

## Derrick Tokos

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**From:** Tom Huff <trhuff2@hotmail.com>  
**Sent:** Sunday, December 09, 2018 6:55 PM  
**To:** Derrick Tokos  
**Cc:** Sherri Marineau  
**Subject:** Re: Feedback on proposed Ordinance 2144

Hi, thanks again for all of the information, including the minutes from recent meetings, the recommendations within the various areas of the proposals, etc. I'm in town and will attend tomorrow evening.

There are several questions, having looked through the minutes (these are below). I'm sure things will be busy tomorrow, and if it was easier to quickly talk, vs email, would there be a possibility of chatting phone-wise sometime in the afternoon (early/mid etc)?

Thanks!

Tom

### Questions, feedback:

- To recheck the primary motivation(s) at this point, and whether this remains more about neighborhood concerns for vacation renters, or concerns about (affordable) housing. The discussion notes (11/26 session etc) appear to be (much) more on former, and if this is still the larger focus of the VRD proposal:
  - There doesn't seem to be significant discussion on addressing/improving directly, via enforcement and fines on 'bad renters'. Including also ideas that may have been proposed previously in Lincoln City, such as for VRD owners to hire regular security (like TCB security), etc.
  - What was a rough breakdown of the recent 47 letters/emails and 22 folks testifying - ie, in terms of for/against the changes, caps and overlays, enforcement for vacation renter complaints.
  - Overall, has there been a survey broadly across all of Newport residents to identify which concerns are the pervasive ones, vs lesser?
- On the housing area:
  - As was mentioned briefly in the recent meetings, houses more than a certain degree above the median probably won't generate affordable housing. It would seem that a reasonable number of the ~200 current VRD's might fall into this category, and thus will the proposed changes have very much impact on increasing affordable housing? The VRD proposal seems a secondary way to try to help with affordable housing, with VRD's being ~only 4% of total housing, and including if only a subset of those that might actually be adopted by owners for affordable housing. This in the end might be only ~few dozens of homes contributing to the housing issues.
  - Overall, the VRD proposal seems to be a small impact on the larger problem of affordable housing. And thus to continue effort directly there at the ways of improving affordable housing, including those being pursued, of tax incentives for development of affordable housing, etc. Which maybe could also include an add'l tax on VRD's, so that this sub-segment of Newport is also helping contribute, if that might have a meaningful

impact. I just read the recent coverage on OregonLive, where these considerations & alternatives were discussed (incl. your comments in these areas).

- What is the rough trend line over time for VRD's in Newport, including relative to Lincoln City and Seaside? The latter are much closer to Portland, while Newport instead is a longer ~2.5 hrs away, and this remains more constraining, vs the higher levels of tourists in Seaside and Lincoln City. The current ~4% VRD level in Newport would seem low, and might wonder that the other tourist-centered coastal towns have both a meaningfully higher VRD %, and a higher trend line of VRD increase over the last 10-20 years. This is another way of asking the question, is there a first-order issue of VRD's in Newport? Vs staying focused directly on improving affordable housing, and enforcement/fines for instances of 'bad vacation renters'
- How are the staff recommendations considered (these were good!)? The minutes from 11/26 seems to show the commission members disagree in various places. Overall, do both the commission and staff recommendations go to the town council? How does the town council weigh/consider the commission and staff recommendations - are they likely to accept (one end of spectrum), or might ignore (other end), or something that's in between and uncertain at this point.
  - Have there been discussions for affirming the public's views via a ballot measure?
- Am trying to understand the rationale in alternative 4 (overlay), whereby just north of 42nd st (ie, ~43rd st) the overlays become again allowable for VRD's. And same question for just south of the golf course (on west/ocean side) - where this also is back too allowable. In other words, a question of why the red/disallowed island exists between these two (incl. with only ~3 VRD's in this), even though each of these areas are lower density housing.
  - Also too that this island is right across from a commercial area (ie, the golf course), relative to VRD's being more generally considered when closer to commercial zones. Would being across from the golf course have such a consideration?
- Is the current direction trending to spacing standards, or still a total prohibition in R1 areas? The staff recommendation indicates the former, the commission seems to indicate the latter.
  - Does spacing here mean that only one, or both, houses on 42nd St would be allowed for VRD's (each one is on opposite sides of 42nd st)?

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**From:** Tom Huff <trhuff2@hotmail.com>  
**Sent:** Monday, December 3, 2018 8:38 AM  
**To:** Derrick Tokos  
**Cc:** Sherri Marineau  
**Subject:** Re: Feedback on proposed Ordinance 2144

Great, I'll see if I can make this. Thanks!

Tom

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**From:** Derrick Tokos <D.Tokos@NewportOregon.gov>  
**Sent:** Monday, December 3, 2018 8:32 AM  
**To:** 'Tom Huff'  
**Cc:** Sherri Marineau  
**Subject:** RE: Feedback on proposed Ordinance 2144

Hi Tom,

The next meeting will be a public hearing at 7:00 pm on Monday, December 10, 2018. It will be held in the Newport City Hall Council Chambers (169 SW Coast Hwy). You will receive a follow-up notice later today once the meeting materials are posted to the City website.

*Derrick I. Tokos, AICP*

Community Development Director

City of Newport

169 SW Coast Highway

Newport, OR 97365

ph: 541.574.0626 fax: 541.574.0644

[d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov)

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**From:** Tom Huff [mailto:trhuff2@hotmail.com]

**Sent:** Sunday, December 02, 2018 3:27 PM

**To:** Derrick Tokos <D.Tokos@NewportOregon.gov>

**Subject:** Re: Feedback on proposed Ordinance 2144

Hi, to check quickly, when would the next meeting be scheduled ahead?

Thanks,

Tom

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**From:** Tom Huff

**Sent:** Tuesday, November 13, 2018 3:46 PM

**To:** [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov)

**Subject:** Feedback on proposed Ordinance 2144

Hi, I'm a homeowner in Newport, who rents VRD-wise part of the year, and uses the home actively otherwise. Several thoughts come to mind on parts of the proposals in ordinance 2144:

