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**Article 14: Certain Uses**

14.100 Itinerant Uses. *Repealed. See Chapter 4 of the Municipal Code.*

14.200 Home Occupation

14.210 Applicability and Purpose.

This section applies to all proposed Home Occupations as defined in Section 30 of this Code. The purpose of this section is to regulate home occupations consistent with the following goals:

- (1) To maintain the residential character of neighborhoods in both appearance and characteristics.
- (2) To allow businesses compatible with residential uses without infringing upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
- (3) To preserve and to protect adequate public utility services and transportation facilities.
- (4) To ensure that home occupations are subject to standard development review criteria, regardless of the zone district.

14.211 Exemptions. The following occupational uses are not required to apply for home occupation permits. The uses are required to comply with the standards for minor home occupations.

- (1) Building contractors, home builders, building tradespeople, landscaping services and janitorial services where the work is conducted entirely off-site, and
- (2) Other businesses where the office in the home serves only as a secondary office<sup>8</sup> and there are no customers visiting the site and no outside employees working from the site.
- (3) Primary home offices that have no customers visiting the site and no outside employees working from the site.
- (4) Exempt home occupations are limited to one business-related vehicle parked on the site at any given time.

14.212 Occupational uses exempted under 14.211 shall comply with all of the following restrictions:

- (1) (a) The occupational use shall be consistent with the home occupation purpose goals, as stated in Section 14.210; and,

- (b) The occupational use shall be consistent with the general criteria set forth in Section 14.230 (1) and (2).

14.220 Permit Required. A permit for a Minor Home Occupation and a Development Permit for a Major Home Occupation shall be obtained from the Director of the Community Development Department prior to any said use. Before any appropriate permit can be issued for a Home Occupation, the appropriate criteria shall be met.

14.225 Home Occupations in Multifamily and Cottage Developments. The following types of home occupations are allowed in multifamily and cottage developments:

- (1) Multifamily development. Only exempt home occupations are allowed in multifamily developments, and must be consistent with the applicable standards in this section.
- (2) Cottage development. Only exempt and minor home occupations are allowed in cottage developments, and must be consistent with the applicable standards in this section.

14.230 Criteria.

- (1) General Criteria for all Home Occupations and occupational uses exempted from home occupation permits.

Home occupations and those exempted from permits shall comply with the following requirements:

- (a) The occupation will not require more area than that equal to 25% of the floor area of the ground floor of the building. Space used in calculating floor area shall include the dwelling unit and garage, if garage is attached, or the dwelling unit without an attached garage plus the area of one additional detached, on-site building. Total area for the Home Occupation shall not exceed 25% of the floor area or 500 square feet, whichever is less.
- (b) The occupation will be conducted entirely within the dwelling unit, garage or detached building.
- (c) <sup>8</sup>For non-exempt home occupations, only members of the family residing in the dwelling plus one outside employee (a person not residing in the home) shall be allowed to work at the home occupation site.
- (d) The residential character of the dwelling and lot shall be maintained.

- (e) Only one business related vehicle, not parked in a garage, is permitted on the property. No other equipment, materials or business related vehicles, including trailers, other than automobiles and light duty trucks, shall be stored or parked outside on-site. Light duty trucks shall mean vehicles three-quarter ton or less in size.
- (f) The home occupation does not involve on-site retail sales unless the items are incidental to the occupational use, such as the sale of beauty products from salons, lesson books or sheet music for music teachers, or computer software for computer consultants, etc.
- (g) If applicable, name, address and written authorization from the property owner to permit the home occupation on the premises
- (h) The home occupation complies with all environmental performance standards as set forth in Article 24 and does not involve the storage or use of materials which are determined by the Director to be nuisance.

(2) Additional Criteria for Minor Home Occupations.

