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CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 06/02/2026 **Approx. Start Time:** 2:00 p.m. **Approx. Length:** 60 minutes

Presentation Title: Short-Term Rental Registration Program Task Force Report

Department: County Administration

Presenters: Tony Mayernik, Policy Advisor

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff are seeking Board direction on Short-Term Rental (STR) Registration Program and potential revisions to Clackamas County Code Chapter 8.10.

EXECUTIVE SUMMARY:

Per Board direction at an April 21, 2026 policy session, staff have completed a review of the STR Registration Program. The program was set up as a 2-year pilot in late 2023 with the adoption of Clackamas County Code Chapter 8.10, Short-Term Rentals, a re-implementation of code language originally adopted in late 2020 and later repealed in late 2022. The program review was completed by a task force convened by the County Administrator, which included representation from Finance, Transportation & Development, Tourism, County Counsel, and County Administration, as well as Chair Roberts and Commissioner Savas. The task force met three times in May 2026 and developed the recommendations that follow.

Program Staffing and Budget

To effectively implement the program outlined by Chapter 8.10, incorporating the revisions below, staff's recommendation is a minimum of 2 full-time positions:

- (1) Code Enforcement Specialist
- (1) Management Analyst 1

Based on current hiring experience, it would take 12-16 weeks to create and fill these positions, assuming qualified candidates apply. Using the personnel costs for similar roles in the organization, necessary materials and services expenses, and acquisition of a vehicle to support program activities, the program would cost **≈\$558,100** for the first year (a more detailed breakdown is in Attachment A).

Proposed Fee Increase

Over the last 5 years, the STR industry in unincorporated Clackamas County generates about \$44,753,621 per year. Based on that figure, staff estimate that the fully implemented program would generate \$354,000-362,000 per year in revenue at the current fee level, although staff note that the reporting likely includes activity from operators exempt from Chapter 8.10. **Staff recommend that the Board increase the STR Registration Program Administration Fee from 0.85% to 1.50% to fully fund the proposed program.**

In the alternative, staff have evaluated a fixed fee structure, which aligns with most other counties who have STR regulations. If the Board were to consider a fixed dollar amount registration fee in lieu of the current revenue-based fee, staff would recommend \$600/year, based on current STR counts. Additionally, the fee matrix could be structured to take into account rental types (generally, shared room, private room, whole home) and/or total nights available for rental (generally, <90, 90-180, 180-270, and <270 nights).

In either case, staff would propose that the fee provisions in Chapter 8.10 be moved to Appendix A of the County Code. Moving this language allows for revision of the fee structure to address cost recovery needs without the complexity of ordinance adoption every time a change is necessary.

Code Revisions

In addition to the program staffing and fee change recommendations above, staff have identified some language within Chapter 8.10 that should be revised to adjust for community feedback, make program administration more effective, and account for evolution in the legal environment. While most adjustments are clerical, the material changes are outlined below:

1. Require that the operator obtain a Land Use Compatibility Statement (LUCS) prior to submission of an STR registration
 - a. Staff currently conduct a preliminary zoning review before approving an application, as STRs are prohibited in certain zoning districts, but otherwise rely on the operator's self-certification that they are in compliance with land use regulations; requiring a LUCS would address the cost of staff time to review zoning, legal establishment of dwellings, and other factors prior to approval
 - b. Staff propose that STRs in operation before July 1, 2026 receive provisional approval and that their LUCS applications be queued to manage demand on Planning & Zoning staff; STRs not in operation before July 1, 2026, would need to complete the LUCS process before submitting an application
 - c. Provisionally approved operators would still be responsible for remitting their County and State Transient Lodging Taxes and the STR Administration Fee while in provisional status, as they are self-certifying that they are in compliance
 - d. Where other Oregon counties have STR regulations, they generally require the property owner to go through a Conditional Use Permit process (or similar); however, most counties do not regulate STRs in any meaningful way (other than business licensing)
2. Establish a renewal process to address turnover in properties and improve data integrity.
 - a. The current process requires only an initial registration and relies on the operator to notify the County that they are terminating their registration or that staff regularly audit existing registrations; requiring regular renewals will help improve the integrity of our registration database
 - b. Renewals would not require a LUCS, unless there is reason to believe that the property's eligibility has changed