1. Via this exploration of setting a cap on VRD licenses (to ~4-5% of total dwellings), to include a rough financial evaluation for possible impacts, which would be valuable to see & discuss. Including revenue for the city for the several different levels of VRD licenses, for how much impact this might involve for the city's services (for lost vacation rental revenue, staffing resources for tracking/enforcing, etc). And for property values, in light of reduced/eliminated ability to do vacation rentals (relative to nearby communities, north/south, ie Lincoln City, etc).
2. Discuss further whether the primary concern being raised, is a financial one (ie, with the impacts in specific ways to Newport, homeowners), or is more centered on behaviors and qualities of vacation rental guests, etc. For the latter, to discuss fully why concerns cannot be addressed directly through additional concrete behaviors and rules (ie, noise, complaint procedures, 3 strikes, etc), rather than reducing VRD licenses, and those related financial impacts to the city's revenue, and homeowners financials.
3. More discussion on the guiding philosophies for the paths represented in each of the 4 map options. In particular, in alternative IV it's difficult to discern the guidance for why some regions ("islands") are determined to be prohibited vs limited. Specifically for my address/location, there are only 2 homes on the related street (42<sup>nd</sup> St), both have VRD licenses, are separated from adjacent homes, yet fall just outside of the proposed limited zone, and are just within the prohibited 'island' to the north. To understand the reasoning that excludes this island of houses, but preserves other ones, such as the 'island' right next door to the south. There have not been noise or guest concerns for these 2 houses, and a better policy would be as in 2), to ensure a consistent

policy across the city, rather than 'islands' that appear uneven in rational/fairness (and property values, etc). If alternative IV were to still be enacted, in lieu of the above alternatives, the owners of the two houses on 42<sup>nd</sup> street would then strongly recommend the limited zone be drawn to include these houses, as there appears to be no clear distinction/rationale. But again overall, the drawing of these islands appears arbitrary, and a better path would be to find shared and consistent rules that apply across the city.

4. Regarding a cap, to also discuss & define: by what process this would be revisited and adjusted, at an appropriate frequency, to ensure updates based on learnings, changes in the city, etc, for revenue, citizens preferences, etc.

Thank you, and I appreciate the discussion and feedback process.

Tom Huff

503.803.0802 (cell)  
#10 NW 42<sup>nd</sup> St  
Newport, OR

Attn: Newport Planning Commission

As I stated in a phone conversation with Derrick Tokos (Community Development Director), I strongly feel that it is completely unfair to take away rights I had when I bought my property (11 NW 42<sup>nd</sup> St., Newport), or to try to phase out those rights over 5 years or any other arbitrary timeline. I pay nearly \$8,000/year in property taxes and at least that much each year just maintaining my property. I love spending as much time as I can at the property enjoying the area, but there's no way I could continue to do that if I can't offset a portion of the expense of owning the home with income from vacation rentals. The ability to rent the home as a vacation rental is something I took into account when I purchased the home 5 years ago and it undoubtedly influenced the purchase price. Taking away the right to rent my property as a vacation rental (or phasing out that right) will have a significant impact on the property value. Restricting vacation rentals as outlined in map alternatives 3 and 4 would not only greatly reduce the resale value of my property, but all the properties affected by the newly imposed vacation rental restrictions. Unfortunately, most people (me included) don't have the luxury of quitting our jobs and living full time on the Oregon Coast. Because of this, there is a much smaller pool of people that will be able to buy homes in areas where vacation rentals are prohibited. This will reduce the property values of all the properties in those areas, as it's just not as desirable to buy a property with restrictions on how it can be used.

Many of the homes that are currently vacation rentals would probably become long-term rentals under map alternative 3 or 4. I have experience with both long-term rentals and vacation rentals and I know I would much rather live next door to a vacation rental than I would a long-term rental. Vacation rentals are monitored much more closely. Long-term rentals are usually rented on a 6-month or 1-year lease and it's not that easy getting rid of a problem tenant. In addition, serious maintenance issues are often not discovered until the tenant moves. Vacation rental guests are only there for a few days at a time, so the property is checked much more often making it easier to catch small issues before they become big problems. Also, from a property value standpoint, having a vacation rental next door will not negatively impact the property value like having a long-term rental next door. There has also been an argument by some that vacation rentals have changed the character of their neighborhood. I would seriously question if converting a lot of the existing vacation rentals to long-term rentals will improve the character of the neighborhood ... I tend to think it will have the opposite effect.

If map alternative 3 or 4 are implemented, the only way I will be able to hold onto my home will be to rent it on a long-term basis. This would obviously eliminate my ability to use the property for personal use and defeat the purpose of buying the property in the first place. Again, I feel it is totally unfair to "change the rules in the middle of the game" by putting use restrictions on my property that weren't in place when I purchased the property. Aside from eliminating my ability to use the property for personal use, it will probably force me to sell the property at a price that is significantly less than what the property would have been worth if the "rules" were not changed and it was free of use restrictions. Who is going to make-up that difference in value?

In addition to the impact to property owners, any restriction on vacation rentals is going to negatively impact tax and licensing revenue to the city and county. There will also be a negative

impact on the number of jobs available, as the property management companies will need fewer employees if there are fewer rentals to manage.

Based on a phone conversation with Mr. Tokos, it doesn't sound like there have been an extraordinary number of compliance issues associated with vacation rentals. However, as I stated in my email prior to the November 13<sup>th</sup> meeting, I strongly feel that any compliance issues can be addressed by strengthening the existing good neighbor rules and putting in place tougher compliance procedures rather than implementing something that restricts our rights as property owners. There just isn't a need to restrict people's property rights when stronger enforcement of the existing rules along with potential fines for violations will likely take care of any issues.

In summary, it seems like the planning commission is trying to use a sledgehammer to fix issues that can be addressed with a more measured approach. Please don't take away our rights as taxpaying property owners before less restrictive measures are tried. Strengthen enforcement of existing good neighbor rules and impose meaningful fines for violations. Fines should be imposed on both the owner of the property and the management company. Fines tend to get people's attention and generally change behavior pretty quickly. This would be a much more reasonable first step in addressing issues related to vacation rentals. Taking away people's rights as property owners should be the last thing considered after all other remedies have been tried.

Jeffrey J. Drew  
ph: 712-229-3670

December 10, 2018

RE: ORDINANCE NO. 2144: DRAFT  
AMENDMENTS TO THE NEWPORT  
MUNICIPAL CODE RELATED TO SHORT  
TERM RENTAL LAND USE REGULATIONS  
(with staff recommendations)  
dated 11/21/18

Dear Members of the Newport Planning Commission:

We've written previously regarding our views on the proposed changes to the ordinance as it pertains to short term vacation rentals. We're 30 year residents and homeowners in Newport, own two permitted vacation rentals, and also own housing that is rented month to month to a locally employed resident.

After reviewing the staff comments to the draft dated 11/21/18, we would strongly support several of the staff recommendations.

**Regarding 4.25.025**, Term of Annual Business License Endorsement and Transferability, **we agree with the staff recommendation of B.3**, and by this reference, incorporate the following staff recommendations as our own public comment.

**B.3. Transferability. The business license endorsement shall be issued in the name of the owner(s) and is transferrable in those cases where the property is within, or across the street from, a commercial zone.**

Staff: Transferability is relevant if the city limits the total number of annual licenses it issues and it is our recommendation that such a limit be put in place. The justification for limiting transferability is to avoid circumstances where use of a dwelling for commercial purposes in a residential neighborhood becomes permanent, potentially impacting the supply of needed housing and the character of residential areas. Eliminating license transferability in residential areas would serve as a disincentive to anyone looking to purchase units for exclusive use as a vacation rental while, at the same time, it would not impose a barrier to those looking to operate a vacation rental for a period of time before they transition to Newport on a more permanent basis (assuming there is license availability under a cap). It is difficult to apply this rationale to areas that are transitioning

to or are entirely within commercial zones, as there is an expectation in these areas that dwelling units would be built for the sole purpose of being used for transient rental purposes and may lack the functional amenities (e.g. storage, office space, etc.) that persons would need if they were living in the units on a long term basis. Alternative B.3. balances these interests.

