



THE CITY OF NEWPORT, RHODE ISLAND

Planning Board

September 1, 2020

RE: City Council Resolution 2020-56: Short-Term Rentals

Dear Mayor Bova and members of the City Council:

At the July 8, 2020 City Council meeting, the Council passed Resolution 2020-56, which requested the Planning Board further investigate short-term rentals in accordance with the Planning Board's recommendations on Ordinance 2020-06. Those recommendations were to:

1. Limit the duration of special-use permits issued for guest houses
2. Address issues with residential parking visitor passes issued to guest houses
3. Consider transient guest facilities in the limited business zone

The following is a breakdown of each topic of consideration with additional information needed and the Board's preliminary recommendations:

1. Duration of the Special Use Permit for Guest Houses

Short-term rentals in residential zones can substantially alter the experience for neighbors to the point of harming their welfare and quiet enjoyment of their home. Limited short-term rentals in the form of guest houses in residential zones through special-use permits allow residents additional income opportunities that follow in hand with the comprehensive plan. The Board finds it best for the general welfare of the public and neighborhoods if there was a sunset attached to each special-use permit issued in this instance to ensure the applicant doesn't impede on their neighbors and surroundings to avoid adverse impacts, including disruptive tenant behavior and diminished social cohesion through long periods of vacancy, and to also ensure the use continues to benefit residents. In recent reviews of special-use permits for guest houses, the Board has found that petitions are in conformance with the Comprehensive Plan when the property is owner-occupied. As special-use permits run with the land and could continue after the transfer of ownership, limiting the duration of a special-use permit would help alleviate this concern.

Action: The Board's requested action is for the Council to authorize the introduction of a renewal process for special-use permits of guest houses in residential zones every two years.

2. Residential parking visitor passes for guest houses

On residential parking streets designated by Chapter 10.32 of the City of Newport Code of Ordinances, guest houses (including those on corner lots with commercial streets) with insufficient off-street parking are issued blank visitor passes, in accordance with subsection 10.32.070(F). It is the view of the Planning Board that this is unfair. In accordance with subsection 10.32.070(D), each dwelling unit receives a visitor parking pass. Guest houses are a commercial use and numerous opportunities exist throughout the city for commercial parking. Residential parking off of commercial streets should not bear the burden of guest house parking crowding the streets and removing parking options from residents. Parking continues to be an ongoing issue in the city for nearly everything, guest houses and summertime traffic especially so. A visitor pass per room is excessive when a visitor pass is available for each dwelling unit and additional visitor passes for up to 7 days are available for sale, in accordance with subsection 10.32.070(E).

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Action: The Board requests the Council remove subsection 10.32.070(F) from the Code of Ordinances.

3. Transient guest facilities allowed by special-use permit in limited business zones.

The changes made to the Code of Ordinances with Ordinance 2020-06 clarify that a guest house is limited to a total of 5 bedrooms per building and in only 1 building per lot. This is an effort to limit larger multifamily properties from operating as a large hotel with multiple guest house registrations and reduces strains on the housing market. However, the limited business zone is a commercial zone with the intent "to allow for less intense commercial uses that are compatible with nearby residential areas" (Section 17.52.010 of the Code of Ordinances). There are many guest houses in the Limited Business zone that have been operating for decades with minimal impact on the surrounding neighborhoods. Transient guest facilities are a type of short-term rental limited only by the presence of a cooking facility. They could be allowed in the Limited Business zone in a controlled manner, such as up to 15 rooms with a special-use permit, where no more than 1 property in the surrounding 20 limited business zone properties has such use.

Action: The efficacy of this type of change needs to be reviewed with City staff prior to a formal request from the Planning Board.

At its August 31, 2020 special meeting, the Planning Board reviewed and edited this letter and voted unanimously to send this letter to the City Council.

Thank you for your continued leadership and support.

Sincerely,



Kim Salerno
Planning Board Chair