

Public Input

Row 8

Name	15neighborhoods (Monica Kirk)
Email	15neighborhoods@gmail.com
Form Date Field	10/09/21
Topic	Agenda Item
Comments	<p>15neighborhoods POB 390 Depoe Bay 97341 October 9, 2021 Dear Commissioners, 15neighborhoods submits the attached “Short-term Rental Regulations, new legislative proposal by Wayne Belmont for the Lincoln County Board of Commissioners” as our comments on the September 29, 2021 Update. In addition to commenting on the caps, occupancy, and administrative hearings process, we asked land use and governmental affairs attorney Mr. Daniel Kearns to watch the Board’s September 21 meeting. He observed Mr. Belmont’s response to Commissioner Jacobson and Commissioner Hunt’s remarks about Measure 21-203, specifically about Measure 49 and potential ‘crippling’ effects on the County. As Mr. Kearns makes clear, (1) The threat of litigation and the cost or defense are illusory arguments because Measure 21-203 proposes to amend only LCC Title 4 (Business Licenses) and not LCC Title 1 (Land Use). This is what Mr. Belmont’s proposal does as well. The threat of a takings claim or costly litigation is no greater for Measure 21-203 than for Mr. Belmont’s proposal. (2) The threat of claims for compensation under Measure 49 are not real. Neither Mr. Belmont’s or Measure 21-203 are premised on new “land use regulations” that would be legally required to prevail. Even if they were, Measure 21-203 would not ripen for five years. By that time, there would be no factual basis. We regret that the Board may have inadvertently misled its constituents as to illusory costs related to Measure 49. We regret that the Board may have inadvertently given its tacit support to the economic impacts alleged by Via Oregon and Meredith by failing to clarify that the County does not have this type of data and was not the source for these claims. We regret that the Board missed the chance to say that only one economic impact of only Measure 21-203 is certain: After five years, our depleted long-term housing stock will have about 530 new units. Commissioner Hall testified about the undeniable relationship between jobs and housing in 2019 before the Legislature. In arguing that local government knows better than the state how to “maintain the character of our communities” she said: “In many communities in my county, between thirty and forty percent of the residences are VRDs. In some coastal communities, that number reaches seventy percent. Without accessible, affordable housing, many places on the coast ... will become retreats for the wealthy, with service workers being bussed in from distant location.” We appreciate Commissioner Jacobson’s statement that the situation is confusing. We believe it would be helpful for your constituents to address this confusion during the October 13 meeting by explaining that you wanted to clarify that: (1) Measure 21-203 applies to the areas outside the cities because the cities have their own STR programs. (2) Even if Measure 21-203 passes, there are many other features of a regulatory program that need to be developed. The BOC amendments that were not inconsistent with Measure 21-203 would go into effect. For instance, if the BOC</p>

adopts caps, it would go into effect and after five years be superseded by the phase-out. However, because 21-203 prohibits new licensing, no new licenses would be issued in a single-family neighborhood even if it is located in a Region that is under its cap. (3) The County cannot substantiate the economic claims made by Via Oregon and Meredith Lodging. The claim that STRs “add \$11.2 million to our local government budgets” is misleading. Commissioner Jacobson provided figures from the County Treasurer’s Office for unincorporated Lincoln County, broken out by fiscal year AND by hotel/motel vs. vacation rentals. You will see that 2020-2021 TRT for vacation rentals in unincorporated Lincoln County was \$3,244,650.58” [and not \$11.2 million]. Sincerely, Monica Kirk

Meeting Date 10/13/21

Subject STR amendments



boc BOC <boc@co.lincoln.or.us>

Fwd: STR's in Zone 2

Casey Miller <clmiller@co.lincoln.or.us>
To: BOC <BOC@co.lincoln.or.us>

Tue, Oct 12, 2021 at 12:33 PM

----- Forwarded message -----

From: **Beth Elliker** <beth.elliker@gmail.com>
Date: Fri, Oct 8, 2021 at 11:45 AM
Subject: STR's in Zone 2
To: Claire Hall <cehall@co.lincoln.or.us>, Doug Hunt <dhunt@co.lincoln.or.us>, Katy Jacobson <kjacobson@co.lincoln.or.us>
Cc: Wayne Belmont, Esq <wbeltmont@co.lincoln.or.us>, <clmiller@co.lincoln.or.us>