**Regarding proposed changes to 14.25.020, we agree with the staff recommendation that the city not impose an overlay zone where vacation rentals would be permitted.** We agree with the staff's reasoning as set forth below and incorporate the staff recommendation as our own public comment on this issue.

**Staff: We recommend that the Commission not adopt a zoning overlay** at this time as a tight license cap, coupled with spacing standards for low density areas, is likely to be more effective at protecting the character of neighborhoods and the City's supply of needed housing, which are the policy objectives that could support an overlay. All four map alternatives would prohibit vacation rentals from areas where they have been historically allowed, with alternatives #3 and #4 impacting 25% to 30% of the existing licensed vacation rentals. Uses should be prohibited only if it can be shown that less restrictive measures cannot achieve policy objectives, because the end result is the elimination of a property right that many have relied upon when purchasing and investing in their properties. Map alternatives #1 and #2 are of limited value because they apply to areas that are far enough away from the beach and tourist-oriented commercial districts that they are not attractive for vacation rental use. Map alternatives #3 and #4 prohibit vacation rental uses in some residential neighborhoods and not others without a clear explanation as to why the character of some neighborhoods need to be protected through such a prohibition and others do not. This is problematic if the policy objective is to protect the character of all residential neighborhoods. Concerns expressed by several Nye Beach area residents relate to this issue, as they are rightfully concerned that the adoption of one of these alternatives will lead to further concentration of vacation rentals in their neighborhoods.

With respect to needed housing, map alternatives #3 and #4 appear to favor the prohibition of vacation rental use of higher priced dwellings while allowing them to continue on residential properties that are more affordable. A fair amount of testimony has been submitted expressing concern that vacation rentals are taking away units that would otherwise be available as month to month rentals or as homes that would be available to the local work force. Vacation rentals in R-1 and R-2 zoned areas, which these map alternatives are largely directed at, have a median market value of \$418,821 (per Zillow estimate). This is a very narrow slice of the City's needed housing, as this price point is outside of the range of what most of the City's workforce can afford and may be most attractive to dual income working professionals and persons retiring to Newport from more affluent markets.



If map alternative #3 or #4 is adopted, then roughly 60 vacation rental operators could be required to wind down their operations, most of which have been renting their properties without documented complaints. It is likely that the City would need to invest in additional code enforcement staff, in addition to a third-party contract, both to ensure that the rentals are taken off the market and to police the areas on an ongoing basis. An additional code enforcement staff person, with benefits, could cost the city around \$100,000 a year. Elimination of up to 60 vacation rentals, without some other off-set, is likely to result in a reduction in room tax collections in the amount of \$125,000 to \$150,000. Fiscal impacts of this nature, where costs are added at the same time revenues are constricted is a significant consideration for city policymakers.

#### **14.25.025 Allowed Locations**

We agree with the staff recommendation that **alternative A.2., to allow vacation rentals in all residential and commercial zones is appropriate**, for reasons set forth above.

#### **14.25.030 Approval Standards**

**We support Policy Alternative A.1** : We agree with the staff's comments and reasoning on this alternative and incorporate their comments as our own public comment on the issue.

**Density. The total number of vacation rentals shall be capped at level not to exceed five (5) percent of the dwelling units within the city. A specific cap number shall be established by City Council resolution.**

Staff: We recommend the Planning Commission pursue Alternative A.1. but suggest it recommend the Council, by resolution, set the cap number at a figure equivalent to the number of vacation rentals currently licensed, or in the process of being licensed. That initial cap number would be less than the 5% maximum that could be established by resolution, and if adopted at the same time the Council acts on Ordinance No.2144, would effectively put in place a moratorium until a new resolution is adopted. This would give the City time to roll out the new rules. Once the new rules are in place, the Council could, over time, incrementally increase the cap number to account for new residential development. This type of active management will prevent rapid increases in the number of vacation rentals being licensed and allows the Council to link increases in the number of vacation rental licenses to the health of the housing market, consistent with the policy objective of protecting the city's supply of needed housing. Additionally, a

tight cap furthers the policy objective of protecting the character of residential neighborhoods because it limits the growth of vacation rentals without favoring certain neighborhoods over others.

Alternative A.1. prohibits the Council from establishing a cap level in excess of five (5) percent of the dwelling units within the city. This provides policy makers with a reasonable amount of flexibility. The five (5) percent threshold is also in line with what other cities, with a diverse economic base, have imposed.

Thank you for the opportunity to comment on these issues.

Michele Longo Eder

Bob Eder

P.O. Box 721

Newport, OR 97365

## Derrick Tokos

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**From:** Frank De Filippis <dfilippis@hotmail.com>  
**Sent:** Monday, December 10, 2018 2:11 PM  
**To:** Rod & Darlene Croteau; Sherri Marineau; Derrick Tokos  
**Subject:** Re: Notice of Continued Public Hearing on an Ordinance Amending the City of Newport's Short-Term Rental Regulations

Hi City of Newport Planning Commission and City Planner

I will most likely not be attending the meeting this evening 12/10 as I have come down with a cold and do not wish to get others sick.

- **4.25.025 Term of Annual Business License Endorsement Transferability**
  - Recommend Option B1 - to not transferable. This would prevent legacy "always" vacation rental and allow next in line for permit to be made available. I support Option B1, as any other option would in effect change the zoning and make the home a forever commercial enterprise in a residential neighborhood. License transfers should not be allowed.
- **4.25.030 Business License Endorsement Renewal.**
  - Reject: Section B1- C, Sale or Transfer of property and renewal of permit. This section should be rejected as it is the same effect as 4.25.025 Option B1. No legacy vacation rentals should be allowed.
  - Reject: Section C 3.1 Signage. This would diminish surrounding property values that are not vacation rentals. Additionally would act as an invitation to burglar or transient occupation or other illegal activity in the neighborhood. The Newport Police have already indicated that they do not have resources to respond to vacation rental complaints. This would put undue burden on the neighbors to "police" and report issues and the confusion on who do we report issues to.
  - Modify: Section D1 Operational Requirements, Add "on-site" response within 1 hour
- 4.25.045 Violations.
  - Update Section E, 30 minute response and 1 hour in-site response would be failure to comply and subject to fines and counts a strike in the 3 strike revocation of use permit.
- 4.25.050 Penalties
  - Update to indicate multiple complaints in a single day would count as multiple strikes. This would ensure the sanctity of the neighborhood during as some have suggested that one rental one complaint.
- 14.25.025 Allowed Locations
  - Zone maps alternatives seem to section of the city however uses the whole city unit count to derive a percentage or cap thereby totally saturating certain neighborhoods while other are out of boundaries. The percentages should relate to the number of units within the zone.
- 14.25.030 Approval Standards
  - Policy alternative A.3 not to exceed 3% as a cap. The percentages should relate to the number of units within the zone.
  - Cap at 163 units for VRD as discussed in the advisory committee.

