



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: June 6, 2023
To: Tillamook County Board of Commissioners
From: Sarah Absher, CFM, Director
Subject: June 13, 2023, Public Hearing Materials for Second Reading of Ordinance 84

Included with this memorandum is an updated draft of Ordinance 84 reflecting direction to staff by the Board shared at the conclusion of the May 23, 2023, public hearing. Omissions are represented in ~~strike through~~ text. New language for Board consideration is *italicized*. Staff will be prepared to discuss the proposed amendments at the June 13, 2023, public hearing where the second reading of Ordinance 84 will take place.

Also included are copies of public comments received by the Department following the May 30, 2023, public hearing. Copies of testimony received after today will be presented to the Board at the June 13, 2023, public hearing. Copies of testimony received will also be posted on the Community Development homepage and STR Advisory Committee Page (links below).

The June 13, 2023 public hearing and second reading of proposed amendments to Ordinance 84 will begin at 5:30pm at the Port of Tillamook Bay Conference Center, 4000 Blimp Boulevard, Tillamook, Oregon.

Virtual Link for Public Meetings

Microsoft Teams is utilized for this public hearing for those who wish to participate virtually. To access this link, please visit: <https://www.co.tillamook.or.us/commdev>

Call in: 1-971-254-3149, Conference ID: 887 242 77#

Public testimony will be taken at the June 13, 2023, public hearing and is limited to 2-minutes per person. Please email Lynn Tone, DCD Office Specialist, if you would like to provide public testimony at the June 13, 2023, hearing.

Email: ltone@co.tillamook.or.us.

Public comments can be emailed to publiccomments@co.tillamook.or.us or ltone@co.tillamook.or.us.

Access to STR Advisory Committee Page & Hearing Materials:
<https://www.co.tillamook.or.us/commdev/page/short-term-rental-advisory-committee>

The Port of Tillamook Bay Conference Center is accessible to citizens with disabilities. If special accommodations are needed for persons with hearing, visual, or manual impairments that wish to participate in the meeting, please contact 1-800-488-8280 x3423 at least 24 hours prior to the meeting so that appropriate communications assistance can be arranged.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Regulating Short Term)
Rentals, Establishing Standards and) ORDINANCE #84
Fees, Providing for a Permit License,) AMENDMENT #2
And Creating Penalties for Violations of)
This Ordinance)

- 010.... Title
- 020.... Purpose and Scope
- 030.... Definitions
- 040.... Annual Short-term Rental License Required, Basic Requirements for a License, No Nonconforming Use Status Conferred
- 050.... Application and Fees
- 060.... Term of Annual License and Renewal
- 070.... Application Required and Burden for License Approval and Renewal
- 080.... Operational Requirements and Standards for Short-Term Rentals
- 090.... Additional Inspections Required
- 100.... Additional Requirements and Prohibitions
- 110.... Implementation of this Ordinance and Application to Short-Term Rentals Licensed and Operating on the Date of its Adoption
- 120.... Violations
- 130.... Penalties
- 140.... Appeals of County Decisions Regarding Short-Term Rentals
- 150.... Severability
- 160.... *Effective Date*

The Board of Commissioners for Tillamook County ORDAINS as follows:

.010 Title. The provisions contained in this Ordinance are intended to authorize and regulate the short-term rental use of residential dwelling units on ~~all property~~ properties in unincorporated Tillamook County and shall be known as the Tillamook County Short Term Rental Ordinance.

- A. Repeal. Tillamook County Ordinance 84, Amendment 1 (adopted April 19, 2019) (Tillamook County Short Term Rental Ordinance) is hereby repealed in its entirety.
- B. Adoption. The following sections are hereby adopted and shall be entitled the "Tillamook County Short-Term Rental Ordinance," as set forth herein, and are collectively referred to as "this Ordinance."

.020 Purpose and Scope.

- A. This Ordinance provides reasonable and necessary regulations for the licensing of short-term rental use of residential dwelling units, the purposes of which are to:
1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County.
 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.
 3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options.
 4. Recognize the need to limit short-term rentals within neighborhoods to ensure compatibility with, and livability of, established owner-occupied neighborhoods, while recognizing the benefits of short-term rentals in providing recreation and employment opportunities, as well as transitional housing and business or hospital related short stays.
 5. Protect the character of the County's established neighborhoods by limiting the number, concentration, and scale of full-time short-term rentals in residential neighborhoods.
 6. Provide funding support for County housing development initiatives to address local affordable and workforce housing needs and increase availability of housing for people who want to live/work in Tillamook County.
- B. With the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the livability of those neighborhoods. Therefore, special regulation of dwelling units used for short-term rental, transient or vacation occupancy, is necessary to ensure these uses will be compatible with surrounding residential neighborhoods and will not materially alter the livability of the neighborhoods in which they are located.
- C. A short-term rental license is revocable permission to operate a short-term rental, but only as provided in this Ordinance. A license may be terminated, revoked or not renewed if the standards of this Ordinance are not met. This Ordinance provides the administrative framework for certification and the operation of short-term rentals and provides a process by which owners can appeal County decisions related to short-term rentals.

- D. The regulations in this Ordinance are not intended to permit any violation of the provisions of any other law or regulation. Any exemptions allowed by this Ordinance shall not exempt the short-term rental from any other applicable requirement, regulation or ordinance adopted by Tillamook County.
- E. The requirements of this Ordinance are not “land use regulations” as defined in ORS 197.015 or 195.300(14). The regulations contained in this Ordinance are not intended to, nor do they, implement the Tillamook County Comprehensive Plan, the Tillamook County Land Use Ordinance, nor do they implement any of the State-wide Planning Goals.
- F. The short-term rental use of a dwelling unit does not, in itself, require a home occupation permit.
- G. *Administrative Rules.* The County’s STR Administrator shall have the authority to establish administrative procedures and regulations consistent with the provisions of this Ordinance for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the provisions of this Ordinance. A copy of such administrative procedures and regulations shall be on file in the Office of the County Clerk Recorder and shall be posted on the County’s website. Any such administrative rules and regulations shall be binding upon any owner, operator or registrant of a short-term rental and upon the Hearings Officer under Section .140.

.030 Definitions. The following definitions shall apply to this Ordinance, its interpretation, application and enforcement; otherwise, ordinary dictionary definitions shall apply unless the context indicates otherwise.