To all concerned,

My comments on Lincoln County's count of 446 physical addresses for Region 2 from the "str_memouupdate_9.29.21.PDF" resulting in a percentage of only 5.6% There are not 446 housing units west of 101 in unincorporated Lincoln County between the southern city limits of Depoe Bay and the northern city limits of Newport-Agate Beach unless you are counting all the condominiums, commercial properties and some undeveloped properties that have addresses. The County doesn't count all of the condominiums rented as vacation rentals in their STR count, so they shouldn't count those units when calculating their percentage. (Or maybe they should, see below!)

I get a count of 239 house addresses in unincorporated Lincoln County in the area south of the Depoe Bay city limits to the north Newport city limits at Agate Beach. This is counting actual housing units, not commercial zoned addresses or condos. I am estimating about 60 houses in Miroco, plus the 146 housing units in Otter Rock, a few at Cape Foulweather and Moolack Beach. I am even including the houses at Sea Crest (38 of the 70 lots have houses so far, even though their CCR prohibits rentals of any kind.) I am not including 8 addresses for commercial properties, 3 publicly owned properties, or the 23 undeveloped lots in Otter Rock that somehow have addresses. I am also not counting 2 motels, an RV park and 2 condo properties. **This gives us 239 living units and with 25 STR units results in a percentage of 10.5%.**

If you want to count the condominiums, we have some very different figures. There are 11 condo units at the Alpine Chalet property, 9 of which are rented as vacation rentals. There are 144 condos at the Inn at Otter Crest, up to 100 of which have been rented as vacation rentals although last year the number rented was 76. So add another 155 housing units to the 239 and we have 394 housing units. Add 85 vacation rentals to the 25 county STRs and we have 110 vacation rentals for a percentage of 27.9%. **So in reality, almost 28% of the housing in unincorporated Lincoln County between Depoe Bay and Newport on the west side of Highway 101 (your Region 2) is vacation rentals.**

Beth Elliker
Otter Rock

Good Neighbor Committee Report October 2021

First, we are working on assembling a “toolbox” of resources that members can reference with regards to dispute resolution/reconciliation, managing conflict, and a viable escalation process. We plan to make these resources available on the GNC tab of the Bayshore website.

Second, we have continued to work with the major vacation management companies to address issues that surfaced in the spring survey regarding livability in Bayshore. All of these companies are more than willing to continue working collaboratively with the GNC to resolve STR issues. Here is a summary of recent efforts by company to improve livability in Bayshore.

Vaasa:

- Added seven people to their staff just for Bayshore to drive around and check for trash, cars, parties, lights left on, and a general check of the homes that they are managing.
- Increased response time to 15 minutes for complaints in the last 2 years. The central coast manager responds to most of the complaints personally.
- Noted that complaints have dropped significantly in the last year and willing to provide data as needed.

Meredith:

- Contracts with TCB Security for nightly patrols of Bayshore (2x night) to check on the properties Meredith manages. TCB also handles after hour and overflow calls for Meredith. They check the number of cars at each property, note if there are trash issues, etc.
- Handles all complaint calls within 30 minutes. Year to date through September, Meredith has dealt with only 3 complaints.
- Update: Bayshore members saw Meredith’s team step up and respond to a serious issue firsthand in October! Meredith had legitimate suspicions about an issue at an STR and promptly reported the incident to the Lincoln County Sheriff. The Sheriff’s office investigated and brought numerous charges against the individuals. The process worked exactly as designed.

Sweet Homes:

- Has a strong vetting process when setting up a vacation rental (age limits, verified number of occupants, verified number of cars, verified number of pets).
- Before Covid-19, had a full contact check-in process with renters on arrival. Will resume this as soon as it is safe to do so.
- Has a 24-hour emergency number in front of each vacation rental and 15-minute response time.
- Employs several different managers at various locations who respond personally to complaints.
- Employs 50 employees to cover 80 vacation rental homes.
- Has hired extra staff to drive around and look for garbage, excess vehicles, parties, lights left on, etc.