Minor Home Occupations and occupational uses exempted from home occupation permits shall comply with the following additional requirements:

- (a) Only one client or customer shall be on site at any given point in time, and there shall be no more than eight (8) total client or customer visits to the site per day. There shall be no client/customer visits between the hours of 9:00 pm and 7:00 am.
- (b) There shall be no more than three (3) business-related deliveries per day, and no deliveries between the hours of 9:00 pm and 7:00 am.
- (c) There shall be no outside storage related to the home occupation on the site.

(3) Additional Criteria for Major Home Occupations.

Major Home Occupations shall comply with the following additional requirements:

- (a) The property complies with all applicable Code standards regarding sidewalk and access and with all on-site improvements, including but not limited to: landscaping, access, parking, paving, trash disposal and utility services.
- (b) Potential land use conflicts have been mitigated through specific conditions of development as required by this Code.

14.240 Mitigation.

- (1) The issuance of a home occupation permit may require the mitigation of potential land use conflicts. Issues needing mitigation may include, but are not limited to: dust, odors, noise, interference with TV/radio transmissions, electrical interference, vibrations, heat, smoke, visual interference including glare and excess lighting, storage of flammable and hazardous materials, traffic, parking and interference with residential character of a neighborhood.
- (2) Methods of mitigation may include, but are not limited to: limiting the hours of operation, limiting the hours of deliveries, buffering, controlling the number of clients on-site at any one given time and the total number of customers per day, controlling the number of on-site parking spaces, and restricting the type of equipment, supplies, chemicals which may be stored on-site and limiting the type and amount of signage.

14.250 Application Information and Issuance of Permit.

- (1) A Minor Home Occupation Permit shall be issued after a Minor Home Occupation Permit application is filed, reviewed and approved by the Director. The Minor Home Occupation Permit application shall include the following information:
  - (a) Name of home occupation for which the permit is being granted and the number of employees.
  - (b) A short description of the home occupation.
  - (c) Applicant's name, address and telephone number.
  - (d) Assessor's map page and tax lot numbers for the property of the applicant's business.
  - (e) Current zoning district designation.
  - (f) If applicant is not the property owner, written authorization from the property owner or rental management company.
- (2) A Major Home Occupation application shall include a site plan with information required in Section 19.072. The home occupation shall not be conducted prior to approval and issuance of the Development Permit. The procedure method for processing the application shall be as determined in Article 12, Zoning Districts, and shall be based on the zone district of the property on which the home occupation is conducted.

14.260 Prohibited Home Occupations.

The following types of home occupations are prohibited:

- (1) Ambulance service.
- (2) Auto and other vehicle repair, including auto painting.
- (3) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on site.

14.300 Day Care

The review procedure for Family Day Care or Group Day Care shall be as provided in Schedule 12-2.

14.310 Family Day Care. Family Day Care, as defined in Article 30 of this Code, is permitted in any existing residential dwelling unit which is approved for occupancy. No development permit is required.

14.320 Group Day Care. A development permit for group day care use shall be obtained from the Director prior to any said use. The permit application shall contain the following:

- (1) All submittal requirements for site plan review as found in Section 19.072 of this Code.
- (2) Description of day care use:
  - (a) Number of children/adults per session.
  - (b) Number and duration of sessions.

14.330 Criteria.

- (1) Compliance with requirements of applicable State agencies.
- (2) Adequate access, off-street parking, and turn-around area.
- (3) Sight obscuring fence around outdoor play area, except when other types of fencing are required for public safety purposes.
- (4) No playground equipment in front yard.

14.400 Bed and Breakfast Inn.

14.410 Applicability. This section applies to all proposed Bed and Breakfast Inns as defined in Article 30 of this Code.

14.420 Permit Required. No person, group, firm, business, or organization shall engage in the use or occupation of Bed and Breakfast Inns without first obtaining the necessary approvals and compliance with all required conditions and standards of development.

Use and Development Standards.

