



Kristi Peter &lt;kpeter@co.lincoln.or.us&gt;

---

## Public Comment on Lincoln County STR (Short-term rental) proposal

1 message

---

**jcncinv@grassrootsmessages.com** <jcncinv@grassrootsmessages.com>

Wed, Jan 20, 2021 at 3:04 PM

Reply-To: jcncinv@gmail.com

To: kpeter@co.lincoln.or.us

Dear Commissioners Hunt, Hall, and Jacobson: My name is Christina Sydenstricker and I am an owner of a short term rental property. Our property is in Depoe Bay, and we chose this city specifically for its charm and attraction. Eliminating, limiting, or restructuring of STR properties in Lincoln county will not only affect myself, other rental home owners, and will affect tourism income for all of Lincoln county. By restricting the number of short term rentals in the County, it is inevitable that jobs and revenue to the County will be severely impacted. What is Lincoln County's plan to replace these revenues? The trickle-down effect of eliminating or severely curtailing the availability of COVID-friendly short-term rental housing in this County is staggering. Particularly considering that STR owners spent \$3.8 Million in 2019 to improve County housing stock, most of which went directly to your constituents in the form of wages and local sales revenue, and to the County in the form of permit fees. Regards,

I live in the Roads End neighborhood of Lincoln City. As you know, Roads End was annexed into Lincoln City in July 2013. Prior, Roads End was part of unincorporated Lincoln County. We've owned our home in Roads End since 2001. We used it as a second-home until 2015 when we moved here full time. The STR industry in 2001 was very different from today. Airbnb didn't exist as a company until 2008. Vacasa started in 2009. [Meredith Lodging](#) in 2016. The rise of the internet and world wide web truly enabled the STR industry we know today.

Roads End STR (VRD) rules changed on November 23, 2017. At that point in time, all licensed VRD's were allowed to remain in place (non-conforming) but a 10% VRD cap was placed on the housing stock. Roads End has approximately 197 VRD's which is about 30% of the housing stock. It is estimated to take 20+ years for the 10% cap to be achieved through attrition.

My household is the ONLY full time resident on our street of 16 homes (and at the corners). 5 homes are VRD's (STR's). 10 are second-homes.

I believe the proliferation of STR's is wholly undesirable for three reasons:

1. **Community** - Short Term Rentals (STR's) do nothing to contribute to a sense of community. The Merriam-Webster dictionary defines "community" as: "the people living in a particular area; "a group of people with a common interest living in one place; "a group of people sharing a common interest and relating together socially" By definition, STR's are NOT community members. They are business owners in the hotel trade. They are not "neighbors" because they don't live in the homes (businesses) they own. In sum, STR's diminish the value of a residential community.
2. **Livability** - STR's detract from the "social fabric" by virtue of their operation as a transient-guest business in a residential zone. As full time residents, we are always "on guard" for the next incident whether that be off-leash dogs, noisy parties, trash blowing through the neighborhood, cars parked in the street or blocking our mailbox, etc. The sheer proliferation of STR's creates "unease" as we never know what to expect from the next group that arrives. We are tired of being the "bad guys" who report incidents to the Lincoln City Police (as is the process here) or to the owners or management companies. Believe me, it's NO FUN to have to be the "VRD Police" all the time.
3. **Policy Failures** - The growth of the STR industry points out two policy failures that happened at the City and County level and led to this unfortunate situation:
  - a. Anticipating the problem - realtors, developers, management companies and investors saw the opportunity for STR's before the government (County, City) recognized the problems the industry creates. The STR industry established a large "beachhead" and has significant resources to hire PR agencies, lawyers and lobbyists on its behalf. This is a tough fight for local governments playing catch-up.

- b. Economic diversification - for too long Lincoln County and its cities have relied heavily on tourism to drive the local economy. It is a reason the STR industry flourished, producing primarily a service economy. This has resulted in below average ([relative to the state of Oregon](#)) income, home ownership and health insurance coverage with above average unemployment and poverty (especially during distressed times). While this is an incredibly difficult problem, it must be treated as an opportunity and taken on with gusto to solve.

