

## MEMORANDUM

TO: The Vacation Rental Ad-Hoc Committee

FROM: Roy Filby, 7381 N. Coast Hwy, Newport; rfilby@charter.net

SUBJECT: Community Input to the VRD Application/Review Process

Given that existing VRDs in Newport have created innumerable problems and community anger in residential areas, the Vacation Rental Ad-Hoc Committee (AC) should consider greater input to the VRD application and review process by the affected neighborhoods. The AC is considering many changes to the existing VRD code but most of these to date involve how VRDs are regulated and monitored and the AC should be commended for this essential task. I hope, however, that the AC can also consider two aspects of the VRD process that will increase community input, particularly input to new VRD applications. Both actions will tend to reduce the uncontrolled increase in VRDs in residential zones.

### **The Application Process**

The existing code requires notification of property owners within 200 ft of a proposed VRD **after** the City has approved a VRD license. Thus neighbors have no say in a decision to locate an intrusive business (i.e. a mini-hotel) that can have many negative long-term effects on their environment, way of life, and property values as have been documented in repeated City Council and Planning Commission meetings. In R-1 and R-2 zones a VRD is the only type of business that is permitted. Other neighborhood changes such as new construction, home remodels, deck additions etc, which may impact the community require a Building Permit which is posted for 30 days so that affected property owners can comment on, or contest, prior to approval by the City. This is customary in most jurisdictions and essential for community involvement. A VRD can have far more long-term impact on a community than construction of a new house or remodel and residents should have the same opportunity to review, comment on or contest a VRD application prior to approval. This seems only logical and democratic. Several jurisdictions, e.g. the City of Durango and Lincoln City among others, require prior notification of affected property owners that a VRD license is being considered and give residents the opportunity to comment.

I propose that when a VRD application is received by the City that affected property owners in a 500 ft (rather than the 200 ft current notification) radius be informed and that 30 days be allowed for review and comment. This can be done during or prior to the safety/environmental review by the City. The affected community has a much better appreciation of the impacts of a new VRD on traffic, parking, noise, waste management, etc. The AC could also consider, for R-1 and R-2 zones, whether a license could be contested and whether it should be **denied** if more than two thirds of the property owners in the 500 ft radius vote to oppose. In this fashion the community from the beginning would feel involved in the process that can adversely affect them.

### **Periodic Review**

Currently a VRD business license is renewed each year. There is no direct community input into this process, even if the VRD has had repeated adverse effects on the neighborhood. A more thorough review should be held every 3 or 5 years during which all aspects of the operation, including complaints, infractions, violations etc can be evaluated. This should be a public review in which property owners in the 500 ft radius have input before a renewal license is issued by the City.