3. Establish a fine schedule for violations of Chapter 8.10.
 - a. Chapter 8.10 provides for penalties or fines for violations; however, no fine schedule has been adopted in Appendix B of the County Code
 - b. Chapter 8.10 violations are primarily administrative (failure to register, failure to pay taxes and fees, failure to post required notices, etc.), however, the code provides for occupancy limits unique to STRs and requirements for securing trash and recycling that would require further investigation before a citation could be issued
 - c. Certain complaints are not within the scope of Chapter 8.10. Two major themes, noise and parking, are covered by other sections of the Code. Where appropriate, complaints would be processed in accordance with the provisions of relevant County Code and subject to the fines and penalties associated with those existing provisions
 - d. Staff propose a provision giving the Code Enforcement Hearings Officer the discretion to impose noise and/or occupancy monitoring requirements for violations
 - e. Suspension or revocation of the registration as a means of enforcement is a separate issue, and pursuit of this measure would be at the discretion of the Code Enforcement Hearings Officer, taking into consideration the recommendation of staff

Staff propose that the Short-Term Rental Registration Program team provide regular updates to the Board of County Commissioners on complaint volumes and outcomes, and that the program be further evaluated at a future policy session.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? ≈\$558,100

What is the funding source? STR Administration Fee

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department’s Strategic Business Plan goals?

The present review supports the Office of County Administration’s goals of ensuring that the Board has appropriate information to make policy decisions.

- How does this item align with the County’s Performance Clackamas goals?

Implementation of the proposed changes would support the Board’s efforts to create safe, secure, and livable communities and build public trust in good government.

LEGAL/POLICY REQUIREMENTS:

The County Administrator has the authority to create vacancies and hire personnel.

The Board has the authority to amend County Code through adoption of an ordinance. Adoption of an Ordinance would require a minimum of two public hearings, at least 13 days apart, and absent an emergency clause, would take effect 90 days after adoption.

The Board has the authority to adopt fees and fines by resolution or board order on an annual basis. Staff regularly advance fee and fine proposals for the Board’s consideration and would incorporate a proposed fee and fine schedule in the next adoption cycle.

PUBLIC/GOVERNMENTAL PARTICIPATION:

Community feedback was gathered through an online survey, a virtual town hall in February 2026, an in-person town hall in April 2026, and through written, phone, and email communications with the Office of the County Administrator.

OPTIONS:

1. Direct staff to implement the proposed staffing model and advance the proposed changes to Chapter 8.10, Short-Term Rentals.
2. Direct staff to implement the proposed staffing model and advance the proposed changes to Chapter 8.10, Short-Term Rentals, incorporating the guidance provided during this policy session.
3. Direct staff to take no further action at this time.

RECOMMENDATION:

Staff respectfully recommend Option 1, Direct staff to implement the proposed staffing model and advance the proposed changes to Chapter 8.10, Short-Term Rentals as an amendment to the County Code.

ATTACHMENTS:

Attachment A – STR Registration Program Budget Proposal

Attachment B – Draft amendments to Clackamas County Code Chapter 8.10, Short-Term Rentals

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

Short-Term Rental Registration Program Proposal

	<u>FY26-27</u>	
Personnel Services	\$316,500	2 FTE
Materials & Services	\$139,000	Based on Code Enforcement
Capital Outlay	<u>\$43,000</u>	1 vehicle & upfitting
Operating Expenditures	\$498,500	
Contingency	<u>\$49,850</u>	Programmatic variables
Total Appropriated	\$548,350	
Reserve for Future Expenditures	<u>\$9,750</u>	Vehicle/equipment lifecycles
Total Expense	\$558,100	

Chapter 8.10

8.10 SHORT-TERM RENTALS

[Adopted by Ord. 09-2020 (11/25/20 – effective date 7/1/21); Effective date continued to 7/1/22 by BO 2021-23 (4/29/21); Effective date continued to 7/1/23 by BO 2022-62 (6/30/22); Repealed by Ord. 02-2022 (9/8/22 – effective 12/7/22); Adopted by Ord. 04-2023 (9/7/23 – effective date 12/6/23)]

8.10.010 Purpose

The purpose of this chapter is to regulate short-term rentals in order to enhance public safety and livability within the unincorporated areas of Clackamas County. Specifically, this chapter addresses public safety concerns typically associated with short-term rentals, and clarifies the process for both property owners and staff related to registering short-term rentals and enforcing violations of these standards.

