

# Public Input

Row 7

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<b>Name</b>	Bernadette Williams
<b>Email</b>	bwnj2or@peak.org
<b>Form Date Field</b>	04/27/21
<b>Topic</b>	Non-Agenda Item
<b>Comments</b>	Please review the attached letter and pictures. Thank you. I have sent a second comment with additional files.
<b>Meeting Date</b>	
<b>Subject</b>	RE: STR Code changes

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To: Lincoln County Board of Commissioners  
From: Bernadette Williams, Bayshore Beach Club permanent resident  
Date: April 24, 2021  
Re: Proposed Short Term Rental Ordinance

I thank the Board for allowing Lincoln County residents multiple opportunities to participate in public workshops, file public comments and provide testimony to you directly with respect to the Short Term Rental (STR) properties and potential code changes. This is the first time in my life that I participated to this extent. I was not made aware of these opportunities until this year, otherwise I would have participated early on in this process.

I am hopeful that the Board of Commissioners will weigh the evidence provided regarding the impact these STRs have on the livability within Lincoln County communities, so I am writing to you today to emphasize the need for a cap on STR licenses at a minimum. I have attached documents with specific suggestions regarding STR exterior signage changes, the need for emergency preparedness, and photographic examples of what full-time residents deal with. This is in addition to the general increase in road use/noise and inappropriate behavior on an ever-changing basis that residents are forced to accept.

Let's put the burden of compliance on those responsible- the guests, the local contact/manager, and the owner. Let's make a complaint resolution process that is fair, enforceable, and results in a timely resolution. Let's strengthen residential zoning codes to control growth. This is critical when it comes to addressing emergency preparedness and response, health and safety, and overall livability.

### **CAPS and REDUCTION OF LICENSES**

THE STR DENSITY MUST BE CAPPED BY NEIGHBORHOOD, and WITHIN NEIGHBORHOODS.

THE LICENSING OF NEW STRs MUST END, AND NUMBERS REDUCED IN A NEUTRAL MANNER. This can be accomplished over a couple of years as the BOC wishes.

Bayshore, for example, is too dense. My division is at least 19% STRs. These homes have property lines 5 feet from the homes. Add to that a hot tub (5 feet away) with repetitive use and disturbances after quiet time hours, and frequently during daytime, that involve slamming of a cover that's so loud you can hear it 40 feet away inside of the neighbor's home. It seems insignificant to those who do not experience this, but it is just one small example of a problem that an owner of an STR is unwilling to address.

If the STR codes are changed to add requirements for appropriate setbacks and regulations for hot tubs as they do with hotels (since these are being used "by the public") it would greatly improve the livability.

Density should never exceed 4% per residential subdivision. A license should not be transferrable upon the sale of the home to a new owner. Since 2012, I can attest to the surge in traffic, noise, nuisance, abuse of HOA rules, etc. from STRs.

Local hotels must try to compete with these STRs for their business, sometimes putting the hotel at a disadvantage due to the number of rental units close by. For example, here is an advertisement on the Facebook group (Waldport OR buy-sell trade) post listing Alsi Resort ad for

“an apartment \$325/month” (likely error-should be weekly) as well as “an “extended stay” at \$325/week”

<https://www.facebook.com/groups/186388231748628/permalink/1618261455227958/>

"Weekly Rate Special" - starting at \$325.00 (+tax) for a Standard room with 1-Queen sized bed. And, all our rooms include a microwave, mini-fridge and coffee pot.

Come Stay at Alsi Resort in Waldport...located on the Alsea Bay just 15mi south of Newport.

Please Give Us a call at: (541) 563-7700 for more information and/or to make a reservation - we'll be happy to assist you!

\*\*Please Note: This ad listing is for a hotel room-as extended stay guests\*\*"

The Lincoln County BOC should consider the impact on the other hospitality businesses these STRs have on their ability to compete. Do we really want hotels to lower prices? Bayshore has experienced an increase in vehicle break-ins in recent months. Are these two related? It's cheaper to rent a room week-to-week than find affordable long-term housing.

### **SIGNAGE (Operating Standards 4.440 1(a))**

Please review the STR sign suggestion attachment.

