged by a certified company on an annual basis.

Exits: Exits shall be well lit; kept clear and unobstructed; and obvious to your guests. Exits should be easily opened and require no special knowledge or keys for use by your guests.

Not an Exit: If you have areas of the house that are locked and off limits to a guest(s), please place a sign stating "NOT AN EXIT" at eye level on the door.

Electrical Panels: Electrical panels must be unobstructed and have 36 inches of clearance. Breakers in the panel shall be clearly marked. Open spaces in the panel shall be protected by "blank" spacers.

Housekeeping: Do not store combustible items under stairs, in heating closets or in a basement below your rental. Do not store combustibles in exit pathways or exits. Do not stores combustibles or garbage against the exterior of the house or under eaves.

Fire Alarm and/or Sprinkler Systems: If you have a fire alarm and/or sprinkler system installed in your rental, both shall be tested and serviced on an annual basis. Records of any testing and service must be kept on site for three years.



City of Astoria 1095 Duane Street

1095 Duane Street Astoria OR 97103 (503) 338-5183 comdevadmin@astoria.or.us

Date Submitted:				
BO:				
Private:				

Home Stay Lodging License Fire/Life/Safety Inspection Form

		14 7 20 46 11 16 21 16 21 16	- 	7op como: c	
Address:			Date:		
Ow	ner:	·		Phone:	
	nail:				
	nximum Numbers of Overn			Parking:	
		Dwell	ing / Unit Type		
□S	ingle-Family Dwelling	□ Duplex	□ Multi-Family	□ Condominium	
		Fire :	Service Access		
□В	uilding Numbers 4" & Visible	from Street	□ 36" Clearance	e around Closest Fire Hydrant	
		F	ire Safety		
	Working smoke alarms pres	ent in all sleeping areas	and common hallway	ys outside bedrooms.	
	Working carbon monoxide of	letector present on eac	h floor with CO prodւ	ucing device or in garage.	
	Annually inspected fire extir	•			
	•	•	without special know	vledge. All passageways to exterior doors	
	shall be clear and unobstruc				
	Locked Doors marked "NOT				
	No combustibles or garbage	<u> </u>			
	Propane/Gas cylinders away			·	
	Electrical panels accessible, conditions.	clearly marked with wir	ing and covers in goo	d shape and no visible defects or unsafe	
	No combustible storage in e	quipment spaces, unde	r stairs or in basemer	nt/crawl space.	
	Fire Alarm / Sprinklers inspe	cted annually if present	t.		
	□ All fireplaces, fireplace inserts, or other fuel burning heaters and furnaces shall be vented and properly installed.				
□ Each sleeping room shall have an exterior exit that opens directly to the outside, or an emergency escape or rescue window					
Zoning & License Requirements					
□N	lo kitchen in transient rooms		□ Owner res	sides in same dwelling unit as HSL	
□O	Off-street parking provided or	n-site	□ Notice po	sted at guest entry or in guest room	
I hereby certify this Home Stay Lodging Facility is compliant with Fire/Life/Safety Code Inspection requirements (please attach photos of site and structure for verification):					
Inspector Signature: Date:		Date:			
Inspector Name:(please print)					
Cor	ntact #:		Inspector	License#:	