- A. “Adoption of this Ordinance” means the date on which this Ordinance takes effect after adoption by the Board of County Commissioners.
- B. “Applicant” means an owner of a dwelling unit who applies to the County for a Short-Term Rental License.
- C. “Authorized agent” is a property management company or other entity or person who has been designated by the property owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- D. “Bedroom” means a room intended and permitted to be used for sleeping purposes (ORSC R202) that has all of the following attributes:
- Light, ventilation, and heating (ORSC R303.1)
 - A minimum of 70 square feet of floor space and not less than 7 feet in any horizontal dimension (ORSC R304.1).
 - An emergency escape and rescue opening (ORSC R310)

- A built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage unit.
 - A smoke alarm (ORSC R314.3) where required.
 - A carbon monoxide detector (ORSC R315.3) where required.
 - All sleeping areas used as a bedroom in a short-term rental must be permitted for that use, and no areas may be converted to a bedroom without demonstration of compliance with this Ordinance.
- E. "Change of Property Ownership" means the transfer of title from one person to another.
- F. "Contact Person" means the owner or the owner's designated agent for the Short-Term Rental, authorized to act for the owner on their behalf.
- G. "County" means Tillamook County, Oregon.
- H. "County STR Administrator" means the Director of the Department of Community Development vested with authority to administer, interpret and enforce the provisions of this Ordinance, or that person's designee.
- I. "Daytime Occupancy" means the hours between 7:00am and 10:00pm. "Daytime occupants" mean the guests who may occupy a short-term rental during a daytime occupancy.
- J. "Department" means the Tillamook County Department of Community Development.
- K. "Dwelling unit" means a lawfully established single unit that provides complete independent living facilities for one or more people including permanent provisions for living, sleeping, eating, sanitation and one cooking area. "Dwelling unit" includes a single-family dwelling and a factory-built or manufactured dwelling that bears a valid certification of compliance with applicable manufactured dwelling standards. For purposes of this Ordinance, "dwelling unit" does not include an accessory dwelling unit (ADU), yurt, recreational vehicle or similar mobile structure, or motorized vehicle designed and built for temporary vacation use.
- L. "Enforcement Officer" means the Director of the Department of Community Development, County Building Official or their designee authorized to administer and enforce the County's civil ordinances and permits. Officer also includes the Tillamook County Sheriff, and the deputies and authorized representatives of these officials.
- M. "Estate Home" means a single-family dwelling with five (5) or more bedrooms.
- N. "Good Cause" for the purposes of denial, suspension, revocation, imposition of conditions, renewal and reinstatement of a Short-Term Rental License means (1) the Applicant, Owner or Contact Person has failed to comply with any of the

terms, conditions, or provisions of this Ordinance or any relevant provision of a County code, State law, or any other rule or regulation promulgated thereunder; (2) the Applicant, Owner or Contact Person has failed to comply with any special conditions placed upon the Short-Term Rental License; or (3) the Short-Term Rental has been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the Short-Term Rental is located.

- O. "Good Neighbor Policy" means a policy furnished by the County STR Administrator that summarizes general rules of conduct, consideration and respect, and includes without limitation provisions of this Ordinance applicable to or expected of guests occupying the Short-Term Rental.
- P. "Nighttime Occupancy" means overnight occupancy between the hours of 10:00pm and 7:00am the next day. "Nighttime occupants" means the guests who may occupy a short-term rental overnight.
- Q. "Non-transient rental" means to rent a dwelling unit or room(s) for compensation on a month-to-month or longer basis.
- R. "Onsite Wastewater Division" means the Onsite Wastewater Division of the Department of Community Development.
- S. "Onsite Wastewater Treatment System" means any existing treatment and dispersal system of residential wastewater.
- T. "Owner" means the natural person or legal entity that owns and holds legal or equitable title to the property.
- U. "Registrant" means the owner of a dwelling unit who holds a Short-Term Rental License.
- V. "Renter" means a person who rents a short-term rental or is an occupant in the short-term rental. Renter includes the term "tenant".
- W. "Road Authority" means the Tillamook County Public Works Department and the Oregon Department of Transportation (ODOT).
- X. "Road Right-of-Way" means a public or private way that is created to provide ingress or egress for persons to one or more properties. The terms "street", "access drive" and "highway" for the purposes of this Ordinance shall be synonymous with the term "road right-of-way".
- Y. "Serious Fire or Life Safety Risk" means a building code or ordinance violation involving those construction, protection and occupancy features necessary to minimize danger to life from fire, including smoke, fumes or panic, as well as other considerations that are essential to life safety.

Z. "Short-Term Rental" or "STR" means the transient rental of a dwelling unit in its entirety *to any person on a day to day basis for a consecutive period of less than 30 or fewer nights days* per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-term rental use is a type of "vacation occupancy" as defined in ORS 90.100.

AA. "Short-Term Rental License" means the annual license required by Section .040, described in this Ordinance, and referred to as a "license."

BB. "Short-Term Rental Hearings Officer" means the impartial judicial decision maker appointed by the Board of County Commissioners to hear and decide any alleged civil infraction under this ordinance and to render the County's final decision in any civil enforcement matter.

CC. "Subject Property" means the property on which the short-term rental is located.

DD. "Transfer" means a change in ownership of the property where the dwelling licensed as a Short-Term Rental is located that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.

EE. "Transient rental" means to rent a dwelling unit for compensation on a less than a month-to-month basis.

FF. "Daytime" means between the hours of 7:00 am to 10:00 pm.

GG. "Overnight" means between the hours of 10:00 pm to 7:00 am the following day.

.040 Annual Short-Term Rental License Required, Basic Requirements for a License, No Nonconforming Use Status Conferred. No owner of property in unincorporated Tillamook County may advertise, offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a Short-Term Rental License. "Advertise or offer" includes through any media, whether written, electronic, web-based, digital, mobile, print media or any other form of communication.

A. *License Must Be Obtained and Maintained.* A Short-Term Rental License shall be obtained, maintained and renewed as prescribed in this Ordinance before a dwelling unit may be offered, advertised or used as a short-term rental. A Short-Term Rental License in unincorporated Tillamook County may be revoked for failure to operate a short-term rental in accordance with all requirements of the license or otherwise comply with the requirements of this Ordinance. It is a violation of this Ordinance to operate a short-term rental without a valid license.