Thank you,  
Frank De Filippis  
Resident Newport Oregon

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**From:** Rod & Darlene Croteau <croteau@charter.net>  
**Sent:** Tuesday, December 4, 2018 4:32 PM  
**To:** Ona McFarlane; Paul Dunphy; Steve & Deborah Lane-Kerpa; Roy Filby; Matt Fisher; Wayne Benson; Patti Littlehales; Janet Webster; Frances Vanwert; Christine Davidson; Sandy Benning; Bill & Ruth Hutmacher; Bill Holden; Frank DeFilippis; Cathey Briggs; Frances OHalloran; Bill Posner; Cheryl Connell  
**Subject:** Fwd: Notice of Continued Public Hearing on an Ordinance Amending the City of Newport's Short-Term Rental Regulations

----- Forwarded Message -----

**Subject:** Notice of Continued Public Hearing on an Ordinance Amending the City of Newport's Short-Term Rental Regulations  
**Date:** Tue, 4 Dec 2018 00:30:08 +0000  
**From:** Sherri Marineau <[S.Marineau@NewportOregon.gov](mailto:S.Marineau@NewportOregon.gov)>

Please see the attached notice of a continued public hearing with the Newport Planning Commission on draft Ordinance No. 2144 amending the City of Newport's Short-Term Rental regulations. This public hearing will be held on Monday, December 10, 2018, at 7:00 pm or soon thereafter in the City of Newport Council Chambers located at 169 SW Coast Hwy, Newport, OR 97365.

Public comments on draft Ordinance No. 2144, the staff recommendation, and the Planning Commission's set of preferred alternatives, are posted on the City website and can be accessed using the following link:  
<http://newportoregon.gov/dept/cdd/VacationRentalDwelling.asp>.

If you have additional questions, please contact Derrick Tokos, Community Development Director, at (541) 574-0626 or email him at [d.tokos@newportoregon.gov](mailto:d.tokos@newportoregon.gov).

Regards

Sherri Marineau  
City of Newport  
Community Development Department  
169 SW Coast Highway  
Newport, OR 97365  
ph: 541.574.0629 fax: 541.574.0644  
[s.marineau@newportoregon.gov](mailto:s.marineau@newportoregon.gov)

To: Derrick Tokos  
From: Linda Neigebauer  
For: Planning Commission Meeting, December 10, 2018  
Re: Short-Term Rental Proposed Ordinance No. 21444

Date: December 10, 2018

CITY OF NEWPORT

DEC 10 2018

RECEIVED

**•PROPOSED LANGUAGE:**

2. A license holder may transfer ownership of the real property to the license holder and a spouse or domestic partner with the right of survivorship and not be subject to license termination.

***CONCERN:*** *This section is confusing. How does a license holder transfer ownership to the license holder?*

**•PROPOSED LANGUAGE:**

B.1. Transferability. The business license endorsement shall be issued in the name of the owner(s) and is not transferable.

*or*

B.2. Transferability. The business license endorsement shall be issued in the name of the owner(s) and is transferrable only in those cases where the property is commercially zoned.

*or*

B.3. Transferability. The business license endorsement shall be issued in the name of the owner(s) and is transferrable in those cases where the property is within, or across the street from, a commercial zone.

***CONCERN:*** *If the City currently allows for transfer of any other type of business license when a business changes hands, then B.3 should be adopted.*

**•PROPOSED LANGUAGE:**

7. Proof of Use. For renewals, room tax remittance records must show that the unit has been rented at least 30 days within the 12-month fiscal year.

***CONCERN:*** *There is currently no baseline data for the number of nights rented in a fiscal year for any Newport B&B, Home Share, or Vacation Rental. Without data, a requirement for a rental night minimum should not be considered at this time.*

**•PROPOSED LANGUAGE:**

5. Noise. Noise levels shall conform to the requirements of Chapter 8.15 of the Newport Municipal Code.

***CONCERN:*** *Newport's noise ordinance should be posted in the unit as it notes sound measurement, definitions, noise limits, prohibited noises, maximum length of certain activities, and evidence, which is especially important, as it requires the evidence (8.15.040) of at least two persons from different households to establish a violation. A police or code*

*enforcement officer or other city employee who witnessed the violation can be counted as a witness. The city may ask an alleged violator to enter into a voluntary compliance agreement based on a single complaint or single witness.*

**•PROPOSED LANGUAGE:**

6. Nuisance. The short-term rental shall not be used in a manner that creates a public nuisance as defined in Chapter 8.10 of the Newport Municipal Code.

***CONCERN:** Is the definition of Public Nuisance in Chapter 8.10 of the Municipal Code? This information should also be in the renter's information.*

**•PROPOSED LANGUAGE:**

9. Good Neighbor Guidelines. Acknowledgement of receipt and review of a copy of the good neighbor guidelines. In addition, evidence that the good neighbor guidelines has been effectively relayed to short-term rental tenants, by incorporating it into the rental contract, including it in the rental booklet, posting it in a conspicuous place in the dwelling unit, or a similar method.

***CONCERN:** What is the Good Neighbor Guideline?*

**•PROPOSED LANGUAGE:**

C. For the third violation within a 12-month period: 1) City shall revoke owner's short-term rental endorsement; and 2) where an endorsement includes a Conditional Use Permit, city shall also initiate the revocation procedure as outlined under section 14.52.150

***CONCERN:** Is there a process for validation of a complaint, or can a complaint be made and considered without an opportunity for the license holder to refute it?*

**•PROPOSED LANGUAGE:**

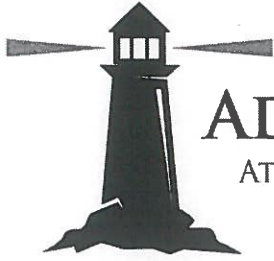
D. Guestroom Limitations. The following limitations apply to the number of bedrooms within a dwelling unit that may be occupied by guests staying at a short-term rental.

