

ATTACHMENT G

Redline Strikeout
Revisions

**Redline Strikeout Revisions to Chapter 5.95 and Title 21
Related to Short Term Lodging**

Chapter 5.95 Revisions (Affected Sections)

Chapter 5.95

SHORT TERM LODGING PERMIT

Sections:

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5.95.005 Purpose and Findings.

The City Council of the City of Newport Beach finds and declares as follows:

- A. An ever-increasing number of tourists renting short term lodging units is increasing the demand for City services and creating adverse impacts in residential zones.
- B. Over a thousand dwelling units within residential zones near the City's beaches and harbor are rented for less than thirty (30) consecutive calendar days with the vast majority of those rentals occurring during the summer when the demand for parking and City services is the greatest.
- C. Many of the occupants of short term lodging units are permanent residents of areas distant from Newport Beach and the City has no effective way to prevent occupants from continuing to violate provisions of the this Code and the Penal Code relating to noise, disturbances and disorderly conduct. The only effective way to minimize the problems associated with occupancy of short term lodging units is to impose responsibility on the owner of the property, either personally or through an agent, to control the conduct of guests and occupants.

- D. Numerous incidents involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking and accumulation of refuse are directly related to short term lodging units which increasingly require response from police, fire, paramedic and other City services.
- E. The increase in demand for City services resulting from short term lodging units overburdens and threatens the City's ability to provide necessary services.
- F. Many short term lodging units are operated by agents and/or absentee owners who exercise little or no supervision or control of occupants.
- G. There has been an increase in the number of lodging units booked on a short term basis where the owner of the unit does not have a short term lodging permit, affecting the ability of the City to properly regulate the impacts caused by the illegal operation.
- H. There has been an increase in the number of lodging units booked on a short term basis where the owner of the property has not taken steps to ensure the transient occupancy tax and visitor service fee is collected and/or remitted to the City, resulting in an unfair business advantage to these illegal operations and loss of revenue necessary to provide City services.
- I. Problems with short term lodgings is particularly acute in residential districts where the peace, safety and general welfare of the long term residents are threatened.
- J. To ensure the effective enforcement of this Code, it is necessary to have the owner include the short term lodging permit number issued by the City on all advertisements for a short term lodging unit so the transient user knows the owner is authorized to rent the lodging unit on a short term basis.
- K. To ensure the transient user knows the total cost associated with renting the lodging unit and to prevent fraud, it is necessary for the owner to make sure the transient user is informed of the amount of the transient occupancy tax and visitor service fee prior to completing a booking transaction.
- L. The restrictions of this chapter are necessary to preserve the City's housing stock, the quality and character of the City's residential neighborhoods as well as to prevent and address the ~~continued burden on City services and adverse~~ impacts on residential neighborhoods posed by short term lodgings.

5.95.025 Agency.

An owner may retain an agent to comply with the requirements of this chapter, including, without limitation, the filing of an application for an annual permit, the renewal of a permit, the reinstatement of a permit or the transfer of a permit; a short term lodging permit, the management of the short term lodging unit or units, and the compliance with ~~the conditions to~~ the short term lodging permit conditions. The permit shall be issued only to the owner of the short term lodging unit or units. The owner of the short term lodging unit or units is responsible for compliance with the provisions of this chapter and the failure of an agent to comply with this chapter shall be deemed non-compliance by the owner.

5.95.030 Application for Permit.

An application for an annual short term lodging permit, renewal of a short term lodging permit, reinstatement of a short term lodging permit or transfer of a short term lodging permit or renewal thereof, shall be filed with the Finance Director upon forms provided by the City. ~~and shall contain the following information:~~

A. An application for a new permit, renewal permit, the reinstatement of a permit or the transfer of a permit shall contain the following information:

- ~~A~~1. The name, address and telephone number of the owner of the unit for which the short term lodging permit is to be issued.
- ~~B~~2. The name, address and telephone number of the agent, if any, of the owner of the unit.
- ~~C~~3. Evidence of a valid business license issued by the City for the separate business of operating a short term lodging unit or units.
- ~~D~~4. The number of bedrooms in the lodging unit.
- ~~E~~5. The gross floor area of the lodging unit.
- ~~F~~6. The number of parking spaces available onsite and a description indicating the location and size of each parking space.
- ~~G~~7. A nuisance response plan, which sets forth the owner's plan for handling disruptive guests.
- ~~H~~8. A certification that the applicant has reviewed the covenants, conditions and restrictions, if any, and a short term use is permitted at the location pursuant to the terms of the covenants, conditions and restrictions, if any.
- ~~I~~9. Acknowledgement of receipt and inspection of a copy of all regulations pertaining to the operation of a short term lodging unit.
- ~~J~~10. Such other information as the Finance Director deems reasonably necessary to administer this chapter.