I believe commercial activity belongs in a commercial zone (or VRD Zone like [Olivia Beach](#)). Residential zones are for residing ... not commerce. You wouldn't allow a gas station, retail store, hair salon, B&B or hotel in a residential zone. Why is the business of short term rental any different? "[Accessory Use](#)" is the only reasonable way to maintain a residential zone while allowing short term rentals.

Thank you for your consideration.

David Jamieson  
Lincoln City

# Public Input

Row 1

<b>Name</b>	Heidi Gilbert
<b>Email</b>	heidirholmes@yahoo.com
<b>Form Date Field</b>	01/25/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	<p>Good morning Commisioners, A very interesting STR workshop on Jan 20, 2021 as I came away with even more validation on why we need STR's and actually MORE of them. I have changed my position after getting more informed and speaking to more owners. I feel there should be ZERO changes in the current licensing law. NO CAPS. NO CHANGES. The whole reason why our family purchased a home was so I could expand my company. I could never find a place to stay, especially in the Summer months. The County needs more places to stay as most families don't want to stay in a Hotel envirmornent. Our home was on the market for 8 months as our home was available to purchase for many months to any full time local. It was not taken away by anyone looking for low income housing. Low income housing has nothing to do with STR's. Most STR's would never fall in that income bracket as this is a County issue. It is ridiculous that this issue is being used as part of a fight against STR's. Any educated person who does their research would know that STR's and low income housing have nothing to do with one another. Low income housing is a seperate issue. The County needs to address and build an area in the County for low income families. Ocean Front homes and homes over 300K are not low income housing. If septic tanks are an issue in the County overall, then there should be a law set for all homes not just the STR's. Why should a homeowner who is going above and beyond to get things updated for their vacation rental, to only to have their neighbor's septic system fail? This topic should be an even playing field and have ALL homes in the County be compliant. The current law in place covers the amount of people per bedroom. I have changed my opinon on this matter too. The law in place currently works just fine. The issue is not how many people per home or caps, as it comes down to enforcement. I could have a person renting a home next door to me for a year and I would have zero control of how many cars, music playing all day long, garbage and such. The point is you can't control everything, including your neighbors. To point the finger at vacation renters is ridiculous as there were only two complaints called into the County last year. Dealing with the harrassers is also a point of issue that must be addressed. Situations go both ways here and if it is a full time resident is causing the issues, that indivual should be sited and fined. We are not willing have our property rights voted away because a few people are unhappy with the location of the home they purchsed. If they did not do their due diligernce before purchasing their home, only to find out that vacation rentals are allowed, that is not our problem. A few people should not be dicating their beliefs on us. There are neighborhoods that have strick bylaws in their neighborhoods that do not allow rentals of any kind. That is where these individuals who are complaining should live. My husband and I did our research and knew what area we were purchasing into and what was allowed and</p>

not allowed. If our property rights are stripped because we chose to be an STR and our home is treated differently than the home next to me, do we get to pay less in property taxes? Opening up a can of worms here people... Approx. 97% of the people that spoke at the workshop are for STR's. The local workers need to get back to work as they are hearts and souls of the community. Business is what keep our towns alive and the tourists who come with their money to spend. The full time locals will not be going to Souvenir shops and The Aquarium to keep local businesses alive. Think ahead to the future as were you see your towns in 5, 10, 15 years? A goast town or a thriving community? Heidi Gilbert ~ Andy Peslin