- (1) Number of Guest Rooms Permitted. One guest room for every 400 square feet of gross floor living area, plus one unit for the proprietor of the business. Total number of guest rooms shall not exceed 5. For calculation purposes, the outside dimension of each eligible structure may be used. Living area includes any structure on the lot lawfully used for residential purposes. Living area does not include: garages, garage conversion where the conversion has resulted in noncompliance with off-street parking requirements, utility shops, basements, storage sheds and other similar nonresidential structures.
- (2) Length of Stay. Not more than 15 days in any 30 day period.
- (3) Off-Street Parking. Also see Article 25, Section 25.042(2)(d) of this Code.
  - (a) Required Number of Spaces. One parking space for each guest room, and one space for the proprietor's unit.
  - (b) Design Guidelines. These guidelines shall be used by the decision maker of the request to ensure that aesthetic impacts resulting from required off-street parking are minimized.
    - (i) On-site turnaround may be waived if it is determined that the risk to public safety has not been jeopardized.
    - (ii) Stacking of vehicles (end-to-end).
    - (iii) Use of semi-circular driveways.
    - (iv) Masonry pavers seeded with grass.
    - (v) The ratio of the parking lot area to the existing yard areas that are located between the Bed and Breakfast structure and the property lines that abut a street shall not exceed 1 : 1.
    - (vi) Reduction in number of guest rooms if impacts cannot be mitigated.
- (4) Signage. Any sign on the property shall be in compliance with the sign requirements for the use in residential zones as established in Title 9, Chapter 9.21, Sign Standards, of the City of Grants Pass Municipal Code.
- (5) Structure Type and Appearance.
  - (a) Existing Structures. Single family dwellings are the only eligible structures for conversion to Bed and Breakfast Inns. Apartment



dwellings and non- residential structures, such as institutional buildings, warehouses, and churches are not eligible.

- (b) The architecture of new structures shall resemble single family dwellings.
- (6) Access. The street serving the Bed and Breakfast Inn shall have adequate capacity and turnaround area to serve the additional traffic.
- (7) Bed and Breakfast operator must be applicant of the request and reside at the Bed and Breakfast Inn.
- (8) An accurate and up-to-date guest register must be maintained and available for review by the City’s Finance Director.
- (9) Breakfast is the only meal to be provided and shall be served only to guests of the Bed and Breakfast Inn. For the purpose of this section, Breakfast is considered to be any meal served between the hours of 2:00 a.m. and 12:00 noon.
- (10) Evidence of compliance with the Uniform Building Code, Fire Life Safety Code, and standards of the State and local Health Departments.

14.500 Residential Care

14.510 Residential Homes. Residential Homes, as defined in Article 30 of this Code, are permitted in any existing residential dwelling unit which is approved for occupancy. No development permit is required.

14.520 Residential Care Facilities.

14.521 Permit Required. A development permit for a residential care facility, as defined in Article 30 of this Code shall be obtained prior to any said use. The permit application shall contain the following:

- (1) All submittal requirements for site plan review as found in Section 19.072 of this Code.
- (2) A copy of the application and supporting documentation for State licensing of the facility.

14.522 Development Standards

- (1) Off Street Parking.
  - (a) Parking shall be provided at the rate of one space per attendant.
  - (b) Design.

- (i) An on-site turn-around must be provided when the review body determines there is a risk to public safety.
  - (ii) Up to two vehicles may be stacked end to end.
- (2) The facility shall meet all requirements that would be required of a new single family dwelling on the same lot, except that non-conforming buildings need not meet setback requirements.
  - (3) The review body may require landscaping or site obscuring fencing when necessary to mitigate conflicts with adjacent properties.

14.523 Criteria for Approval.

- (1) The facility is licensed according to State statute, or application has been made for licensing. Proof of licensing must be provided prior to occupancy of the site.
- (2) The development standards found in Section 14.522 of this Code are met.

14.600 Adult Businesses

14.610 Applicability. Sections 14.600-14.650, apply to any “adult business” and “adult use” as those terms are defined in Article 30 and establishes an overlay area where adult businesses are not permitted, notwithstanding any other Development Code provision to the contrary.