Operating Standards 4.440 1(a)

Although an HOA may prohibit commercial signage, the County is currently allowing a short-term rental company's logo to be visible, like a Vacasa sign, at STRs because the sign has a phone number on it. Therefore, the current code does not prohibit commercial advertisement and makes it difficult for an HOA to enforce signage compliance because of STR licensing requirements have been met.

This practice does not follow the intent of the code regulation. Only a local contact within Lincoln county should be listed, not a national chain's phone number, like Vacasa.

In addition, rental agency advertisements must include license #, max. occupancy, max # vehicles, pet vaccination status requirements.

I am proposing that the BOC Modify 1 (a) to:

- a. Exterior signage must be a minimum size of 12” x 12” and be visually accessible by the public from the street. Visually accessible means information in a format and size that shall be readable by a person standing in the public area viewing the sign on the property. The signage must be updated immediately with any changes in information. Signage cannot contain any commercial rental agency name or logo. Signage must clearly display/provide:
  - the local contact PERSON’S NAME and WORKING PHONE NUMBER (not the management company’s name or number)
  - the maximum # of occupants
  - the maximum # of vehicles
  - the STR rental license # and exp date
  - the additional weather-proof pouch should be attached containing info re: # of adults and children/dogs, a guest name and date range for the reservation. See attachment. A second copy of this document must be delivered to every HOA office for STRs located in HOA communities.

Including this additional information on the signs can: reduce unnecessary complaints for occupancy concerns, assist in enforcement by local contacts, assist law enforcement in enforcing compliance, and supports public safety/emergency assistance.

### **EMERGENCY PREPAREDNESS**

Please review the attached document regarding disaster plan/emergency preparedness.

Tsunami evacuation routes must be considered when adjusting density within a neighborhood along the Oregon Coast, and especially within Tsunami zones. The street layouts are not conducive to rapid evacuation due to limited access points along highway 101.

It’s a no-brainer, in my opinion, to require STRs to provide emergency supplies in some type of cache or on the STR premises. Neighborhoods should not be expected to supply transient renters during an emergency. We must all take personal responsibility to be prepared.

### **FIREWORKS**

**PLEASE CONSIDER PROHIBITING FIREWORKS AT ALL SHORT TERM RENTAL PROPERTIES.** 7/3/20 and 7/4/2020 were dates that I won’t forget, because I actually thought my home was going to catch fire from the illegal displays of fireworks. It was a war zone in Bayshore (even though fireworks are prohibited) and the Sheriff could not do anything to help.

## **CLOSING COMMENTS**

I provided testimony at the April 7, 2021 STR public workshop, limited my comments to the 4 areas of interest as requested, abided by the three-minute limit, and thus my comments were streamlined and did not have a lot of detail. I appreciate Casey Miller's attempts to rein in those members who abused these time limits. He was extremely polite.

If I had the opportunity to digress and exceed my time limit, I would have liked to ask any STR owner if they live full time next to an STR along the coast. I suspect the answer would be NO.

I would have liked to rebut the belief expressed by individual STR owners that only STRs are held to strict septic system fees and regulations. I spend approximately \$400 annually for my septic system evaluation and report to the county as required for a 3-bedroom home with only 2 occupants.

STR owners are not the only ones who must follow codes.

Until the hot tub was installed next door, and the rebound occupancy surge after Covid-19 pandemic restrictions were lifted, I rarely had any issue with the STRs in my area. 2020 was a year that made me ask myself: "Why did I move here?" "If I wanted to live in a hotel, then I would have done so."

Residents are not preventing people from enjoying the coast, we just want everyone to follow the rules, including ourselves.

Respectfully,

Bernadette Williams (please view attachments)









BEACH  
ACCESS







# Public Input

Row 6

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<b>Name</b>	Bernadette Williams
<b>Email</b>	bwnj2or@peak.org
<b>Form Date Field</b>	04/27/21
<b>Topic</b>	Non-Agenda Item
<b>Comments</b>	Please review additional attachments here that were not included in my previous submission. I have duplicated my letter below with the attachments HOAs need support to remedy violations of HOA rules as well as county violations. Thank you.
<b>Meeting Date</b>	
<b>Subject</b>	RE: STR Code changes- support for CAPS and compliance