1. Vacation Rentals. A maximum of five (5) bedrooms.
2. Home shares. A maximum of two (2) bedrooms.

***CONCERN:** What is the limitation on the number of bedrooms that can be rented in a B&B? A Home Share and B&B should have the same limitation, and placing a cap of two bedrooms on either B&B or Home Share seems restrictive, unless it causes a problem for parking. If a Home Share or B&B has the required parking and does not exceed occupancy of two persons per bedroom, then should the limit be two bedrooms?*

Linda Neigebauer  
3914 NW Cherokee Lane  
Newport, Oregon





**ADAM C. SPRINGER, LLC**  
ATTORNEY AND COUNSELOR AT LAW

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December 7, 2018

CITY OF NEWPORT

Newport Planning Commission  
Newport City Hall  
169 SW Coast Hwy.  
Newport, OR 97365

DEC 10 2018

RECEIVED

Re: Proposed New Vacation Rental Ordinances

Dear members of the Planning Commission,

Greetings. This firm represents Norm Ferber in regard to the above captioned issue. I write to provide a detailed background the history of Mr. Ferber's property and to share my concerns with the Planning Commission's proposed transferability regulations as well as the potential consequences of enacting them.

Mr. Ferber owns three vacation rentals on a single lot at 29 SW Coast St. The property is bordered by the Newport Performing Arts Center to the west, and by commercial lots to the north (additionally, there are commercial lots to the south). When he bought the property, it was a motel. The property is zoned R4. In 1997 Mr. Ferber sought and obtained a conditional use permit allowing the property to be used for short term transient rentals, either as a hotel or vacation rentals, and further sought and received a Historic Nye Beach Overlay permit (#1-NB-97) to construct up to five residences to be used as vacation rentals. After receiving those permits, Mr. Ferber developed the structures that are on the property now. Specifically, he developed three four-bedroom dwellings that are in very close proximity to one another, share a single sewer and water connection, lack storage, and were never intended for long-term occupancy. The dwellings have always been operated as vacation rentals.

Mr. Ferber relied on the permits granted to him when developing his property, and it was entirely appropriate for him to do so. Both permits run with the land and were not just granted to Mr. Ferber personally. My client's reasonable expectation was to one day be able to sell this property to be used for its developed purpose, vacation rentals.

The Planning Commission's current proposed ordinance, dated 11/30/18, threatens my client's ability to sell his property for its fair market value. Specifically, the Planning Commission has recommended placing a cap on the number of vacation rental licenses granted at any one time, and, more importantly, that licenses be strictly non-transferable to new owners, no exceptions. If the City were to adopt the Planning Commission's recommended ordinance, once the number of vacation rental licenses reaches the capped amount, my client would not be able to sell his property for use as vacation rentals, as the new owner would not be able to get a permit until one became available.

As I am sure the Commission members are aware, the fair market value of income property is determined primarily by the amount of income it produces. My client's dwellings produce much more income as vacation rentals than they would as monthly rentals. Having to convert to monthly rentals would cost my client as much as \$100,000 per year in income and would reduce the fair market value of this property by an amount that could easily surpass \$1,000,000.

If these regulations are enacted as recommended, my client, and potentially many others, will quickly be forced to file claims under Measure 49 (codified as ORS 195.300 - 195.336), at which time the City will need to decide between compensating affected owners for the reduction in his fair market value or determining that the proposed regulations do not apply to them.

When enacting Measure 49, the legislature specifically found that, in some situations, land use regulations unfairly burden particular property owners, and to address those situations, it is necessary to amend Oregon's land use statutes to provide just compensation for unfair burdens caused by land use regulations. (ORS 195.301). If a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in ORS 195.310 (Claim for compensation) to 195.314 (Notice of claim). ORS 195.305.

It is well established under state law that residential use includes use as a vacation rental. *Yogman v. Parot*, 325 Ore. 358 (1997), *Johnson v. Campbell*, 259 Ore. 444 (1971), and *Wilkinson v. Chiwawa Cmty. Ass'n*, 180 Wn.2d 241 (2014). Thus, the Planning Commission and City should keep in mind that by enacting regulations that restrict the continued use of existing vacation rentals, it is exposing itself to claims under Measure 49.

These regulations will unfairly burden Mr. Ferber. He developed his property for its specific use only after being granted all necessary permits from the City to allow the property to be used for the exact purpose it continues to be used. He has followed the City's rules related to developing his property and managing the vacation rentals, his property is located in an area that is ideally suited for this use, and the property is well managed and has not contributed to the issues which bring these new proposed regulations before you today. Enacting these new ordinances would pull the rug out from Mr. Ferber's feet and destroy the certainty that he will one day be able to sell his property to a buyer that will be entitled to put the property to its highest and best (as well as originally intended) use.

Throughout the publicly provided materials provided there are several mentions that Commission Members regard vacation rentals as a commercial use. While this conclusion is not supported by law, proposing a cap on the number of licenses and making the licenses non-transferable is even more inconsistent with commercial enterprises. For instance, would the City decide at some point to restrict the number of business licenses issued to car washes, and then further decide that the currently held licenses are non-transferable, thus removing the car wash owner's ability to sell his real property as a car wash? What if the same were proposed for restaurants? The point, of course, is that property owners invest significant amounts of money into developing their property for specific uses; and to later deprive them of their ability to sell their property for the use it was developed for, through no wrong-doing of their own, is not only unfair and unjust, but contrary to basic principles we all hold as Americans and that are found in our Constitution.

My suggestion is, at a minimum, to allow the vacation rental licenses to be transferred in situations where the vacation rental is located in, adjacent to, or across the street from, a commercial zone. Other acceptable proposals include allowing transferability of licenses located on Coast Street (which is primarily a



tourism area), or allowing transferability when the subject property is approved for hotel or motel use, either by outright zoning or through a conditional use permit. Any of these proposals will protect my client's investment in his property.

The reasoning provided on Page 6 of the most recent proposed version of Ordinance 2144 (4.25) (They are concerned that allowing business licenses endorsements to be transferred would be unfair to others interested in operating vacation rentals once a cap is reached, and that it might encourage properties with endorsements to be bought up by investors) suggests that not only does the Commission understand it will likely be decreasing the market value of properties currently operated as vacation rentals, it intends that result. This could prove problematic for the reasons discussed above. Lastly, the proposed transferability regulations are not recommended in the Staff Report.

I understand and sincerely believe that the members of the Planning Commission intend to be as fair as possible to all Newport residents. However, I want to make it clear that in attempting to be fair to those who would like to operate vacation rentals in the future, the Planning Commission is disenfranchising my client, who has made a substantial investment in his property and has provided the City with a great deal of revenue through the years. That incredibly unjust result is not warranted to prevent the harms detailed as the reasons for restricting license transferability

I urge you to reconsider your recommendations regarding transferability before sending the proposed ordinances to the City Council. While I cannot be personally present at the December 10, 2018 meeting, my client will be there with Traci McDowall, an attorney from this firm, should you have any questions or wish to discuss this matter.

I thank you in advance for your time and attention dedicated to this matter.