---

**Meeting Date** 01/25/21

---

**Subject** STR'S

---

# Public Input

Row 4

<b>Name</b>	Jamie Michel
<b>Email</b>	jamie@sweethomesrentals.com
<b>Form Date Field</b>	01/24/21
<b>Topic</b>	Short Term Rental
<b>Comments</b>	<p>Good evening. My name is Jamie Michel and I live, work and vote in South Lincoln County. Thank you for your time and consideration as we work together towards a balanced short term rental program. I am a VP at Sweet Homes Vacation Getaways which is a family owned company on the central coast directly employing 45 local constituents. I am also a co-founder of VIA Oregon Coalition, a statewide grassroots organization. VIA Oregon is dedicated to assisting government officials set good and enforceable policies regarding short term rentals. Additionally, I serve as Charwoman of the Oregon restaurant and lodging associations central coast hospitality alliance and the city of Newports short term rental ordinance implementation workgroup. You are in receipt of VIA Oregon's position paper regarding the proposed amendments to the current ordinance which I believe you will find helpful as you move through this process. This public forum platform allows a lot of citizens to talk at you but doesn't allow for any deeper inquiry and discussion. I request you to consider forming a work group with equal representation from all interest groups including representatives from the Sheriff's Department who oversees the licensing program. This group can bring back a balanced proposal for an amended short term rental program to the commissioners for consideration. My perspective is that we have a neighbor to neighbor issue and not necessarily a short term rental problem. As you can see from the record of complaints towards short term rental neighbors, the majority are filed by just a few citizens and are often unjustified when looked into by the sheriff who oversees the ordinance. If the county does not yet have a mediation program, I urge you to look into one. I don't think the proposed changes to the existing ordinance address the concerns of those filing the complaints and perhaps adding a mediation program would be more effective.</p>
<b>Meeting Date</b>	01/20/21
<b>Subject</b>	Short Term Rentals

# ***Lincoln County Short-Term Rental Issues:***

## **Occupancy**

**CURRENT OCCUPANCY is 3 per sleeping area, plus 2. Further, off-street parking of 1 space per sleeping area is required.** Proposed occupancy: is 2 per bedroom.

- **Keep existing homes at grandfathered occupancy.** Counties must follow state law on grandfathered uses. The simplest and most honest way to do this is to leave existing occupancies in place, and only apply any change prospectively.
- **If the County has legitimate health or safety concerns about occupancy and septic, this belongs in the zoning code and should apply to all residences, county wide.** To make enforcement easy, any occupancy limit should apply to long term residents and second homeowners as well, not just in the short-term rental ordinance. If this is truly a health and safety issue, it belongs in the zoning code and should apply to everyone. This will simplify enforcement, as a “giant party” report called in by a neighbor, that owner can be cited even if it turns out to be a long-term resident or a second homeowner and not an STR. The County’s existing permit system for large and small gatherings would then apply to all.
- **Three guests per bedroom tracks current zoning code for Bed and Breakfast Inns.** There is no reasonable basis to have a different occupancy for STRs than what is applied to other forms of lodging in Lincoln County. Bed and Breakfast occupancy is 3 per bedroom, and there appears to be no occupancy cap for hotels. See, e.g. LCC 1.1115(10).

## **Caps on Licenses**

**CURRENT: The County’s “temporary pause” (moratorium) of 90 days on issuing new licenses has now been extended to 16 months. It is inconceivable that the County would impose restrictions such as these on any other licensed activities.**

**Proposed change: because cities have capped the number of STRs allowed, the County is considering doing the same. Note no specific number has been proposed yet.**

### **Specific points by Policy Goal:**

- **Avoid a ghost-town of vacant homes:** Currently available US census data shows us that around **one third** of Lincoln County homes are not occupied full time:  
<https://www.census.gov/quickfacts/fact/table/lincolncountyoregon,US/PST045219>

Housing Units: 31,945 (7/1/19) Households: 21,298 Interpretation: 10,647 unoccupied units of housing or 33.3% of housing units are unoccupied long-term (STRs and second homeowners).

While this is not broken down by city, it is likely that year-round residents are concentrated in the cities, who have caps.

- Counsel Belmont's Memo of 5/29/19 suggests that 518 licenses are 4% of unincorporated Lincoln County homes, which would imply 12,950 units of housing in the unincorporated county. Applying the US census data, 4,312 units are not occupied at all. A cap of 20% would still leave 13.3% of homes unoccupied. Occupied homes are better for neighborhoods, the economy, and law enforcement. On the other hand unoccupied homes attract crime and can drag neighborhoods down with a lack of interest, failing to discover urgent issues involving floods or septic, and general home maintenance.