14.620 Permit Required.

- (1) An adult business shall be required to obtain a development permit as outlined in this section and shall be processed according to the provisions of Article 12.
- (2) Subject to the restrictions of Sections 14.600-14.650 and Article 12, an adult business is a permitted use in any zone where the activity would be a permitted use if the activity was not restricted to any persons under 21 years of age.
- (3) In addition to the adult business restrictions of Sections 14.600-14.650, an adult business must comply with all Development Code requirements which would be applicable to the activity as if it were not restricted to any persons under 21 years of age.

14.630 Additional Criteria for Permit Approval. A development permit for an adult business shall also comply with all of the following criteria:

- (1) (a) The adult business is located in a Riverfront Tourist Commercial Zone and has 10,000 or more square feet of covered and enclosed building space open to the public; or

- (b) The adult business is located more than 200 feet from any R-1, R-2, R-3, or R-4 residential zones (measured in a straight line from the closest edge of the property line on which the business is located to the closest edge of property in the residential zone); and
- (2) (a) The adult business is located in a Riverfront Tourist Commercial Zone and has 10,000 or more square feet of covered and enclosed building space open to the public; or
  - (b) The adult business has 10,000 or more square feet of covered and enclosed building space open to the public, and contains restaurant accommodations that are not restricted at any time by age and which restaurant accommodations have a floor area equal to or greater in size than the portion of the premises where any persons younger than 21 years of age are prohibited; or
  - (c) The adult business has less than 10,000 square feet of covered and enclosed building space open to the public, and the adult business is located more than 1000 feet from all of the following facilities (measured in a straight line from the closest property line on which the adult business is located to the closest edge of the property line on which the facility is located):
    - (i) A “school, public” as defined by Article 30, with an average weekday attendance (during any continuous 3 month period during the preceding 12 months) of not less than 50 children who are under 21 years of age.
      - (A) *Exception: Marijuana producers or processors may not be located within 500 feet from a school located in an Industrial Zone.*
    - (ii) A public library.
    - (iii) A public park which covers an area of not less than 20,000 square feet and has facilities such as a playground, baseball field, football field, soccer field, tennis court, basketball court, or volleyball court.
    - (iv) A commercial or residential recreational facility, as defined in Article 30, which serves children under 21 years of age, and has a total area for indoor and outdoor recreation (not including parking) of not less than 20,000 square feet.
    - (v) A daycare facility licensed by the State of Oregon, unless such daycare facility is established after the Marijuana Business has received all regulatory licensing and approvals, in which case the Marijuana Business shall be permitted to remain in that

location, unless the State of Oregon revokes the license for the Marijuana Business.

Additionally, Marijuana retailers may not be located within 1,000 feet of other Marijuana retailers.

- 14.635 Hours of Operation. Medical marijuana dispensaries and marijuana retailers shall not be permitted to operate outside the hours of 9 a.m. to 7 p.m.
- 14.640 Modification of an Adult Use in a Non-conforming Adult Business. An adult business which, at the time of adoption of 14.600-14.650, does not conform to the criteria contained therein, shall be governed by the provisions of Article 15 of the Development Code except that the current adult use may not be expanded to include other types of uses which by law are not accessible by persons of any age group under 21 years of age. Any such modification of the adult use shall result in automatic loss of the rights under Article 15 and shall cause the adult business to be in violation of Article 14.
- 14.650 Modification of a Structure Housing a Non-conforming Adult Business. Any modification to a structure or surrounding properties utilized by an adult business shall be governed by the provisions of Article 15 of the Development Code.
- 14.660 Colocation. No more than one Marijuana Business may be located on the same property, parcel, address or tax lot.
- 14.670. Odor Control. Medical marijuana dispensaries and marijuana retailers shall be equipped with an air filtration and ventilation system which, to the greatest extent feasible, contains all marijuana-related odors within the facility rather than allowing the odors to escape to the exterior.