[Added by Ord. 04-2023, 9/7/23]

8.10.020 Definitions

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

- A. ADMINISTRATOR means the County Administrator of Clackamas County or his/her designee.
- B. DWELLING UNIT is a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. For the purposes of this chapter only, a guest house is considered to be part of the dwelling unit to which it is accessory, even though it is a separate structure. Guest house shall have the meaning given to that term in Section 202 of the Clackamas County Zoning and Development Ordinance.
- ~~B.C.~~ LUCS means Land Use Compatibility Statement.
- ~~C.D.~~ OCCUPANTS means persons who are authorized to stay within a short-term rental.
- ~~D.E.~~ OWNER is the owner or owners of a dwelling unit used as a short-term rental.
- ~~E.F.~~ OVERNIGHT means anytime between the hours of 10 p.m. and 7 a.m. on the following day.
- ~~F.G.~~ PREMISES means the short-term rental and the lot on which it is located.
- ~~G.H.~~ REGISTRANT means the owner, or agent of the owner, designated on the registration to act for the owner, who is responsible for ensuring the short-term rental adheres to all applicable requirements to maintain a short-term rental registration.
- ~~H.I.~~ REGISTRATION means a short-term rental registration with the County as required by this Chapter.
- ~~I.J.~~ SHORT-TERM RENTAL means a dwelling unit, or portion of a dwelling unit, that is rented to any person or entity for lodging or residential purposes, for a period of up to 30 consecutive nights.
- ~~J.K.~~ SLEEPING AREA means a room or other space within a dwelling unit designed and intended primarily for sleeping.

[Added by Ord. 04-2023, 9/7/23]

8.10.030 Applicability

This chapter shall apply within the unincorporated areas of Clackamas County including within urban growth boundaries, but shall not apply within the boundaries of any incorporated city. This chapter does not apply to hotels, motels, bed and breakfast facilities, hostels, lodging and resort accommodations in commercial zones, campgrounds, recreational vehicle (RV) camping facilities, or organizational camps.

[Added by Ord. 04-2023, 9/7/23]

8.10.040 Short-Term Rental Registration Requirements

A. All short-term rentals shall be registered, except that any short-term rental that qualifies for an exemption to the Transient Room Tax under Section 8.02.060(C), as “incidental” use of the property, shall be exempt from the registration requirements set forth herein.

B. Any new Short-Term Rental must obtain an approved Land Use Compatibility Statement (LUCS) from the Clackamas County Department of Transportation and Development – Planning Division prior to completing the application to register as a short-term rental.

A.C. Short-Term Rentals in existence as of June 30, 2026, shall be required to obtain an approved LUCS during the renewal process. Conditional renewals will be issued for properties that do not have an existing LUCS at the time of renewal, subject to approval of a LUCS.

B.D. Application forms for a registration for a short-term rental ~~will be~~ available online at Clackamas.us/str and at County offices. Applications for registrations for a short-term rental must be submitted to the County by a signed affidavit of compliance. The application documents must include at least the following:

1. The location of the premises.
2. The true names, telephone numbers, addresses, and email addresses of the property owners.
3. That the use complies with all building and fire standards and all other applicable requirements in Section 8.10.050.
4. That the applicant has submitted a Transient Room Tax registration form to the County.
5. The name, telephone number, address, and email address of a contact person who shall be responsible and authorized to respond to complaints concerning the use of the short-term rental.
6. Proof of liability insurance coverage on the short-term rental.
7. Owner must prohibit STR renters from subleasing the property or otherwise using it to generate income, must terminate rental agreement immediately upon learning of such activities, and must not rent to anyone who the owner has reason to believe intends to use the STR for such activities.
8. That the applicant has met and will continue to comply with the standards and requirements of this chapter.

C.E. No short-term rental may be publicly advertised for rent unless it has been registered with the County.

F. A short-term rental registration terminates automatically if the property is transferred, or if state statutes, regulations or guidelines are modified or changed to prohibit operation of the short-term rental under this chapter.

G. A short-term rental registration terminates automatically two years after the date of issuance, unless a renewal registration application is approved by the county.

H. Registrants wishing to continue uninterrupted operation of a short-term rental shall submit a renewal application to the County a minimum of 60 days prior to the expiration of the registration.

~~D.I.~~ At the time of submission of a new or renewal short-term rental application, the registrant must pay the short-term rental application fee. The fee amount shall be set by resolution by the Board of County Commissioners

[Added by Ord. 04-2023, 9/7/23]

8.10.050 Standards and Conditions

Any short-term rental must comply with the following standards at all times, in addition to any other state and local requirements:

- A. Remittance of all applicable fees and taxes, ~~namely a state lodging tax currently at 1.5%, Clackamas County Transient Lodging Tax, currently at 6%, and a Clackamas County STR administration fee, currently at .85% of the amount charged for occupancy of the STR, including state and county transient lodging taxes and the Clackamas County Short-Term Rental Administration fee, as defined in Appendix A of the Clackamas County Code.~~
- B. Dwelling Unit. The short-term rental must be operated within a legally-established, permanent dwelling unit.
 - 1. The dwelling unit associated with a short-term rental shall not have been established through a land use approval or other approval process that specifically limited the use of the dwelling unit, the occupancy of the dwelling unit, or the duration of the existence of the dwelling unit. Examples of non-qualifying dwellings include those approved as an accessory farmworker dwelling, a caretaker dwelling, or a temporary dwelling for care.
 - 2. Guest houses may only be used as a short-term rental if the guest house has been legally established.
 - 3. Temporary sleeping accommodations such as tents and recreational vehicles are not considered to be dwelling units under the county's zoning and development ordinance and may not be used as a short-term rental.
- C. Maximum Occupancy. The number of occupants in the short-term rental shall not exceed the number of occupants authorized in the registration. The maximum occupancy shall be clearly posted in the short-term rental, disclosed in any advertising of the availability of the short-term rental, and included in any rental agreement with tenants. The maximum occupancy authorized in the registration for the short-term rental shall be calculated as follows:
 - 1. Two occupants per sleeping area, plus four additional occupants.

2. Roll-out beds, fold-out couches, or other similar temporary beds shall not be considered a "sleeping areas" for the purposes of calculating maximum allowed occupancy, but could accommodate the four additional occupants.
 3. In no case shall more than 15 occupants be authorized by a short-term rental registration. If only a portion of a dwelling unit is used as a short-term rental, all occupants, including those occupying the portion of the dwelling unit not used as a short-term rental, shall be counted toward the 15-occupant maximum.
- D. Noise. Notice shall be clearly posted in the short-term rental that identifies and informs occupants of their obligation to abide by the County's current noise control ordinance standards (Clackamas County Code Chapter 6.05).
- E. Parking. One off-street motor vehicle parking space per sleeping areas is required. Garage space may be used to meet required parking standards if evidence is provided that there is sufficient cleared garage space to fit a vehicle(s). All required parking spaces must be available for occupants to use.
1. In no event shall vehicles block access for emergency vehicles, block access to the premise, block a parked motor vehicle, or otherwise park in a manner that violates the County's current parking and towing ordinance standards (Clackamas County Code Chapter 7.01). Violation of this section may subject the offending vehicle to immediate tow pursuant to ORS 98.853.
- F. Short-term rentals in dwellings approved under the "resort accommodations" category in the Rural Tourist Commercial district are not required to provide more off-street parking than was required and approved under Zoning and Development Ordinance provisions.
- G. Garbage. All garbage from a short-term rental shall be legally removed from the premises by the owner, occupant or franchised service provider at least once per week during any week, or portion thereof, in which the short-term rental is occupied. All outdoor garbage receptacles shall be covered and secured to prevent spillage. Recycling container(s) shall be available for use by renters.
- H. Registration Identification. The registration identification number assigned to the short-term rental by the Administrator shall be included on any advertisement or rental platform where the short-term rental is offered to the public for occupancy.
- I. Contact information for the responsible party as well as the County's registration identification number shall be posted, while paying guests are on the property, in an area and size to be readily visible from the nearest public roadway.
- J. Building and Fire Safety. A short-term rental shall comply with all ordinances that apply to a dwelling, and all structural components shall be kept in sound condition and good repair. In addition:
1. Working smoke detectors and carbon monoxide detectors shall be installed and maintained in locations as required by the Oregon Residential Specialty Code.
 2. Working fire extinguishers shall be placed in the kitchen and next to each wood burning appliance in an easily accessible location. A minimum of two (2) extinguishers are required in each Dwelling Unit.
 3. Code-compliant pool and hot tub barriers shall be present.

4. Every sleeping area shall have not less than one operable emergency escape and rescue opening, including basement sleeping areas.
5. The dwelling shall have no open building or zoning code violations.

[Added by Ord. 04-2023, 9/7/23]

8.10.060 Examination of Books, Records and Premises

To determine compliance with the requirements of this chapter, the Clackamas County Zoning and Development Ordinance, and any local tax measures, the Administrator may examine or cause to be examined by an agent or representative designated by the Administrator, at any reasonable time, the premises, and any and all financial, operational and facility information, including books, papers, and state and federal income tax returns. Every owner is directed and required to furnish to the Administrator the means, facilities and opportunity for making such examinations and investigations.