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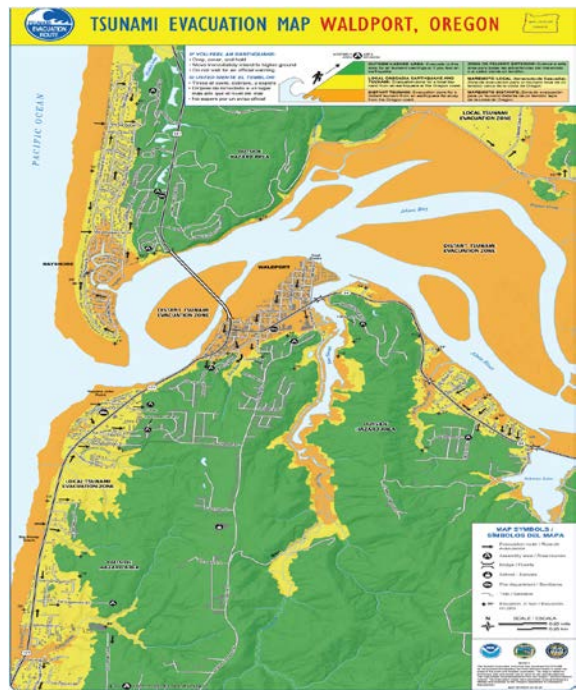
Residents are not preventing people from enjoying the coast, we just want everyone to follow the rules, including ourselves.

Respectfully,

Bernadette Williams (please view attachments)







Question is, how are the Short-Term Rental Business License Owners preparing their transient tenants?

Bayshore Subdivision Home Owners Association is an older road system, with narrow streets. With one road in and out. With the proliferation of STRs, increased numbers of vehicles, people and animals. This area is not prepared for a natural disaster.

What are we looking at currently? STR Transient Tenants that do not know the area! And when an emergency takes place, what is the actual capacity of the two assembly locations? Baymart & KOA will not be sufficient for the Bayshore area. The bridge may be damaged, unable to cross to the south and to the north, it will be packed with vehicles at a standstill. People will be scared, hungry, cold and looking for family and friends.

Cell phone tower may be down or their cell phone is lost, all their contact information gone. There will be fires, injured, limited water and food, with no emergency supplies available.

- Warning Sirens have been removed to date.
- Transient Tenants may not even have phone alerts
- How to turn off the Propane connections
- How to turn off the Water connections
- No system for the following situations:
  - Contact information will not be immediately available
  - Medication taken daily, will be lost
  - Childbearing women, newborns, children and teens
  - Church groups, families, seniors and people with service animals
  - Mobility impairments, canes, walkers, wheelchairs, serious difficulty walking or climbing
  - Autism, deafness or hard of hearing, blind or visually impaired, serious difficulty seeing, even when wearing glasses
  - Cognitive disabilities, mental illness, multiple chemical sensitivity
  - Brain injuries, seizure disorders
  - To name a few

Highly recommend for owner occupancy STR to have more hands on, more informed, and they know the area to assist. The emergency will not just be in our area, it may be coastal, it may be an earthquake, tsunami, fire, or manmade.



4.440 Operating Standards

(1) (a) [If the short term rental has a sign identifying it as a short term rental, then the current name and phone number of the contact person shall either appear on the sign or otherwise be conspicuously posted near the sign so that it is visible from the street and from outside the front entrance of the short term rental.]

**Suggestion to improve:**

1. Reflective sign for night identification and late arrivals.
2. QR Code unique for each STR on sign for Law Enforcement – STR Enforcement
  - Information to match Business License Application on file and Lincoln County STR Log
3. Location to be at the driveway entrance or front of the driveway for Emergency or Law Enforcement to scan QR code. (At the moment, not consistent on location of signs, some are smaller than 12x12)
4. Imperative to provide the Owner’s information, since the Property Management Company may change.

Current Size: 12x12

1. STR identification number as with a state park – Lincoln County Tracking Code or Log Code Number
2. Business License Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_
3. Owner’s name, contact number: \_\_\_\_\_
4. Max Occupancy: \_\_\_\_\_
5. Max Vehicles: \_\_\_\_\_
6. Fenced for Dog(s) for Max: \_\_\_\_\_

Reservation Sign “Weather Pocket” like the State Parks are using and work well.

1. Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_
2. Last Name: \_\_\_\_\_
3. Number of guests: \_\_\_\_\_
4. Vehicle License Plate Number: \_\_\_\_\_
5. Vehicle License Plate Number: \_\_\_\_\_
6. Vaccinated Shot Record – Pet(s): \_\_\_\_\_

Located at the bottom of the sign. No RVs, Boats, Trailers, and Dune Buggy Trailers allowed.

Property Management signs - to be next to each other for identification and record keeping to match Lincoln County Business License as other businesses post similar information.

- ❖ LCC 4.440(1)c The owner shall update the posted notice and provide a new written notice to the local fire chief and Lincoln County Sheriff’s Office each time there is a change to the name or phone number of the contact person. An additional fee, as set by the Board, shall accompany the new written notice provided to the Sheriff to offset costs of the Sheriff’s Office in supplying this new information to property owners in accordance with LC 4.440(1)c above.
- ❖ **Suggestion to improve:** The owner shall update the posted notice and provide... **each time a change or update of Property Management, contact name and or phone number as well as an annual mail out of owner information to all property owners within 250 feet of STR.** Currently, no updated informational mail is taking place when changes have been made.



# Public Input

Row 4

<b>Name</b>	Bayshore
<b>Email</b>	4u2agoodlife@gmail.com
<b>Form Date Field</b>	05/01/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	<p>May 01, 2021 Bayshore How to enforce fireworks during a no burn, no fireworks and a drought period along the coast? We were fortunate enough that a Police officer saw them going off as he came over the bridge. He got to the beach club, walked down on the beach, and found no one around. He thinks they stepped out of their home lit them then went back in their home. Headed over about 6:30 am to scout the area to see if Fireworks debris is laying in the dunes. Close to one of the STR homes. Keep in mind, as you go north on Oceania, majority of those homes are short term rentals. He said they had 8 calls and will file a report that will then go to the sheriff and the LOC. Everyone needs to stress we are in a drought and this could be serious if they catch Bayshore ablaze.</p>
<b>Meeting Date</b>	05/03/21
<b>Subject</b>	Short Term Rentals and Fireworks

# Public Input

Row 3

<b>Name</b>	Debbe Chadwick
<b>Email</b>	Missdebbe1@yahoo.com
<b>Form Date Field</b>	05/03/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	<p>Hello: As a short term rental owner in Bayshore I am very confused about the recommendation to The sleeping capacities of guests in the home to two per sleeping area +2 guests during the day. Again, I would ask for clarification on how enforcement is going to know if these are paying guests or if they are my personal family and friends. Are you proposing to tell me that I have a limit on how many friends and family I can have at my home at any given time? I believe second homeowners who are not being discriminated against in these proposed rules as well as local residents are allowed to have as many people as they want in their home at any given time . I really think this needs to be clarified. Also, how are the people that will be "reporting" that There are more than the "allowed" number of guests in the home going to know who is there: paying guests or my personal family. As far as the septic goes I think it's totally discrimination to have to expect me at my own expense to have my sewer inspected Above and beyond having it pumped every other year as I regularly do and not every other resident living in a home impacting the septic. That goes without saying - I think that's common sense. Most short term rental owners take excellent care of their homes to provide their guests an excellent experience in Lincoln County. A few rogue short term rental homes that may have crossed the line should not mean the whole is punished. If someone went around and took pictures of all of the residents who are breaking the rules what do you do then? Will they to be asked to limit their activities and their home? My recommendation is to have clear rules for everyone and an enforcement system m- conflict resolution system in place which will keep everyone happy - because their voices will be heard and communities can go back to being neighborly. Thank you.</p>
<b>Meeting Date</b>	05/03/21
<b>Subject</b>	STR Caps- paying guests & Family and Friends...