A building used for marijuana production, processing, wholesaling, or storage shall be equipped with a carbon filtration system for odor control. The odor control system shall consist of one or more fans and filters. The fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the square footage of the building floor space (i.e. one CFM per square foot of building floor space). An alternative odor control system shall be permitted if the applicant submits a report by an Oregon registered professional mechanical engineer that demonstrates that the alternative system will control odor as well or better than the system otherwise required.

- 14.680 Drive-up. No drive-up or drive through service shall be permitted for Marijuana Businesses.
- 14.690 Compliance with Laws. Marijuana Businesses shall comply with all state and local laws, including, but not limited to, holding the applicable license in good standing with the Oregon Health Authority or the Oregon Liquor Control Commission.
- 14.700 Self-Storage in General Commercial and Residential Zones

The review procedure for Self-Storage shall be as provided in Schedule 12-2.

14.710 Development Standards for Self-Storage in General Commercial Zones

- (1) An approved primary use or uses must exist on the same property between the Self-Storage and all street frontages.
- (2) The approved primary use(s) must be in a building or buildings totaling at least 2,500 square feet in area.
- (3) The building(s) containing the approved primary use(s) shall be oriented to obscure view of the Self-Storage from all rights-of-way to the greatest extent practical.
- (4) All buildings containing the approved primary uses(s) must meet the Architectural Standards in Section 20.400-20.495.
- (5) The development of the site must meet Article 23 Landscaping and Buffering Development Standards.
- (6) The development must meet all other applicable provisions of this Code.

14.720 Development Standards for Self-Storage in Residential Zones

- (1) Self-Storage in residential zones shall only be made available for use by residents of the residential development (**for example:** multi-family complex, residential subdivision, PUD) containing the Self-Storage facility. At no time is the Self-Storage facility permitted to serve non-residents.
- (2) Self-Storage in residential zones shall be maintained and operated by the owner of the complex in the case of multi-family developments held in common ownership, and by a legally formed homeowners association in the case of residential developments held in separate ownership (**for example:** residential subdivision, PUD, condominium).
- (3) The Self-Storage buildings shall be built in a location and manner that obscures their view from all rights-of-way and paths to the greatest extent practical.
- (4) The development of the site must meet Article 23 Landscaping and Buffering Development Standards. The Self-Storage facility must meet the Commercial standards for Landscape and Buffering.
- (5) The development must meet all other applicable provisions of this Code.

14.800 Vacation Rental Dwellings (VRD)

The review procedure for VRDs shall be as provided in Schedule 12-2.

14.810 Applicability and Purpose. This Section applies to all proposed Vacation Rental Dwellings as defined in Section 30 of this Code. A vacation rental dwelling permit/license is a limited permission to use property for a vacation rental. The license may be suspended, terminated or revoked if the standards of this Chapter are not met or the dwelling is sold or otherwise transferred as defined in Title 4 of the City of Grants Pass Municipal Code. The purpose of this Section is to regulate Vacation Rental Dwellings consistent with the following goals:

- (1) To maintain the residential character of neighborhoods in both appearance and characteristics.
- (2) To allow VRDs compatible with residential uses without infringing upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
- (3) To preserve and to protect adequate public utility services and transportation facilities.
- (4) To ensure that VRDs are subject to standard development review criteria, regardless of the zone district.

14.820 Permit Required. A permit for a VRD shall be obtained from the Director of Parks & Community Development Department prior to any said use. Before any appropriate permit can be issued for a VRD, the appropriate criteria shall be met.

