



**VACATION RENTAL AD-HOC COMMITTEE AGENDA**  
**Wednesday, September 05, 2018 - 1:00 PM**  
**City Hall**

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The meeting location is accessible to persons with disabilities. A request for an interpreter for the DEAF AND HARD OF HEARING, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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**MEETING #13**

**1. DISCLOSURES (5 MIN)**

*This is the time for members with a financial stake in the outcome to disclose the "potential conflict of interest."*

**2. APPROVAL OF MINUTES (5 MIN)**

*Corrections and/or clarifications may be requested and a motion and vote will be needed to adopt the minutes.*

**2.1 July 25, 2018**

[07-25-18 VRD Advisory Committee Minutes.pdf](#)

**3. REVIEW AGENDA (10 MIN)**

*This is an opportunity for the group to discuss and make changes to the meeting agenda.*

**4. COMMITTEE REQUESTS (10 MIN)**

*The group will have an opportunity to review and discuss information distributed at the request of committee members. It is also an opportunity to request information not otherwise addressed on the agenda.*

**4.1 Committee Requests**

[Committee\\_Member\\_Submittal\\_Escobar\\_Article.pdf](#)

**5. HOTEL/MOTEL OPERATOR'S PERSPECTIVE ON VACATION RENTALS (20 MINS)**

*Special Guest: John Clark, The Whaler Motel*

**6. REFINEMENTS TO POLICY OPTIONS BASED UPON OPEN HOUSE FEEDBACK (60 MINS)**

**6.1 Memo**

[Refinements\\_to\\_Policy\\_Options..pdf](#)

**7. PUBLIC COMMENTS (10 MINS)**

**ADJORN**

*Next Meeting: September 19, 2018, 1-3pm, City Hall.*

Draft MINUTES  
City of Newport  
Vacation Rental Ad-Hoc Committee Meeting #12  
City Hall Council Chambers  
Wednesday, July 25, 2018

**AC Members Present:** Carla Perry, Norman Ferber, Jamie Michel, Margaret Dailey, Bill Posner, Bonnie Saxton, Charlotte Boxer, Martha Winsor, Lauri Hines, and Pam McElroy.

**AC Members Absent:** Cheryl Connell (*excused*), Braulio Escobar, and Don Andre.

**Planning Commission Liaison Present:** Jim Hanselman.

**City Staff Present:** Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

**Public Members Present:** Cathy Briggs

1. **Call to Order.** The meeting was called to order at 1:00 p.m.
2. **Disclosures.** Tokos asked for conflicts of interest. Andre, Saxton, Ferber, Hines, and Michel disclosed they had potential conflicts of interest. Dailey, Hanselman, Perry, Escobar, Posner, Boxer, McElroy, and Winsor stated they had no conflicts.
3. **Approval of Minutes from the July 11, 2018 Meeting.** Tokos asked for input on the minutes. Michel noted minor corrections to the minutes.

**MOTION** was made by Dailey, seconded by Boxer to approve the July 11, 2018 Vacation Rental Ad-Hoc meeting minutes with minor corrections. The motion carried unanimously in a voice vote.

4. **Review Agenda, and Revise as Needed.** Tokos asked for any adjustments to the agenda. He noted the Perry asked to make sure the AC discussed the Policy Options at the current meeting. No revisions were heard.
5. **Committee Requests.** Tokos covered the committee request documents that were shared with the AC including the VRD count list that Dailey had requested, and Boxer and Escobar's news articles they had submitted.
6. **Options for Amending VRD regulations.** Tokos reviewed his PowerPoint presentation on the VRD outreach meetings and went over the materials for the topic area stations. Winsor requested there be bigger maps with focus areas printed and hung for the outreach meetings. Tokos would do this. He reviewed the handouts that would be shared at the outreach meetings.

Tokos reviewed the definitions that would be used for Dwelling Units, Short Term Rentals, Home Shares, Bed and Breakfast Facilities, and VRDs. Perry suggested putting VRDs at the top of the list below the definition of dwelling units. Posner thought that the definition says short term rental. Perry then said to put VRDs above Home Shares. Winsor asked if a mother-in-law apartment would be considered a home share. Tokos said it would be considered a dwelling unit if the unit had all of the descriptions for them. He said a lot of the mother-in-law units didn't have a kitchen. These wouldn't be considered a separate dwelling.

Tokos reviewed the parameters for applying location and density limits to non-owner occupied units. He said after the public outreach he would be bringing back a copy of the code that built in different alternatives. These alternatives would have a copy of the public feedback. A discussion ensued regarding whether or not the public outreach meetings should include presentations on what the AC was in agreement on as far as options. Perry felt this information needed to be shared with the public at the meetings. Michel disagreed and felt that the AC was charged to come up with options for the City Council (CC) that represented the community and the AC should consider public feedback before voting and making decisions. Hanselman thought it was hard to get the whole AC in agreement and thought there needed to be a definition for what consensus would be. He suggested there be a roll call vote done. Tokos thought this shouldn't be done until they AC had the benefit of getting feedback from the public at the outreach meetings. Perry thought the AC had made an agreement to limit the number of bedrooms in homeshares to two. Tokos asked if this was a general agreement. The AC didn't agree that this was a consensus. Boxer said that most of the different jurisdictions limited the number of bedrooms to two for home shares. Tokos said the slide could be changed to say there was an option to limit the number of bedrooms for homeshares to two with another options to say not have that option. Tokos said his purpose of the open houses was to craft options and get feedback from the public.

Hanselman thought that for the outreach meetings it would be helpful for the public to know the AC had discussed and brainstormed ideas, and to also know what the AC's agreements and disagreements were for the options. He felt the public needed to see all the options and needed to know the AC had been having a lot of good discussions. Hanselman said the PC asked if the businesses like Airbnb, and Flipkey had business licenses. Tokos said he could look into it.

Perry suggested the options just be bullet points. Ferber noted that on page eight the proximity limits wording would eliminate his VRD. He felt the way it was presented as a proposal was suggesting it was what the AC agreed on. Tokos suggested saying "concept" instead of proposal. Hanselman wanted the public to know they hadn't established any policies. Dailey thought it should be left open and wanted the public to think the options were open to give their opinions. Tokos suggested saying "concept" and it was important to remember there was a reason for these and the public needed to know what they were. Winsor suggested using "suggestion, consideration, or idea." Tokos said he would use the word concept, adjust the two bedrooms up into the concept area, and adjust the other option accordingly.

Tokos reviewed the definition of what an intermediary was. The AC was in general consensus with the board.

Hines joined the meeting and reported that she had a potential conflict.

Tokos reviewed the alternative maps to be plotted with updated VRD numbers. He then covered the allowed locations for VRDs next. Perry asked if STR should be included. Tokos said yes, it was separate from homeshares and B&Bs an not subject to those limitations.

Tokos reviewed the hard cap on licenses slide. Perry asked if they could limit to four or five percent. Tokos said it was good to give a range and it would help to get public feedback. Ferber thought the cap number of 220-275 should be eliminated. Tokos said the public needed to understand what the numbers would be. A discussion ensued regarding caps in different areas in the city. Tokos reminded that a hard cap could be changed by CC resolution. Perry asked if not imposing a cap should be an option. Tokos said it would be an option even though the AC might not choose it. McElroy questioned if the city was dealing with enough complaints to justify bringing numbers up to 275. Dailey said it came down to what to do in the end, and how they are all tied together. The AC was building a process and when things are added they needed to look at how it combined with each other.

Tokos reviewed the map alternative. Boxer noted a VRD that didn't show on the map. Tokos said they were constantly updated the maps. Boxer asked how long a license lasted. Tokos said the AC didn't talk about the exact timeframe but with a cap there was a general understand they needed to deal with license expirations. Boxer asked if licenses would go away when VRDs were sold. Tokos said licenses wouldn't be transferrable. Boxer noted it didn't say that in the policy options.

Hanselman thought there needed to be a program based on the proximity limits and then see where the caps would be then. Tokos said it depended on how multiple units were approached on each street face. He thought there already had been issues where there were a number of licenses issued per year on units that decided to not continue. Amortization out over a 5 year period was a different approach to take out more licenses. Tokos said for the map alternatives for street face, there would be a buffer option as well. Tokos said the AC hadn't ferreted out the areas in R-3 & R-4 zones where there were commercial on the other side of the street. He noted these areas were limited but were areas where VRDs would be desirable. He suggested it as internal to those neighborhoods R-3 & R-4 zones would be internal. Winsor thought if that was the best way to handle limitations and it maintained the neighborhood character, she was ok with this. Hines asked how the properties in South Beach in R-4 zones would work. Tokos said as a complex, in the R-3 & R-4 zones, the entire complex was eligible as one unit. He would reword it to make sure that "internal" was included.

Tokos reviewed enforcement and complaints. Saxton asked who monitored the updates to contacts for VRDs. Tokos said the Community Development Department. This would be taken care of with a yearly renewal that included a checkoff on if their contact info had changed. Hanselman asked about the cooling off period for bad characters and if the AC agreed that these owners would have to go through the process after which they could reapply. Dailey said it should say their license was revoked, not cooling off if actually terminating their ability to operate and could apply after two years. She felt if they came back and had other violations, they couldn't get another license again.

Michel asked for clarification on the "proactive reviewing websites by intermediaries." Tokos said he didn't want to say there was a decision to hire a third party contractor but a desire to see a more proactive effort to review these websites. Michel wanted it to say a proactively review websites. Dailey said since it wasn't determined it didn't need to be changed. Hanselman asked about the three strikes rule. Dailey said it became a problem when they weren't dealt with. Hanselman thought it was an infraction multiple times needed to be a strike. Michel thought the AC talked about making this clearer. Tokos said they talked about having it put in a compliance system and during the process it was determined that it was a verified infraction. Ferber was concerned about the compliance service making mistakes on calling managers/owners and it needed to be clarified. McElroy asked about progressive enforcement resulting in three strikes you are out. She was

concerned it was in an unlimited amount of time. Tokos said they could say within a specific period of time. Dailey suggested a rolling year period.

Tokos covered the 24/7 hotline proposal slide. He then reviewed the board that would be presented to the public to inform them of third party vendors for compliance. Michel asked if this should include where the cost of for the vendor would come from. Tokos said it would be in another area. The AC was in general agreement to add it on this board as well.

Tokos reviewed the different types of parking arrangements in the City. Boxer asked for clarification on if undeveloped streets parking could extend into the ROW. She was concerned that if they did this, the cars would block the fire truck from coming down streets. Tokos said they could extend parking into the undeveloped street if they didn't obstruct the flow of traffic.

Perry asked what the special parking areas were in the off-street parking standards. Tokos said Nye Beach, Bayfront and City Center parking districts. Perry asked if Conditional Uses (CU) could be used for parking standards. She asked about STR and not allowing CUs for parking standards. Winsor thought this couldn't be done because of special parking areas. Perry thought there needed to be another bullet point to say there not being a CU option to not allow them in the other areas. Ferber said the AC couldn't anticipate all the repercussions that would happen with the changes and to blanket that there wouldn't be a CU option only left owners without options. Hines said under terminology it referenced tenants and it should say guests. Michel asked if the parking areas should be called out by neighborhoods. The AC agreed. Tokos would do this as special parking area districts.