- B. *No Nonconforming Status Conferred.* The fact that an owner of property or other entity may hold a license on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid license.
- C. *Cap on Number of STR Licenses In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries.* The County ~~has~~ shall established a limit (*a cap*) on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County ~~and shall establish those caps by Board Order.~~ If at the time of STR application for a new STR license there is not room within the applicable subarea cap to accommodate the new STR license, the ~~applicant~~ County will return the application and ~~be placed~~ the applicant's name on a waiting list in order of application. After that, ~~and will be contacted by the County STR Administrator~~ will contact each STR applicant on the waiting list in order as soon as there is room within the applicable subarea cap to ~~review the~~ admit a new STR application. The STR license application fee shall not be collected *if there is not room within the applicable cap to accommodate the STR;* at this time, however, the applicant shall pay a \$100 fee for the County to ~~place the applicant on a waitlist to be placed on a waiting list.~~

.050 License Application and Fees

- A. The applicant or authorized agent shall provide and certify the following information to be true and correct at the time of initial application and upon annual renewal of a Short-Term Rental License thereafter:
1. *Owner/Applicant Information.* Applicant's name, permanent residence address, telephone number, and the short-term rental address and telephone number.
 2. *Representative Information.* The applicant shall provide the name, working telephone number, address and email of the contact person (authorized agent) who can be contacted concerning use of the property or complaints related to the short-term rental, as set forth in Section .070.
 3. *Site plan and floor plan.* The site plan shall be a scale drawing, which can be hand-drawn, showing property boundaries, building footprint, location and dimensions of parking spaces. The floor plan shall show in rough dimensions the locations and dimensions of all bedrooms in the dwelling unit or single-family dwelling.
 4. *Proof of Liability Insurance.*
 5. *Proof of Garbage Service.*

6. *Proof of Access.* The applicant shall provide proof of an approved road approach for the subject property from the local road authority, where applicable.
7. *Notice to Neighbors.* The applicant shall provide notice of use of a property as a short-term rental to owners of neighboring properties adjacent to the rental property. Notification can be completed by mail or distributed by hand and shall contain the address of the rental property, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental. A written statement confirming notice to neighbors has been completed shall be submitted to the Department prior to issuance of a Short-Term Rental License.

Upon issuance of a new Short-Term Rental License or upon receipt of notification of change of the name of the contact person and/or representative responsible for the rental, the Department of Community Development shall provide notice to all properties within 150-feet of the rental property within 30 days of issuance of a new or updated license.

8. *Documentation of Compliance with Operational Standards.* To be deemed complete, an application shall include documentation that the short-term rental meets the operational standards in Sections .080 and .100.
 9. *Transient Lodging Tax Registration.* Evidence of transient lodging tax registration with the County for the short-term rental.
 10. *Executed Indemnification and Hold Harmless Agreement.* An agreement on a form furnished by the Department of Community Development stating that the property owner agrees to indemnify, save, protect, hold harmless, and defend Tillamook County, individually and collectively, and the County's representatives, officers, officials, employees, agents and volunteers from any and all claims, demands, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising, out of the Owner's actions or inaction in the operation, occupancy, use, and/or maintenance of the property.
 11. Such other information as the County's STR Administrator deems reasonably necessary to administer this Ordinance.
- B. *Inspections.* The applicant shall specifically acknowledge and grant permission for the County's STR Administrator to perform an inspection of the short-term rental.
1. The County's STR Administrator may conduct a site visit upon *receipt of* an application for a Short-Term Rental License or renewal to confirm the number of bedrooms stated on the application, the number, location, availability and

usability of off-street parking spaces, and compliance with all other application and operational requirements of this Ordinance. The site visit will be coordinated with the applicant, conducted during normal business hours, and with reasonable notice.

2. The County's STR Administrator may visit and inspect the site of a short-term rental at any time during the operation of the short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Violations of this Ordinance shall be processed in accordance with Section .120.

C. *Incomplete Application.* If a short-term rental application does not include all required information and documentation, the application will be considered incomplete and the County will notify the applicant, in writing, explaining the deficiencies. If the applicant provides the missing required information within 21 calendar days of the date of the incomplete notice, the application will be reviewed. If the applicant does not provide the required information within 21 days of notice, the application will be deemed null and void.

D. *Licensing Fees.* The fee for application for a Short-Term Rental License, ~~or license renewal or alteration of an existing license~~ shall be as established by Board Order, ~~but shall not be less than the following amounts:~~

- ~~1. Application fee of not less than \$400, consisting of an application fee and an inspection fee.~~
- ~~2. An annual renewal fee of not less than \$300.~~
- ~~3. If the property fails the initial inspection or fails the required every 3-year inspection, an additional follow-up inspection fee of \$100 is required for each follow-up inspection.~~
- ~~4. Any alteration to an existing Short-Term Rental License shall be subject to a review fee of not less than \$100. Alterations requiring a reinspection of the STR shall also be subject to a \$100 reinspection fee.~~

.060 Term of Annual License and Renewal

- A. *Term.* A Short-Term Rental License is valid for one year (12 months) and shall automatically expire if not renewed on or before the *last day of the month of the anniversary date* of each ensuing year. If the contact person (authorized agent) changes during the 12-month period, the property owner or authorized agent shall notify the County in writing of the change within thirty (30) days of the

change and provide all new contact and tax payment information. Change of contact person is an alteration to an existing Short-Term Rental License and shall be subject to a fee of not less than \$100 established by Board Order.

- B. *Transferability of STR Licenses.* Any STR License existing at the time of adoption of this Ordinance is eligible for one (1) transfer to another person or entity. The current license holder or authorized agent shall notify the STR Administrator of the change in property ownership within sixty (60) days of the change. All subsequent changes in property ownership shall require a new STR License subject to then-current ordinance provisions. STR Licenses issued after the adoption of this Ordinance are not transferable when property ownership changes.