- **Affordable Housing:** If the actual policy goal is to protect workforce housing, the County should zone residential housing valued at or below median county home value as "long term residential" only, again keeping grandfathered rights in place.

- **There is no need for caps; no other County has done this as caps are an Urban and Suburban phenomenon.** Counsel Belmont stated in his 5/29/19 memo to the Board that **no other counties have imposed caps on licenses.** There are no examples of traditional tourist destination rural areas enacting caps. Where is the data to support this policy making? What is the goal? Ghost towns of second homes owned by those wealthy enough to not rent them?

- **Grandfathered and vested rights must be protected.** State law protects grandfathered uses and transfer of grandfathered uses in unincorporated counties. Any new licensing scheme should protect those who have continuing rights to short term rent their homes, including the right to transfer the license to another.

### **Three Strikes & Code Enforcement:**

**CURRENT: The licensing authority may revoke or suspend an STR following three verified complaints. Proposed: Not clear, other than (1) addressing complaints that aren't verified (or are addressed quickly); (2) imposing consequences for verified complaints; and (3) imposing consequences for repeated unfounded complaints.**

- **Repeated complaints quickly and adequately addressed.** The new law should establish neighbor mediation, as the original STR ordinance proposed but then deleted. Neighborhood mediators are prepared to get to the root of the issue, which is usually not about the occupants, but is about respect, communication, and feeling heard. Nonprofits such as Resolutions Northwest can assist in establishing and training local mediators to facilitate such a program. Such programs are common in any

community and preserve law enforcement resources for actual threats, rather than nuisance and behavioral issues. The same mediation program would help with repeated, frivolous neighbor complaints.



- **Three Strikes** rule. This should be an education campaign; the fact that no properties have been shut down only means that owners and operators comply, not that the program is failing. We would propose parity in the “three strikes” rule however: that if a neighboring address makes 3 complaints that the licensing authority finds to be unfounded, that neighbor can be barred from making future complaints.

## **Septic Systems**

**CURRENT: If no permit is on file, an ESER (Existing System Evaluation Report) must be completed and any recommended repairs completed within 60 days.**

**Proposed change: All licensed properties must complete an ESER and will be shut down until any recommended repairs are complete. Further, occupancy will be capped at the lesser of the “per bedroom” capacity or the septic system size capacity, without any opportunity to cure or upgrade.**

- **Existing STRs should be exempt from this requirement. They have already addressed septic requirements during the licensing process. Requirements for new licensees should contain the following:**
  - **Any new standards should have a “phase in” grace period, accounting for the backlog at County planning and the priority for fire victims.** For example, after an ESER is complete, the operator should have 60 days to apply for repairs or a new system with the County, and 60 days after approval to complete the repairs.
  - **STRs should not be shut down just because a permit is sitting at County planning waiting for action.** This is self-explanatory.
  - **Alternatively, the septic standards should take effect 1 year from enactment, to allow owners to bring systems into compliance.** Considering the County’s “temporary pause” on STR licensing has lasted more than a year, a one-year phase in date is reasonable given County backlogs and the limited number of septic contractors.



Kristi Peter &lt;kpeter@co.lincoln.or.us&gt;

