

**Exhibit A**  
**Bend Development Code Update**  
Draft: July 27, 2022  
Prepared by:

Planning Division

Note:

Text in underlined typeface is proposed to be added

Text in ~~strike through~~ typeface is proposed to be deleted.

\*\*\*Indicates where text from the existing code has been omitted because it will remain unchanged.

Staff comments are ***bold and italicized***

**Bend Development Code**

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**3.6.500 Short-Term Rentals.**

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E. Concentration Limits. There must be at least ~~250~~500 feet of separation between properties zoned RL, RS, RM, RH, and MR outside of the Old Mill District boundary (noted as Type II in Figure 3.6.500.C) measured radially from the property boundary of the subject property as determined by the City of Bend Community and Economic Development Director or designee, which have a valid Type II short-term rental application or permit.

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K. Abandonment of Use.

1. Notwithstanding BDC Chapter 5.2, Nonconforming Uses and Developments, if the short-term rental ceases for a period of more than 12 months, the short-term rental permit shall be void with no further proceedings.
  - a. For existing permits submitted prior to the effective date of this code, the period of use shall be measured from the 12 months prior to the due date for the operating license (September 1, 2015). For permits obtained after September 1, 2014, and before September 1, 2015, and uses that now require a permit under this chapter, the 12-month duration shall be measured from one year beginning September 1, 2015. The period of use shall then be measured annually thereafter.

2. Failure to maintain the STR operating annual license as provided in that chapter shall be considered abandonment of use.

3. Temporary Hardship Exemption.

a. A temporary hardship exemption from this section may be granted by the Community and Economic Development Director or designee. The following hardships, including a submission of proof, may be acceptable to the City:

- i. Medical condition of the owner, spouse, domestic partner or immediate family member that jeopardizes the ability of the owner to operate the short-term rental;
- ii. Death of a spouse, domestic partner or immediate family member that jeopardizes the ability of the owner to operate the short-term rental; or
- iii. Structural integrity of the short-term rental that deems it uninhabitable for tenants and is not self-imposed.

b. A time limit may be set by the Community and Economic Development Director or designee, but shall not exceed six months. A one-time extension may be approved upon request if one of the conditions of subsection (K)(3)(a) of this section still applies.

4. Long-term Rental Exemption.

a. A long-term rental exemption from this section may be granted by the Community and Economic Development Director or designee if the property owner provides proof of a long-term lease of 12 months or greater in compliance with BC 7.16.070, Criteria for Approval of an Operating License and Operating License Renewal.

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