Very Truly Yours,



Adam C. Springer  
Attorney for Norm Ferber

## Derrick Tokos

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**From:** wetherill1@juno.com  
**Sent:** Monday, December 10, 2018 2:24 PM  
**To:** Derrick Tokos  
**Subject:** Comments - December 10 hearing regarding Vacation Rentals Alternatives #3 & #4

Derrick I. Tokos, AICP  
Community Development Director  
City of Newport, Oregon

RE: Comments for December 10 hearing regarding Vacation Rental Alternatives #3 & 4

Thanks for discussing this matter over the phone last week. We were surprised and disappointed to hear some are leaning toward the most restrictive Alternative #4, which would even pull the rug out from under those who satisfied all the original requirements effective July 1, 2012 to legally establish Newport Vacation Rental Endorsements.

We who initially complied have by now invested more than 6 years of labor, expense, improvements and marketing based on the Vacation Rental rules adopted by the City. We developed years of tourist clients who have chosen our homes and Newport as their preferred coastal destination. Such rental income is of course only a portion of the tourist dollars that benefit all Newport businesses and overall economy.

Alternative #3 is restrictive enough to seriously limit and minimize neighborhood impacts while retaining substantial Room Tax revenue for the City. Oceanfront/View homes in or near established tourist areas are the prime vacation homes and generate by far the highest proportion of Room Tax per VRD. Any decision affecting the gain or loss of Room Tax must take this fact into consideration to reach an accurate conclusion.

Alternative #4 fails to even distinguish and grandfather VRD Endorsements applied for during the initial 120 day submission period in 2012. Those are the most consequential of vacation rentals in terms of time, effort and investments at stake. Homes like ours with superb ocean views and walking distance to the Historic District provide significant room tax revenue and will never be part of the affordable home inventory in any case.

On behalf of vacation home owners and business owners in Newport, we urge you to exercise balance and reason regarding this decision. If #3 and #4 are the only remaining alternatives, in the spirit of fairness and compromise please choose Alternative #3.

Sincerely,  
James & Lana Wetherill  
1245 NW Spring St  
Newport, Oregon

## Derrick Tokos

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**From:** Cathey Briggs <catbriggs2@yahoo.com>  
**Sent:** Monday, December 10, 2018 3:39 PM  
**To:** Derrick Tokos; Sherri Marineau  
**Subject:** Written testimony to Planning Commission RE VRD Ordinance

I am unable to attend the Planning Commission hearing today because of illness. I am aware that there will be additional opportunities, but wanted to provide some input for today's hearing.

The Ad Hoc Committee, the Planning Commission, and the Planning staff, have done a very good job of hashing and rehashing issues, and have come up with a reasonable recommendation, with options to consider. I think it's helpful to also have a common platform of data to consider regarding housing need since that is essential to any code amendments that affect housing availability.

I am therefore submitting a link to a Housing Needs Analysis, completed by ECONorthwest for the City of Newport in 2014, on the subject of student housing. This document clearly cites a need for additional "workforce" housing in Newport. The report does not indicate a need for additional vacation rentals. Please include the following document as part of the official record as documentation of "needed housing."

[http://www.newportoregon.gov/dept/cdd/documents/CompPlan/CompPlan\\_appendixD.pdf](http://www.newportoregon.gov/dept/cdd/documents/CompPlan/CompPlan_appendixD.pdf)

If anything, since the publication of this report, the situation in Newport has gotten worse because of the proliferation of VRDs. Recently, Street Roots, a newspaper that focuses on issues of poverty and homelessness in Oregon, did research and interviews in Lincoln County. They found that 1000 students in the Lincoln County School District are considered "unhoused." And every housing agency in the County has long waiting lists, as many as 25 households waiting for each unit available. 50% of those waiting for housing are employed. I believe you have heard ample testimony about housing need - about the people living in storage units, in the dunes, in the gully, in cars. What makes Oregon unique, is our Land Use Law, that requires jurisdictions to take "needed housing" into account when they develop zoning ordinances and comprehensive plans that affect housing availability.

The proposal under consideration by the Planning Commission has a number of options to consider that could either ameliorate the housing situation for the local workforce, or worsen it.

My rule of thumb is to support the option that is more likely to increase or stabilize the supply of available rental housing for the local workforce, rather than diminish it. This would mean a cap on VRD licenses in residential zones, and a restriction on transferability of VRD permits in residential zones including those across the street from commercial zones. I am also a proponent of the Homeshare option in Residential and Commercial zones because it provides a legal route for residents to rent rooms on a short term basis. In some cases, it may provide the additional income a homeowner needs to stay in his or her home.

I would also support a cap on VRDs in Nye Beach, even though it is zoned for mixed-use. From what I've gathered from hearings I've attended, the Nye Beach neighborhood is considered by some, to be just another commercial tourist area that should be fair game for VRDs. I disagree. Nye Beach is a mixed-use neighborhood. It always has been, for decades. It needs to have long-term, permanent residents who eat, drink, and shop there, even during a squall. Or a recession. Small, local retail is often sustained in the off-season by local residents. Ask the merchants in Nye Beach. Ask the residents of Archway Place. After one

unit became a VRD, the owners amended their by-laws to prohibit additional VRDs in the building. If they wanted to live in a motel, they would live in a motel.

I recognize that zoning "fixes" will not, by themselves, solve the affordable housing crisis in Newport. I second the idea that was raised by Jamie, the VRD committee rep, from Sweet Homes, that a portion of the tourist tax revenue should be dedicated to affordable housing. I think that's a great idea that we should all get behind. Newport has done a good job of incorporating zoning incentives for affordable housing into the code, but what's really needed is a local revenue source to strengthen applications for State and Federal funds - local match is one of the factors evaluated by the State when they make awards.

In that vein, the State of Oregon's Department of Housing and Community Services is hosting a hearing in Newport this Thursday at 1 p.m., at City Hall, to solicit testimony on housing needs. I urge you to attend to hear additional testimony from your neighbors and the local social service and housing agencies.

Thanks for your consideration of my comments.

Cathey Briggs  
118 SW High Street

## Derrick Tokos

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**From:** Rinita K <rinanurse@hotmail.com>  
**Sent:** Monday, December 10, 2018 3:57 PM  
**To:** Derrick Tokos  
**Subject:** Sort-term rental hearing

Dear Mr. Tokos,

I am an owner of a short-term rental in Newport. My rental property is being managed by Sweet Homes Vacation Rentals. I don't think it is fair to take away our rights to rent our property. Any complaints that we ever had with a neighbor Sweet Homes resolve the issues right away. We also ask our guest to respect our neighbors and especially during the quiet hours. By having a short-term rental it allows family who cannot afford hotels and to eat out every day be able to afford a family vacation by staying at a vacation rental home. It also increases tourist and revenue for the city of Newport.

Instead of taking away our rights away to rent our property perhaps the City of Newport together with vacation property owners can work together to come up with a solution to fix the problem versus eliminate all short-term vacation rentals. We should work together to strengthen the good compliance procedure so it could benefit all parties involved.

Sincerely,

Rina Myklak

12/10/18

Dear City of Newport Planning Commission Members,

I am not able to attend tonight's meeting. I am a member of the City of Newport Vacation Rental Dwelling Ad Hoc Committee and a 41 year resident of Newport.