---

## Public Comment on Lincoln County STR (Short-term rental) proposal

1 message

---

**leannaharris@grassrootsmessages.com** <leannaharris@grassrootsmessages.com>

Wed, Jan 20, 2021 at 2:42 PM

Reply-To: leannaharris@gmail.com

To: kpeter@co.lincoln.or.us

Dear Commissioners Hunt, Hall, and Jacobson: I love our city, make no mistake that I am passionate about not disrupting the peace of Newport. I own 2 properties here and one of them is right next door to my second home. The home I come to for at least half of the year. I spend money here and I employ a lot of the locals. From a property manager, house cleaners, repair folks including plumbers and electricians, handymen and anything else you can think of throughout the year. With increased regulations that we saw last year, my housekeeper had to go on unemployment. She is on food stamps and has now become a burden to your local economy. She won't be able to buy a car, or the extra things that the economy needs to sell to keep money flowing. Shortly after the regulations changed, and limited the permitting of short term housing to a smaller group of people I watched the drug usage in our Newport community go up. "Tweekers" in front of Fred Meyer and on the beach. I know you have seen it too. My cute boutique stores I shop with in Nye Beach...all gone. The moms at the laundromat on Hwy 101 asking me if I knew of anyway they could make more money. Its terrible. we have a real problem already and it will only get worse. The homeless will grow, because without tourists they are uninterrupted in camping. This is the first year that I saw tents up all weekend on the beach. And if you think that is covid related-visit Portland. its not. I live in Portland and let me tell you, this last year has been hell with the riots and damage people have done to the community. And you know how it got that way? People being TOO LEFT. Allowing small vigilant, loud groups to make decisions that impact our safety and our economy. Lets not let that happen in Newport. Please, I beg of you to use Portland as an example of what the community does when less people visit. Visitors and tourists drive the economy. Especially now that so many people can work remote. We MUST be inviting to people from Apple and Amazon as they work all over the globe. When you stop that "tourism" you allow the big box companies to win and your small town businesses have no hope. Lets get serious about the economy, employ people, invite guests to visit our town so they will become homeowners down here. Allow visitors to spend money and bring their families and then maybe we get some great people that want to retire in Newport like I do. Thats how I bought two properties here. I fell in love while I was a tourist. Thank you for taking the time to consider Main Street and what it means to really be a community. Leann Harris

By restricting the number of short term rentals in the County, it is inevitable that jobs and revenue to the County will be severely impacted. What is Lincoln County's plan to replace these revenues? The trickle-down effect of eliminating or severely curtailing the availability of COVID-friendly short-term rental housing in this County is staggering. Particularly considering that STR owners spent \$3.8 Million in 2019 to improve County housing stock, most of which went directly to your constituents in the form of wages and local sales revenue, and to the County in the form of permit fees. Regards,

# Public Input

Row 3

---

<b>Name</b>	Ron Graves
<b>Email</b>	driftboatron@icloud.com
<b>Form Date Field</b>	01/24/21
<b>Topic</b>	Agenda Item Short Term Rentals
<b>Comments</b>	<p>Good evening. My name is Ron Graves. I live, work and vote in South Lincoln County. I will start by asking: With the way Covid 19 has cost this county jobs over the last 12 months, can we afford to lose one more job? My business is dependent on short term rentals. I spend most days between 11am and 4pm mowing lawns, trimming hedges, pulling dandelions and picking up any trash and other debris I find in the neighborhood to insure my clients homes are well maintained and welcoming for guests. I really enjoy my work. When I am out on the job I enjoy seeing others employed by the short term rental owners: Seniors helping with odd jobs, trades people like plumbers and electricians keeping these homes in top shape. I also see a lot of young mothers that have found a way to both provide for their families and be home to parent their kids after school. they could never do that at a normal 40 hour a week job.</p>
<b>Meeting Date</b>	01/20/21
<b>Subject</b>	Short Term Rentals

---



Kristi Peter &lt;kpeter@co.lincoln.or.us&gt;

---

## Short term rental

1 message

---

**Hotmail** <lspookrgl@hotmail.com>

Thu, Jan 21, 2021 at 3:22 PM

To: kpeter@co.lincoln.or.us

My name is Glen land. 6815 Rhododendron Gleneden Beach. -  
I purchased a piece of property in October 2019 to build a home to retire in. I applied for my construction loan in November 2019 and closed early February 2020. Then I had a home built. My intent was to help pay my retirement home payments through short term rentals. Construction was completed in September 2019. the moratorium that had gone into effect after the process had already begun was extended to end just after home was completed. So we spent More money spent getting home ready.

Only to keep being put off; after our investment had been made.  
There should be some way that any home whose land purchase / construction had been funded or had started construction prior to the moratorium should not be excluded by moratorium.

Roy Glen Land  
Sent from my iPade