Erin Allman
Good Neighbor Committee Chair

Public Input

Row 2

Name	Robin Hochtritt
Email	robin.hochtritt@gmail.com
Form Date Field	10/11/21
Topic	Agenda Item
Comments	<p>Attached are commitments made by the three major Property Management companies in Lincoln County to the Bayshore HOA. These companies clearly have the capacity to provide more services than they have previously indicated. You might consider requiring some of these actions in the Code amendments specifically for Property Management companies. Rather than a strike for an infraction, the County would establish a fine schedule where the size of the fine doubles with each infraction. Fines should be large enough to serve as a deterrence. For example, an infraction could result in a fine rather than a strike. Requirements could differ for companies depending upon how many properties they manage. Last summer, Vacasa managed 22%, Meredith managed 18%, and Sweet Home 8% of the STRs In unincorporated LC.</p>
Meeting Date	10/13/21
Subject	Property Management Requirements for the STR Code Amendment

ENDORSEMENT OF MEASURE 21-203

I urge the residents of Lincoln County to vote yes on Ballot Measure 21-203 because it is a reasonable compromise. It will phase out whole-house rentals while continuing to allow owners to offer short term rentals (STRs) in their own homes. Portland has adopted the same policy and it's working well.

I am a retired attorney living in Bend and have studied the impact of STRs in cities across the country. There are over 1,100 short-term rentals (STRs) in Bend and their impact has been devastating. The Bend code allows both whole-house STRs and owner-occupied STRs, but the vast majority are whole-house.

Whole-house STRs destroy neighborhoods. They are commercial businesses—mini-hotels--planted on residential streets. They generate the typical noise, traffic and litter such businesses inevitably cause. Instead of having a trusted neighbor next door, residents must deal with a revolving flood of tourists whose lifestyles are entirely out of sync with theirs. The owners of STRs don't participate in the neighborhood's events, have no reason to get involved in neighborhood concerns or to make improvements to their buildings because they don't live there.

Whole-house STRs have contributed to the severe housing shortage in Bend: over 1,100 homes have been removed from the reach of middle-income people. Why should landlords rent their houses month to month, when they can make three times as much renting them as STRs? Our workforce—including people who earn as much or more than the area median income, can't afford to rent in Bend, much less purchase a house. The result is that our teachers, police, firefighters, civil servants and other middle-income people have to live out of town and commute to work every day. People who work in Bend should be able to live in Bend but more than 1,100 housing units have been taken off the market. Whole-house STRs have a negative effect on Bend's economy, far beyond the obvious impact on local hotels or motels. The economy is suffering because businesses can't fill needed vacancies. Recruiting talented, qualified employees has become very difficult because it's simply too expensive to live here.

Measure 21-203 allows STRs to revert to their original use: homes for local people to live in. All of Bend's whole-house STRs are second homes, investments for people who live elsewhere. Why should they be allowed to run businesses which have such a negative impact on the rest of the community?

Karon Johnson

Public Input

Row 7

Name	Karon Johnson
Email	karonjguam@gmail.com
Form Date Field	10/09/21
Topic	Agenda Item
Comments	Without the phase-out provided by 21-203, Lincoln County will not restore lost housing or your residential neighborhoods with capping, even if you added density. The Bend experience is why I would urge the Commissioners to add a 5-year phase-out to your amendment.
Meeting Date	10/13/21
Subject	STR Amendments

Reeve Kearns PC

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October 8, 2021

15 Neighborhoods
c/o Monica Kirk
3755 Rocky Creek Ave.
Depoe Bay, OR 97341

SENT VIA E-MAIL
15neighborhoods@gmail.com

Re: Short-term Rental Regulations, new legislative proposal by Wayne Belmont for the Lincoln County BOC

Dear Monica:

You asked me to analyze the new proposal disclosed by Wayne Belmont to the Board of County Commissioners at its September 29 meeting where the Board discussed STR regulation generally. In particular, you asked for a critique of where this new proposal falls short of the objective of reducing the number of STRs in those areas where STRs are particularly concentrated and what other deficiencies this new proposal may have. The objective of this analysis would be to formulate suggestions to improve Mr. Belmont's proposal in the event the BOC actually adopts such an amendment.