.070 Application Required and Burden for Application Approval and License Renewal

- A. *Application Required.* Applications for a Short-Term Rental License shall be on forms provided by the County, demonstrating the application meets the standards required by this Ordinance.
- B. *Burden of Proof.* The applicant has the burden of proof to demonstrate compliance with each applicable ~~criteria~~ *requirements* for initial approval or annual renewal of the Short-Term Rental License. The ~~approval criteria~~ *applicable requirements* also operate as continuing code compliance obligations of the owner/contact person. County staff may verify evidence submitted and statements made in support of an application, and the applicant shall cooperate fully in any such inquiries. For the initial application renewal every three years thereafter, the applicant must also comply with the requirements of Subsection .090.
- C. *Responsibility.* The applicant shall certify that all information provided is correct and truthful. It is the applicant's responsibility to assure that the short-term rental is and remains in compliance with all applicable codes regarding fire, building, health and safety regulations, and all other relevant laws.
- D. *Parking.* Proof of required off-street parking shall be required as follows:
1. One (1) all-weather travel surface parking space shall be provided for every bedroom in the dwelling unit. If a garage is used to meet the parking requirement, a photo of the interior of the garage shall be submitted at the time of application and renewal to show the garage is available and large enough for vehicle parking. All required parking shall be on-site (off-street) except as follows:
 - a. Required parking may be permitted on another or different property within 500 feet of the subject property with a legally binding shared parking agreement or proof of legal parking access that remains valid

for the length of time the subject property has a Short-Term Rental License. *Off-site parking is subject to the requirements of .080(E).*

- b. Up to two (2) required parking spaces may be satisfied with on-street parking provided on-street parking is within 100-feet of the subject property boundaries and authorized by the Tillamook County Public Works Department. On-street parking spaces shall be a minimum size of 8-feet by 20-feet each, *or a lesser dimension authorized by the Tillamook County Public Works Director*. On-street parking proposals shall be reviewed by the Tillamook County Public Works Department. Written authorization of the parking spaces shall be submitted to the Department at the time of application submittal.
 - c. Designated parking is available for guests within a private development where authorization for use of parking in conjunction with a STR has been granted by the development Homeowner's Association (HOA). Written authorization from the HOA confirming use of off-site parking shall be submitted to the Department at the time of application submittal. The number and location of parking spaces authorized to be utilized in conjunction with the STR shall be included in the written authorization.
2. Each off-street parking space shall be a minimum of 8-feet by 16-feet and configured in a manner that ensures parking spaces are accommodated within the property boundaries.
 3. No STR property shall have more than six (6) parking spaces total for overnight guests. Two (2) additional parking spaces may be allowed for daytime guests. Parking shall not, under any circumstances, hinder the path of any emergency vehicle.
 4. Access to approved parking spaces shall be designed to limit access onto the property through the defined road approach. Alterations to the road approach for purposes of off-street parking is subject to review and approval by the local road authority.
 5. A parking diagram of the approved parking spaces shall be provided to renters and shall be posted in a prominent location within the short-term rental dwelling unit. The contact person shall direct renters to the parking diagram for the rental property to ensure use of off-street parking are prioritized when using the short-term rental.
- E. *Transient Lodging Tax Compliance.* The property owner shall be in compliance with Tillamook County Transient Lodging Tax Ordinances 74 (as amended) and 75 (as amended) and subject to the Tax Administrator's authority provided therein.

F. *License Approval and Annual Renewal Standards.* To receive approval, license renewal, or maintain a license, an applicant must demonstrate with a preponderance of credible relevant evidence that all of the requirements and standards in Section .080 are satisfied.

G. *Initial and Every Third Year Renewal Inspections.* To merit approval of an initial (first year) Short-Term Rental License following adoption of this Ordinance and at the time of renewal request every third year thereafter, the applicant must obtain and provide to the County evidence of the satisfactory inspections described in Section .090.

.080 Operational Requirements and Standards for Short-Term Rentals. To qualify to obtain or retain a license, the contact person and the short-term rental must comply with the following operational requirements and standards. Failure to comply could be grounds for denial, non-renewal or revocation of a Short-Term Rental License.

A. *Maximum Occupancy.* The maximum nighttime occupancy for a short-term rental shall be limited to two (2) persons per bedroom plus two (2) additional persons. For example, a two-bedroom short-term rental is permitted a maximum nighttime occupancy of six (6) people plus up to three (3) children, age 12 or under, to occupy the short-term rental in addition to the maximum number of occupants otherwise provided in this Subsection. The number of bedrooms of a short-term rental shall be verified at the time of license renewal and upon physical inspection of the short-term rental.

B. Regardless of the number of bedrooms, the maximum nighttime occupancy of an STR shall not exceed 10 (ten) persons plus three (3) children aged twelve (12) and under.

C. The owner of an Estate Home shall be exempt from subsection (B) of this section and is allowed a maximum nighttime occupancy of up to fourteen (14) persons plus up to three (3) children, age 12 or under, to occupy the short-term rental.

D. The maximum daytime occupancy for any short-term rental shall be limited to the nighttime maximum occupancy plus six (6) additional people. For example, a two-bedroom dwelling unit is permitted for a maximum daytime occupancy of twelve (12) people.

E. *Off-street Parking Spaces Required.* One (1) off-street vehicle parking space is required per bedroom in accordance with Section .070 of this Ordinance. All of the required notices and placards required by this Ordinance shall require the renters to park on-site and to not park on the street, even if on-street parking is otherwise available. The property owner of a short-term rental may contract with owners of other property within 500 feet of the perimeter of the rental property and enter into a shared parking agreement to accommodate no more than two (2) parking spaces to satisfy this requirement. Where licensing relies on

contractual off-site parking arrangements, the property owner shall provide proof of availability in the form of a legally binding contract for the off-street parking for the duration of time the rental property has a Short-Term Rental License.