Tokos reviewed the safety proposal next. Ferber said the AC hadn't talked about overnight occupancy limits. He was concerned that there was more discussion about going down to two persons per bedroom. Saxton thought the AC talked about limited the number of bedrooms they could have. Ferber said his units were configured to encourage family units and noted that two adults might not want to sleep in the same bed together. He asked if there would be a problem if there was more beds for an annual inspection. Dailey thought this was a discussion with the inspector and would be the hardest thing to manage. She thought if there was extra space, people would use it. Tokos said advertising over maximum occupancy was a manageable way to enforce this. Michel asked if the good players should be penalized for this. Dailey thought there wouldn't be a way to just penalize the bad guys. Hines said that if there were three couples renting a house, they would have more cars than one family. She felt it was important to have a family friendly rental unit for herself and thought the plus two for children was good. Tokos said they were looking into if it was framed in a manner that people would say they liked the concept. Hines asked to add for the small children for the additional two to accommodate family rentals. Winsor suggested it say "young" instead of "small" children. Michel suggested that the children over the age of two should be counted in the occupancy. Hanselman said he was getting confused on the exemption from two person per bedroom and would not like that added. He preferred the plus two just being two children. Tokos was concerned that they couldn't legally defend this. Michel said in practical applications they could meet the licensing occupancy and if they could set who would be counted in occupancy it would be better. Tokos asked if an age range should be included in the language. Hines was concerned with this and asked if it could be minor children. Tokos said you have to ask what the rationale would be at what age would they would have their own room. If that is the rationale, you set that age as what is right. Michel clarified that currently licenses were for two people per bedroom plus two. Currently the plus two are all ages. Dailey suggested saying to exempt small children from occupancy limits. Winsor requested that all boards include what the existing standards were.

Tokos reviewed safety standards. Perry questioned using the word "memorialize" in the statement. Dailey suggested using the word "codify". Ferber questioned if there would be an additional fee for re-inspections. Tokos said the Fire Department wasn't doing this currently and if they did, they would have to do it uniformly.

Tokos reviewed the Signage slide. Perry said she thought the AC talked about adding the permit number to the sign itself. Michel noted that requiring a metal sign with the license number would be an additional hardship for VRD owners.

Tokos reviewed landscaping and waste management slides next. Michel asked if they weren't going to require a concierge. Tokos said that was what he understood. Winsor asked to have an option that if there was continued violations they would be required them to have concierge. Tokos would add this. Perry asked to have "such that they are" deleted in the first paragraph.

Tokos reviewed the events. Hines suggested that parties be include under events. Michel suggested saying they could never have more than the number of vehicles per occupancy at any time. Michel said their contracts said a prohibited party meant no catered food, no DJs, and no rented music and chairs.

Tokos reviewed the approval process next. Perry asked if CU for parking, was there a way to limit where CUs could be applied. He said they could limit this but would have to have a rationale for doing it. A discussion ensued on if there could

be more restrictions put on approving CUs in the special districts. It was determined that it was a unique area where you would have to approve.

Tokos reviewed licensing next. Saxton said it should say owners instead of managers.

Tokos reviewed fees next and the thought was to increase the fees to cover the cost of third party vendor support. He noted that any land use fees that were received for the city weren't intended to cover 100 percent of costs because of the public benefit.

Tokos reviewed the notice proposal next. Hines asked if the AC talked about the signs for all the rentals be the same design. Tokos said this hadn't been discussed but they would have to have a size limit.

Tokos reviewed the effect on existing rentals. Perry suggested only saying five years not five to seven years. Hines and Ferber were in favor of five to seven years. Tokos said the City Attorney thought that five years was a reasonable amount of time for amortization. Tokos wanted to just list five years. Perry asked if on the policy options, did enforcement require to have someone respond within 30 minutes. Tokos said yes, it was included.

Tokos noted the dates of the open houses on August 15<sup>th</sup> and 22<sup>nd</sup>.

7. **Policy Options for Code Amendments by Topic Area.** Tokos reviewed
8. **Review Updated Committee Schedule.** Tokos reviewed the updated schedule and asked for comments from the AC.
9. **Public Comment/Questions.** Briggs addressed the AC and said she was on the steering committee for the strategic plan. They had a lot of advertisements and food at the event but had a low turnout. She felt the AC couldn't rely on the public to come to the outreach for a total feedback because they would have specific interests. Michel asked if all the licenses owners would be notified. Tokos said yes and the press distribution list, News Lincoln County, the newspaper, radio and such. The letters would be sent out at the end of July.
10. **Adjournment.** The meeting adjourned at 3:00 p.m.

Respectfully submitted,

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Sherri Marineau  
Executive Assistant

## Derrick Tokos

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**From:** Derrick Tokos  
**Sent:** Friday, August 24, 2018 10:41 AM  
**To:** 'Margaret'; 'James Hanselman'; 'carla perry'; 'simonis\_110@hotmail.com'; 'Bonnie Saxton'; 'braulio.escobar@gmail.com'; 'fairhaven@peak.org'; 'dreamhomesof'; 'don@blueagate.com'; 'Bill Posner'; 'jamie@sweethomesrentals.com'; 'lauri.hines@icloud.com'; 'charboxer2@comcast.net'; 'Pam McElroy'; 'marthawinsor2@gmail.com'  
**Cc:** Sherri Marineau; 'Rodney Croteau'; 'Bob Berman'; 'Mike Franklin (mike@newportchowderbowl.com)'; 'Lee Hardy'; 'William Branigan'; 'Jim Patrick'  
**Subject:** FW: Our community

FYI

**From:** Braulio Escobar [mailto:braulio.escobar@gmail.com]  
**Sent:** Friday, August 24, 2018 8:00 AM  
**To:** Derrick Tokos <D.Tokos@NewportOregon.gov>  
**Subject:** Our community

Derrick: Please circulate this link to a Seattle TV station's view of the ad hoc committee's efforts:

<https://www.kiro7.com/news/local/newport-latest-oregon-coastal-city-to-struggle-with-short-term-rentals-like-airbnb/819216004>

Thank you



# Newport latest Oregon coastal city to struggle with short-term rentals like Airbnb

By: Tom Banse, Associated Press

Updated: Aug 23, 2018 - 1:49 PM



**NEWPORT, Ore.** - Hot housing markets in major cities like Seattle and Portland have pushed the cities to regulate short-term rentals like Airbnb. But small Pacific Northwest towns popular with visitors are also struggling to balance the growth of Airbnb-type rentals with a tight housing supply.


Newport, Oregon, is the latest to put those types of rentals in the crosshairs.

Newport is a beach town on the central coast known for its working waterfront, sea lions, lighthouses and aquarium. Now, the town finds itself at the messy intersection of the sharing economy, the tourism business and a housing crunch.

Content Continues Below

The town has held two meetings so far for residents to ask questions and sound off on short-term rentals.



Sandy Benning came to the first open house last week to support capping the number of short-term vacation rentals available in Newport. Benning said she learned firsthand how tight the housing market on the Oregon coast is when she and her husband moved to Newport two years ago.  LIVE

"We literally looked for a place to rent for almost 90 days," Benning said. "That entire time we stayed in VRDs (vacation rental dwellings) around the local area. It was a huge expense for us to stay here over the summer for what, three months, before we found a place to live."

Benning shares a widely held concern around the Northwest that landlords are converting long-term units for the local workforce into short-term rentals for visitors because the temporary rentals are more lucrative.

"This was something we found repeatedly," Benning said. "In fact, we ended up having to purchase a home. And the availability of homes for us to purchase was very, very limited."

Newport resident Carla Perry lives in an oceanfront neighborhood where vacation rentals have proliferated and created what Perry calls "a critical situation."

"Lots of traffic. Lots of noise. Garbage. Lots of people," Perry said. "This was a quiet neighborhood. It's changed that. There are no neighbors. It's not like you can know who is staying anywhere."

Perry is part of a citizen advisory committee that came up with options for how Newport could regulate short-term rentals. The alternatives include limits on the number of vacation rentals, their location or density, as well as establishing a complaint hotline.

Newport Community Development Director Derrick Tokos said the committee borrowed ideas from other Northwest places that took a run at this issue recently.

Hood River doesn't restrict home shares or bed-and-breakfasts where the owner or a manager lives on the premises. Astoria has a limit on the number of rooms that can be rented. Both Cannon Beach and Yachats have caps on short-term rentals, and Durango has a density limit that only allows one short-term vacation rental per block.

"It's kind of a potpourri," Tokos said. "They looked at best management practices that a lot of jurisdictions are using. These are all kinda living codes that get updated periodically as jurisdictions try something. Then, 'Hey, maybe that wasn't working like we wanted.' So they make adjustments."

Newport has a permanent population just over 10,000. Tokos said about 200 properties are currently licensed as vacation rentals.

The push to clamp down comes just as more property owners are looking to list their beach homes with rental management companies. Pete Even, who lives outside of Springfield, Oregon, is in the process of buying a second home in Newport with hopes of generating some retirement income.

"There's already enough rules and regulations on the books. They just need to be enforced," Even said. "We want to do it the right way, but we don't want to be micromanaged if we're doing it properly."

Jon Tesar of Kennewick, Washington, owns a second home in Newport that he'd like to turn into a vacation rental. He's concerned a cap that's too restrictive might mess up his plans, not to mention the city's greater economic prospects.

"If you start to establish yourself as a place that is unfriendly to tourists, it's a slippery slope," Tesar said. "You don't know where it's going. So if you start restricting the number of tourists that can come in, it just doesn't seem like it's good for our economy. You're wasting the space."

The Newport City Council will have the final say on what to do after the citizens committee and the planning commission first try to reach consensus where they can.

Newport currently has a fairly basic licensing requirement for vacation rentals that permits them in all zones of the city if adequate parking is available. Nearby Lincoln City last year joined other coastal cities such as Manzanita, Seaside and Gearhart in limiting the number of vacation rentals allowed in residential neighborhoods. Astoria only allows vacation rentals in commercial zones, although an Airbnb search this week showed that restriction is being flouted.

But regulations can also come with consequences. Manzanita's rules are being challenged in federal court as excessive and unconstitutional by a Washington woman who was fined for accepting money from friends and family who stayed at her second home. In Gearhart, vacation rental proprietors forced a voter referendum on restrictions they considered overly strict, but the rules were upheld at the polls last November.

Vacation rentals are a hot topic on the Washington coast, too.

Long Beach, Washington's city administrator recently said his community has learned from the experiences of Oregon coastal towns. Long Beach and nearby Ilwaco now strictly prohibit short-term rentals of homes in residential zones unless the property owner obtains a conditional-use permit.

In Ocean Shores, Washington, the city planning commission this spring heard testimony that "hundreds" of short-term rentals are operating in residential areas in likely violation of city codes and probably not paying state and local taxes.

The planning commission continues to study the approaches other places have taken with no action anticipated before autumn.



Information from: KOPB-FM, <http://news.opb.org>

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# Memorandum

To: Vacation Rental Ad-Hoc Work Group

From: Derrick Tokos, Community Development Director 

Date: August 31, 2018

Re: Refinements to Policy Options Based Upon Open House Feedback

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Enclosed is a summary of public comments received in response to the policy concepts (i.e. alternatives) rolled out at the August 15, 2018 and August 22, 2018 open houses. They are organized by topic area. We have also compiled a complete set of the comments for your review.

This meeting is an opportunity for you to consider how best to integrate the responses into the policy alternatives. To assist with that discussion we have enclosed the 2-page summary of proposed changes that was distributed at the open houses along with the 2-page policy options, by topic area, memo developed over the course of your meetings to date. The open house display boards and slide presentation are available on the committee website, should you want to reference them. We will also have the maps setup in the room for the meeting.

Our plan is to walk through the topic areas, one by one, so that committee members can identify where changes may be needed. We will also look to identify areas where there is general agreement on how best to proceed and areas where there is not consensus. It may be that issues come up that are beyond the scope of what the group can address given that the Ad-hoc Work Group only has 1-2 additional meetings. If that occurs, we will want to capture those concepts so they can be reported out to the Planning Commission as a discussion items, or issues for future consideration.