# Public Input

Row 1

<b>Name</b>	Debbie
<b>Email</b>	debbiewetherald@gmail.com
<b>Form Date Field</b>	05/03/21
<b>Topic</b>	Agenda Item STR
<b>Comments</b>	<p>May 3, 2021 To: Lincoln County Commissioners From: Deborah Wetherald 765 3rd Street Otter Rock, OR 97369 Thank you for working to balance the best of both world's for your Lincoln County constituents and the international travelling public coming to the beach to enjoy our state's open beaches, gorgeous vistas, and family entertainment. My short-term rental is in a residential neighborhood. I have seen growth in Otter Rock since my purchase in 2007, as it becomes more of a known destination for surfers, tide-poolers, and fans of our cool geological attraction. There is no hotel option here, and indeed on a busy weekend, the parking can be a struggle (as evidenced by the Sherriff patrol you have authorized to monitor parking there). My home, and the dozen others that have a STR license here, allow folks who might not be able to enjoy the area a way to unpack &amp; relax and walk to the attractions instead. You know the valuable economic impact that STR's have on Lincoln County. It is important that people find STR's outside of Newport and Lincoln City. Tourism and retirement populations will only grow as the years forge ahead. There will no doubt be perpetual tension between the two groups as times moves on. Will one perspective WIN over the other? There is no winning without losing – and though the two groups are hard pressed to compromise – that is YOUR charge. To find a middle ground when possible that allows for growth &amp; change and does not stand stuck in the mud of bias. Activism has been high around this issue. Why not put those people to work on a board to oversee STR's? They obviously have the time and with focused effort the real needs of neighbors and best practices can be established by a coordinated group representing both sides. You are being asked to make a choice that is no-win. Push back and have the stakeholders build their own compromise. A handful of people reacting to a failed septic system (that turned out to not be related to a STR at all) cannot reasonably be said to speak for the entirety of your constituents. And honestly, most STR's are west of HWY 101 and not in the first-time home buyer affordability category. So I call bunk on that talking point! Thanks for listening and good luck!</p>
<b>Meeting Date</b>	05/03/21
<b>Subject</b>	STR

# Public Input

Row 2

<b>Name</b>	Laurie and Jay Bennett
<b>Email</b>	bennett97@gmail.com
<b>Form Date Field</b>	05/03/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	<p>Dear Commissioners For months you have been hearing from both sides regarding the STR issue. Our side - pro-STRs - have continually shown that STRs are necessary to the vitality of this county. At the first county council public meeting, attendance was 8:1 in favor of STRs and leaving the regulations alone. Pro-STR people offered plenty of reasons why STRs should not have further regulations. We supplied a professionally tabulated economic impact report, indicating the number of jobs, and the amount of tourist dollars that would decrease to almost nothing without STRs. The opposite side offered shouting and rhetoric. At the second county council public meeting, attendance was 5:1 in favor of STRs and leaving the regulations alone. Over and over we requested increased enforcement of existing laws that would punish the STR owners and renters who have loud parties, parking issues or too many cars, trash not in cans, unlicensed renting, and even septic tank problems. Enforcement is the key here - to satisfy everyone as best as possible and make situations livable for everyone involved. At this meeting, the other side offered shouting and rhetoric. In fact, the leader of the 15 neighborhoods couldn't even present her side within the allowed 3 minutes, having been cut off at both meetings. The county's own council has indicated that certain changes to existing laws leave the county wide open for lawsuits, and we agree. Our solution: offer strong enforcement of existing noise/parking laws, punish anyone who repetitively complains about STRs or makes false claims against them, create laws for septic tanks that apply to every home owner in the county, not just STR owners, and change NOTHING more. We don't need more regulation. We don't need more restrictions. We need co-existence between full time owners, part time owners, and short term rental owners. Enforcement, not additional laws, will provide this. Leave our STR rights alone. We are property owners too, and we have rights as to how to use our property (as long as it is legal). Leave us alone. Don't bow down to those who shout but offer no solutions. Laurie and Jay Bennett</p>
<b>Meeting Date</b>	05/03/21
<b>Subject</b>	Decisions regarding STR changes to regulation