- F. *Noise.* Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section .130.
- G. *Quiet Hours.* The hours of 10:00pm to 7:00am the following day are quiet hours, and there shall be no amplified music or *other unreasonable* noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property. *The owner or contact person shall respond to all noise complaints during quiet hours within 30 minutes of when the County's STR complaint dispatch center sends a message about a received complaint regarding the short-term rental.* ~~Noise complaints during quiet hours shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental.~~ Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section 130.
- H. *Zoning Compliance.* The property shall be in compliance with all applicable County zoning requirements and any development permits related to the subject property. If the property owner claims any sort of non-conforming use status for any aspect of the property or structures thereon, the property owner shall obtain a nonconforming use verification for those aspects through an appropriate land use decision making process. In no event shall this Ordinance be construed as a land use or development regulation, nor does prior operation of a short-term rental give rise to a nonconforming use right under the County's land use ordinance.
- I. *No unpermitted improvements or bedrooms.* All electrical, structural, plumbing, venting, mechanical and other improvements made to a licensed short-term rental shall be fully permitted. ~~Electrical work shall be performed by a State or Oregon licensed electrician.~~ Any sleeping area used as a bedroom shall be inspected and permitted in accordance with the ~~provisions~~ *requirements* of this Ordinance. Areas not approved for use as a bedroom shall be locked and secured as deemed appropriate by the STR Administrator, and shall not be utilized as part of the short-term rental. Areas not approved for use as a bedroom shall not be included in the maximum occupancy calculation for the short-term rental. The contact person shall notify every renter, in writing, that the non-compliant bedroom may not be used for sleeping.

- J. *Contact Information.* Each registrant shall provide the name and contact information of a contact person that will be available to be contacted about use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week). The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems. The registrant may change the contact person from time to time during the term of licensing, but only by revising the license information with the County at least 14 days prior to the change's effective date, except when the failure to do so is beyond the registrant's control. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance.
- K. *Fire and Life Safety.* A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual short-term rental license application and renewal. The contact person shall be responsible for completing the fire safety checklist as part of the renewal process to ensure continued compliance. A copy of the signed fire safety checklist shall be submitted to the Department prior to issuance or renewal of a Short-Term Rental License and may require further demonstration or proof for a renewal at the County STR Administrator's discretion.
1. At least one functioning fire extinguisher shall be accessibly located within the short-term rental dwelling unit. Extinguisher must be in a visible and placed in a secured location to ensure it is accessible to renters at all times.
 2. All electrical outlets and light switches shall have face plates.
 3. The electrical panel shall have all circuits labeled.
 4. Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
 5. Smoke detectors shall be placed and maintained in each bedroom, outside each bedroom in its immediate vicinity and in each additional story and basement without a bedroom.
 6. A carbon monoxide detector/alarm device shall be placed and maintained in each bedroom and within 15 feet outside of each bedroom door.
 7. All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly installed and vented.
 8. All interior and exterior stairways with 4 or more steps and that are attached to the structure, shall be equipped with a handrail.

9. All interior and exterior guardrails, such as deck railings, shall be able to withstand a 200-pound impact force.
10. Exterior hot tubs shall have adequate structural support and shall have a locking cover or other barrier to adequately protect against potential drowning when a hot tub is not available for permissive use.
11. Exterior lighting shall be directed in a downward direction to prevent glare onto adjacent properties.
12. The house number shall be prominently displayed and maintained, and be visible from the ~~street~~ *road right-of-way*.

L. Emergency Escape and Rescue Openings for bedrooms:

1. For all dwelling units constructed after the adoption of this Ordinance, every bedroom shall have at least one operable emergency escape and rescue opening. Sill height shall not be more than 44 inches above the floor. Openings shall open directly into a public way or to a yard or court that opens to a public way. Minimum net clear opening shall be 5.7 square feet. ~~Minimum at grade floor openings shall be 5 square feet and 5.7 square feet at upper floors.~~ Minimum net clear height is 24 inches and net clear width is 20 inches. The Building Official may allow 5 square feet net clear opening at grade floor openings or below grade.
2. For all dwelling units constructed prior to the adoption of this Ordinance, every bedroom shall have at least one operable emergency escape and rescue opening that has been inspected and approved by the Tillamook County Building Official pursuant to the ~~currently adopted~~ Oregon Residential Specialty Code.

M. *Solid Waste Collection – minimum service requirements.* The property owner shall subscribe to and pay for weekly solid waste collection service by the local franchise hauler with assisted pick-up provided by the franchise. For the purposes of this section, assisted pick-up means the collection driver retrieves the cart from the driveway, rolls it out for service, and then places it back in its original location. The owner shall provide garbage containers with securable covers in compliance with franchise requirements that ensure the collected solid waste is not susceptible to wildlife intrusion and weather elements. All placards and notices to renters shall include the requirement that renters shall dispose of all household garbage in the containers and keep them covered/secured. Garbage, recycling or any other waste products shall not be placed outside of designated carts/cans.

N. *Interior Mandatory Postings.* Mandatory postings issued by the County (or a copy thereof) for the short-term rental shall be displayed in a prominent location

within the interior of the dwelling unit adjacent to the front door. Mandatory postings include the following:

1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration. The license shall include the following information:
 - a. The number of bedrooms and maximum occupancy permitted for the short-term rental;
 - b. The number of approved parking spaces;
 - c. Any required information and conditions specific to the Short-Term Rental License;
 - d. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental.
2. For those properties located within a tsunami inundation zone, a copy of an Oregon Department of Geology and Mineral Industries (DOGAMI) Tsunami Evacuation Brochure shall be posted in a visible location as close as possible to the main entrance of the short-term rental. The brochure shall be furnished by the Tillamook County Department of Community Development at the time of Short-Term Rental License issuance and renewal.
3. Good Neighbor Policy and Guidelines. The property owner and contact person shall acknowledge the County's Good Neighbor Policy, and shall post them in every short-term rental.

O. Exterior Mandatory Posting. Exterior signage shall be installed outside of the dwelling unit and shall be of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way:

1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration;
2. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental;
3. The property address;
4. The name of the contact person (or entity) and a telephone number (optional).

P. No recreational vehicle, yurt, travel trailer, tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked

vehicle, including a recreational vehicle is permitted in conjunction with a short-term rental.

- Q. No Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental.