B. An application for the renewal of a short term lodging permit shall be filed within thirty (30) calendar days of the short term lodging permit's expiration, or the short term lodging permit shall be deemed abandoned.

C. An application for the reinstatement of a short term lodging permit closed by the Finance Director pursuant to Section 5.95.080, shall be filed within thirty (30) calendar days of the date the permit was closed by the Finance Director, or the short term lodging permit shall be deemed abandoned.

D. An application for the reinstatement of a previously suspended short term lodging permit, shall be filed within thirty (30) calendar days of the end of the suspension period, or the short term lodging permit shall be deemed abandoned.

E. If any application is deemed incomplete, which shall be determined in the sole discretion of the Finance Director, the application shall be completed within thirty (30) calendar days of the service of notice that the application is incomplete, which shall be served in accordance with Section 1.08.080, or the application and any associated permit shall be deemed abandoned.

F. If good causes exist, as determined in the sole discretion of the Finance Director, the Finance Director may extend the deadlines set forth in Subsections (B) through (E).

G. For purposes of calculating the maximum number of permits under Section 5.95.042, a short term lodging permit shall be deemed valid until the applicable permit has been deemed abandoned.

5.95.035 Denial of Permit.

If permits are available for issuance, no timely application filed by an owner for an annual permit, ~~or renewal of a permit, reinstatement of a permit or transfer of a permit for a unit eligible to be used as a short term lodging unit for a unit eligible to be used as a short term lodging unit,~~ as provided for in Section 5.95.015 and this Code, shall be denied unless: the owner does not have a current valid business license; the owner has failed to pay transient occupancy tax, the visitor service fee, a penalty, a fine or inspection cost, due and owing to the City; the nuisance response plan is deemed inadequate by the Finance Director; or the short term lodging permit for the same unit and issued to the same owner has been revoked.

5.95.040 Filing Fee.

An application for a new annual permit, the renewal of an existing permit, the reinstatement of a permit, or the transfer of a ~~or renewal application for a short term lodging~~ permit shall be accompanied by a fee established by resolution of the City Council, provided, however, the fee shall be no greater than necessary to defer the cost incurred by the City in administering the provisions of this chapter and for providing the answering service.

5.95.042 Maximum Number of Permits.

A. The maximum number of short term lodging permits shall be limited to fifteen hundred and fifty (1,550) permits at any time. If there are more than fifteen hundred and fifty (1,550) valid permits that have been issued as of the effective date of this section, an owner shall be permitted to renew, reinstate, or transfer a valid permit in accordance with the provisions of this chapter; however, no new permit shall be issued to anyone on the waiting list, as described in Subsection (D), until the total number of permits does not exceed the fifteen hundred and fifty (1,550). For purposes of calculating the maximum number of permits available, a permit shall be deemed valid and unavailable until it is abandoned in accordance with Section 5.95.030, (B) through (F), and/or Section 5.95.043 (B). To avoid wholesale conversion of existing and new housing complexes into short-term lodgings, multi-unit developments with five or more units may permit a maximum of twenty (20%) of the total number of units to be short-term lodgings (rounded down to the nearest whole number).

B. An owner who has a short term lodging permit or an owner seeking to reinstate a short term lodging permit, that has not been abandoned in accordance with Section 5.95.030 (B) through (F), shall have priority to renew or reinstate the permit over anyone on the waiting list, as described in Subsection (D).

C. An owner seeking to transfer a valid short term lodging permit, that files an application within the timeframes set forth in Section 5.95.043 (A), shall have priority to transfer the permit over anyone on the waiting list, as described in Subsection (D).