As a preliminary matter, Mr. Belmont's Sept 29 proposal recommends amendments to the STR regulations in Title 4 of the Lincoln County Code and does not recommend any amendments to the County's land use regulations. This is exactly what the currently pending ballot measure (Measure 21-203) would do. Put differently, there are numerous legal problems should any new STR regulations be implemented through amendments to the County's land use regulations; however, both the ballot measure and Mr. Belmont's proposal are limited to amending only the County's business regulations, and both avoid the legal hazards presented in amending the County's land use regulations.

A. Caps with no mechanism to reduce STR pool sizes down to the cap limits is a bad idea and may exacerbate the current nuisance problems. Mr. Belmont's proposal is to adopt a cap on STRs in 7 different regions throughout the County – caps that are in most cases below the current number of STRs existing in these districts. The new proposal relies upon voluntary attrition over time to reduce the current STR pool size down to the proposed cap levels. Mr. Belmont provides no information or prediction as to how long that process may take or whether it will happen at all. Experience in the City of Bend shows, however, that a virtually perpetual STR license creates a significant and valuable property right for those dwellings that hold a

“grandfathered” STR license. The sale price of such dwellings is typically many tens of thousands of dollars above the sales price of comparable homes that lack the perpetual STR license, and no one voluntarily relinquishes these extremely valuable licenses ever. Termination upon property transfer is also illusory because most STRs are owned by corporate entities, and transfers occur by transfer of the corporation not by sale of the property. Consequently, I believe Mr. Belmont is deluding himself and misleading the BOC by claiming that many/any of the perpetual “grandfathered” STR licenses his program will create will ever be relinquished. The caps he proposes will never be achieved.

There are at least two ways to address this problem. First, I recommend the County confirm that STR licenses have a limited 1-year term as presently provided in LCC 4.430 and strictly require all STR licenses to renew annually. The new proposal should prohibit any license renewals in any region where the STR pool size exceeds the new cap limit. That will reduce the pool size down to the cap limit relatively quickly. The County should avoid any regulations or statements that give rise to a claim that license holders have a protected property right in an STR license or an automatic license renewal. Adoption and implementation of a new regulatory program should make clear that the number of STRs in most regions will be reduced through the non-renewal of existing licenses.

Alternatively, the County can restart its STR program by letting all current STR licenses expire on their 1-year anniversary. Then, the County can hold a lottery for selection of new STR licenses going forward in each of the 7 regions in the County up to the new cap in each district. That will ensure that the purpose of these regulations is achieved, *i.e.*, a reduction in STRs and STR concentrations where they currently exceed the new cap. The perverse consequence of Mr. Belmont’s proposal is that STRs will increase where the new proposed cap is higher than the current STR pool size, and there will be no reduction in STR numbers anywhere else. This is a fatal flaw in his proposal because STR reduction will not occur through voluntary attrition.

B. Stricter limit on the maximum number of people per STR at all hours is a good idea. Mr. Belmont is correct that limiting the number of people in each STR should significantly reduce nuisance impacts of these operations. These nuisance impacts and the owners’ and managers’ refusal to self-police and self-regulate is the reason that stricter County-wide STR regulation is necessary. Mr. Belmont’s proposal of 2 people per bedroom plus 2 additional people per house, however, is too high. The maximum limit should be 2 people per STR bedroom at all hours. STR licenses indexed by street address should be available on the County’s computer system to allow sheriff deputies to know exactly how many people are allowed in every STR so they can cite violators whenever called to an STR location on a complaint.

C. Enforcement by the Sheriff and adjudication before an independent hearings officer could work if properly implemented. The County has never confirmed a violation in any STR, which indicates that enforcement through the Sheriff’s office simply does not work. If the Sheriff remains in control of enforcement, license parameters must be quantified; subjectivity must be eliminated; all licenses and license parameters must be accessible by Sheriff deputies via computer at all hours, and enforcement must be available after hours and on weekends happen

virtually all STR violations occur. Every complaint must result in a permanent record. Mr. Belmont's proposal to use a hearings officer is the only practical way to adjudicate contested STR violations. This system is similar to how land use hearings officers operate and the system should be explained to the BOC so that they understand how this system works.