.090 Additional Inspections Required. To merit approval of an initial (first year) Short-Term Rental License following adoption of this Ordinance and for renewal every third year thereafter, the applicant shall obtain the following inspections and a satisfactory report for each and pay any fee(s) that may be required to obtain the inspection and report:

- A. *Inspection Required.* The owner of the short-term rental dwelling unit shall obtain an inspection by the ~~County Building Inspector~~ local building inspector to inspect the dwelling unit and determine ~~that the dwelling unit meets current requirements of the International Building Code, including~~ compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit as a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural, and ventilation requirements. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector.
- B. *Reinspection Requirements.* In any case where an inspection is not approved by the County Building Inspector, the County Building Inspector shall allow thirty (30) days for minor repairs or sixty (60) days for major repairs, at the completion of which the owner or authorized agent must call the Tillamook County Department of Community Development for a re-inspection. The re-inspection fee adopted in the Community Development fee schedule shall apply. If the repairs identified in the original inspection are not rectified at the time of re-inspection and within the specified timeframe, the application shall be invalidated, and the property owner must reapply and pay the requisite application and inspection fees.
- C. *On-site Septic System Inspection.* Unless the dwelling unit is served by a public or community sanitary sewer system, the existing on-site wastewater treatment system (*septic system*) must be capable of handling the wastewater flows expected to be generated based on the allowed number of bedrooms in the dwelling unit and the maximum number of occupants. Demonstration of system adequacy is required at the time of STR application submittal.
1. If the system was installed more than five (5) years from the time of STR application submittal, the property owner shall obtain an Authorization Notice (AN) from the Department Onsite Wastewater Division. Included in the authorization must be information to allow a calculation of the number of

allowed bedrooms based on the capacity of the septic system. Final determination of the capacity and suitability of the septic system shall be made by the Onsite Environmental Program Manager (or their designee) and will share the determination with the County STR Administrator. An ESER (Existing System Evaluation Report) meeting these standards and conducted within five (5) years of the date of the Short-Term Rental application or renewal may be submitted to fulfill this requirement.

2. If the Onsite Environmental Program Manager identifies any deficiencies in the system, the property owner shall cure/correct the deficiencies within 60 days of the date of review of an ESER or AN, or within the specified timeframe for completion of the reinspection as specified in subsection B above, whichever occurs first. A Short-Term Rental License shall not be issued under this section until after repairs are made and approved by the County. If the owner fails to cure the deficiencies within the time required, the Short-Term Rental application shall be denied.
3. The initial AN or ESER for an existing short-term rental is required in accordance with a phasing plan adopted by the County, but no later than December 31, 2024. After an initial AN or ESER is obtained, the property owner shall thereafter be required to conduct periodic maintenance of the system, undertaken by a DEQ authorized contractor, which at a minimum shall include inspection of the system (and as needed, pumping or repairs) prior to renewal of the Short-Term Rental License. The Onsite Wastewater Division is the delegated authority to determine the periodic maintenance requirements specific to the types of systems in use, including the intervals at which the maintenance will be required. These requirements shall be made available to the public, registrants/property owners and DEQ authorized contractors. The required report on maintenance shall be provided to the Onsite Waste Division for review in a format as developed by the Division. The report shall be required before the owner can renew certification of the dwelling unit.

.100 Additional Requirements and Prohibitions. The following are on-going requirements for the operation of all STRs in Unincorporated Tillamook County.

- A. *Advertising and Short-Term Rental License Registration Number.* The property owner or contact person shall put the annual registration number on all advertisements for the specific property wherever it is advertised for rent.
- B. *Complaints.*
 1. *Response to Complaints.* The contact person shall respond to neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances and shall ensure to the best of their ability that the renters and guests of the short-term rental do not create unreasonable noise

disturbances, engage in disorderly conduct, or violate the provisions of local ordinances or any state law.

2. *STR Hotline.* The contact person shall respond by telephone within thirty (30) minutes to complaints from or through the Hotline and shall respond in-person within thirty (30) minutes to any additional or successive complains regarding the condition, operation, or conduct of occupants of the short-term rental. Unresolved complaints *determined by the STR Administrator to be a violation of this Ordinance* shall ~~be result in an immediate violation subject to Section .130 of this Ordinance.~~
3. *Record of Response.* The property owner or contact person shall maintain a record of complaints and the actions taken in response to the complaint, if relevant, in an electronic or written manner deemed reasonable to document the interaction. This record shall be made available for County inspection upon request to investigate all complaints.

C. *Inspection.* Upon application for a Short-Term Rental License, all short-term rentals shall be subject to inspection by the County STR Administrator for compliance with this section.

1. The County's STR Administrator may conduct a site visit upon an application for operation of a short-term rental to confirm the number of bedrooms (as defined by this Ordinance) stated on the application and the number, location and availability and usability of off-street parking spaces. The site visit will be coordinated with the applicant or contact person, shall be conducted during the normal business hours, and with reasonable notice.
2. The County's STR Administrator may visit and inspect the site of a short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Code violations shall be processed in accordance with Section .120 and the County's Civil Enforcement procedures.

D. *Specific Prohibitions.* The following activities are prohibited on the premises of a short-term rental during periods of transient rental:

1. *Events.* Events and activities that exceed maximum overnight or daytime occupancy limits.
2. Events and activities for which a Temporary Use Permit is required and has not been issued.
3. Unattended barking dogs.
4. Activities that exceed noise limitations contained in this Ordinance.

.110 Implementation of this Ordinance and Application to Short-Term Rentals Licensed on the Date of its Adoption. All new/initial Short-Term Rental Licenses issued after the date this Ordinance is adopted shall implement and comply with all provisions in this Ordinance. This section shall govern the implementation and applicability of this Ordinance to short-term rentals that are lawfully established, licensed and operating on the date of adoption of this Ordinance (Lawful Pre-Existing Short-Term Rentals).

.120 Violations. In addition to complaints related to nuisance and noise and other violations of Tillamook County Ordinances, the following conduct constitutes a violation of this Ordinance and is a civil infraction:

- A. The discovery of material misstatements or providing of false information in the application or renewal process for a Short-term Rental License.
- B. Representing, advertising or holding-out a dwelling unit as available for occupancy or rent as a short-term rental where the owner does not hold a valid Short-Term Rental License issued under this Ordinance.
- C. Advertising or renting a short-term rental in a manner that does not comply with the standards of this Ordinance.
- D. Failure to comply with the substantive or operational standards in Sections .080, .090, .100 or any conditions attached to a particular Short-Term Rental License.

.130 Penalties.