I would like to offer my perspective on the proposed VRD ordinance as discussed at your 11/26 work session. Please include this in the written record of tonight's proceedings.

I ask that you change your decision to not allow transferability of a VRD license. Instead I ask that you adopt Policy Alternative B3 and applicable definitions/procedures as stated in the previous draft of this proposed ordinance. I believe that allowing transferability as stated in B3 sufficiently protects the quality of our residential neighborhoods. For those areas of Newport in which transferability would be allowed under B3, continuing to allow VRD use under a new owner would not have an adverse impact as these are mostly already either a commercial or mixed residential/commercial use. Furthermore, I believe that the new ordinance should reflect a neutral stance as to what type of entity (investor, second home owner, primary home owner, etc) is allowed to maintain or attain a VRD endorsement/license, subject to meeting all proposed compliance standards/requirements.

Also, I again ask that you remove parking requirement from the conditional use process, as previously requested in my public testimony at the 11/26 Planning Commission Regular Session meeting minutes.

Thank you for consideration.

Sincerely,

Cheryl S. Connell

## Derrick Tokos

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**From:** Brent Clark <brentryanclark@gmail.com>  
**Sent:** Monday, December 10, 2018 4:41 PM  
**To:** Derrick Tokos; f.marineau@newportoregon.gov  
**Subject:** Vacation Rentals 12/10

Hello my name is Brent Clark and I strongly oppose any changes to the current model for vacation rentals in Newport

I am a homeowner in Newport and believe that the changes that you as city council are proposing are a waste of time. You have rules on the books but do not enforce them. If you enforced the rules you already have by threatening and actually taking away vacation rental licenses after multiple infractions, there would be no issue within the community.

I do not believe that you have the right to take away anyone's right to profit from their property as they deem fit. I do not own a vacation rental but I have many around my home and have nothing but good things to say about my short-term neighbors.

I believe this is a fruitless effort because if new rules are passed, the council should realize there will be litigation that will drag on for years, at the expense of the taxpayers of Newport. **Instead of wasting this money in litigation, you should put it to good use by funding the code enforcement as you have stated, to create a fund to help provide low income housing or better yet and most importantly to fix the sewage contamination problem that renders the Nye Beach and Elizabeth Street Areas unusable, unless you want to catch an infection.**

I can't believe the waste of time that has been put into this vacation rental effort, when the problems of low income housing and Nye Beach sewage have been ongoing for decades and you still haven't fixed them.

After being at the first meeting, there are far more community members that oppose the rule changes than are for a rule change.

I am also going to voice my concern that multiple members of the City Council seem to have a conflict with bias against vacation rentals, while one that does own some vacation rentals. How is this fare for the community as a whole, when conflict either for or against is not taken into account and the people do not recuse themselves from the conversation?

Let's stop wasting everyone's time and treating their financial wellbeing and look for actual solutions to actual problems, like the ones stated above. Thanks for your time. Regards,

--

Brent Clark

[Brentryanclark@gmail.com](mailto:Brentryanclark@gmail.com)

(682) 352-5831



## **Sherri Marineau**

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**From:** Jamie Michel <jamie@sweethomesrentals.com>  
**Sent:** Monday, December 10, 2018 11:31 AM  
**To:** Sherri Marineau  
**Cc:** Derrick Tokos  
**Subject:** Correction of minutes

Hi Sherri,

I have a correction to my statement in the minutes of the planning commission work session dated:11/26/18

Stated:

Jamie Michelle addressed the PC and said she pushed for the words "at all time" and if they restricted to the licensed occupancy, they would impact the quality of living. She said rather than restricting VRDs city wide, if there were regulations with teeth it would weed out the bad players over time. Michelle thought the PC should consider putting rules in place with strong teeth and then reevaluate in a couple of years. She reminded the PC that there were public members who said they had VRDs next to them who were delightful. She said if the affordable housing was a big deal, take a portion of license fees and taxes and put them toward a fund to deal with the housing issue

### **Requested to be corrected to:**

Jamie Michel addressed the PC and said she strongly recommended incorporating the words "at all times" referring to occupancy limits thereby restricting negative impacts on neighbors from the nuisance of over occupancy. She said rather than restricting VRDs city wide, if the existing regulations had teeth the bad players would be weeded out naturally over time. Michel thought the PC should consider putting rules in place with tight compliance with strict penalties and then reevaluate in a couple of years. She reminded the PC that there were members of the public who spoke up at the last public hearing saying they had VRDs near them that were delightful. She suggested having a portion of the VR licensing fees and taxes applied towards a fund to help work towards more affordable housing.

Thank you!

Jamie

*Sweet Homes Vacation Getaways*

**Jamie Michel | V.P. Business Development / Operations**

[Jamie@sweethomesrentals.com](mailto:jamie@sweethomesrentals.com)

800-519-0437



12/10/18

## Questions for James Hanselman

You stated early on in our ad hoc advisory meeting that “ those of us who live and work in Newport need to stick together”.....and it seems you proceeded to approach this particular VRD subject from an adversarial view point: US VS THEM

That is,those on the Ad Hoc committee who were VRD owners or represented VRD owners were essentially outsiders and you seemed to talk over the top of people who you disagreed with. It was almost as though there was attempt to classify our comments as unwelcome or less valid.

1 Do you still believe that those who “live and work” in Newport are really of a different class subject to special rights? And could you explain what you meant?

2 When you were assigned to the Ad HocVRD committee were you asked to be open minded and willing to consider other points of views?

3 Do you feel you were able to hear and truly consider the concerns of VRD owners and consider how these rules could create unintended hardships or challenges for people like me?

Respectfully

Don Andri

12/10/18

12/10/18

## Comments About Short Term Rentals

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I believe we are trying to focus on solutions that will make Newport a better more functional place to live while still being a welcoming community. I support the short term rental approach recommended by staff. It is especially important to protect the right of an individual to work hard and build a going concern and transfer that asset to another person! Good ethical VRD operators bring high quality visitors to our shops and community and we all benefit.

I am opposed to the approach recommended by the planning commission. It will not solve any of the long term rental concerns in Newport and could ultimately result in litigation. It is not a solution nor is it accurate to incorrectly target and attempt to tie "livability concerns" to one group of people: VRD owners are actually living, breathing people and are part of this community and represent a valid opportunity. Yes indeed VRDs should be regulated but not vilified.

As a member of the Ad-Hoc VRD committee it bothered me that the same personal long winded complaint stories were repeated over and over again as proof of fact in general. A few members of the committee consistently presented with an us vs. them posture that had a tone of anger and resentment. Ad hoc committee members were initially asked if they could bring an open mind to the process. But these few very vocal people made little effort to really hear or acknowledge different perspectives and appeared to be opposed to VRD's existing at all and would attribute unfortunate personal experience to VRD owners in general. I am and was hoping a more reasoned approach would be adopted.