# Public Input

Row 6

<b>Name</b>	Michele Riley
<b>Email</b>	purseonality4@gmail.com
<b>Form Date Field</b>	04/28/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	<p>Dear Commissioner Hunt, Commissioner Hall and Commissioner Jacobson, Today, I will sit with my neighbor who is dying. I will sit with this once strong, active man who is now bedridden, weak, tired and angry. He was a private person before hospice, neighbors and others invaded his private space in every way imaginable. And as I sit with him today, I will try to remember the man inside this shell. My thoughts go to what would happen to him if all the homes in our neighborhood became short term rentals? No one would know our friend, no one would be aware that he was dying, that his wife needs assistance and compassion. Those renting for a night or two don't know or care what happens in the full-time residences, they are on vacation. Why should they care? If you let the current plan of no boundaries, no stoppage, every home can be a short term rental, continue, then what will become of people like my neighbor and his wife? Please put caps on this industry, place caps so no more than 1% of the housing stock in any neighborhood is taken up by these businesses. And do not let the license (which is a non-conforming use) be transferred to another owner when the property is sold. STRs that are located in tourist-commercial zones can operate as a business in a business zone forever, unless they run afoul of the law, for they are in the appropriate zone for businesses. Another option, have STRs in those low-density residential zones be owner occupied. If the owner wants to live there and supervise the renters while on-site, great, but still follow the 1% of available housing rule. And pay attention to spacing, no owner occupied home or long-term rental should be an island among the mini-motels please. Some STR owners and managers want neighbors stopped from reporting violations because they say all reported violations are completely unfounded. Here are three illustrations of my point to the contrary: I myself reported garbage issues on at least three occasions for one of the STRs in my neighborhood. The last time with photographic evidence of a dead rat in a trap and garbage strewn about in front of this STR. Factual evidence and yes, violations. This same STR was without a sign just two weeks ago and this too was reported this time using the LodgingRevs online form with photographic evidence again. No one got back to the reporter from my neighborhood about this violation though a sign is now up on that property. Last summer, a Sheriff's Deputy, despite seeing violations on parking, occupancy and hearing from the renters who admitted to the violations, nothing was done, no strikes were given. Violations occurred in each incident with no strikes given for any offenses. STR and management say we are a bunch of complaining busy-bodies with too much time on our hands and nothing better to do. Believe me, I have a lot to do as I wrote in the beginning of this letter. When I see something, I say something. I am asking you to please do something to protect our neighbors and our neighborhoods. Respectfully, Michele Riley, unincorporated Lincoln County</p>

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**Meeting Date** 05/03/21

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**Subject** Short term rentals

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# Public Input

Row 5

<b>Name</b>	Roger Keehn
<b>Email</b>	rogerakeehn@hotmail.com
<b>Form Date Field</b>	04/30/21
<b>Topic</b>	Agenda Item
<b>Comments</b>	Please see attached PDF file for STR input for the Commissioners. Thank you
<b>Meeting Date</b>	05/03/21
<b>Subject</b>	Short Term Rentals (STRs)

Dear Commissioner Hunt, Commissioner Hall and Commissioner Jacobson,

Left untreated, cancer feeds on, consumes, and eventually kills the body. Left unchecked, STRs feed on, consume, and kill the soul of a neighborhood. Drive through Bayshore and count the signs from Vacasa, Meredith, Sweet Homes, etc. vying for business. It is a soulless and sterile place to live, prosper, and enjoy any semblance of what a neighborhood should be. Several STR owners are currently united to gain control of the HOA Board to thwart any restrictions that might hinder their STR income and influence. Bayshore is on life support. Remaining unincorporated communities are infected and quickly following suit unless a remedy is implemented.

Before you are four recommendations, or remedies, to address STRs: (1) Limit the number of people per STR, (2) Periodic septic system inspection, (3) STR Complaint process, and (4) STR caps. All seem worthy on the surface, but all they do is add layers of complexity and bureaucracy. Significant questions of implementation, enforcement, added personnel, and payment for these abound. Will the moratorium on issuing new STR licenses continue while these questions are resolved? At best, the STR caps keep the cancer from spreading.

None of these recommendations, however, resolve the issue of restoring communities to health and vitality where families and neighbors can enjoy each other, and help and support each other in time of need. Do not be swayed with a fallacious argument of lost jobs and taxes, or threats of businesses moving or not locating here. The only solution that will effectively resolve all of the issues with people, septic, and complaints is to CAP and reduce and/or eliminate STRs over a 5 year period, or to use the City of Hood River model.

Thank you for your consideration,  
Roger Keehn  
Sandpiper Village  
Waldport