Title 24.31 Short-Term Rental Requirements



City Council Hearing - December 4, 2024

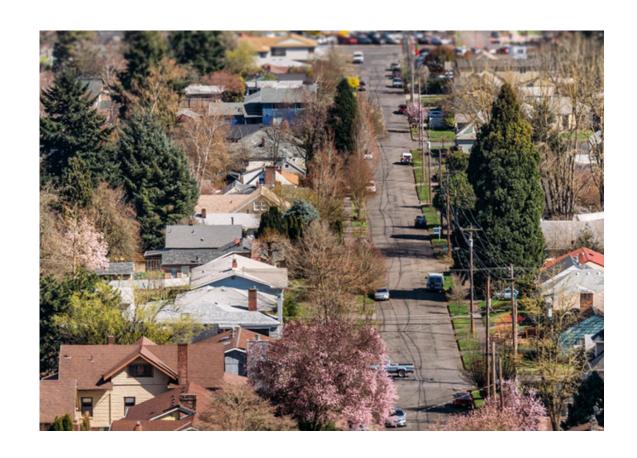


Agenda

- ASTRs and STRs (2 slides)
- Building Code History (1 slide)
- Local Regulation of Short-Term Rentals (1 slide)
- Administrative Rule (1 slide)
- Staff Recommendation (1 slide)

Accessory Short-Term Rental (ASTR)

- •An Accessory Short-Term Rental allows a household to rent bedrooms in their primary residence to overnight guests for fewer than 30 consecutive days.
- There are two categories:
 - Type A: Permits the rental of 1 or 2 bedrooms.
 - Type B: Permits the rental of up to 5 bedrooms.



Short Term Rental (STR)



- •STRs are typically located in commercial zones and do not require a permanent resident onsite.
- •Guests are transient, with stays of fewer than 30 consecutive days, similar to the operation of a small hotel.
- •Title 24.31 will apply exclusively to Short-Term Rentals.

Building Code History

- For the past 10-12 years, Portland has regulated Short-Term Rentals (STRs) under the Oregon Structural Specialty Code as a commercial use.
- In 2023, the Oregon Building Codes Division (BCD) amended the Oregon Residential Specialty Code, adding:
 - R101.2.3.1: Excludes such matters such as "Post-occupancy lease or rental arrangements, short-term rentals, vacation rentals, and similar uses" from the code's authority.
 - The same section affirms that municipalities may have additional regulatory authority over these matters locally, provided it is not preempted by state law.

Local Regulation of Short-Term Rentals

- PP&D implemented a code guide under local authority to address safety concerns for STRs.
- In October 2024, the State Building Codes Division issued a directive requiring such regulations to be formalized as either a local ordinance or part of local licensing requirements.
- In response, PP&D has drafted an ordinance to enhance the safety of STR users, particularly for properties that:
 - Consist of older housing stock often located near other homes and businesses.
 - Lack adequate fire-separation measures.
 - Were built prior to modern building code regulations and do not meet minimum safety standards.

Administrative Rule

- •Future administrative rules will establish specific code requirements for STRs operating as small hotels.
- •While the rules will not align with all the commercial code requirements, they will provide a baseline for fire and life safety.
- •Key requirements may include:
 - •Installation of NFPA 13D residential sprinkler system
 - Additional fire-rated materials on exterior walls
 - Emergency egress window requirements
 - Egress requirements including minimum widths, ceiling heights, landings, and proper door-lock operations.

Why we recommend approval

- •PP&D has consistently regulated STRs under the building code.
- •The proposed change to Title 24 does not alter the existing requirements-it only shifts the authority from the state building code to local ordinance.
- •Since these structures operate like small hotels, the proposed regulations will ensure that users meet the minimum life safety standards.
- •We recommend passing this ordinance to enhance safety for STR users while maintaining compliance with local regulations.

Estimated Costs and Requirements

Building Code/Occupancy	Sprinkler Type Type of sprinkler system required	Water Line Cost Water line cost to install sprinklers	Alarm Requirements Type of alarm system required	Fire Separation Distance Fire rated exterior walls required if the distance to the property lines is less than these distances
Commercial: R-1 (Hotels: 3 or more units)	NFPA 13 or 13R	2" minimum fire service line: \$10,675 + \$1,750 per year	Monitored fire alarm system + Notification	10' to 30'
Commercial: R-2 (Apartments: 3 or more units)	NFPA 13 or 13R	2" minimum fire service line: \$10,675 + \$1,750 per year	Monitored fire alarm system • Exemption for small apartment buildings with 16 or fewer units	10' to 30'
Commercial: R-3 (Transient, 10 or fewer people) (Non-transient, 16 or fewer)	NFPA 13D	\$2,700 - \$15,700+ \$280 per yearCombined water line, one time cost	Smoke and CO alarms only	5'
Proposed fire and life safety requirements for transient lodging facilities	NFPA 13D • Exceptions for small structures with larger fire separation distances	\$0 to \$15,700 + \$280 per year • Combined water line, one time cost	Smoke and CO alarms only	5' for new, 3' for existing
Residential: R-3 (1- and 2-family homes & townhomes)	None	\$0 + \$280 per year	Smoke and CO alarms only	3' for new, 0' for existing