We may have an initial draft set of code amendments ready for distribution at the meeting. If that is the case, the document would be distributed with the expectation that it will be revised to account for changes you want to see in response to public comment from the open houses. The draft code amendments will be the primary topic of discussion for the September 19<sup>th</sup> meeting.

### Attachments

Summary of Proposed Changes (Public Handout at 8/15 and 8/22 Open Houses)  
 Policy Options by Topic Area Memo (July 20<sup>th</sup> Version)  
 Summary of Comments from Open Houses  
 Full Set of Public Comments

CITY OF NEWPORT  
169 SW COAST HWY  
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



phone: 541.574.0629  
fax: 541.574.0644  
<http://newportoregon.gov>

mombetsu, japan, sister city

Summer 2018

## City of Newport Vacation Rental Code Update Summary of Proposed Changes

### Overview

In the fall of 2017 the City Council received a significant amount of public testimony that the City's regulations for Vacation Rental Dwellings (VRDs) need to be updated to protect the character of residential neighborhoods and to preserve the City's long term housing supply. In response, the City Council directed the Planning Commission to assess how the rules could be improved and the Commission, in turn, pulled together an Ad-hoc Work Group of interested persons to assist city staff in developing a package of recommended changes.

### Ad-hoc Work Group's Responsibilities

- Review the City's existing vacation rental regulations
- Evaluate Best Management Practices used by other jurisdictions
- Discuss policy options for revising the City's codes
- Select policy alternatives for presentation to the public
- Conduct open houses to obtain public feedback
- Review public comments and determine how best to integrate responses into the policy alternatives
- Propose a package of legislative code amendments, based upon the policy alternatives, for review by the Planning Commission and City Council as part of a formal public hearings process.

### Proposed Policy Alternatives

#### *Focus Efforts on Units that are not Occupied by Permanent Residents*

- Distinguish "home shares" where an owner rents rooms in a dwelling unit where they reside, and Bed and Breakfast (B&B) establishments where an owner or manager lives on the premises, from VRDs where the entire unit is rented for transient purposes.
- Exempt home shares and B&Bs from location and density limits, because the presence of a permanent resident mitigates potential nuisance issues and does not impact the supply of long term housing.

#### *Limit Areas Where VRDs are Allowed*

- Limit vacation rental uses to areas that possess tourist amenities
- Provide policy makers with multiple options for drawing the boundaries, including:
  - Alternative No. 1: Recommends US 101 and US 20 be used as an easily understood break point, with VRDS allowed west of US 101 and south of US 20 (least restrictive)
  - Alternative No. 2: Similar to first option, but limits VRDs west of US 101 and south of US 20 to areas in close proximity to ocean views, beach access, and tourist commercial uses.
  - Alternative No. 3: Limit VRDs to areas where tourist commercial uses are concentrated (most restrictive)

### *Establish License and Density Limits*

- Limit the total number of vacation rental licenses to preserve the City’s long term housing supply.
- Apply a hard cap on licenses issued between 220 and 275 (roughly 4% - 5% of the total housing stock).
- Provide that the City Council may adjust the license cap by resolution.
- Limit transferability of licenses, upon sale, to commercial zones
- Institute proximity limits to avoid concentration of VRDs to the point that they change the character of residential neighborhoods:
  - Allow only one VRD per street face segment in R-1 and R-2 zones
  - Limit VRDs in R-3 and R-4 zones to one multi-family or single family dwelling per street face segment

### *Improve Enforcement*

- Develop a centralized complaint system that facilitates transparency and citizen access to information.
- Engage with a third party vendor to provide a 24/7 complaint hotline and to provide ongoing monitoring of vacation rentals for permit and tax collection compliance.
- Structure progressive enforcement to achieve “three strikes and you are out.”
- Establish a two year cooling off period for before an individual that had a license can reapply
- Require VRD operators to have a local contact capable of responding to the premises in 30 minutes.

### *Refine Approval Standards*

- Reduce overnight occupancy from (2) per bedroom plus two to simply 2 per bedroom. Exempt young children from overnight occupancy limit.
- Retain parking standard of one space per bedroom, but require applicants show that spaces are sized such that they meet City parking stall dimensional standards. Allow off-street parking to extend into undeveloped public right-of-way with stipulation that license will be revisited if street is improved.
- Update safety standards to reflect current building and fire code requirements
- Require VRD operators to post a sign in plain view of the street identifying the unit as a vacation rental with a phone number of the designated contact.
- Prohibit use of VRDs for events.

### *Require Annual Licensing*

- Operator’s to provide proof of insurance and update designated contacts with annual license.
- Licenses to automatically expire if inactive to prevent “license hoarding” under a hard cap.

### *Phase Out Non-Compliant VRDs*

- Conditional use permits that allowed alternative standards will not be grandfathered.
- Permit licensed VRDS in areas where they are no longer allowed to continue to operate for a 5 year period of time to realize a return on investment. Licensed VRDs in areas that exceed density limits to phase out as licenses expire.

### **Next Steps**

The Ad-hoc Work Group will reconvene in September to consider feedback and finalize recommendations before public hearings are held with the Planning Commission and City Council in the fall.

### **Additional Information**

Information considered by the Ad-hoc Work Group is available for review on the City of Newport website under the heading “Government / Committees / Vacation Rental Ad-hoc Committee.” Questions or concerns may also be directed to Derrick Tokos, Community Development Director at 541-574-0626 or [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov)

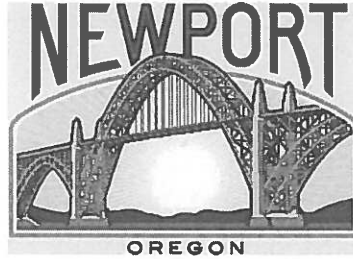


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mombetsu, japan, sister city

July 20, 2018

## VACATION RENTAL AD-HOC COMMITTEE

### POLICY OPTIONS FOR CODE AMENDMENTS BY TOPIC AREAS

**Rationale for Regulating** - Add language to the purpose section of the vacation rental code indicating that (a) regulations are intended to protect long term housing supply by limiting conversion of residential land to transient use and (b) acknowledge the need to weigh VRD limitations against the economic benefit of short term rentals.

**Definitions** – Definitions for “home share” and “owner” will provided and the five (5) guest room limit for a VRD (as opposed to a hotel or motel) will be listed as a development standard. The definition for “bed & breakfast” will be revisited to ensure there is a clear distinction between VRDs and B&B units.

**Safety** – The standards will be updated in line with the Building Official memo distributed at the 2/28/18 meeting. Responsibilities for common areas will be clarified and language will be prepared outlining the Fire Departments inspection responsibilities

**Off-Street Parking** – Off-street parking standard of one-space per bedroom to be retained. Applicants to be required to show that spaces are sized to meet City parking stall dimensional standards. Driveways for required off-street parking may extend into underdeveloped rights-of-way. In such cases, approvals will include a stipulation that the permit will be revisited if the street is improved such that the driveway is shortened. With respect to VRD proposals in “parking districts,” two options will be developed for circumstances where public parking is provided and relied upon to meet need. One will require VRDs to conform to the same rules that all other uses in the district are required to meet. It would be non-discretionary. The other will retain the conditional use process, which allows VRD requests in districts that rely on public parking to be addressed on a case by case basis, following a public hearing. Maps of the parking districts will be made available to the Committee with the draft code amendments.

**Landscaping** – No changes. Existing language requiring a fixed percentage of the lot area be retained in landscaping for VRDs in residential zones will be retained. The same goes for the conditional use option, as an alternative for those that cannot meet the landscaping standard.

**Waste Management** – The ability to require “valet service” will be added as an enforcement tool for properties waste management (or lack thereof) is a reoccurring issue. No changes proposed to existing provisions requiring weekly solid waste disposal service while the unit is occupied, and that receptacles be stored such that they are out of plain view from the street.

**Noise** – No changes. Decibel limitations contained in the City nuisance code are clear. Issue is enforcement.

**Signage** – Language will be prepared requiring VRD operators to post a sign in plain view of the street identifying the unit as a vacation rental with a phone number for the designated contact.

**Other Use Limitations** – Add language prohibiting use of VRDs for events.

**Daily Occupancy** – Continue to rely upon fire code for maximum building occupancy.

**Overnight Occupancy** – Set overnight occupancy to two per bedroom, and drop the plus two allowance. Prepare optional language that would exempt small children. Define the term bedroom. A definition does not exist in the building code, but is provided in statute under the Residential Landlord and Tenant Laws. That definition reads: “Bedroom” means a habitable room that (a) is intended to be used primarily for sleeping purposes; (b) contains at least 70 square feet; and (c) is configured so as to take the need for a fire exit into account *ORS 90.262(4)(a)*. No restrictions to be imposed on use of surplus bedrooms in VRDs where maximum occupancy is less than the number of available bedrooms (typically due to lack of parking).

**Residency Requirements** – Develop an alternative set of rules for persons who rent a room(s) in their primary dwelling (i.e. “home share”). Require the owner be residing at the home when it is rented. Committee to further discuss use allowances to be provided to home share arrangements.

**Lighting** – Desire to see standards put in place for situations where outdoor lighting is directed onto neighboring properties. Committee recognizes that this is not an issue specific to VRDs.

**Allowed Locations** – Three alternatives have been developed by the group. The first uses US 101 and US 20 as a boundary, with vacation rental dwellings being prohibited in areas north of US 20 and east of US 101. The second alternative is similar but picks up areas west of US 101 and south of US 20 that lack tourist amenities. The final alternative limits vacation rentals to areas that are close to the Nye Beach and Bayfront tourist commercial areas. All three alternatives will move forward as options.

**Density Limits** – Hard caps on the total number of licensed vacation rentals to be developed for all three map alternatives. Two alternatives to be offered, with 220 (+/- 4% of housing units) on the low end and 275 (+/- 5% of housing units) on the high end. For areas in the Nye Beach overlay a cap of 14-15% (about 75 units) will be offered as an option to avoid further concentration of VRDs, particularly with map Alternative 3. Proximity limit in the R-1 and R-2 zones to be one unit per street face segment. For R-3 and R-4 zones limit VRDs to one multi-family dwelling or single family dwelling per street face segment.

**Tenancy/Ownership Limits** – No tenancy or ownership limits are proposed at this time.

**Home shares** – Alternative to be developed to allow home shares (i.e. where a dwelling is a person’s primary residence) and B&Bs to be exempt from the VRD location and density limits. Limit home shares to 2 rooms.

**Enforcement** – Develop centralized complaint system that facilitates transparency and citizen access to information. Consider third party vendor, like “Host Compliance” to achieve centralized database with 24/7 complaint hotline and to provide ongoing monitoring of vacation rentals for permit and tax collection compliance through the initial “voluntary compliance” stage of enforcement. Require VRD license number in advertisements. Structure progressive enforcement to achieve “Three strikes you are out.” Optional language to be drafted to establish a two year cooling off period before an individual that had a license revoked can reapply. Vacation rental operators to have local contact capable of responding to the premises within 30 minutes. Designated contact to provide street address (i.e. not only a P.O. Box number).

**License Renewal & Registration** – Desire to see annual license renewal with proof of insurance, which also offers opportunity to update designated contact information. Automatic expiration language to be crafted for inactive licenses to head off “license hoarding” under a cap system. Two alternatives to be developed regarding license transfers, with the first being that an owner can renew license under a cap indefinitely but cannot transfer the right to a license with the sale of a property. Second option would allow licenses to be transferred to new owner.

**Fees** – Set VRD, home share, and B&B business license endorsements at a figure sufficient to cover the annual cost of contract host compliance services. Number will be dependent upon cap level.