D. Threat of litigation and the cost of defense are illusory arguments. The Board members appear to be motivated by an amorphous threat of litigation and potential cost of defense that they do not understand. First, the initiative measure set for the November 2021 ballot proposes to amend only Title 4 of the Code (Short-term Business Licenses) and not any of the County's land use regulations. That is exactly what Mr. Belmont's proposal does as well. Consequently, the threat of a takings claim or costly litigation is no greater for the initiative ballot measure than it is for Mr. Belmont's proposal.

Second, claims for unconstitutional takings would only arise if the County adopted new land use regulations that deprived someone of a protected property right, in this case, deprived a property owner of all economically viable use of the property. Non-renewal of an existing STR license should not give rise to a taking claim unless the Board indicates that license holders have a protected and compensable property right in the license. Nothing in the Code currently gives license holders such rights.

Third, no one currently holding an STR license could claim a taking or seek compensation unless or until the County enforced the new regulations on that license holder. Put differently, only an as-applied claim challenging these new STR regulations is possible, not a facial challenge as was used recently against the aerial spraying ban that was enacted by initiative measure. If Mr. Belmont believes that the initiative measure is a land use regulation then he has already stated that it would not apply to existing STR license holders pursuant to ORS 215.130(5).¹ Therefore, there is virtually no chance of a takings claim or a claim for compensation should the initiative measure set for the November 2021 ballot pass, and in that regard the ballot measure is no different than Mr. Belmont's proposal in terms of the threat of litigation or County defense costs. It is also important that the County not state or imply that issuance or renewal of an STR business license is a protected or compensable property right.

An important aspect of the initiative measure, that is absent from Mr. Belmont's proposal, is a mechanism to reduce current STR license pool levels down to a lower cap level. If the BOC is now serious about addressing nuisance STR operations and their extreme densities in certain residential neighborhoods in unincorporated Lincoln County, then it must include a mechanism for reducing STR licenses down to the new proposed caps. If the Board were to do adopt such a program that ensured an improvement and did not virtually guarantee a permanent nuisance situation as Mr. Belmont's proposal currently does, I would recommend your group support the BOC's plan. Until then, I recommend you work with the Board to correct the fatal flaw in Mr. Belmont's proposal while urging passage of the initiative measure.

¹ ORS 215.130(5) provides that "The lawful use of any building, structure or land at the time of the enactment or amendment of any zoning ordinance or regulation may be continued." This state law gives protection (permanent grandfather rights) to any preexisting uses when faced with new land use regulations. A revision to the County's STR business license regulations is not a land use regulation.

E. Threat of claims for compensation under Measure 49 is not real. Several commissioners expressed concern that any application of the code provisions introduced by the ballot measure would give rise to BM 49 claims for compensation. I disagree. I do not believe that new regulations enacted by the ballot measure or even Wayne Belmont’s proposal would give rise to such claims, which must be premised on new “land use regulations” that have the effect of restricting the residential use of private real property. ORS 195.305.²

First, the ballot measure expressly amends the County’s business regulations related to short term rentals, not the County’s land use regulations or development code. This is the same for Wayne Belmont’s proposal. The operative term “land use regulation” in Measure 49 is defined to not include business license regulations such as the ones contemplated by the ballot measure and Mr. Belmont’s proposal.³ Fears of Measure 49 claims for compensation would only be valid if the ballot measure constituted a new “land use regulation.”

Second, if there were any doubt, there are two relevant LUBA opinions where various people challenged Lincoln City’s new short-term rental regulations.⁴ In the *Emerald Cove* case, a property owner challenged a permit that applied Lincoln City’s new STR regulations, and LUBA dismissed because the STR license was not a land use decision, and the new regulations did not qualify as “land use regulations.” The *Oregonians in Action* case was a facial challenge to 3 ordinances, one of which was the new business regulations applicable to STRs, and the other two ordinances amended the city’s land use regulations to allow vacation rentals in some of the City’s zones. LUBA found that it lacked jurisdiction over the challenge to the new business

2 The Measure 49 compensation provision codified in ORS 195.305 provides that “[i]f 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 to 195.314.” Thus, action under Measure 49 must be predicated on a new “land use regulation.”

