

Rental rules cause controversy

Rules from Page 1A

Proposed rules specify that the use of a home for a vacation rental shall not exceed one rental within seven consecutive calendar days and limit the number of guests per bedroom, off-street parking spaces and septic system capacity. The regulations also mandate a 24-hour owner representative and notice to neighbors.

Three minutes each

Speakers, limited to three minutes each, covered the gamut, from adoption of the proposed rules to calls to abandon the regulation process altogether.

"Short-term rentals are part of the core of Gearhart," resident Harold Gable said.

Gable and others urged "universal enforcement" of the present ordinances rather than adoption of the regulations.

Lynn Nichols and a handful of those who declared themselves "neutral" asked the commission to compromise. "We don't want to become the U.S. Congress," Nichols said.

Penny Sabol said the Gearhart comprehensive plan is a legally enforceable document. The document, dating to 1994, includes language stating "the city of Gearhart will preserve and maintain its predominantly residential character through appropriate zoning and land use regulations."

Rick Sabol asked the commission to "do your jobs and interpret the plan correctly."

Gearhart Golf Course Manager Matt Brown said short-term rentals depleted the availability of long-term rental homes, making it difficult for businesses to find employees.

Many employees must drive 45 miles away, he said, because of the lack of long-term rentals.

Others spoke of the noise and nuisance posed by short-term rentals and guests, and the risks to Gearhart's residential character.

Jeanne Mark warned of the city "morphing into an all-out tourist destination."

Wilson Mark added that the actions of short-term rental owners "will likely kill the vibe and feeling Gearhart has. It will make Gearhart not a gem that it is, but something more generic."

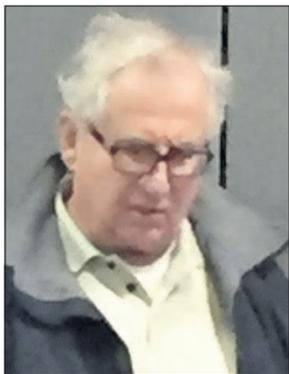


R.J. MARX/SEASIDE SIGNAL

Residents fill the Gearhart firehouse to share their thoughts on short-term rentals.



JEFF TER HARI/FOR SEASIDE SIGNAL



R.J. MARX/SEASIDE SIGNAL

FAR LEFT PHOTO: Catherine Rondthaler fights back tears as she tells commissioners she fears the loss of her Gearhart home if short-term rental regulations are put in place.

LEFT: Former Gearhart mayor Kent Smith speaks in favor of short-term rental regulations.

Bill Berg, author of the book "Gearhart Remembered: An Informal History," and former mayor Kent Smith both spoke in favor of adopting short-term rental regulations.

"I implore the Planning Commission to chomp down on regulations on this," Smith said. "I want to make sure we enforce our zoning code."

Carol Lucas, who lives along the heavily traveled Ridge Path, said short-term renters often woke her up or looked into her windows. "We need to have residential zones be residential only," she said, in advocating regulation.

License limit

Steve Weed, however, objected to the 35-license limit. "Thirty-five people will get golden tickets," he said. "I can't think of anything more ruinous to Gearhart than to do that."

Property owners Bob and

Clare Carson also balked at license limits, calling the number "arbitrary and capricious."

"If you're going to have regulations, they need to be equally applied," Bob Carson said.

Those who are renting their homes are losing a right without receiving fair compensation, Carson added.

Attorney Dean Alterman of Portland, representing five homeowners, warned of legal action and asked the city to "employ and enforce" existing codes rather than enact new ones. Others called it a "taking" — a government seizure of their property. "I will prosecute and defend my property rights," David Remer said to applause.

Short-term rental property owner Marcia McLeary said she had "never had any problems" and always notified neighbors when hosting guests.

"I urge you not to make it

tough on us who make an effort and do everything by the book," McLeary said.

Others urged the commission to consider evidence from both sides.

Marshall Leathers and others said the only way they could stay in Gearhart is to rent their homes.

Rule changes go "far beyond" common sense measures, he said.

Catherine Rondthaler fought back tears as she told the commissioners without the option of a short-term rental, "We would have to sell the house. To walk away from a beach house that's been in my family for 50 years would break my heart."

No action was taken at the meeting.

Planning commissioners agreed to keep the record open and welcomed submissions prior to a continuation of the hearing May 12 at the firehouse.

'Cadillac' health plan drives up Gearhart budget

Short-term rental fees to offset increases

By R.J. Marx
Seaside Signal

Planning costs, legal fees and health insurance are driving the Gearhart budget to almost \$1.7 million, up about \$200,000 from last year. Some of these costs will be addressed by proposed short-term rental fees, which could bring in about \$140,000 in revenue, City Administrator Chad Sweet said.

In a public meeting on the budget with members of the City Council and the Budget Committee last week, Councilor Dan Jesse questioned health care costs.

"The figures seem quite high for 10 employees," Jesse said.