**Posting and Guest Registry Requirements** – General agreement that existing posting and registry requirements are sufficient. Access to guest registry limited to emergency responders (privacy).

**Approval Process and Notice** – Non-discretionary, over the counter process with notice to neighbors after approval to remain, with limited conditional use options where neighbors receive advance notice.

**Effect on Existing Rentals** – Prior conditional use approvals will not be grandfathered. Where units are no longer allowed, they will be permitted to remain for a fixed period of time (5-7yrs) to realize return on investment. Units that fail to meet one unit per street segment limit to phase out once a license expires.

## **August 15 & 22, 2018 VRD Open House Public Comments Summaries**

### **Intermediaries Comments:**

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- 1 Intermediary for enforcement of rules & regulations.

### **Homeshares Comments:**

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- 1 The proposal to exempt Homeshares from location and density limits is a good idea.
- 2 We agree that separating homeshares and B&Bs from VRDs. Consider allowing 3, possibly 4 rooms for rent.
- 3 In favor of looser restrictions, with some limits, for homeshares and B&Bs where the owner lives there full time.
- 4 We are VRD owners and like the homeshare concept. We meet and interact with all our guests and emphasize to them that we live in a neighborhood.
- 5 We rent a mother-in-law unit. If this doesn't meet the homeshare concept, consider changing the concept to include these VRDS.
- 6 Owner or designated manager must be live on site.

### **Map Alternatives Comments:**

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- 1 Map Alternative 3 seems most fair with a hard cap with a third party vendor compliance support with a centralized complain system; occupancy limits, off-street parking standards; valet waste service requirement; increased license fees; and increase notification area more than 200 feet.
- 2 I agree with Map Alternatives 1 & 2, not 3.
- 3 VRDs should be phased out of R-1 & R-2 zones. (Alternative 3).
- 4 Consideration should be given to density. Large lots in a small secluded area has no impact to the neighborhood.
- 5 Offer alternatives that prohibit VRDs in areas outside of commercial zones.

### **Allowed Locations Comments:**

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- 1 Concerned about losing their second home to be potentially torn down and turned into a hotel which would loose the community feel of Nye Beach small dwellings.
- 2 Didn't like that the City allowed VRDs (commercial entities) in residential zones.
- 3 VRDs are businesses and need to be prohibited in all residential zones.
- 4 Limiting VRDs to only certain zones such as the Bayfront are good as those areas are more appealing to renters.
- 5 There were 4 VRDs added to a 2-block radius to their home. Traffic has increased and is a safety issue. Moved to residential neighborhood, not a commercial zone.
- 6 We should allow R1 & R2, and VRDs west of Hwy 101 & south of Hwy 20.
- 7 Nye Beach is a neighborhood. If VRDs are limited to west of Hwy 101 it would lose the neighborhood character.
- 8 There is no logical reason to limit where VRDs can be operated.
- 9 Do not allow VRDs in R-1 & R-2 zones period. Phase out existing VRDs in R-1 & R-2 zones.
- 10 VRDs operate as businesses and shouldn't be allowed in residential areas.
- 11 Concerned there was no option to ban VRDs in all residential zones. VRDs are businesses and shouldn't be in residential zones.
- 12 Remove VRDs from R-1 & R-2 zones.
- 13 Density needs to be reduced west of Hwy 101.
- 14 In favor of zone restrictions. Do not want to see residents unable to rent or purchase property on the west side of the highway because it is all VRDs.
- 15 Tenancy limits such as 3 nights minimum are the best way to help R-1 & R-2 zones.
- 16 Locals who serve the tourist industry need affordable housing. VRDs should not be allowed in residential zones ever.
- 17 Eliminate VRDs in residential zones (Alternative 3). They need to be phased out.
- 18 I think VRDs and Airbnb's should not be allowed in residential areas (R-1 & R-2).
- 19 As a resident I want to see the integrity of my community protected and prohibit VRDs in all residential areas.
- 20 Create density limits outside of commercial zones.

- 21 Limit areas where VRDs are allowed.
- 22 Restrict or weedout license in R1 and or R2.
- 23 See no issue with designated areas that seem committed to VRD style of homes versus full time residential communities.

#### **Caps Comments:**

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- 1 Limit how much the VRDs can be rented out a year.
- 2 Restricting VRDs to 4-5% is redundant and possibly overly restrictive.
- 3 Concerned about the overall limitation of VRDS. With the proposed restrictions and third party enforcement, there may not be significant problems having 500 or more VRDs.
- 4 I bought my property with the intent of making it a VRD from time to time and don't want that dream shattered.
- 5 VRD caps & densities should be established by neighborhood. No one size fits all.
- 6 Doesn't like a citywide cap. The east should not count toward a cap. Complaints started when there were around 125 to 150 total. Using a total of 220 or 275 is too much on a small area.
- 7 Hard caps based on zoning & eliminating or phasing out existing VRDs is unacceptable. Would like to see them grandfathered in and then not allow new VRDs in specific areas.
- 8 Limit the number of VRD licenses.
- 9 The proposed cap of 220-275 is too high because of the residential housing crisis. The cap should be no higher than the current number of VRDs.
- 10 Phase out faster than 5 years.
- 11 Cap should be 150-175.
- 12 In favor of hard caps on VRDs that can only be changed with public input.
- 13 Agree with establishing caps.
- 14 Economy is strong now. Consider what happens when economy tanks and people who are trying to pay their mortgage but have an eliminated opportunity to have a VRD.
- 15 Agree with phasing out non-compliant VRDs.

#### **Proximity Limit Comments:**

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- 1 Opposed to proximity limits which would hurt certain areas that lend themselves to vacation rentals.
- 2 After speaking to committee members, a neighborhood approach would be a good idea.
- 3 The Bayfront, Nye Beach & Agate Beach could consider limits by area.
- 4 Having broad zones for limiting VRDs rather than proximity limits seems logical.

#### **Complaint Comments:**

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- 1 Liked the idea of a loss of license or monetary fine for VRD owners for violations.
- 2 Outside lights that shine on the neighboring properties need to be addressed.
- 3 VRD renters create a high volume of strangers in residential areas who are unconcerned and unaware of issues impacting neighborhoods.
- 4 As a realtor, I have not experienced any complaints from VRD issues nor had any comment or complaint about buying or selling next to a VRD.
- 5 In the event a VRD receives too many complaints, there needs to be a way to remove it.

#### **Occupancy Comments:**

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- 1 Yes to 2 people per bedroom with same rules as long term rentals.
- 2 A VRD rental log needs to be available to the enforcement agency to enforce occupancy limits.
- 3 Changing occupancy to 2 per bedroom and exempting young people encourages people to cheat the system. Keep things the same.
- 4 Occupancy limits must be required. Keep it down so that a large party house cannot happen.
- 5 Drop the plus 2. Children under 5 shouldn't be counted in determining occupancy.
- 6 Keep the 2 people per room plus 2.
- 7 Need a definition for young children and how to enforce.

8 VRD owners that meet the parking standards should be allowed to have 2 guests per room plus 2.

#### **Third-Party Vendor Comments:**

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- 1 Liked the idea of a city-wide contact program.
- 2 Likes third party vendor.
- 3 I agree with a 24/7 hotline and violation statements.
- 4 If you decide on a third party enforcement policy, fees should be charged to the VRs without live-in owners/managers, since they are the ones causing the problem.

#### **Parking Comments:**

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- 1 Yes to requiring 1 parking space per bedroom.
- 2 Renters should be forced to park only on rental designated driveway/parking areas.
- 3 Off-Street parking needs to be clarified to include space on unimproved property that is not interrupting traffic flow.
- 4 Parking should remain on properties.
- 5 Liked retaining the parking standards that allow off street parking to extend into undeveloped public right-of-ways.

#### **Safety Comments:**

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- 1 Liked the safety concepts.
- 2 Felt a home was safer occupied as a VRD than sitting vacant.
- 3 Doing random inspections instead of annual inspections by the fire department would seem more reasonable.
- 4 Safety is an important factor.

#### **Enforcement Comments:**

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- 1 Enforcement is essential and can be paid by an increase in licensing and a percentage of room taxes.
- 2 Enforcement should be a full time city position to handle licensing, complaints, inspections and possibly taking appropriate action on unlicensed VRDs.
- 3 VRDs take away from neighborhoods creating problems with noise after 10 pm.
- 4 I am in favor of VRDs but suggest implementing a significant fine system to be paid by the offender (renter) to deter them from infractions.
- 5 Okay with a 24/7 hotline with an adjustment to a more manageable time to respond.
- 6 Require professional property management ability and proximity response to a complaint within 30 minutes, in person.
- 7 Progressive enforcement with a three strikes you're out.
- 8 The City needs to invest in more police or a department that can follow up with owners on complaints. Owners should be fined in order to change bad behaviors.
- 9 Agree with improving enforcement. If done, budget should go to a city department not, a third-party.
- 10 Strongly agree with enforcement changes. VRDs that are having issues are because of poor management.
- 11 Consider incorporating enforcement, management, and/or safety considerations before implementing zoning changes, limits on location, or limits on the number of VRDs.
- 12 Likes the 3 strikeout rule.

#### **Signage Comments:**

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- 1 Placing advertisements in front of the VRD would decrease property value.
- 2 Having signs for VRDs will decrease my property value.
- 3 Posting a phone number in street view seems redundant. Create a website that has the VRD owners info through the City.
- 4 Post name and phone number of responsible party (owner/manager) outside of VRD.
- 5 No signage as most VRDs are not owner occupied and could create potential security issues.
- 6 No signage - this will become advertising (see Lincoln City)
- 7 Do not post signs. It would create a safety issue encouraging people to break in.

**Trash/Landscaping Comments:**

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- 1 Concierge garbage service should be required.
- 2 Waste management is important and the land owner must assure cleanliness.

**Event Comments:**

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- 1 Prohibit use of VRD's for organized events/weddings
- 2 Prohibit use of VRDs for events outside of commercial zones.
- 3 No large parties or events.

**Approval Process Comments:**

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- 1 Maintain updated set of clear and objective approval standards.

**Licensing Comments:**

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- 1 I should be allowed to sell my VRD business to a buyer as they could benefit from my experience. It is unfair if I can't get value out of my business if I sell my VRD.
- 2 VRD license should not be transferred with sale of property and should be treated as a business license.
- 3 Have an annual license renewal.
- 4 Any violation should require a loss of license.
- 5 Licenses should not be transferrable.
- 6 Don't be severe due to a few bad VRD owners. The ones causing the problems should pay fines or lose their licenses.
- 7 If in a commercial zone, you should be able to transfer your license when you sell the property.
- 8 Agree with establishing license and density limits except for limiting transferability of licenses.
- 9 Disagree with annual licensing. Those with three infractions in a year should have to do an annual license.
- 10 Licensing should be year to year.

**Fee Comments:**

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- 1 Need better reporting of taxes by breaking down taxes by nights and locations.
- 2 Okay with a higher license fee to pay for code enforcement.
- 3 Concerned that transient room tax collections don't matter to the City of Newport.
- 4 Concerned that if the city made a mistake on how they recorded a license fee payment, the VRD owner would be in violation.
- 5 All VRDs should have an additional occupancy fee for local enforcement costs.

**Notice Comments:**

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- 1 City should provide notice of public hearings on VRD recommendations instead of noticing when VRDs have been approved.
- 2 Didn't like that there is no advanced notice or opportunity to express concerns before a VRD is licensed.
- 3 All new VRD applications should be presented to affected neighbors before a license is issued.