3 ORS 195.300(14) defines “land use regulation” to mean:

- (a) A statute that establishes a minimum lot or parcel size;
- (b) A provision in ORS 227.030 to 227.300, 227.350, 227.400, 227.450 or 227.500 or in ORS chapter 215 that restricts the residential use of private real property;
- (c) A provision of a city comprehensive plan, zoning ordinance or land division ordinance that restricts the residential use of private real property zoned for residential use;
- (d) A provision of a county comprehensive plan, zoning ordinance or land division ordinance that restricts the residential use of private real property;
- (e) A provision, enacted or adopted on or after January 1, 2010, of:
 - (A) The Oregon Forest Practices Act;
 - (B) An administrative rule of the State Board of Forestry; or
 - (C) Any other law enacted, or rule adopted, solely for the purpose of regulating a forest practice;
- (f) ORS 561.191, a provision of ORS 568.900 to 568.933 or an administrative rule of the State Department of Agriculture that implements ORS 561.191 or 568.900 to 568.933;
- (g) An administrative rule or goal of the Land Conservation and Development Commission; or
- (h) A provision of a Metro functional plan that restricts the residential use of private real property.

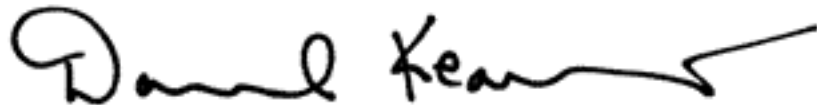
4 See *Emerald Cove LLC v. Lincoln City*, __ Or LUBA __ (LUBA No. 2015-078 Feb 4, 2016) and *Oregonians in Action v. Lincoln City*, __ Or LUBA __ (LUBA Nos. 2014-108 & 2015-002/003, April 22, 2015).

regulations for STRs because the business regulations were not, and did not amend, the city's land use regulations. LUBA affirmed on the other 2 claims because the adopted amendments to the city's land use regulations were consistent with its comprehensive plan and applicable state land use laws. The lesson for Lincoln County from these two cases and a careful read of ORS Chapter 195 is that the ballot measure, which amends only the county's business regulations applicable to STRs, does not and will not constitute a land use regulation under state law and therefore cannot give rise to a claim for compensation under ORS 195.300, *et seq.*

Finally, the ballot measure includes its own special claim process for additional compensation where the property owner must prove that it made investments in the property for use as a STR that cannot be recaptured in the 5-year amortization period the measure provides. While it is conceivable there may be some alterations to a property or house for its use as a short-term rental that could take longer than 5 years to recoup, I cannot imagine any such alterations nor any home investment that cannot be recouped if used as a long-term rental. In short, all STR dwellings can be used for long-term residential use, which would preclude any claim for additional compensation or a takings. Finally, the Oregon Supreme Court already held that a 5-year amortization period for extinguishing STRs is constitutional and not a Taking.⁵

In conclusion, I do not see any credible threat of a Takings law suit or claim for Measure 49 compensation coming from the enactment or application of the STR business regulations in Ballot Measure 21-203.

Sincerely,

A handwritten signature in black ink that reads "Daniel Kearns". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Daniel Kearns

⁵ See *Cope v. Cannon Beach*, 317 Or. 339, 855 P2d 1083 (1993) up-holding Cannon Beach's STR regulations that eliminated some then-existing STRs after a 5-year amortization period against a Fifth Amendment Takings claim.

Public Input

Row 4

Name	Reba Lovelady
Email	Drengeldorf@yahoo.com
Form Date Field	10/10/21
Topic	Dirty Tricks by via Oregon Non-Agenda Item
Comments	<p>Once again the underhandedness by Via Oregon, STR businesses, and their backers amaze me. They now have a website that is very close to 15 Neighborhoods site. The 15-neighborhoods site is full of lies and innuendoes about the horrors of a post 15 neighborhoods initiative world. Lincoln county will crumble and tourism will die if this measure passes. Their site states measure 21-203 will ban short term rentals, it will phase out STR's in the county(about 500 in reality, out of 2100), it will cripple tourism. Lies. You all know tourism will not die and there are many other STR's, B&B's, hotels and motels to stay in. There are many, many jobs available in Lincoln County. What there is not, is available housing. If this even frees up 200 houses for monthly rentals, this is a WIN for the county. We need these houses for our nurses, lab technologists, mechanics, and wait staff. Your recent decisions put forth by Wayne Belmont have me very discouraged for the future of our county and neighborhoods.</p>
Meeting Date	10/10/21
Subject	STRS