Jesse said numbers are slightly more than \$250,000 for those 10 employees, or \$25,400 a year per employee, averaging \$12.21 per employee hour of work.

"We're a small community with limited resources," Jesse said. "Out of the total budget, it's a huge amount of money."

The plan, contracted with Citycounty Insurance Services, "does have the best rate for the type of plan we have, but it was made to be a Cadillac plan, so we're going to be making adjustments," Sweet said.

The employees' health care plan is set to expire at the end of the year and would be reviewed then, he added.

Other increases

The planning budget sees increases as a result of transportation system planning, park master planning and legal fees, Sweet said. "That's in anticipation of some of the short-term rental conversations we're having now," Sweet said.

Building inspection fees will jump by more than a third in anticipation of new rules on short-term rentals, with a part-time administrative assistant planned to handle some duties.

The City Council is in the midst of public hearings on registration and licensing of transient properties — those rented for less than 30 days — which could be adopted this year.

Part-time Building Official Jim Brien will be used as a consultant in the first year before considering money for a full-time code enforcement officer, Sweet said.

"Until I know what normal is, I don't want to hire someone," Sweet said. "I've put aside \$40,000 in code enforcement. It depends if the council allows 35 permits, or allows everybody to do it or somewhere in

between. If we go to zero permits, we'll have to figure out how to find funding, but that's for conversations later. I'm basing this on our best guess at this point."

City revenue is derived from property tax, franchise fees for companies such as utilities and transient rental tax dollars, Sweet said. He anticipated about \$140,000 in vacation rental income based on the 73 short-term rental properties tallied by the city.

"If the number goes to zero, we'll have to discuss that," Sweet said.

The city receives \$200,000 from condos and hotels, he added.

"We're a small community with limited resources. Out of the total budget, it's a huge amount of money."

City Councilor Dan Jesse

Nonprofit support

Gearhart's budget includes funds for a wide variety of Clatsop County nonprofits, including social services, environmental management and hazard mitigation.

A budget line of \$10,000 addresses a mapping of sensitive areas such as wetlands and fens. The North County Land Conservancy will inventory land in Gearhart and provide information on how they perform and what the city can do to maintain them, City Administrator Chad Sweet said. "It's not regulatory, but when there is an incursion in these areas, the city can do what it needs to repair them."

The city will provide support of \$2,000 for the Oregon Badge Foundation in honor of Jason Gooding, the Seaside police officer killed in February.

The budget also includes expenditures for the Seaside Youth Center, Animal Control, the South County Food Bank and the Harbor.

Hazard mitigation reserve funds increase from \$5,000 to \$10,040, to be used on signs, cache storage, maps or projects with the city's Community Emergency Response Team.

The budget was unanimously approved by the City Council and the Budget Committee and will be presented for a reading at a future City Council meeting for a vote by the council alone.

Brew pub appeal on tap in Gearhart

Council to reconsider grocery switch

By R.J. Marx
Seaside Signal

Merits of a proposed brew pub in Gearhart will be considered by the City Council at a public hearing at the Gearhart Fire Station May 3.

An appeal to a Planning Commission decision to grant a conditional use permit to the brew pub was filed early this month by five residents.

The owners of Gearhart Grocery want to convert the business to a cafe and brew pub, but have faced some community opposition.

"The overriding thing is there is not a need for another cafe location, and not just what they are calling a cafe, but a brew pub," said Jeanne Mark, one of those who signed the appeal. "We have a brew pub less than a mile away. They're



R.J. MARX

The owners of Gearhart Grocery would like to convert the business into a brew pub.

pushing 'there is a need.' There is no need."

Mark and opponents of the plan say the brew pub is contrary to Gearhart's comprehensive plan.

They say septic facilities are inadequate and the city needs to retain its only grocery store.

"The Planning Commission, as a vote of the majority, believes the cafe that's coming in met the conditions that were required," City Administrator Chad Sweet said. "The appeal is based on the fact that people think they did not meet those

requirements and there may not be a need for this type of restaurant in town."

In March, planning commissioners voted 4-3 to OK the transition of Gearhart Grocery at 599 Pacific Way to a brew pub.

The city's comprehensive plan indicates stores in the city's central zone should "provide needed supporting services to the locals or resident community," opponents to the brew pub plan state in the appeal.

"It's tragic," Mark said. "It's a whole sensibility that's being

dismissed. Once it's gone, it's gone. You can't replace that."

The grocery is owned by Molly and Terry Lowenberg of Sum Properties in Seaside.

In submissions to the Planning Commission, they told the city competition outside Gearhart made their business unprofitable. "Understandably people want to keep their market," Sweet said. "That withstanding, you can't force someone to keep a business that they don't want to continue to do."

The City Council has decided to hear the case on May 3 de novo, "which means all over again," Sweet said. "It's another opportunity for someone to make a different decision."

The decision of the council could be appealed to the state's Land Use Board of Appeals.

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