D. If the City has issued the maximum number of permits available, the City shall maintain a waiting list. An application for placement on the waiting list shall be submitted to the Finance Director, on a form approved by the Finance Director, and shall be accompanied by a fee established by resolution of the City Council. In the event a short term lodging permit becomes available, the Finance Director shall notify the person or persons next in order on the waiting list. The notice shall specify that applications will be accepted for ten (10) calendar days after the date of the notice, and that failure to apply within the ten (10) calendar day period shall result in removal of the person or persons receiving notice from the waiting list. Notice shall be deemed given when deposited in the United States mail, with the first class postage prepaid, and addressed as specified by the person or persons on the waiting list. The City shall not be liable for a failure to notify any person or persons on the waiting list since placement on the list does not create any property right in any person or persons on the list nor any contractual obligation on the part of the City.

5.95.043 Transfer of Permit.

A. A short term lodging permit that is valid and has not been abandoned in accordance with Section 5.95.030 (B) through (F), may be transferred to any of the following:

1. If the owner transfers the ownership of the lodging unit to an inter vivos trust, family trust, or other similar type of trust estate, a valid short term lodging permit may be transferred to the inter vivos trust, family trust, or other similar type of trust estate, if an application to transfer a valid permit, in accordance with Section 5.95.030, is filed within three hundred and sixty-five (365) days of the date title is transferred to the inter vivos trust, family trust, or other similar type of trust estate.

2. If the owner transfers the ownership of the lodging unit to a corporation, limited liability company, partnership, limited partnership, or similar business entity, a valid short term lodging permit may be transferred to the business entity, if an application to transfer a valid permit, in accordance with Section 5.95.030, is filed within three hundred and sixty-five (365) days of the date title is transferred to the business entity.

3. If the owner transfers the ownership of the lodging unit to an immediate family member, which shall include a spouse, domestic partner, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle), a valid short term lodging permit may be transferred to the immediate family member, if an application to transfer a valid permit, in accordance with Section 5.95.030, is filed within three hundred and sixty-five (365) days of the date title is transferred to the immediate family member.

4. If the owner sells the lodging unit to a bona fide purchaser for value, a valid short term lodging permit may be transferred to the purchaser, if an application to transfer a valid permit, is filed in accordance with Section 5.95.030, within sixty (60) days of the date title is transferred to the purchaser.

5. If the owner is deceased, the short term lodging permit for the short term lodging unit may be transferred to the heir(s) once the estate is closed and the assets distributed, if an application to transfer a valid permit, is filed in accordance with Section 5.95.030, within ninety (90) days of the date the heir(s) becomes the owner of the short term lodging unit.

B. The deadlines set forth in Subsection (A) are established for purposes of setting deadlines for the transfer of a valid permit that has not been deemed abandoned in accordance with Section 5.95.030 (B) through (F). The deadlines set forth in Section (A) shall not extend the deadlines set forth in or in accordance with Section 5.95.030 (B) through (F). Authorization to transfer a valid short term lodging permit shall be deemed waived and the permit abandoned if an application is not filed to transfer a permit in accordance with the deadlines set forth in this section.

5.95.045 Conditions.

A. All permits issued pursuant to this chapter are subject to the following standard conditions:

1. The owner shall prohibit a lessee of a lodging unit from renting the lodging unit to a transient user for a short term and from home-sharing.
2. The owner shall not rent a lodging unit to a transient user that is under the age of twenty-five (25).
3. The owner shall enter into a written agreement with the transient user that requires:
 - a. All persons residing in the short term lodging unit to live together as a single housekeeping unit; and
 - b. Limits the overnight occupancy of the short term lodging unit to the maximum permitted by the building code and fire code.
4. The owner shall ensure that the transient user complies with all terms of the written agreement set forth in subsection (A)(3) of this section.
5. The owner shall use best efforts to ensure that the transient user, occupants and/or guests of the short term lodging unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any state or federal law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
6. The owner shall, upon notification that any transient user, occupant and/or guest of his or her short term lodging unit has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or any state or federal law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by any transient user, occupant or guest.