Public Input

Row 1

Name	Cameron McGregor
Email	thevolk1908@gmail.com
Form Date Field	10/12/21
Topic	Agenda Item
Comments	<p>Hello, As short-term rental licenses are on the agenda, I wanted to be able to provide my opinion on the matter. Having lived in areas where short-term rentals have come under dispute, including the Oregon coast, the benefits outweigh the negatives. Hawaii also banned many short-term rentals (4 weeks or less) in the hopes it would preserve communities and, mostly, drive down housing costs. None of this happened. Housing prices remained high, tourism dropped in areas where rentals weren't allowed, and many people suffered. Hawaii, much like the Oregon coast, lives off of tourism. It provides jobs and supports local businesses. Yes some renters might cause disturbances. So might local residents. The short term rental licenses needs to be kept up so the coastal areas may continue to thrive.</p>
Meeting Date	10/13/21
Subject	Short Term Rental Licenses

Public Input

Row 10

Name	michael miller
Email	miller.m.d.flg@att.net
Form Date Field	10/06/21
Topic	Non-Agenda Item
Comments	<p>I am extremely dismayed/disgusted with the Council's latest unnecessary positions on citizens' petitions. When government officials believe "they know better" than the citizens that elected them, we enter an autocracy, not a democracy. Ballot Measure 21-203 is a petition created by the voting public of the citizenry you claim to represent. Instead, you have taken a position that is an exact opposite of the will of the people. I always knew Doug Hunt was of that ilk, but I am dismayed and will rally all my efforts to un-elect all three BOC members who only believe in representing rich, out of town, non-voting corporations. We do not need MAGA on a local level, and Koch industries monies should not govern our local ordinances. Shame on you!</p>
Meeting Date	
Subject	21-203

Public Input

Row 5

Name	Julie Pearson
Email	jpearson1252@gmail.com
Form Date Field	10/09/21
Topic	Agenda Item
Comments	SAVE HOUSING, SAVE JOBS Samaritan Health's Newport and Lincoln City locations have 130 job openings. Lincoln County school district has 42 openings, Chinook Winds has 60 openings. There is no place to both live AND work in Lincoln County. This has been the impact of STRs on the long-term housing stock.
Meeting Date	10/13/21
Subject	STR Amendments

Public Input

Row 9

Name	Linda Speicher
Email	Linda@L3CPA.com
Form Date Field	10/09/21
Topic	Agenda Item
Comments	<p>Specific to the proposed new language as published in the memo dated 09/29/21 from Wayne Belmont, I would like to make the following comments: Section 4.440 (1) (a) - the size of the sign is not nearly large enough to be seen by the public from Highway 101 in many sections. In many areas, there is nothing more than a shoulder that is not safe to necessarily stand on, much less be able to read a sign that is 12" by 12". The signage should be both larger and no more than 10 feet back from the roadway. In addition, I would require that all STR's be required to ANNUALLY mail a notice of the contact person's information (name, address, and 24 hour contact number) to all residences within 1,000 yards of the STR. Add a section that states clearly that NO recreational vehicles are allowed to be parked on the site of a STR. At the moment, the STR 2 doors down from us has had a trailer parked on the site for the most recent renters and it appears to be set up for sleeping. Add to the rules for renters that NO fireworks are allowed. Add to the rules that all outdoor firepits must be approved and maintained per the rules established by either the local fire department and/or Oregon State Parks and Recreation. General comments: I understand your reluctance to attempt to regulate rentals through land use/zoning ordinances, but at it's heart this is a land use issue. You are allowing businesses within residential zones. Most jurisdictions regulate what sorts of businesses are allowed within each zone. I have not read all the rules for my specific zone, but I find it somewhat incredible that the county allows the equivalent of a multi family home that turns over every week in a residential zone. I am not sure what the average number of bedrooms is in the current inventory of STR's - and I did not see that information in the memo of 09/29/21. But I would think that this is info that you need in order to make an informed decision. I unfortunately have not been following this issue for the last two years and that is my fault. But there is obviously a larger problem than you may think, or we would not have the ballot measure on the ballot. Many of us are tired of living next to or close to a unit that sleeps 16 and produces a lot of traffic and sometimes noise in what we thought was going to be a quiet neighborhood. I would urge you to look for a way to reduce the number of STR's in each area - especially the Waldport region - to the number you believe is reasonable quicker than through attrition. I would also urge you to cap the limit of bedrooms allowable to 4 - with the corresponding number of renters allowed at 8.</p>
Meeting Date	10/13/21
Subject	STR proposals