- A. In addition to the fines and revocation procedures described in this Ordinance, any person or property owner who uses, or allows the use of, or advertises, the property in violation of this Ordinance is subject to the enforcement authority of the STR Administrator.
- B. Each 24-hour period in which a dwelling unit is used, or advertised, in violation of this Ordinance or any other requirement or prohibition of the Tillamook County Code shall be considered a separate occurrence and separate violation for calculation of the following fines:
 - 1. The first occurrence of one or more violation(s) will incur a warning with no monetary penalty.
 - 2. A second occurrence of one or more violation(s) within a 12-month period is subject to a fine up to \$250 per violation.
 - 3. A third occurrence and all subsequent occurrences of violation(s) within a 12-month period shall be subject to a fine up to \$500 per violation.

C. *Revocation & Suspension.* The following actions are grounds for immediate revocation or suspension of a Short-Term Rental License and cessation of use of the dwelling unit for short-term tenancy:

1. Failure to renew a Short-Term Rental License as required by Section .060 while continuing to operate a short-term rental.
2. Three (3) or more verified violations of any local ordinance, state or federal regulation within a 12-month period.
3. The discovery of material misstatements or that the license application included false information for a Short-Term Rental License or renewal shall be grounds for immediate revocation of the license.
4. Such other violations of this Ordinance of sufficient severity in the reasonable judgment of the STR Administrator, so as to provide reasonable grounds for immediate revocation of the license.
5. Upon an emergency suspension or revocation of a Short-Term Rental License deemed necessary by the STR Administrator for public health and/or safety reasons, short-term rental activity shall cease immediately. If suspended, the short-term rental shall not be rented or used as a short-term rental until the emergency that exists has been resolved to the satisfaction of the STR Administrator.

D. *Notice of Decision, Appeal/Stay.* If the property owner is fined or a Short-Term Rental License is revoked as provided in this section, the STR Administrator shall send written notice of such action to the property owner stating the basis for the decision. The notice shall include information about the right to appeal the decision and the procedure for filing an appeal. The property owner may appeal the STR Administrator's decision under the procedures in Section .140.

.140 Appeals of County Decisions Regarding Short-Term Rentals. Any decision by the County approving, denying, revoking or sanctioning a Short-Term Rental License may be challenged, if at all, only pursuant to this section.

- A. *Filing Requirements – Notice.* The property owner or authorized agent may appeal a decision to approve, renew, deny or revoke a Short-Term Rental License.
- B. *Authority to Decide Appeal.* The STR Hearings Officer shall be responsible for deciding all appeals under this Ordinance.
- C. *Time for Filing.* A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional, and late filings shall not be accepted.

- D. *Fee for Appeal.* The County shall establish a fee for filing and appeal hearing of not less than \$500 under this section, payment of which shall be a jurisdictional requirement.
- E. *Procedures.* The County's STR Administrator may establish administrative procedures to implement the appeal process provided in this section, including any required forms. The STR Administrator may adopt procedures for hearings not in conflict with this section, including but not limited to time limitations on oral testimony and on written argument.
- F. *Hearing.* Within 35 days of receiving the notice of appeal, the STR Administrator shall schedule a hearing on the appeal before the STR Hearings Officer. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant.
- G. *The Record on Appeal.* The STR Hearings Officer's decision shall be based upon the record, which shall include all written documents associated with the file that is the subject of the appeal, including all Transient Lodging Tax records, and complaints about the short-term rental operation.
- H. *Standard of Review and Decision.* The STR Hearings Officer shall determine whether the County's decision was based on a preponderance of the evidence or the correct interpretation of the requirements of this Ordinance. A decision of the STR Hearings Officer shall be based on the evidence in the record and be issued in writing within 30 days after the record closes. The STR Hearings Officer may uphold the County's decision, uphold the decision with modifications or reverse the County's decision. If the STR Hearings Officer upholds a decision to revoke the Short-Term Rental License, the Hearings Officer shall order the property owner to discontinue operation of the dwelling unit as a short-term rental immediately. If the Hearings Officer reverses a decision to revoke the Short-Term Rental License, operation of the short-term rental may continue under the Short-Term Rental License.
- I. *Finality.* The STR Hearings Officer's decision shall be final on the date the decision is mailed to the appellant. The STR Hearings Officer's decision is the County's final decision on the matter and is appealable only by writ of review to Tillamook County Circuit Court.

.150 Severability. If any section, subsection or provision of this Ordinance is declared by a court of competent jurisdiction to be unlawful, preempted or unenforceable, that declaration shall not affect the validity and enforceability of the remaining sections.

.160 Effective Date

The Board of Commissioners finds that the enactment of this Ordinance is necessary for the public health, safety and general welfare, that an emergency

exists and this Ordinance Amendment shall take effect immediately upon passage by the Board of County Commissioners on the date of its adoption.

Date of First Reading: May 30, 2023.

Date of Second Reading: June 13, 2023.

ADOPTED this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
_____ Erin D. Skaar, Chair	_____	_____	_____/_____
_____ Mary Faith Bell, Vice Chair	_____	_____	_____/_____
_____ David Yamamoto, Commissioner	_____	_____	_____/_____

ATTEST: Tassi O'Neil, County Clerk

APPROVED AS TO FORM:

By _____
Special Deputy

William K. Sargent, County Counsel

Public Comments
Received

May 30, 2023

to

June 6, 2023

Lynn Tone

From: Sarah Absher
Sent: Thursday, June 1, 2023 7:57 AM
To: Lynn Tone
Subject: FW: We support STR regulations

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Wednesday, May 31, 2023 7:20 PM
To: David Yamamoto <dyamamoto@co.tillamook.or.us>
Subject: EXTERNAL: [David Yamamoto] We support STR regulations

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Elisa Kayser Klein (elisaklein@comcast.net) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

Dear Commissioner Yamamoto,
My husband Steven watched the online public hearing Tuesday night. Thank you for listening to members of the community.

We support the proposed Short-Term Rental (STR) Ordinance #84. We built our family home over 25 years ago on a vacant lot on 1st Street in the hillside community of Neahkahnie. Our house is not for rent.

Our pocket of Tillamook County is adjacent to the city of Manzanita, where there ARE restrictions on short-term rentals. Because we are just outside the city, and in unincorporated Tillamook County, our neighborhood is a local loophole for STR owners.

