

Vacation rental frustrations heat up

Ballot measure calls for new restrictions

By LORI TOBIAS
For The Oregonian

NEWPORT — Voters in Lincoln County will decide this fall on a ballot measure that could significantly impact how visitors vacation in coming years.

The measure would completely phase out vacation rentals in residential areas in unincorporated parts of the county. It's the latest, and most drastic, proposal to rein in the proliferation of short-term rentals through online platforms like Airbnb along the Oregon Coast.

It's a contentious subject that seems to grow more so by the day, as people on both sides seek answers to what County Commissioner Kaety Jacobson calls a "thorny, messy, giant hairball." And the coronavirus pandemic isn't helping.

"We were gaining momentum and getting ready to overhaul the short-term rental licensing program, and then COVID happened," Jacobson said. "We were having public meetings and workshops, and suddenly we couldn't do the hearings anymore. Then, we were again getting ready to pick it back up and we had a wildfire. Both COVID and wildfires have been an issue on the timeline."

But even as the pandemic has disrupted discussions around a fix, it's only turned up the pressure to act. Tourists and remote workers have slammed the coast, raising fears that visitors could overwhelm local hospitals or exacerbate other pandemic-era shortages, including for housing.

Lincoln County began licensing vacation rentals in 2016. One year later, a group of neighborhoods banded together to combat issues they said were ruining their small communities. They dubbed themselves "15neighborhoods for a Livable Lincoln County."

Last year, frustrated with a lack of movement on the county's part to revise vacation rental regulations, they gathered the 1,454 signatures necessary to put Measure 21-203 on the November ballot. If approved by voters, the measure would phase out short-term rentals in unincorporated Lincoln County over five years and halt immediately the issue of new licenses.

Monica Kirk is one of the people behind the measure. She got involved after seeing her community of Miroco — about 50 homes located north of Newport — transform from a quiet neighborhood to a vacation destination more akin to a motel.

"We thought we were unique," Kirk said. "But as we wrote letters to the editor, other neighborhoods — Beverly Beach, Gleneden Beach, Otter Rock, Logs-



George Rose

A ballot measure would phase out vacation rentals in unincorporated communities in Lincoln County if approved by voters this fall.

den, Siletz, parts of Roads End, Makai, Bayshore — started to contact us."

They were all having the same problems as long-term housing was converted to vacation rentals. Traffic increased, and overflowing garbage bins drew rats, raccoons and bears. There were reports of nudity, public sex, noise, illegal parking and speeding. Meanwhile, affordable housing for residents grew scarcer, and businesses found it increasingly difficult to hire workers who could afford to live nearby.

licenses permitted.

They did set up a "strike" system meant to address reports of trouble, such as noise, unruly tenants or other nuisances. Once a property owner received three strikes, they would lose their short-term rental license.

But the process hasn't worked. There have been no strikes issued — not because there have been no complaints but because it's unclear what constitutes a strike. And even if that was decided, no one seems sure what should happen next.

until the code can be revised.

VIA Oregon, an organization of rental property owners formed in response to 15neighborhoods, says the commissioners are taking too long to revise the code and refusing to meet with its members.

"There was one in-person meeting and then, because of COVID, the interactive part of public comments just went away," said Heather Brann, a member of VIA Oregon, who owns a short-term rental on Devils Lake. "You had to email, and you had to trust they were reading the emails. There were two county-sponsored Zoom workshops, but no commissioners attended. Both sides are a little frustrated with the county's emergency do-nothing stance."

VIA supports a workable strike system and accountability among landlords, Brann said. But she said current regulations are an example of "one person behaving badly and another being punished."

"If I have a noise complaint, I can guarantee it's damaging my property and I want them out more than the neighbor," Brann said. "We could have a code that a guest gets a \$1,000 ticket and told by the sheriff they get to depart now."

She also suggested that the county look at zoning principles, both as a means of controlling the number of rentals and a way of maintaining housing stock for workers.

"Why don't they consider saying, if this is a workforce neighborhood,

'THIS IS ONE OF THOSE NO-WIN SITUATIONS.'

Lincoln County Commissioner Claire Hall

"They've introduced so many short-term rentals, each operating at maximum license, which could be up to 11 for a three-bedroom home, that it's resulted in more renters in our community than there were full-time occupants or neighbors," Kirk said. "Some people have said that there is a season for short-term rentals. We found there isn't one. These are rented 12 months out of the year and in the summer, seven days a week. Winter, people come for three or four days. The population has doubled."

Five years ago, when county commissioners imposed licensing regulations, the number of vacation rentals "exploded," said Commissioner Claire Hall. But county commissioners hadn't anticipated the boom and failed to put in place caps on the number of

"There were a lot of great intentions about having this three-strike program," said Lincoln County Sheriff Curtis Landers. "To me, it isn't a strike or violation until a judge says guilty. I didn't want the sheriff's office to be the judge and jury."

Clearer local rules, Landers said, would give his deputies a better sense of when and how to intervene.

"Give us a good ordinance we can follow," he said, "and we'll do our job and enforce the ordinance the best we can."

That's what county commissioners are working on now. They hope to clarify the strike process, including how strikes will be adjudicated. They are also looking at capping the number of short-term rentals. Meanwhile, they've imposed a moratorium on new licenses

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