14.830 Use and Development Standards. Except where noted, the following standards apply to all VRDs in the City:

- (1) Maximum Occupancy. The number of occupants in any VRD for transient use shall not exceed the limits set forth in the Oregon Uniform Housing Code and other applicable State and County housing regulations for residential structures based on the number of bedrooms within the dwelling. Each permit shall specify the maximum number of occupants allowed.
- (2) Maximum Overnight Occupancy. Maximum overnight occupancy for vacation rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of twelve (12) persons, excluding children under three (3) years of age. For homes on a conditional or non-standard septic system, or those with capacity limited by a voluntary repair, the maximum overnight occupancy for vacation rentals shall be equal to the design load of the septic system. The property owner shall ensure that all contracts and online listings and advertisement clearly set forth the maximum number of overnight guests permitted at the property. For this purpose, a sleeping room is defined as a fully enclosed habitable space with a heat source and an emergency escape or rescue opening. In the event that the property includes bedrooms of an adequate size to accommodate more than two (2) persons per bedroom and can safely accommodate additional parking, the maximum occupancy may be increased through the application process. The license shall clearly state the numeric occupancy limit for the dwelling, as well as the number of bedrooms the dwelling contains.

- (3) Maximum Number of Guests and Daytime Visitors. The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, or eighteen (18) persons, whichever is less, excluding children under three (3) years of age. Daytime visitors shall not be on the property during quiet hours (10:00 pm to 7:00 am) as defined in Article 24, Section 24.161 of the Grants Pass Development Code.
- (4) Length of Stay. No more than 27 days in any 30 day period.
- (5) Parking. See also Article 25, Section 25.042(2)(d) of this Code.
- (a) Required Number of Spaces. Off-street parking space will be provided for the dwelling unit. No more than two vehicles are allowed in the driveway and only one vehicle will be allowed on the street. Recreational vehicles are allowed onsite; however, they are strictly prohibited from being parked on the street.
- (b) Design Guidelines. These guidelines shall be used by the decision maker of the request to ensure that aesthetic impacts resulting from required off-street parking are minimized.
- (i) On-site turnaround may be waived if it is determined the risk to public safety has not been jeopardized.
- (ii) Stacking of vehicles (end to end).
- (iii) Use of semi-circular driveways.
- (iv) Masonry pavers seeded with grass.
- (v) The ratio of the parking lot area to the existing yard areas that are located between the VRD structure and the property lines that abut a street shall not exceed 1:1.
- (vi) Reduction of number of bedrooms if impacts cannot be mitigated.
- (c) If the proposed VRD use cannot provide the required parking and also meet the other standards within this Section, including required landscaping, the vacation rental occupancy of the dwelling shall be reduced to conform to the available amount of off-street parking and made a condition of licensing under Title 4, Chapter 4.08 of the City of Grants Pass Municipal Code.
- (d) Variances from the parking standards are not allowed.
- (6) Structure and Type and Appearance.

- (a) Existing Structures. Single family dwellings and Accessory Dwelling Units (ADU) are the only eligible structures for VRDs. Apartment dwellings and non-residential structures, such as institutional buildings, warehouses, and churches are not eligible.
- (b) The architecture of new structures shall resemble single family dwellings.
- (7) Access. The streets serving the VRD shall have adequate capacity and turnaround area to serve the additional traffic.
- (8) Guest Register. An accurate and up-to-date guest register must be maintained and available for review by the City's Finance Director.
- (9) Solid Waste. The owner must provide securable receptacles of sufficient size for the deposit of solid waste generated by the vacation rental dwelling use and subscribe to a solid waste collection service for service sufficient for the vacation rental dwelling during all months the dwelling is used for vacation rental. No dumpsters are allowed.
- (10) Landscaping. The owner must landscape all yards in accordance with the standards of Article 23, Landscaping and Buffering Development Standards, Section 23.03, Type A: Residential Front and Exterior Yards.
- (11) Signs. Any sign on the property shall be in compliance with the sign requirements for the use in residential zones as established in Title 9, Chapter 9.21, Sign Standards, of the City of Grants Pass Municipal Code.
- (12) Transient Room Tax. The owner shall comply with Title 4, Chapter 4.05, Transient Room Tax, of the City of Grants Pass Municipal Code.
- (13) VRD License. Prior to making a VRD available for use, including advertising by any means or otherwise offering the VRD for use, the owner shall obtain a valid VRD License as provided in Title 4, Chapter 4.08 of the City of Grants Pass Municipal Code.
- (14) Evidence of compliance with the Uniform Building Code, Fire Life Safety Code, and standards of the State and local Health Departments.