7. The owner of the short term lodging unit shall use best efforts to ensure compliance with all the provisions of Title 6.
8. The owner of the short term lodging unit shall provide the transient user with a copy of Sections 5.95.047, 10.28.007, 10.28.010, 10.28.020, 10.58.030, and 10.66.020.
9. The owner of the short term lodging unit shall provide the transient user with a copy of the good neighbor policy created by the City and available on the City website, post a copy of the short term lodging permit and post a copy of the conditions set forth in this subsection in a conspicuous place within the unit. The notice shall be in substantial compliance with a template created by the City, which shall be available on the City website, and contain the following:
 - a. The name of the local contact person(s) and phone number at which that person(s) may be reached on a twenty-four (24) hour basis. The local person(s) must be located within twenty-five (25) miles of the unit and shall respond to any call related to the unit within thirty (30) minutes;
 - b. The number and location of on-site parking spaces;
 - c. The street sweeping schedule for all public rights-of-way within three hundred (300) feet of the unit;
 - d. The trash collection schedule for the unit, and the Code rules and regulations concerning the timing, storage and placement of trash containers and recycling requirements;
 - e. Notification that no amplified sound or reproduced sound is allowed outside or audible from the property line between the hours of 10:00 p.m. and 10:00 a.m.; and
 - f. Notification that any transient user, occupant or guest is responsible for all activities occurring on the property and that any transient user, occupant or guest may be cited and fined for creating a disturbance or violating any provision of this Code.
10. With respect to any short term lodging unit that is located in any safety enhancement zone, the owner of the unit and any agent retained by the owner shall take immediate action during the period that the safety enhancement zone is in effect to prevent any transient user, occupant or guest from engaging in disorderly conduct or committing violations of this Code or state or federal law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs.
11. The owner shall:
 - a. Ensure that all transient occupancy taxes and visitor service fees are collected and remitted to the City and otherwise comply with all transient occupancy tax and visitor service fee requirements, as set forth in Chapters 3.16 and 3.28.
 - b. If the owner uses an agent to collect and remit the transient occupancy tax and the visitor service fee, either voluntarily or as directed by the City, the owner shall be responsible for ensuring that the agent collects and remits the transient occupancy tax and the visitor service fee to the City pursuant to the requirements set forth in this chapter and Chapters 3.16 and 3.28.

c. If the Finance Director directs, in writing, a hosting platform to collect and remit the transient occupancy tax and the visitor service fee, the owner shall: (i) be responsible for ensuring that the hosting platform collects and remits the transient occupancy tax and the visitor service fee to the City in accordance with this chapter; and (ii) when filing a return in accordance with Sections 3.16.070 and 3.28.040, the owner shall provide the City with a copy of all receipts showing the date the short term lodging unit was rented, the name of the hosting platform, the amount of transient occupancy tax and visitor service fee collected by the hosting platform, and proof that the transient occupancy tax and visitor service fee was remitted to the City.

12. The owner shall provide the City with the name and twenty-four (24) hour phone number of a local contact person(s) (who resides within twenty-five (25) miles of the property) who shall respond to contacts from the answering service, respond to any call related to the unit within thirty (30) minutes, and ensure compliance with this chapter in a timely manner. The owner or agent must provide a new local contact person and his or her phone number within five business days, if there is a change in the local contact person(s).

13. The owner shall ensure that all available parking spaces on site, which may include garage, carport, and driveway spaces as well as tandem parking, are available for the transient user, occupant or guest of the short term lodging unit. The owner shall disclose the number of parking spaces available on site and shall inform the transient user, occupant and/or guest that street parking may not be available.

14. The owner shall maintain a valid business license and short term lodging permit when engaging in short term lodging.

15. The owner shall include the City issued short term lodging permit number on all advertisements for the rental of the short term lodging unit and shall ensure the transient user is informed of the amount of the transient occupancy tax and visitor service fee prior to completion of the booking transaction.

16. The owner shall ensure that a permitted short term lodging unit is only used for residential purposes and not used for nonresidential uses, including, but not limited to, large commercial or non-commercial gatherings, commercial filming and/or nonowner wedding receptions.

17. The owner shall ensure that no amplified sound or reproduced sound is used outside or audible from the property line between the hours of 10:00 p.m. and 10:00 a.m. and that the transient user does not violate the requirements set forth in this chapter and Chapters 10.28, 10.58 and 10.66.

18. The owner shall comply with the nuisance response plan submitted with the application for a short term lodging permit and approved by the Finance Director.

19. The owner shall allow the City to inspect the short term lodging unit to confirm the number of bedrooms, gross floor area, and number/availability of parking spaces, seven calendar days after the City serves the owner with a request for inspection in accordance with Section 1.08.080. If, based on the inspection, it is determined that the information submitted to the City in accordance with Section 5.95.030 was false, in addition to any other remedy set forth in this chapter, the owner agrees that the owner shall be liable for the cost of conducting the inspection.