**Management Comments:**

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- 1 The VRD representative should be required to be onsite when renters arrive to explain occupancy, event, and garbage rules.
- 2 Require a local contact to respond to issues.
- 3 VRD owners need to live in Newport.
- 4 Onsite managers is the difference between a problem and no problem. If no onsite manager, require an on call (in Newport) manager.
- 5 All VRDs should be managed by either a professional management with local representation or a local person which can be reached within 2 hours of any complaint.

### Housing Comments:

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- 1 Important to remember VRDs weren't necessarily long term rentals and could be second homes that people occasionally rent.
- 2 Limiting the number of VRDs would have minimal to no effect on the housing shortage because many homes will sit empty.
- 3 Empty homes are worse than tourists using homes that generate income for local businesses.
- 4 VRDs mean a reduction of long term housing. Many medical professional leave the area because there I no place to live.
- 5 Newport needs housing for residents.
- 6 Newport has a housing shortage but regulating VRDs is not the answer. We need hundreds of units, not a few dozen.
- 7 Rental housing needs to be available to locals.
- 8 Restricting VRDs to address affordable housing will drive property values, lower tax revenues, and reduce revenue to business owners.

### Effect on Existing Rental Comments:

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- 1 Our current home in Newport is a VRD to move into fulltime at some point. We are renting it to help pay it off. Major changes to the VRD regulations would mean significant difficulty.
- 2 Current VRD is a benefit to the local community by bringing in property taxes, rental taxes, utilizing local supplies, and renters spending money when visiting.
- 3 Many VRD owners have made their decisions based on current rules and it would be nice to find solutions that don't bring anyone to ruin or consider grandfather clauses.
- 4 With no transfer of license upon sale, it limits the value for current owners. A business owner should be able to capitalize their success through a sale without government influence or restrictions.
- 5 Questioned how the city could restrict someone's business investment in the community to a period of time. Have a longer time frame of 15-30 years or have it stay with the family.
- 6 No properties should be grandfathered. All should be required to have yearly inspections and licensing.
- 7 There are many responsible VRD owners who live in Newport who shouldn't be penalized for being good neighbors and tax payers.
- 8 We are running a VRD to help pay for house until we can live in Newport fulltime. It's imperative to be able to rent until retirement as all our money is tied up in the house.
- 9 Most VRD 'stay at home people' aren't greedy and actually need the income. If you create a hardship with too many rules, you could really affect the ones here who need it most.
- 10 If a VRD is in good standing they should always be able to sell it as a VRD to a new buyer without fear that they will lose their status.

### Other Comments/ Concerns:

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- 1 Felt that VRDs in Newport and Lincoln County were killing the local livability.
- 2 Put a moratorium on the VRDs. They have ruined the community and are for profits only.
- 3 We left our "Forever" home in Lincoln City to get away from the VRD issues. Don't want to experience this again or have it happen to someone else.
- 4 The stricter regulations proposed are extensive, well thought out, and essential. I endorse them all.
- 5 A moratorium will take at least 5 years to have an affect. We need relief now.
- 6 VRDs impact our lower income families.
- 7 I am against the focused effort on units not noccupied by permanent residents.
- 8 We vacation on the Oregon Coast and utilize VRDs. We bring money into the community and hope that the City Council decides to promote the city instead of restricting it.
- 9 Consideration should be given to size of VRDs. Larger VRDs bring larger groups/smaller VRDs have less complaints on noise.
- 10 I advise moving slowly with more open and general rules and regulations until you absolutely see repeating issues that are not being addressed.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: Thank you for all your thoughtful hard work.  
The idea of. Issuing license or monetary fine for violations  
by the VRD owner seems like a good idea.  
Yes to parking for 1 space per bedroom, prohibit use of VRD's for  
organized events weddings  
Disagree i Safety concepts.  
My home VRD @ this time is safer occupied, than sitting vacant.  
Yes to 2 people per bedroom. - Have same rules as  
long term rentals

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the  
Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: It would really be a shame to loose my  
2nd home to be potentially torn down for an  
access front hotel. and loose the Community feel  
of Nye Beach's small dwellings  
Another idea could be to limit how much the  
VRD's can be rented out ~~per~~ a year.

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the  
Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.





Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: I can't understand why the city has zone's that are not subject to enforcement. The city's decision to permit VRD's - Commercial activities in residential zones should be considered illegal & unlawful. VRD's are businesses w/o regulation & licenses to operate. No consideration for residence.

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: I THINK THE IDEA OF A CITY-WIDE CONTACT PROGRAM, IS A GREAT IDEA I HOPE THAT CITY SANCTIONED MANAGEMENT COMPANIES ARE ALSO IN WORKS -

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: You have to get rid of vacation rental hell in Newport & Lincoln County it has killed local livability!!

You have whored our precious Oregon coast to tourism we are NOT California of tourism

\*Comments can be emailed to Derrick Tokos at d.tokos@newportoregon.gov or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: FEW TAKE AWAY FROM TODAY'S PRESENTATION MATERIAL:

1 IT IS IMPORTANT TO REMEMBER THAT A VACATION RENTAL IS NOT NECESSARILY A LONG TERM RENTAL IF IT IS NOT A VACATION RENTAL. MANY VACATION RENTALS IN TOWN ARE SECOND HOMES THAT PEOPLE USE OCCASIONALLY AND THEN WHEN THEY AREN'T BEING USED BY THE OWNERS THEN ARE USED AS A SECONDARY SOURCE OF INCOME. IF THE CITY DECIDES TO LIMIT THE NUMBER OF VACATION RENTALS IN ANYWAY THIS WILL LIKELY HAVE MINIMAL TO NO IMPACT ON OUR HOUSING SHORTAGE BECAUSE MANY HOMES WILL THEN JUST SIT EMPTY FOR A SIGNIFICANT PORTION OF THE YEAR SINCE THE OWNER'S WILL STILL WANT TO USE THEIR SECOND HOMES WHENEVER THEY WOULD LIKE. NEWPORT'S LONG TERM RENTAL ISSUES ARE A REAL ISSUE AND A VALID CONCERN BUT ELIMINATING VACATION RENTALS WILL NOT SOLVE THIS PROBLEM.

2 I'M VERY OPPOSED TO PROXIMITY LIMITS. THERE ARE AREAS OF TOWN THAT LEAN THEMSELVES TO VACATION RENTALS AND LIMITING VACATION RENTALS BY STREET UNFAIRLY HURTS CERTAIN PROPERTY OWNERS.

\*Comments can be emailed to Derrick Tokos at d.tokos@newportoregon.gov or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.

MOVE ON BACK ->



→ ③ I STRONGLY AGREE WITH THE ENFORCEMENT CHANGES BEING PROPOSED INCLUDING THE CENTRALIZED COMPLAINT SYSTEM, THE OVERNIGHT OCCUPANCY LIMITS, THE 24-HOUR HOTLINE, PROHIBITING VACATION RENTALS FOR EVENTS SAFETY STANDARDS, WASTE MANAGEMENT AND A REVISED APPROVAL PROCESS. I LIVE ON A STREET WITH 2 VACATION RENTALS AND THEY HAVE BEEN A BENEFIT TO OUR NEIGHBORHOOD. THAT BEING SAID THAT IS BECAUSE THE VACATION RENTALS ON OUR STREET ARE A HUGE ASSET BECAUSE THEY ARE MANAGED VERY WELL. I HAVE HEARD HORRIBLE STORIES FROM OTHER CITIZENS WHOSE LIVES WERE AND ARE NEGATIVELY IMPACTED BY VACATION RENTALS. THESE ARE MANAGEMENT ISSUES, NOT ZONING ISSUES. BEFORE THIS COMMITTEE CONSIDERS ANY LIMITS OR ZONING CHANGES I IMPLORE YOU TO INCORPORATE THESE ENFORCEMENT MANAGEMENT, AND/OR SAFETY CONSIDERATIONS AND SEE IF THESE ITEMS ADDRESS THE VACATION RENTAL CONCERNS IN OUR CITY BEFORE YOU CONSIDER IMPLEMENTING ZONING CHANGES OR LIMITS ON LOCATION OR LIMITS ON THE NUMBER OF VACATION RENTALS IN THE CITY OF NEWPORT. EMPTY HOMES ARE WORSE FOR OUR CITY THAN TOURISTS USING THOSE HOMES TO GENERATE INCOME FOR LOCAL BUSINESSES. IF YOU CAN SOLVE THE MANAGEMENT ISSUES I THINK THESE CHANGES WILL RESULT IN A WIN FOR VACATION RENTAL OWNERS AND THE CITY OF NEWPORT.



**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: \_\_\_\_\_

Put a MORATORIUM on  
the vacation rentals now  
they have ruined the community  
for profits only Thank you!

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments:

Map alternative 3 seems most fair @ hard cap; @ 3rd party vendor compliance support; centralized complaint system; occupancy limits; off street parking standards; valet waste service required; signage; annual license endorsement; increase license fees; increase license notification to neighbors before the fact & more than 200 feet away

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments:

VRDs ARE businesses AND need to be prohibited in residential zones  
ALL

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

**Comments:** Concierge garbage service should be required. The occupants often leave well in advance of garbage pickup day, and the garbage/recycle containers are left at roadside. The wind can come up the next hour or day, and the containers tip over. The rental across from our house is an example: garbage flies everywhere. No response can be fast enough to stop that from happening - only concierge can prevent it.

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

**Comments:** The VRD representative should be there to meet the occupants - to explain occupancy and parking rules, garbage and recycle rules. In our neighborhood the occupants park out in the street because they don't like the rental driveway. If forced to use it, maybe the owner would make it more vehicle-friendly.

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: A local contact should be required. Last weekend I called because a garbage and recycle receptacle blew over. I waited about 10-15 minutes for the representative in Pendleton answered. Nobody showed up ~~to~~ until about two hours later. My neighbor and I had to pick up the garbage/receptacles and place them out of the wind, or the garbage would have blown down to the beach. Parking violations are the same - we get no response for hours, and the cars may have left - to come back and park in violation again.

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: I THINK IT IS REDUNDANT AND POSSIBLY OVERLY RESTRICTIVE TO LIMIT VRDs TO 4-5% OF TOTAL HOUSING, PLUS PUT RESTRICTIONS ON NUMBER OF UNITS ON A STREET. THE LIMITATION TO CERTAIN GEOGRAPHIC ZONES IS GOOD, AS THOSE AREAS HAVE AN INHERANT EXPECTATION OF MORE "BUSY-NESS", AND ARE OBVIOUSLY MORE APPEALING TO RENTERS (EXAMPLE - AREA ABOVE BAYFRONT HAS MORE NOISE FROM PROCESSING PLANTS, BARS & RESTAURANTS). I ALSO LIKE CLARIFYING "OFF STREET PARKING" TO INCLUDE SPACE ON UNIMPROVED PROPERTY THAT IS NOT INTERRUPTING TRAFFIC FLOW. OUR ~~NEIGH~~ STREET HAS VACATION RENTALS AND LONG TERM RENTERS; THE

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3 LONG TERM RENTERS WERE MORE PROBLEMATIC. MAYBE HAVING VRDs WITH 3-4 TENANTS LIMITS THE CLIENTELE TO A QUIETER GROUP.

OVER)

THE PROPOSAL TO EXEMPT "HOME SHARES" FROM LOCATION AND ~~DENSITY~~ DENSITY LIMITS IS A GOOD IDEA.

MY PRIMARY CONCERN IS THE OVERALL LIMITATION OF VRDS. WITH ALL THE PROPOSED RESTRICTIONS AND 3RD PARTY ENFORCEMENT, THERE MAY NOT BE SIGNIFICANT PROBLEMS HAVING 500 OR MORE VRDS. I BOUGHT MY PROPERTY WITH THE INTENT OF MAKING IT AVAILABLE FOR RENTAL FROM TIME TO TIME, AND I DON'T WANT THAT DREAM SHATTERED.



## Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

### GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: I believe I should be allowed to sell my VRD biz to a buyer for my house. I spent many years building repeat customers and an excellent 5 star reputation. Why should it be worthless? A prospective buyer for my home could benefit from my years of work and its unfair if I can't get value out of my biz if I decide to sell my house.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: Enforcement is essential, and can be paid from an increase in licensing and a % of room tax. Enforcement should include a full time city position to handle licensing, complaints, inspections, and possibly - most important - finding and taking appropriate action on unlicensed facilities. Action can be complaint driven, research driven (find online sites that rent nation wide/world wide - and vet the rentals), or through networking to seek out unlicensed units.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: We agree to separating HomeShare + BnB from VRD's maybe allow 3 possible 4 rooms for rent. Intermediary for enforcement of rules & regulations. Better reporting of taxes breaking down taxes by nights + locations to make it better for finance to process. Parking should remain on properties.

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: VRD Caps & Densities  
should be established  
by neighborhood -  
no one size fits all.

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**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: Placing advertisement in front of the VRD  
would decrease my property value. Would I receive a  
tax reduction as if the signage were to be adopted?

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: Having signs for the VRD's will  
decrease my property value. (sign advertising  
it's a VRD)

- Having VRD's take away from neighborhoods.
- Problems with noise after 10pm -
- Dogs barking when visitors leave them unattended.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: VRD owners need to live in Newport.

Blank lined area for additional comments.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: How does the reduction of long term  
housing support Newport? ~~is it~~ Note: We have a  
housing shortage.

Medical professionals leave the area because there is  
no place to live. as an example.

Homelessness is a problem.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: A city-wide cap is  
ridiculous!

The east should not  
count towards a cap.

We started hearing  
complaints at around 125 or  
150 total. Using a total of  
220 or 275 is too much on a

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Small area.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 15, 2018 at 6pm

Comments: ADDITIONAL COMMENT: AFTER SPEAKING TO MORE  
COMMITTEE MEMBERS I THINK CONSIDERING A NEIGHBORHOOD  
APPROACH WOULD BE A GOOD IDEA. THE BAYFRONT, NYE  
BEACH + AGATE BEACH COULD CONSIDER LIMITS BY AREA.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: VR Rental Log

If the log is not available to enforcement  
organization, it will be very difficult to enforce  
occupancy limits

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Limiting transfer of license, upon sale  
limits the value of a business & property for  
the current owners. If they have operated a  
successful business, followed the rules, paid their  
taxes & licenses, and had limited or no complaints. A  
business owner should be able to capitalize on  
their success through a sale w/out government influence or  
restrictions.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: 24/7 Hotline  
ok with - please adjust to a more manageable  
time to respond.  
- Reduction in occupancy from 2 per bedroom plus 2 to  
2 - Exemp young people. - Your encourage people to  
cheat the system. The County (Lincoln) has an  
existing policy - keep things the same throughout county  
for this to cut down confusion.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Proximity limits

Comments:

Hard Cap based upon zoning & eliminating or phasing out existing VRD is unacceptable, I could see grandfathering them in and not allowing new ones in specific areas, Measure 49 restricts gov't from taking away property owner rights.

R1 & R2 & having VRD's in the West of 101 & south of 20 should be allowed.

Please don't over think this.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments:

I like Retained parking standards that allow off street parking to extend into undeveloped public right of way....

Broad Zones for limiting VRD's rather than proximity limits seems logical.

~~Source~~

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Strong  
- Posting a phone number in street view seems redundant. ~~It would~~ create a website that has the VRD owners info through the city.  
Each VRD provides contact info to renters, cities & licensing departments  
This seems like targeting them

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: VRD's in non permitted "zones"  
- how can you restrict someone's <sup>business</sup> investment in the community to a period of time?  
What if it is a family investment to be passed onto generations?  
longer time frame 15 years - 30 years or stays with same family etc.  
If it is a well established business w no complaints or issues why would you want to have it go away?

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: I am ok w a hiner license fee,  
that could be used for code enforcement

- Random insted of annual inspections by fire  
dept seems more reasonable.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments:

• Dye Beach is a neighborhood - hope it stays a neighborhood.  
- if VRDs are limited to W. of 101 - will lose a neighborhood  
character

• VRD license should not transfer w/ sale of VRD -  
treat like a business license or liquor license

• require professional property mgmt ability & proximity  
to respond to a complaint w/in 30 minutes - in person

• limit the # of VRD permits

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Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



- Third party vendor
- prohibit use of VRD for events, outside of Commercial zone
- annual license renewal
- progressive ~~enforcement~~ - 3 strikes you're out
- post named phone # of responsible party (owner/mgr) on outside of VRD - like Norm Ferber does
- City should provide notice of public hearings & on VRD recommendations - not just to VRD owner, but to neighbors within the required notice of VRD approval area.



**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments:

Map Alternatives

There is no logical reason to limit ~~VR~~ where  
VRs can be operated.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: This is an addendum to my previous comment where  
I ~~pre~~ said I was in favor of a hard cap. I think  
The proposed cap ~~off~~ of 220-275 is too high.  
We are already experiencing a residential housing  
crisis. It is not just a matter of affordability  
people who want to work & study here cannot  
find rentals. The cap should be no higher than  
~~it currently is~~ the current number of VRDs.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: AGREE w/ Map Alternative 1 & 2 - Not 1/1  
AGREE WITH 24/7 HORNE & VIOLATION  
STATEMENTS. SAFETY IS IMPORTANT FACTOR.  
OCCUPANCY LIMITS MUST BE REQUIRED - KEEP IT DOWN  
WHERE LARGE PARTY HOUSE CAN NOT HAPPEN. WASTE MGMT.  
IS IMPORTANT - LAND OWNER MUST ASSURE CLEANLINESS.  
NO PROPERTIES SHOULD BE GRANDFATHERED!! ALL  
SHOULD REQUIRE YEARLY INSPECTION & LICENSING.  
ANY VIOLATION SHOULD REQUIRE LOSS OF LICENSE.

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I am particularly interested due to personal experience - we left our "forever" home in Lincoln City due to vacation rental issues - all around us, vandalism, ↑ noise, ↑ trash, ↑ traffic issues. I don't want to experience this again or have this happen to someone else. Newport needs housing for forever residents and housing for working residents.



**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: VRD's should be phased out in R-1 and R-2 zones - Alternative 3.

No signage as most of these are not owner occupied, could create potential security issues.

No large parties/events.

Drop the plus 2 / Children under 5 shouldn't be counted in determining occupancy.

Although not limited to VRD's, outside

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over

Lights that shine onto neighboring properties need to be addressed.



**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: R1 + R2

Do Not Allow VRs in R1 + R2, period.

Phase out existing VR in R1 + R2

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments:

- Remove VRDs from R-1 and R-2
- move out faster than 5 yrs
- license not transferrable
- ~~cap~~ cap should be 150-175
- density needs to be reduced w of 101

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: I am in favor of a hard cap on VRDs that can only be changed with public input (not just a Council resolution — perhaps a referendum?). I am also in favor of zone restrictions — I do not want to see residents unable to rent or purchase property on the west side of the highway because it is all VRDs. The city should prioritize the well being of residents. I am in favor of looser restrictions (still some limits) on homeshares and B<sup>3</sup>Bs, where the owner still lives there full-time.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Tenancy limits such as a 3 night  
minimum are the best way to help those  
of us in R-1 and R-2 zones. A moratorium  
will take at least 5 years to have an  
affect. We need relief now.

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Locals who serve the tourist  
industry need affordable housing.  
Vacation rentals should be allowed  
in residential zoned areas ever.  
We need to make City-County  
laws that help our neighbors!!  
Single women working 2 jobs end up  
in cars parked somewhere just to  
make ends meet. Shameful. We are better  
than

46 \*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the  
Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR. that



Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Committee should be commended for its hard work. I have several comments

- 1) Eliminate VRDs in Residential zones - e.g. - Alternative 3 R-1, R-2 zoning does not permit businesses - why are intrusive VRDs allowed? Need to be phased out
2) All new applications should be presented to affected neighbors before a license is issued
3) No signage - this will become advertising - see Lincoln City

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Roy Filby, 7381 N. Coast Hwy rfilby@charter.net.



Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Do TRT dollars matter to the city of Newport? Talking with Newport staff I'm told the budget is around ~58 million annually with ~3.8 million from TRT. This is low compared to Lincoln City with ~15 million annually in TRT dollars coming in - VR's will increase at double digit rates for the next 5 years or more - so far this year my company has ~22% rev. growth vs market growth of ~3.9%.

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TF 47 improve tourism you might increase your budgets & income city saved.





## Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

### GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: I appreciate every ones hard work on this work group.  
I ask that you don't be severe due to a few bad VR owners.  
The ones that cause problems should be the ones that pay fines or  
lose their license. An onsite manager is the difference  
between a problem and no problems. If not an onsite manager,  
then an on call (in Newport) manager. I myself am an onsite  
owner/manager & have had zero problems ever, going  
on 3 years. Thank you  
Steve Palmer stevesway78@gmail.com

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the  
Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



## Public Open House for Potential Changes to Newport's Rules for Vacation Rentals

### GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: We are VR owners, we like the  
home share concept. We occupy the house  
in which our VR is located and live  
there fulltime. Our VR is a 2 room "mother-  
in-law" apartments <sup>in the house</sup> We rent it only when we  
are present. We meet & interact with all our  
guests and emphasize to them that we live in  
a neighborhood, not a resort. If our situation does  
not meet the letter of the home share concept, please =>

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Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Consider changing the concept to include such VRs.



**Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals**

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Newport does have a housing short-  
age. Regulating VRs is not the answer  
to solving that problem. We need hundreds  
of units not a few dozen.

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: I hope the ad hoc committee under-  
stands that there are many, many responsible  
VR owners who live in Newport, in the  
units that contain their VR. There are  
many VR owners who are involved in the affairs  
of the community and their neighbor hood.  
Please don't penalize those who are good  
neighbors and taxpayers.

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Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: I think vacation rental dwellings  
belong somewhere else. Also Air B+B's if they  
are here too. They should never be allowed to  
exist in Residential areas (R1+R2). The impact  
effects ~~are~~ <sup>our</sup> lower income families. Housing for  
Rental housing needs to available to locals.  
There are families who get a job here, move here  
and forced to rent a vacation rental. They can't  
afford it. All kinds of people work here in tourist industry

50 \*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the  
Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: We bought our house to retire in here, hopefully 8-10 years from now. We live in Portland. We VR to help pay for the place until we can move here full time. We have changed occupancy from 8 down to 6 and raised the nightly price to discourage problems and have had little to no trouble. It's imperative to be able to rent until retirement; all our money is tied up in that house.

Thank S

\*Comments can be emailed to Derrick Tokos at d.tokos@newportoregon.gov or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.

Ruppel 457 NW 57th St



Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

GENERAL COMMENTS

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: 1) Consideration should be given to size of VHR - large dwellings bring large groups & more prone to noise/parties. I have a small 1 born cottages and only have 2 people - mainly couples - neighbors have no complaints. Even there are never problems w/ noise

2) Consideration should be given to density - large lots in a small secluded area has no impact to neighbor

3) Restricting VHR to address affordable housing will drive property values, lower tax revenues & reduce revenue to business owners

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Public Open House for Potential Changes to  
Newport's Rules for Vacation Rentals

**GENERAL COMMENTS**

City Hall Council Chambers

Wednesday, August 22, 2018 at 6pm

Comments: Thank you for the opportunity to be part of our community  
by voicing my opinion. It's evident that the Ad-hoc committee  
has done an excellent job at looking at alternatives.  
As a resident of Newport I want to see my community  
protected - integrity of neighborhoods is extremely important.  
Please prohibit VRD's in all residential areas.  
There are plenty of motel / hotel rooms available for tourists.  
We need to choose the health of our citizens first.  
More comments to come soon. Thank You

\*Comments can be emailed to Derrick Tokos at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov) or dropped off at the Community Development (Planning) Department in City Hall at 169 SW Coast Highway, Newport, OR.