Public Input

Row 3

Name	Bernadette Williams
Email	bwnj2or@peak.org
Form Date Field	10/11/21
Topic	Agenda Item
Comments	<p>As a resident of unincorporated Lincoln County, I kept waiting for the promised public input/live meeting that was supposed to happen in July, 2021 to review changes. It didn't happen. I kept searching the website for a clue as to when we would hear about STR code changes and missed the 9/29/21 meeting. Another disappointment to add to the continuing disappointment that Lincoln County Commissioners failed to control STR growth from the start and that residents have to continue to plead for relief. The proposed changes reviewed on 9/29/21 have not gone far enough. CAPS- Where are the 4-5 % maximum caps for all areas that was discussed in the beginning? I can tell you that the subdivision of Bayshore where I live contains 19% STRs, plus possibly a couple illegal ones also. The proposed caps do not address the density. These percentages are haphazard at best. Just because an area has sewers should not be the main reason to allow a higher percentage. Attrition will NOT be successful enough to reduce the complaints and adverse effects on the community. We need a defined mechanism for reduction. Why not allow all current licenses to expire and have a lottery for the new licenses? This will be a fair way of reducing the numbers. You can bet that current licensees will not be selling their homes any time soon. How long will it take for an STR to receive three strikes? How will "attrition" be monitored and addressed? ENFORCEMENT- is still an issue. Just last weekend I had to call Vacasa twice because the rental guest was violating a Vacasa policy (no smoking) as well as a county code (after quiet hours noise). Aren't repeated calls to the "local agent" considered violations? I have asked for clarification of 4.445 Step 1? "The complaining party shall attempt to communicate with the contact person designated on the license, communicated in writing to the neighbor, and posted at the short term dwelling." How is this part "communicated in writing to the neighbor, and posted at the short term dwelling" supposed to work to fix a problem that needs resolution quickly? This language needs to be clear. A neighbor should only be expected to contact the local agent and/or sheriff. We have the burden already in terms of having to tolerate these violations, hope they get resolved, all while the owners of these STRs go about their day unaware. OCCUPANCY- The limit should be 2 per bedroom 24/7 period. In closing, I agree with remarks submitted on 10/6/21 by Monica Kirk, Michael Miller, Bob Sulek as well as Reba Lovelady (on 7/29/21). I also agree with a letter dated 10/8/21 by Daniel Kearns that was shared with me. His points are accurate and reasonable. Thank you for reviewing this input from the public. It is hard work. I'm hoping that the Board of Commissioners will do the right thing and make the necessary changes as requested by so many. Look at the real facts presented and not the money fueled propaganda put out there by the opposition to STR code changes. We need these changes NOW. Thank you. Bernadette Williams</p>

Meeting Date	10/13/21
Subject	First reading of Ordinance 523- STR code changes do not go far enough

Public Input

Row 1

Name	Kathryn Elizabeth Pryor Mason
Email	kakers_id@hotmail.com
Form Date Field	10/13/21
Topic	Agenda Item
Comments	Hello, My comment on is on 4.420 Licenses. I would like to see STRs given to people on the waitlist based on time on the list and not a lottery. I don't think it's fair to have the "luck of the draw" when some people may never have their name selected. I list that goes in order would offer fairness to all. Thank you for your consideration. Kathryn Mason
Meeting Date	10/13/21
Subject	License Lottery