20. The owner shall provide the City with a copy of any written rental agreement(s) and the good neighbor policy, within seven calendar days after the City serves the owner with a notice of request for written rental agreements and the good neighbor policy in accordance with Section 1.08.080.

21. Neither an owner or the owner's agent shall rent, let, advertise for rent, or enter into an agreement for the rental of any lodging unit, for less than two (2) consecutive nights.

22. The owner shall:

- a. Require every transient user and guest of the transient user to comply with all State and local laws that regulate parking while staying at or visiting the short term lodging unit;
- b. Require every transient user to provide the owner with the license plate number for all vehicles which are used by the transient user or the transient user's guest while staying at or visiting the short term lodging unit; and
- c. Provide the City with the vehicle license plate number(s) for every vehicle which was used by the transient user or the transient user's guest while staying at or visiting the short term lodging, within seven calendar days after the City serves the owner with a notice of request for the vehicle license plate number(s) in accordance with Section 1.08.080.

23. The owner shall ensure that any transient user or transient user's guest complies with all State and local laws that regulate parking while the transient user or transient user's guest is staying at or visiting the short term lodging unit. For purposes of this condition, a transient user or transient user's guest shall be presumed to be staying at or visiting a short term lodging unit if a parking citation is issued to the transient user or the transient user's guest within one hundred (100) feet of the property line of the short term lodging unit during the time the transient user is renting the short term lodging unit.

B. The City Manager shall have the authority to impose additional standard conditions, applicable to all short term lodging units, as necessary to achieve the objectives of this chapter.

C. The City Manager shall have the authority to impose additional conditions on any permit in the event of any violation of the conditions to the permit or the provisions of this chapter subject to compliance with the procedures specified in Section 5.95.065.

Title 21 (Local Coastal Program Implementation Plan) Revisions- Affected Sections

21.18.020 Residential Coastal Zoning Districts Land Uses.

Table 21.18-1

Land Use	R-A	R-1 R-1- 6,000	R-BI R-2 R-2- 6,000	RM RM-6,000	Specific Use Regulations
Residential Uses					
Short-Term Lodging	—	—	A	A	Chapter 5.95 and Section 21.48.115

21.48.115 Short-Term Lodging.

A. Purpose. This section provides standards for the operation of short-term lodging units to prevent over-burdening City services and adverse impacts on residential neighborhoods and on coastal access and resources.

~~B. Zoning Districts and Planned Communities. No short-term lodging unit shall be permitted on any parcel in the R-1 (Single-Unit Residential) Coastal Zoning District or any parcel designated for single-unit dwelling land use as part of a planned community development plan, unless the short-term lodging unit was legally established on or before June 1, 2004.~~

B. Permits.

1. No owner of a short-term lodging unit shall advertise for rent, or rent a lodging unit located within a residential district for a short term, without a valid short-term lodging permit for that unit, issued pursuant to Chapter 5.95.

2. An owner shall be permitted to renew, reinstate, or transfer a valid permit in accordance with the provisions of Chapter 5.95.

3. As set forth in Section 5.95.042, of Chapter 5.95, the maximum number of short-term lodging permits shall be limited to one thousand five hundred and fifty (1,550) permits at any time. If there are more than one thousand five hundred and fifty (1,550) valid permits that have been issued as of January 13, 2022, no new permit shall be issued to anyone on the waiting list, as described in Section 5.95.042 (D), until the total number of permits does not exceed the one thousand five hundred and fifty (1,550) limit. To avoid wholesale conversion of existing and new housing complexes into short-term lodgings, multi-unit developments with five or units may permit a maximum of twenty percent (20%) of the total number of units to be short-term lodgings (rounded down to the nearest whole number).

4. No short-term lodging unit shall be permitted on any lot in the R-1 (Single-Unit Residential) Coastal Zoning District or any lot designated for single-unit dwelling land use as part of a planned community development plan, unless the short-term lodging unit was legally established on or before June 1, 2004.