Vacation rentals operate as businesses and should not be permitted in residential areas. A high volume vacation rental operates behind our house. Average occupancy is 5 persons per stay and average length of stay is 3 days. This is equivalent to 608 strangers vacationing behind our house per year.

This is high volume, high traffic continuous rotation of strangers in and out of our neighborhood. Additionally vacation renters are unconcerned or unaware of issues impacting our neighborhoods to include environmental, burn bans, fireworks, parking, noise, etc.

We had no prior notification that the property behind us would become a vacation rental. We received a notice in the mail and the next weekend the vacation renters showed up. There was no advanced notice nor an opportunity to express our concerns with the action. Now we are stuck with the VRD and the many others in our neighborhood.



August 22, 2018

Dear Derrick and VRD Ad Hoc Committee members,

Regarding the information presented at the VRD Open Houses, I thank you all for your hard work and tireless commitment to this effort.

I was, however, very surprised that there was not an option to ban VRDs in all residential zones. This is by far the simplest and most obvious first step to fix the most significant part of the VRD proliferation problem.

VRDs are businesses in every sense of the word and they do not belong in residential neighborhoods. All eleven VRDs in my R-2 neighborhood operate year round and owners never actually occupy the dwelling except for occasional short visits to check on their property. All reside outside of Newport. These homes are purchased for the sole purpose of being a for profit short term rental, exactly like a motel. They conform to every definition of a business and should not be allowed in residential zones.

With that said, the stricter regulations proposed to be applied to VRDs are extensive, well thought out and absolutely essential. I endorse implementation and enforcement of all of them.

Darlene Croteau  
Permanent Newport Resident

## Derrick Tokos

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**From:** Paul at Northwest Reliable, LLC <paul@northwestreliable.com>  
**Sent:** Saturday, August 18, 2018 12:22 PM  
**To:** Derrick Tokos  
**Subject:** Vacation Rental Dwellings concern

Hello Derrek,

I'd like to take this opportunity to express my deep concerns about the method by which vacation rental dwelling licenses are allowed in our city. Having lived in the same long-term rental home since our arrival in May 2009, we've seen the addition of 4 VRD homes within a 2-block radius. These VRD's have gained popularity, and as such they're frequently being rented and turned-over for new rentals. The amount of "trips" associated with these homes is nothing short of significant. Traffic in our sleepy neighborhood has grown to the point that I fear for the safety of our young children and 2 dogs. Its unequivocal that the majority of this traffic increase ends up at one of the VRD's. The unfamiliarity with the area and disregard for the "SLOW DOWN" signage I've posted indicates they're not one of my neighbors and are transient tourists. Nevertheless, I fully believe these nightly rental homes are in fact for-profit businesses situated in an otherwise residential neighborhood. We chose to move to this particular area due to its neighborly appeal and tranquil environment. Had I wanted to partake in tourism activities and hustle/bustle of a commercial district, I would have found a long term dwelling near the bayfront district or the Nye Beach district which are mixed-use and business areas - or moved near a hotel. I ask, how can these VRD "businesses" be all of a sudden allowed in residential neighborhoods, and when does it cease? Have these VRD businesses been assessed systems development charges to help the infrastructure burden on the city resources? While I do enjoy my home and my long-term neighbors, I feel the activities associated with these VRD's are inconsistent with traditional residential neighborhoods that we've been accustomed to. The negligent littering, fireworks, backyard fires, and disregard for parking restrictions come to mind.

Please give careful consideration to zoning restrictions in the Newport municipality and help us to understand how these VRD business are allowed to operate legally. As a local business owner, I am careful to keep my business activity mobile and out of my neighborhood. We all can reasonably assume that I wouldn't receive approval from my neighbors or planning commission review board to open up a retail establishment or service garage at my home.

For the record, my neighborhood referenced is the area in NW Newport around NW 54th Court.

Thank you for your consideration on this matter.

Paul E. Dunphy, *Owner*  
**Northwest Reliable, LLC**  
**\*Grounds Maintenance**  
**\*Home Repair & Improvement**  
*(541-961-2744)*  
PO Box 1363 -- Newport, OR 97365-0106  
General Contractor CCB # 194178  
Landscape Contractor LCB # 9240  
web: [www.NorthWestReliable.com](http://www.NorthWestReliable.com)

## Derrick Tokos

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**From:** Rob Hildebrand <rhildebrand@multnomah.edu>  
**Sent:** Monday, August 06, 2018 5:38 PM  
**To:** Derrick Tokos  
**Subject:** Feedback for Vacation Rental Dwellings discussion

Greetings,

I just received your letter telling of the open houses coming up on Aug 15<sup>th</sup> and 22<sup>nd</sup>. I'd like to make one of them if I can, but for the time being I thought I'd pass along the feedback you were requesting.

First of all, we love Newport. I'm a college teacher in Portland and as we were starting to think about retirement we built a house on NW 56<sup>th</sup> St. a couple years ago. We decided to pattern it after the Yaquina Bay Lighthouse and had a lot of fun putting in lots of special touches to the house. Now.... Honestly, we're not rich folks, definitely in the bottom tax bracket, so we've needed to rent the house out to help pay it off. We're hoping that in a few years we can wean that off, and hopefully move to Newport full time. In the meantime, we're very much hoping you don't move the goal posts on us. Does that figure of speech make sense? We built it a little nicer than we normally would because we figured the rental income can help to pay it off. So major changes to the system could make for a significant difficulty for us.

Of course, we recognize the benefits that the vacation houses offer: We paid over \$25,000 in building fees to the city. We pay \$4,000 a year in property tax for our 1600sq ft. house, and another \$1,000 or so for the rental tax. We built the house with a local builder and bought our supplies at the stores in town. And those that rent our place (including a lot of personal friends) eat at restaurants often, and bring a fair amount of revenue to the city.

I do think that it's important to protect the neighborhoods, and ensure a good quality of life for everyone. Here would be my suggestion: Implement a significant fine system to be paid by the offender. I don't want someone keeping all my neighbors up late at night, or packing the house out with too many people. But how do I control that. All it takes is someone to lie to me, or break the rules, and it's tough to know until the fact is over. But.... If you had fines for the offenders, the renter who breaks the rules could be faced with a significant ticket, not unlike the way we enforce traffic laws. Honestly, I'd be happy to see offending renters penalized for misusing our property to the detriment of our neighbors.

I suppose I'm hoping for a solution that will protect the long-term residents, but also allow for growth and for some of us younger folks hoping to retire one day (well... maybe I should say middle age folks☺). But also, keep in mind that many of us have made our decisions based on the current rules, so it would be nice to find solutions that don't bring anyone to ruin (or perhaps grandfather clauses).

Thanks for your time, and reading this. 503.975.5169 is my cell.

Rob (for my wife Leslie too)

**Dr. Robert J. Hildebrand**  
Chair, Youth Ministry Department  
Assistant Dean, School of Biblical/Theological Studies  
Chair, Practical Theology Division  
503.251.6425 | [rhildebrand@multnomah.edu](mailto:rhildebrand@multnomah.edu)



## Derrick Tokos

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**From:** Nancy Thurston <nancy.e.thurston@gmail.com>  
**Sent:** Monday, August 06, 2018 4:59 PM  
**To:** Derrick Tokos  
**Subject:** VRD Information

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Derrick,

My husband and I have a VRBO in Newport and recieved the letter recently sent out regarding the open houses coming up. With such short notice I am not certain we can make either meeting. We live in Boise, Idaho and it is 600 miles away.

We do have local workers that take care of our property. We are very concerned about the upcoming decisions that will be made that may inpact our business.

Please keep my email address so that we will be informed of what is going on.

--

Thank You,

Nancy Thurston

Real Estate Agent  
John L.Scott Real Estate  
208-861-2666

[nancy.e.thurston@gmail.com](mailto:nancy.e.thurston@gmail.com)

Practice random acts of kindness!



August 22, 2018

City of Newport  
169 SW Coast HWY  
Newport, Oregon 97365

Attention: Ad-Hoc Work Group, Planning Commission, City Council, City Manager and Derrick Tokos;

This letter represents our official feedback to be published on record as part of the public comments. We are homeowners on 540 NW Alpine Street where our home is a full home vacation part of the year and we live here and home share during part of the year in the Commercial C2 Zone.

We agree with the following proposal points you have outlined:

- Establishing caps on the number of vacation rental units
- Offer alternatives that prohibit VRDs in areas outside of commercial zones
- Creating density limits outside of commercial zones
- Maintain updated set of clear and objective approval standards

We have the following questions we feel need to be answered and considered before finalizing new vacation rental codes:

- How will you ensure that an outside, for profit organization will be fair and transparent in managing a centralized complaint system? It seems ironic that the work group is giving preference to on-site management when the city is considering farming out this work to someone presumably outside of Newport.
- Why distinguish between home share and vacation rental? What would you do with homes like ours that do both?
- Annual licensing would be very time consuming for owners and the city, not sure how the city would have bandwidth to do this and why penalize vacation rental owners who are well run and do not receive complaints? Why not have those with three infractions in a year have to do an annual license? For those who are complying with existing rules they should be entitled to keep license in place without having to go through the whole process again and just do the annual renewal of business license.
- What do you consider a child?

Our comments on areas we disagree with and suggest the group consider:

- If you are in a commercial zone you should be allowed to transfer your license when you sell the property.
- We believe homes should not post signs that they are vacation rentals or home shares. This could create a public safety issue encouraging people to possibly break-in or try to squat in homes they believe may be possibly vacant. (See recent home invasion style robbery on a vacation rental on Alpine street in August 2018.)
- We want to keep the 2 people per room plus 2 program. We understand you want to limit number of people staying in a home and not encourage over usage but homes should be allowed to have one pull out sofa/futon bed, many hotel rooms have pull out sofa beds in rooms if they have parking to accommodate as we do.
- These rules and regulations sound good now when we have a robust economy but you may want to consider when the economy tanks and people can't pay their mortgage do you want to eliminate their opportunity to be a vacation rental to keep their home instead of having a bunch of homes in foreclosure and abandoned. If there are many abandoned homes this could make Newport less desirable for tourist hurting local businesses and overall economy.
- It seems the real issue instead of changing the rules requires the city to invest in more police or a department that can follow up with owners who enable guests to have parties, don't maintain landscaping, or manage their trash. These owners should be fined as that changes behaviors and owners who follow the rules should not be penalized.

- Currently, Newport struggles with maintaining the current issues; such as business permits and now you want to add additional enforcement? For example, we have sent our fee for our business permit several times and both times it has been applied to our utility bill and if we didn't follow-up we would appear to be not compliant when it was not our fault but the city's. Our check clearly stated in notes for business permit not utility bill. Under the new guidelines we would have an infraction when we are in fact compliant. This concerns me as a law-abiding vacation rental owner.