14.840 Application Requirements.

- (1) The owner of the property or authorized agent shall apply for a VRD application on a form provided by the Parks & Community Development Department.
- (2) The review process is provided in Schedule 12-2.
- (3) The city is authorized to adopt fees in an amount established by resolution to cover the costs associated with the processing and reviewing of an application for a VRD including fees for any appeals of such decision.



- (5) Title 4 of the City Grants Pass Municipal Code governs the process for any violations, complaints, penalties, and licensing for VRDs.

14.900 Keeping of Animals

14.910 Applicability and Purpose. This Section applies to all residential property governed by this Code. The keeping of animals as provided in this Section is considered ‘non-intensive agriculture’ as defined in Article 30 and regulated by Schedule 12-1. The purpose of this Section is to regulate the keeping of animals consistent with urban residential development.

- (1) The keeping of animals shall be kept primarily for personal use. Sale of surplus eggs, honey or similar animal products produced by on-premises animals is permitted in accordance with Section 14.200 and with any applicable licensing and inspection requirements of the Oregon Department of Agriculture.
- (2) Prohibited Animals. Swine, roosters, geese, peacocks, and exotic & dangerous animals as set forth by Section 5.04.020 of the Municipal Code are prohibited.

14.911 General Provisions:

- (1) No person shall keep or maintain a stable housing large livestock (i.e. cattle, horses, goats etc) on a property of less than 10,000 square feet.
- (2) The applicable minimum care requirements of ORS 167.310 shall apply to all animals identified in this section.
- (3) All enclosures meant for the keeping of animals shall be setback a minimum of fifteen feet (15’) from property lines.
- (4) The slaughter of animals within the city limits is strictly prohibited.

14.912 Dogs. No person shall keep more than two (2) dogs over the age of six (6) months per dwelling unit.

- (1) Licensing. Dogs are required to be licensed in accordance with Section 5.08.020 of the Municipal Code.
- (2) Nuisance Dogs and Enforcement. Section 5.08.010 of the Municipal Code defines Nuisance Dog’s and Section 1.36.010 provides penalties for violations.

14.913 Bees. The keeping or maintaining of bees, bee colonies, bee hives wherein bees are hived is subject to the following:

- (1) Permit Required. The owner of the property or authorized agent shall apply for a no-fee permit on a form provided by the Parks & Community Development Department.

14.914 Development Standards for Bee Keeping. The following standards apply for hobby bee keeping.

- (1) Number of Hives / Colonies. No more than three (3) bee colonies shall be kept or maintained on properties of less than one acre. No more than five (5) bee colonies shall be kept or maintained on properties of one acre or greater.
  - (a) Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
  - (b) For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same property, one nucleus colony in a hive structure not to exceed one standard 9-5/8 inch deep, 10-frame hive body
  - (c) In each instance where a colony is kept less than twenty five (25) feet from a property line, a flyway barrier at least six (6) feet in height shall be maintained parallel to the property line for a minimum of ten (10) feet in either direction from the hive. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that bees will fly over rather than through the material to reach the colony.
  - (d) A constant supply of fresh water shall be provided for the colonies on site within fifteen (15) feet of each hive.
  - (e) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the property. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect proof container.
  - (f) If the beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, the beekeeper shall be permitted to temporarily house the swarm on the property for no more than 30 days from the date acquired.
- (2) The sale of surplus honey or bee's wax produced on site shall be permitted on the property where the keeping of bees is permitted in conjunction with a Home Occupation Permit as provided in Section 14.200.
- (3) Africanized bees are prohibited.

REVISIONS

DATE	ORD #
9/2/92	4744
3/21/94	4788
3/6/96	4853
4/20/05	5285
10/17/12	5564
4/2/14	5604
9/17/14	5619
11/12/14	5630
4/20/16	5679
6/7/17	5714
10/18/17	5727
6/6/18	5735
6/20/18	5737