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## City will conduct community survey about Airbnb

Anthony Macuk Thursday, August 23, 2018



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### Poll will help planners draft rules to potentially legalize short-term rentals

Lake Oswego will conduct a community survey about Airbnb and other short-term rental (STR) platforms as part of an ongoing effort by the Planning Commission and City staff to develop a new set of rules that would allow STRs to operate in the city.

The survey is being prepared with input from multiple neighborhood associations. It was initially proposed by the Evergreen and First Addition neighborhood associations as a way to poll their own residents, but City staff thought the idea should be expanded to include all of Lake Oswego.

According to Senior Planner Leslie Hamilton, the online survey would run an entire month in order to give neighborhood associations, community groups and the City time to spread the word to as many residents as possible.

Conducting the survey would mean delaying the development of the new rules, Hamilton warned the Planning Commission at its Aug. 13 meeting, and a public hearing for the proposed regulations would likely have to wait until January 2019.

But the commissioners appeared to support the survey as a way to get a better sense of where the community stands on various aspects of the STR debate, and the group signed off on the plan last week.

"We're looking at the month of September as being the survey month," Hamilton said.

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The commissioners offered a few suggestions for the survey, which was still being drafted at the time. Commissioner Christian Papé suggested that the survey include questions to get a sense of how familiar each participant was with Airbnb and other STRs, and whether that familiarity came from being a guest, a host or a neighbor of a short-term rental property.

Commissioner Nicholas Sweers also suggested that the survey should ask about each person's neighborhood, in order to gauge whether support for Airbnb or concerns about STRs vary in different parts of the city.

"I think it would be interesting to see if there's opposition or support, how that's broken down by neighborhood," he said.

Sweers also suggested asking residents how they felt about food and parcel delivery services such as Amazon Prime and Uber Eats, in order to see how residents feel about increased residential traffic caused by other services as compared to increased traffic from STRs.

STRs — defined as rentals shorter than 30 days — are considered a commercial use under the City's current code and are only permitted in commercial zones. The enforcement process for violations used to be purely complaint-driven, but the arrival of Airbnb and other online platforms facilitated a dramatic rise in the number of STRs operating in Lake Oswego in recent years.

After initially considering a change to the code, the City Council voted last year to keep the existing rules in place and crack down on illegal STRs in residential zones. But the council later decided to revisit the discussion, and directed the Planning Commission to come up with a proposed set of operational rules that would replace the ban if the council were to decide to repeal it.

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Once the rules are finalized, the council will make a final decision about whether to keep the ban in place.

Last week's work session was the commission's third on the STR topic and was intended to focus primarily on the issues of parking, privacy and code enforcement for STRs, in addition to the proposed neighborhood survey. The code enforcement issue became the biggest topic of the discussion, due in part to the experiences of other nearby cities that have legalized Airbnb.

"One of the things we've come to understand is that enforcement is a real challenge," said Planning Director Scot Siegel. "The City of Portland Auditor's Office just published a report showing that they've just had a real problem enforcing their own code and ensuring that STRs are going through the proper permitting."

Lake Oswego would need to come up with a user-friendly permitting and regulatory system that would be easy for hosts to comply with, Siegel said, in order to avoid inadvertently pushing Airbnb hosts toward under-the-table operations.

According to the Portland auditor's report, a significant majority of Portland's STR units are not in full compliance with the City's rules, and Airbnb has refused to share information about non-compliant hosts with the City.

Lake Oswego staff suggested a possible system that would allow hosts to register with the City and obtain a business license; a database of those licensees would be available online, similar to the database that the City currently hosts for active Type II tree removal permits.



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Several of the commissioners expressed a desire to make sure that penalties were not only stiff enough to discourage unregistered STRs, but also practically enforceable. Commissioner Ed Brockman said that the City of Miami, Fla., has put steep fines in place for STRs but has had trouble collecting them.

Commissioner Bill Ward said he would favor parking rules that require all STR guests to park on the property rather than on the street out front, and said he also had substantial concerns about privacy.

"The impact of STRs on neighbors is my primary concern," he said, "and I don't really know how to solve that one except to leave things as they are, hypothetically."

Brockman also suggested that the commission consider changing the Lake Oswego code to reclassify STRs as a non-commercial use. The City doesn't inspect long-term rental units because they aren't considered a commercial use, he noted, and said that Portland's experience shows that STRs are likely to proliferate either way.

"(Should we) spend a lot of money on inspections and enforcements, or just look at it as a regular rental?" he asked.

Contact Lake Oswego Review reporter Anthony Macuk at 503-636-1281 or [amacuk@lakeoswegoreview.com](mailto:amacuk@lakeoswegoreview.com) (<mailto:amacuk@lakeoswegoreview.com>).

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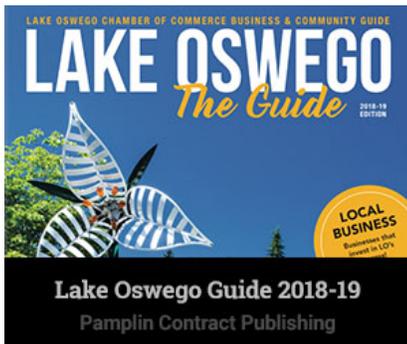
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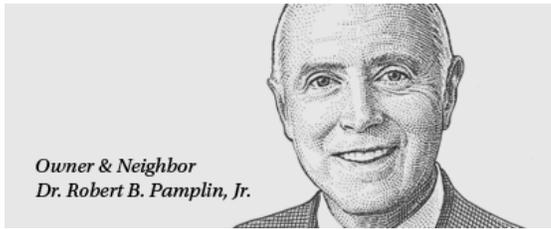
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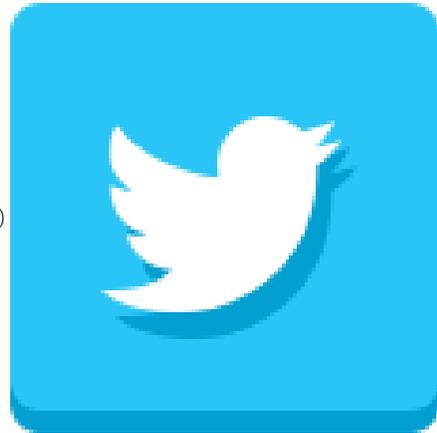


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