For Proposed Policy Alternatives:

1. We are against the focused effort on units that are not occupied by permanent residents.
2. We are for limiting areas where VRDs are allowed
3. We agree with the establish license and density limits except for limiting transferability of licenses. For example, do you limit a successful business in Nye Beach to not sell that business to another owner. Why should you limit us from selling our successful vacation rental to another owner when we are simply running a successful commercial enterprise in a commercial zone?
4. We agree to improving enforcement, but you currently don't have budget or bandwidth to do this today, how are you going to find dollars to do this in the future? Additionally, if enforcement is done budget should go to a city department doing this not a third-party business. Citizens deserve to have checks and balances that a for-profit entity outside the city may not be as transparent or accountable to citizens.
5. We are okay with refining the approval standards, but we have the following two issues with the standards: 1. what is your definition for young children and how would you enforce it? 2. For owners who meet the parking requirement they should be allowed to have 2 guest per room plus 2 option.
6. We disagree with the annual licensing. Why not have those with three infractions in a year have to do an annual license? For those who are complying with existing rules they should be entitled to keep license in place without having to go through the whole process again and just do the annual renewal of business license.
7. We agree with phasing out non-compliant VRDs.

We believe owners who are compliant and follow the rules should not be penalized. We maintain our license, business permit, follow all regulations, are code compliant and ensure our home and landscape meets the highest standards. We also take the time to volunteer and clean the neighborhood, the Nye Beach turn around and Nye Beach, going above and beyond. Thank you, if you have any questions or want to follow-up with us please contact us at 425-457-2837 or [gregstempson1@gmail.com](mailto:gregstempson1@gmail.com)

Lorene Johnson and Greg Stempson  
540 NW Alpine Street  
Newport, OR 97365  
425-457-2837

## Derrick Tokos

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**From:** Peggy Hawker  
**Sent:** Thursday, August 23, 2018 5:48 AM  
**To:** Derrick Tokos  
**Subject:** Fw: Contact Us - Web Form

FYI

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**From:** Jeannine\_Pound@yahoo.com <Jeannine\_Pound@yahoo.com>  
**Sent:** Wednesday, August 22, 2018 10:14:57 PM  
**To:** City Council  
**Subject:** Contact Us - Web Form

City of Newport, OR :: Contact Us - Web Form

The following information was submitted on 8/22/2018 at 10:14:57 PM

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To: City Council  
Name: Jeannine Pound  
Email: Jeannine\_Pound@yahoo.com  
Phone: 425-894-5183  
Subject: Vacation Rentals in Newport  
-----

Message: Hello,  
I just heard on KUOW public radio in Seattle, that Newport is considering restrictions on vacation rentals.

We spend a lot of money each year on the Oregon Coast, we average 12 days in 3 cities, varying locations from year to year. We rent homes through VRBO and other rentals from owners. We eat out at restaurants, buy souvenirs, buy groceries, clothes, and a lot of ice cream.

I hope the council decides to promote tourism in your beautiful city, rather than restrict it.

I see a lot of poor areas as we make our way to our destinations each year. Tourism could be the next great industry bringing dollars into Newport. The concern expressed by Newport residents on the radio is that residents of Newport have a hard time finding affordable long-term rentals during the summer (a 3 month term was the example.) Perhaps Newport can find ways to encourage long-term rentals and at the same time promote the short-term vacation rentals that pour so many new dollars into the Newport economy.

I hope so :)  
I grew up vacationing on the Oregon coast, and now my kids are growing up vacationing there too :)  
Thank you,  
Jeannine Pound  
Sammamish, WA

## Sherry Marineau

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**From:** Derrick Tokos  
**Sent:** Thursday, August 30, 2018 1:00 PM  
**To:** Sherry Marineau  
**Subject:** Fwd: Potential changes for V. Rentals

Please add to comment summary.

Derrick

Sent from my iPhone

Begin forwarded message:

**From:** Steve Palmer <[stevesway78@gmail.com](mailto:stevesway78@gmail.com)>  
**Date:** August 30, 2018 at 12:17:35 PM PDT  
**To:** [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov)  
**Subject:** Potential changes for V. Rentals

Hello all,

The open house you had for potential rule changes was appreciated. There are a few different scenerios that vacation rental owners fall into with the main two being: 1: Onsite owner/manager 2: Offsite owner (usually out of town).

The reason there were no mad or concerned neighbors of mine at any of the city council meetings or open house is because I fall into category # 1. Not everyone can have my setup, but it may be the model concept. I live in the house where the tourist stay, meet them and have never had an issue in three years. It is an R3 neighborhood (Between the hospital and Yaquina Bridge on 11th Street). I have room in my driveway for five cars, but I only allow two. It's an organized, clean situation outside and inside.

However, it is easy to see where absentee homeowners, especially in R1 & R2 have become bad apples.

Of the potential rule changes, the ones that are reasonable and most important are:

- 1) 3 strikeout rule.
- 2) Restrict or weedout license in R1 and or R2.
- 3) Owner or designated manager must be live on site.

Probably most vacation rental 'stay at home people' aren't greedy and actually need the income, as main income or supplemental income. Older people, or ones that can't find jobs to suit their physical disability, rely on the additional income and social aspects of the tourists. Some out of town homeowners look at vacation rental in Newport just as a money business with no concern to those of us who live here. We already go by city rules/regulations and inspection when we got our business license. If you create a hardship with too many rules, you could really affect the ones here who need it most.

If you decide on a third party enforcement policy, hopefully it will only concern and the fees be charged to the VRs without live-in owners/managers, since they are the ones causing the problem.

If you do have changes, make it simple. Get rid of the bad ones and restrict new ones from getting in R1 and R2.

Thanks so much,  
Steve Palmer

August 15, 2018

Derrick J. Tokos, AICP  
Community Development Director  
City of Newport

RE: VRD public comments.

This is my list of problem encounters with VRD occupants overrunning our neighborhood; a 2 block area with 9 VRDs, 12<sup>th</sup> and Spring to the dead end at 15<sup>th</sup> street, and the house behind me, an occupancy 10 VRD.

1. 1330 NW Spring Street: Dogs tied to tree in back of property. As I walked by on the street with my dog, they broke loose and attacked him, causing a visit to the vet. They saw the whole thing, and offered to reimburse me for the veterinary fee. Luckily it was minor. They did reimburse me, but slammed door very hard afterward. Children on top of house walking along the ridge of the roof like a balance beam. I finally called to them from my deck to get down before they fall down and get hurt. Flood lights shining into my windows all hours of the night as people run in and out.

2. 1409 NW Spring Street: Property managed by Oregon Vacation Rentals. Dogs were left outside for 30+ minutes barking to be let in while occupants were inside. Called rental agency who said the dogs were just playing. I insisted she do something that they were not playing but left outside with occupants inside house. She finally said, "I'll give them a call." The next couple of hours, I was out in my yard with my dog, and the same dog (pit bull mix) came running over into my yard ready to attack my dog. Occupant came running over after him saying he had broken through the fence. I again complained to the rental agency, and told them to insist the occupants pay attention to their animals.

3. 1452 NW Spring Street: Occupants (5 or 6) sitting on deck in early morning as I walked my dog past. They flew a drone over my head and my dog, across rooftops of condos below and over beach area. This is a very dangerous action. Dog went crazy, and I was not too happy myself, that time telling them they were rude, to go home.

In general there are cars, pickup trucks sometimes pulling a boat, parked all over Spring Street, traffic speeding, going up and down the street, turning around wherever they like. I have almost been hit several times, and then the drivers gesture at me, like I am in the way. Overnight car count in early morning is always higher than midday, suggesting too many occupants for house. 10-15 people at a time walking all over area, cutting through yards, leaving their dog droppings wherever they drop, in the street and in my yard. You never know who is in your space; too many numbers of people who have no respect that they are in our neighborhood, we are just in the way of their good time. It is difficult to take a leisure stroll through your own neighborhood, without encountering strangers staying in a VRD.

Lee M. Davis

541-272-7815

lmdtx@q.com



City of Newport

Planning Department/ City Counsel

My Name is Jon Lynch and I have been the broker owner of a real estate company in the Newport area for more than 44 years. During this period of time I have seen many changes to the area in demographics, tourism, infrastructure, and development. None seem to be more dramatic than the recent popularity of vacation rentals. So I would like to add my 2 cents worth to the mix when considering new proposals towards this topic.

(Recently I attended the 8-15-18 open house and spent two hours listening and talking with representatives to get a better idea of their concerns and express mine.)

During my time in Newport as a local realtor

1. I have yet to experience any complaints from individuals about issues with vacation rental properties. Although I am sure there have been, I personally have never heard even one.
2. Also I need to mention that I have never had one seller or buyer complain or even make a comment about being next to a vacation rental.
3. I am not even aware of many vacation rentals in town. They just do not stand out apparently.

Based on this alone, and I am not saying that there are no issues, it seems to me that the City of Newport could be accused of over reacting. The last thing that I would ever wish to happen to Newport is what happened to Lincoln City. What happened to Lincoln City, as all of us know, is a moving disaster. I am sure the majority of folks in this community recognize that Newport is a completely different city than really any other coastal town in Oregon. Therefore Newport should seek it own unique way of handling vacation rentals and not assume some other city's rules and regs.

So to move forward logically if you are thinking about changing rules, enforcing issues and complaints as well as overlaying areas designated for vacation rentals, I advise moving slowing. I advise more open and general rules and regulations until you absolutely see repeating issues that are not being addressed.

I think that it is fair to say most of our city ordinances cover most of the issues that are being experienced. (although I know of no issues so cannot really comment on that)

I, personally, do not have issues with designating areas that seem committed to **vacation rental style homes** vs areas that seem committed to full time **residential communities**. For instance, properties on the west side of Hwy 101 seem to gravitate towards vacation type usage. This could be a vacation home, bed and breakfast, motel, hotel, or vacation rental as examples. This is what I am talking about when referring areas committed to vacation rental use. These are areas with tourist attractions abundant in the neighborhoods. I do not see zoning a factor as much as location.

When crossing Hwy 101 to the East side you can see a difference as a natural change in character occurs. You have tight communities of full time residences, churches, parks, schools and services that tend to be for full time Newport residency. The change is pretty obvious. Again, no matter what the zoning is, it seems more likely to eliminate vacation rentals in areas such as these.

Hwy 20 south to the bayfront: This area tends towards the vacation, tourist side. It seems to follow close to the same demographics as the area west of Hwy101 and I would seem think the rules should be similar.

Enforcement of rules etc that I feel should be considered.

1. All vacation rentals should be managed by either a professional management organization with local representation or a local person which can be reached within 2 hours of any complaint
2. All vacation rental properties should have an additional occupancy fee for local enforcement costs. Newport should not suffer because there are not enough responders based on budget. So those who require responders should be responsible for their costs.
3. In the event a vacation rental becomes a bad apple (too many complaints or failure to correct, there should be a way to remove this vacation rental.
4. Licensing should be year to year whereby if rules change or violation abuse occurs that the most the city would have to put up with the bad apple is one year.

\*\*\*\*\*Very important\*\*\*\*\*

I feel that my next suggested to be of utmost importance

If one has a vacation rental in good standing then they should always be able to sell this as a vacation rental to a new buyer without fear that they will lose their status. The next

buyer would have to abide by all rules and regulations and be licensed, but be allowed to buy for the rental income value that the seller is selling.

The reason that this is important is that in most cases, the current owner may have spent years in building a good reputation as well as develop a good customer base and a desirable business model. The value of this owner's property rests both in the structure as well as their business. To not let a person sell their business with their improvement can greatly decrease the value of the property. This is just not and could be considered a taking. This is much like down zoning a property where by its uses are now restricted. A taking of value by eliminating the income can be quite detrimental in any sale.

I hope that you will consider my email in making your decision in the future on how to handle the vacation rental home market in Newport. I tried to make several points and hope I did not confuse anyone.

Most Sincerely,

Jon Lynch

Broker/Owner

John L Scott Newport

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