The notion of "livability" was used frequently by Ad Hoc members as though it meant the same thing to everyone in the room. Livability and what it means to live and work in Newport is a subjective matter, and is different for a retiree who once was a visitor (and now lives here) than someone who is a tourist on holiday. I was raised in Agate Beach and when Agate Beach was annexed by Newport a lot of people were unhappy. And so too did Fred Meyer change the face of a residential community. Walmart over-took and re-zoned a residential community while clearing the last wooded North entrance to Newport. It is a time honored tradition in Newport to deal with a love/hate relationship to potentially annoying tourists but as a native Agate Beach kid my definition of what it means to live and work in this great community has had to include managing growth and change. So hopefully we manage it together and respect each other in the process.

I think it is timely and important to address what is essentially a problem created by being a successful community where it is a desirable place to visit, recreate, work, live, eat, retire and live.

Certainly bad players exist and we need a process to address this but the right to create income while providing a good service to guests who visit Newport is a good thing.

Respectfully

Don André



12/10/18

## Derrick Tokos

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**From:** wetherill1@juno.com  
**Sent:** Monday, December 10, 2018 5:44 PM  
**To:** Derrick Tokos  
**Subject:** RE: Comments - December 10 hearing regarding Vacation Rentals Alternatives #3 & #4

Derrick,

Since our prior email testimony today is no longer applicable, please disregard any support for Alternative #3 or #4. To the contrary, we support the staff's recommendation to manage vacation rental growth with a cap and spacing standards, especially in prime vacation rental areas such as ours. There has to be a common ground available in this regard.

There is no longer time for us to make our long drive from Washington to attend tonight's hearing, so hopefully there is not an immediate decision in favor of the Planning Commission's leanings. Is there a way to access this hearing in real time?

We trust they will not throw out the baby with the bath water on such an important decision after so many years of compliance in this regard. We alone have paid nearly \$50,000 in room taxes ourselves since 2012, so perhaps balance and reason will prevail after all.

James & Lana Wetherill  
1245 NW Spring St  
Newport, Oregon

December 10, 2018  
PC Meeting

When my husband and I put our life savings into our R-1 property in Newport in 1990, we believed we had entered into a covenant with the city. We trusted the city and its zoning laws. When we moved here in 2006, we had no idea what was going to happen in 2012. We don't recall ever being notified of impending changes in VRD operations in R-1 and R-2. We believed we would be living in an intact residential neighborhood free of motels and other commercial enterprises. Had we known that wouldn't be the case, we would not have bought the house. For sixteen summers we camped across the country to Newport to do maintenance and re-rent if necessary. We rented long term and kept the rent very affordable, and most of our tenants stayed several years. We had a local property manager and a stable of local tradesmen who could handle repairs in our absence. We gave up everything to have our place on the coast.

Many VRD owners are fond of saying the city is trying to abrogate their rights to do with their property as they wish in R-1 and R-2 neighborhoods by restricting VRD's to commercial areas, where motels are welcome and appropriate.

What's lost in all of this is that people in neighborhoods zoned single family residential have rights, too. However, in 2012, the planning commission and city council had no trouble abrogating our rights by allowing motels to operate 365/24/7 effectively turning residential neighborhoods into commercial zones. With the popularity of VRD's exploding in Newport, and the expanded permitted commercial use of R-1 and R-2 neighborhoods, single family residential areas became prime targets for VRD investment, particularly west of 101 where houses have ocean views. Our rights and quality of life and the integrity of zoning ordinances were immediately compromised. People don't buy a house in a residential neighborhood to live near a motel. They don't want strangers coming and going every few days. Residents want safety for their families and pets.

I love living here and consider my high property taxes to be worth the neighborhood and quality of life I enjoy. Will the city lower them because VRD's compromise both? All property owners pay taxes. All property owners enjoy the same roads, sewer and water infrastructure, police and fire protection. However, VRD owners are also able to generate wealth in residential neighborhoods at the expense of permanent residents. Non-

resident VRD owners generate wealth and leave little if any in the community.

According to an article in the News-Times, retirees account for just over half of the economic activity in Lincoln County. We and most of our neighbors are retired. Many, many retirees volunteer to make our community better. I submit the City of Newport could not function without its retiree volunteers. One trip to the City of Newport volunteer appreciation dinner in the spring attests to that. A good many of us volunteers live in residential neighborhoods. We freely labor in non-profits and civic organizations all over town. We donate to improve our community. I urge you to go to the various fundraisers and see who is attending, spending and working. Gray hair abounds! We spend our money locally and support various organizations like the Advocacy Center, the PAC, Food Share, and others.

More than seventy percent of Newport VRD's are owned by people who don't live in Newport. The money the owners make here is not spent here. Owners who live out of town or out of state have no stake in our community. I submit they do little if any donating or volunteering.

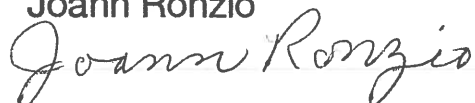
This is a decision to be made locally by our residents in our community. Not by investment people from other places who are here to make money.

I am not against VRD's. I am not against making money. What I am is pro neighborhood and against anything that compromises that. Neighbors look out for and help each other. We keep watch on each other's property during an absence. We share meals and include new neighbors in our dinners. In this most acrimonious of times, in our little neighborhood we actually love each other. We don't say that, we just show it in a thousand little ways.

Bottom line: VRD's do not belong in R-1 and R-2 zoned neighborhoods.

Thank you

Joann Ronzio

A handwritten signature in cursive script that reads "Joann Ronzio". The signature is written in black ink and is positioned below the printed name.

## North Spring Street Vacation Rentals

1. 1452 NW Spring
2. 544 NW 15<sup>th</sup> (corner of Spring & 15<sup>th</sup> )
3. 1522 NW Spring
4. 533 NW 16th
5. 526 NW 16<sup>th</sup> (time share)
6. 1610 NW Spring
7. 1542 NW Spring – pending

Anne Sigleo

1541 NW Spring

1522 NW Spring

December 10, 2018



A. SIGLEO  
154) N.W. SPRING  
NEWPORT, OR  
TOP TWO PHOTOS  
FROM LIVING ROOM  
WINDOES NOV 18, 2018



STREET VIEW

# Legend

- Vacation Rental Endorsement
- Home Share or BnB
- Major Roads
- VRD NOT Allowed
- C-2 Zone

## Zone

- C-1 Retail and Service
- C-2 Tourist
- C-3 Heavy
- I-1 Light
- I-2 Medium
- I-3 Heavy
- P-1 Public Structures
- P-2 Public Parks
- P-3 Public Open Space
- R-1 Low Density Single-Family
- R-2 Medium Density Single-Family
- R-3 Medium Density Multi-Family
- R-4 High Density Multi-Family
- W-1 Water Dependent
- W-2 Water Related