[Added by Ord. 04-2023, 9/7/23]

8.10.070 Emergency Revocation

A. — In the sole determination of the County, when a violation of the building code or applicable county ordinance exists at a short-term rental that presents an immediate serious fire or life safety risk, the Clackamas County Building Official may immediately revoke the short-term rental registration as a fire or life safety risk if a dangerous building posting has been initiated pursuant to County Code Chapter 9.01. Any appeal of the revocation of the short-term rental registration shall be done in conjunction with an appeal of the dangerous building notice as provided in County Code section 9.01.150. ~~The Clackamas County Building Official shall provide written documentation of the violation, and notification of the owner's right to appeal, as provided in 8.10.100.~~

B. — ~~Upon an emergency revocation, the short-term rental shall not be rented or used as a short-term rental unless the revocation is withdrawn or a new short-term rental registration has been obtained.~~

C. ~~At any time following the emergency revocation of a short-term rental registration pursuant to this subsection, the Clackamas County Building Official may reinstate the registration upon an inspection by the Clackamas County Building Official verifying that the subject building code or county ordinance violation has been corrected.~~

[Added by Ord. 04-2023, 9/7/23]

8.10.080 Administration and Enforcement

The County encourages owners, registrants, occupants, and affected residents and owners of nearby properties, to contact the Short-Term Rental Registration Program ~~cooperate~~ directly to report violations of this chapter. This report may be made and contact information will not be shared with the responsible party unless ordered by a court. ~~resolve conflicts arising from the occupancy of any short-term rental. Along those lines, the first attempt to remedy a violation of any of the standards in this chapter should be to contact the representative associated with the registration, as identified in the approval notice and the required short-term rental posting. In the event that the listed representative does not respond within 24 hours or does not adequately remedy the issue, the Clackamas County Department of Finance should be notified.~~

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- A. For acts of noncompliance, the ~~Department of Finance~~[Short-Term Rental Registration Program](#) shall administer, supervise, and perform all acts necessary to enforce this chapter or any other chapters of the Clackamas County Code applicable to short-term rentals, except as otherwise provided for in state law or in the Clackamas County Code such as, but not limited to, those regulations for which the Clackamas County Sheriff's Office, ~~or an applicable fire district~~, has been vested with enforcement authority.
- B. When noncompliance is suspected ~~but not yet confirmed~~, program staff shall issue ~~an allege letter as described in Code Section 2.07.030(A)(1) a warning~~ in writing, advising an owner and/or registrant, ~~or an Occupant/renter of the property~~, of an alleged violation(s) of this chapter or the County's noise control ordinance standards (Clackamas County Code Chapter 6.05) or the County's parking and towing ordinance standards (Clackamas County Code Chapter 7.01) related to the same short-term rental. ~~Two is the maximum number of warnings a short-term rental is entitled to receive before formal enforcement actions are initiated.~~
- C. Except as otherwise provided in this chapter, Chapter 2.07 of the Clackamas County Code shall govern the process for enforcement of this chapter, including but not limited to the notice and procedures associated with any compliance hearing.
- D. An owner that operates a short-term rental, ~~or an Occupant/renter, who violates any provision of this chapter without an approved registration or while suspended from the program for a violation(s) of this Chapter shall~~ ~~may~~ be subject to immediate citation. ~~A Violation Letter, as described in Code Section 2.07.030(A)(3) is not required to be sent prior to the issuance of a citation.~~
- E. A person who receives a citation for violation of this chapter shall respond within thirty (30) days of the issuance of the citation by demonstrating resolution of the violation and payment of any penalties established under this chapter, or by requesting a hearing as provided in ~~this section~~[Chapter 2.07](#).
- F. The provisions in this section do not apply if the Administrator or Hearings Officer have reason to believe that the violation(s) pose an immediate threat to the health, life, and safety of occupants and may impose Emergency Revocation measures as identified in Section .070 of this Chapter.

[Added by Ord. 04-2023, 9/7/23]

8.10.090 Penalties

- A. ~~Violation of this chapter shall be punishable by suspension or revocation of a short-term rental registration, and/or by a penalty or fine in an amount set by resolution of the Board of County Commissioners.~~
- B. ~~The Code Enforcement Hearings Officer may, at their discretion, impose requirements for noise or occupancy monitoring systems for violations of this Chapter.~~

[Added by Ord. 04-2023, 9/7/23]

8.10.100 Transition Provisions and Applicability Dates

~~It is the intent of the Board of County Commissioners that this Chapter be revisited in 2 years after the effective date of the adoption of the ordinance establishing this Chapter. At that time,~~

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~~the Board of County Commissioners shall evaluate the cost and efficacy of the program and make a determination whether to continue, amend, or discontinue the regulation of short-term rentals.~~

[Added by Ord. 04-2023, 9/7/23]