C. Operational Standards. The owner, or any other person(s) or entity(ies) that hold(s) legal and/or equitable title to the lodging unit, shall comply with all federal, state, and local laws, rules, regulations and conditions of approval including, but not limited to, all short term lodging permit conditions set forth in Chapter 5.95. In addition, the owner, or any other person(s) or entity(ies) that hold(s) legal and/or equitable title to the lodging unit, shall:

1. By written ~~or oral~~ agreement, limit overnight occupancy of the short-term lodging unit to ~~a specific number of occupants, with the number of occupants not to exceed the~~ maximum permitted Building Code and Fire Code ~~occupancy limits~~.

2. Use best efforts to ensure that the transient user, occupants and/or guests of the short term lodging unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this ~~e~~Code or any ~~s~~State or federal law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.

3. Upon notification that any transient user, occupants and/or guests of his or her short term lodging unit ~~have~~ has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations ~~violate provisions~~ of this ~~e~~Code or any ~~S~~state or federal law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by those any transient user, occupants ~~s~~ or guests.

4. Use best efforts to ensure compliance with applicable health and sanitation regulations relating to waste disposal.

5. Post a copy of any applicable permits and conditions in a conspicuous place within the unit.

6. Not rent, let, advertise for rent, or enter into an agreement for the rental of any lodging unit, for less than a two (2) consecutive nights.

~~67.~~ The City Manager shall have the authority to impose additional standard conditions, applicable to all short-term lodging units, as necessary to achieve the objectives of this section.

D. Additional Permit Conditions for Newport Island (Map A-16). To the extent there is any conflict between this subsection and other provisions of the Code related to short-term rentals on Newport Island (Map A-16), this subsection shall govern and control.

1. In addition to the restriction set forth in Section 5.95.042 and subsection (B)(3), the maximum number of short-term lodging permits issued for units located on Newport Island, shall be limited to twenty (20) short-term lodging permits at any one time. If there are more than twenty (20) valid short-term lodging permits that have been issued as of the January 13, 2022, an owner shall be permitted to renew, reinstate, or transfer a valid permit in accordance with the provisions of Chapter 5.95; however, no new permit shall be issued unless: (a) permits are available for

issuance pursuant to Section 5.95.042 and subsection (B)(3); and (b) the total number of permits for units located on Newport Island does not exceed twenty (20). If the City has issued the maximum number of permits available for units on Newport Island, the City shall maintain a waiting list and follow the same procedures as set forth in Section 5.95.042 (D). For purposes of this subsection, the maximum number permits available will be calculated in the same manner as set forth in Chapter 5.95.

2. An owner, agent, or other person shall only be allowed to rent a dwelling unit on Newport Island for a short-term if the dwelling unit is located on a lot with an owner-occupied dwelling unit that is managed by the owner of the owner-occupied dwelling unit.

3. The owner and/or agent shall limit the overnight occupancy of the short-term lodging unit on Newport Island to the lesser of: (a) the number of occupants that can be accommodated consistent with the on-site parking requirement set forth in subsection (D)(4) below, or (b) two persons per bedroom plus two additional persons, up to a maximum of ten persons. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m. with the maximum daytime occupancy limited to a number equal to maximum overnight occupancy plus six additional persons. The occupancy restrictions set forth in this subsection shall be set forth in a written rental agreement.

4. Each short-term lodging unit on Newport Island shall provide a minimum of one parking space in an existing garage or carport. Occupancy shall be limited to a maximum of five overnight guests for a short-term lodging unit providing only one parking space. The parking required by this subsection shall be free of obstructions and available for use by the short-term lodging user.

5. Any existing permit holder of a dwelling unit that is not located on an owner-occupied lot per subsection (D)(2) or does not meet the parking requirements of subsection (D)(4) will be permitted to retain their permit until January 13, 2023.

6. No owner, agent, or other person shall rent or let a short-term lodging unit on Newport Island more than once in any seven (7) consecutive day period.

21.70.020 (Definitions of Specialized Terms and Phrases)

“Dwelling unit, owner-occupied” means a dwelling unit that is occupied by a natural person who has at least a twenty-five percent ownership interest in the lot where one or more dwelling units are located or a twenty five percent ownership interest in the entity that owns the lot where one or more of the dwelling units are located and who resides in a dwelling unit on the same lot, which is the person’s legal domicile and permanent residence.

21.80.010 (Area Maps)

A-16 – Newport Island (PDF)