Over the past several years, one couple bought six houses in our area for the purpose of renting them out as STRs. Our area is not zoned commercial, but these owners are running a business—transforming our quiet residential streets into what now seems on track to become a revolving hotel district. Promotional material for these short-term rentals doesn't say these houses are in "unincorporated Tillamook County," they're marketed as "The Houses on Manzanita Beach." Here's a link: <https://www.vacationrentalsmanzanita.com/>

During some summer weekends, one house that sleeps 20 people, rents for over \$2,000 a night. By contrast, our year-round residents are not allowed to sell handmade products from their homes because we are not in a commercial zone.

The City of Manzanita has a cap on the total number of STRs within its boundaries and allows property owners just one short-term rental permit. Here is a link to the details of the comprehensive Manzanita plan: <https://ci.manzanita.or.us/short-term-rental-info/>

STR owners have a vested interest in maintaining the status quo, but times have changed, and sensible regulations aimed at livability and safety do not equate to government overreach. There's a shortage of housing in our area, so much so that restaurants have transitioned to 'take out only' and other businesses have closed because they don't have proper staffing. The need for housing is growing. Currently, the lack of regulation on STRs reduces the number of family homes which could be used, even for long-term rentals, by people who work in the area.

What could happen if Tillamook County doesn't act to inspect and regulate the safety of rental properties? The issue of safety has been raised in a public forum and if it is not taken seriously, there could be ramifications. Further, how does

our area accommodate the additional strain on utilities and public resources, particularly the increased volume of water used by STRs?

Commissioner Yamamoto, our family had the expectation that we would have neighbors in our neighborhood, not be situated in the middle of a cluster of homes for rent without occupants. That does not create community. With increased density all over the Oregon Coast, we are glad you're addressing this very important issue now.

Sincerely,
Elisa Kayser Klein
37350 First Street in Neahkahnie

Lynn Tone

From: Sarah Absher
Sent: Thursday, June 1, 2023 8:16 AM
To: Lynn Tone
Subject: Short-Term Rental Ordinance

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Wednesday, May 31, 2023 10:49 AM
To: David Yamamoto <dyamamoto@co.tillamook.or.us>
Subject: EXTERNAL: [David Yamamoto] Short-Term Rental Ordinance

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Lee Mercer (marne.lee.mercer@gmail.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

May 31, 2023

Tillamook Board of Commissioners and Short Term Rental Advisory Committee,
Commissioner Yamamoto,

Thanks for allowing me to speak last night to the Short Term Rental Advisory Committee. Here is my full testimony.

My name is Lee Mercer and my wife and I own a house at 5502 Four Sisters in Pacific City which we rent out to generate modest income in our retirement and spend time in with friends and family. My daughter from Hawaii and our granddaughter recently stayed there before our first great granddaughter was born in Tillamook last month and we were able to meet her and share their joy.

We very much agree with the need to have vacation rental owners avoid disturbing the neighborhoods of long-term residents. We also respect the need to have housing for all who need it in Tillamook County. When I previously worked at a Food Bank in Santa Cruz County, California, which fed 30,000 low-income people a month, 3,000 second homes in that coastal community, sitting empty most of the year, seemed a crime, when so many folks were homeless. And in our area of Pacific City, it seems like many more big beach houses are second homes without rental signs, and sit empty most of the year, than those which are available for short term rent.

And, as we all know, short-term rental properties are drawing thousands of tourists generating cash flow and jobs for our tourist and service industries. So, before we kill the goose that lays the golden eggs, lets make sure our short-term rental regulations remain fair and reasonable.

Thanks to this committee for many edits which have been made on the draft ordinance. It appears many of the problems in the original version have been solved. But as you finalize your work, remember that short term rental owners want to be good community members, contribute to the prosperity of our communities, pay our fees and taxes, and assure housing, employment and prosperity for all who need it in Tillamook County.

A couple of issues-

It seemed like limiting the number of children to 2 or 3 in a rental was very odd. My wife and I would like to see more kids for the grandkids to play with in a community than some of the adults we might get as renters.

Also- sending out a bunch of fliers by mail or at the door annually to all neighbors within 250 feet of the house seems a bit much.

Also, the response time of 30 minutes for any possible complaint by neighbors about rental tenants, 3 violations of which in a year could generate sanctions, seems like more than you would require of a hotel or restaurant serving the public.

But again, thanks for your diligent work on this ordinance.

Lee Mercer and Laurie Chadwick
Silverton, OR

Lynn Tone

From: Public Comments
Sent: Thursday, June 1, 2023 4:04 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Tillamook County Short Term Rental Pause

From: Lindsey Boccia <lindsey.boccia@gmail.com>
Sent: Thursday, June 1, 2023 9:33 AM
To: Public Comments <Publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Rachel Hagerty <rhagerty@co.tillamook.or.us>; Isabel Gilda <igilda@co.tillamook.or.us>
Subject: EXTERNAL: Re: Tillamook County Short Term Rental Pause

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Team,

How do I make sure my testimony is heard for the upcoming June Public Hearing meeting on STR's? I don't have childcare coverage to be able to attend.

I imagine a world where you'd have to inform "regular" people pre-construction if they were approved for an STR license, because it's too risky to build without knowing the financial limitations up front and to be able to plan .

Thank you,
Lindsey Boccia
503.943.0480

On May 14, 2023, at 7:10 PM, Lindsey Boccia <lindsey.boccia@gmail.com> wrote:

Dear Councilors,

I'm asking for and need your help.

My family spent three years finding the perfect lot in Tillamook County and reading 1000 pages of tillamook County's comprehensive plan to make sure we were aligned with the County's goals. We confirmed we'd be able to rent the property once the cabin was built. It was tbe only way we could afford the dream. We purchased the and spent an additional \$30,000 meeting all of the land use requirements / permit Fees that Tillamook county wanted us to go through to get our permit.

Once the permit was finally in hand (pre pandemic) two things happened: 1.) pandemic pricing doubled the estimate of the home we had permitted, pricing us out of our own permit. We had to scale down

plans to a modular unit 40 x 14. 2.) after we spent years / our savings , tillamook County formed this committee to limit STR's.

We have a family of four - My husband and I both work and we have good jobs. However, the cost of our primary house, daycare, groceries, saving for college etc. etc. make it almost unattainable to own the little cabin unless we rent it when we're not there.

Some of the people that are complaining about STR's within the committee process make it sound a lot more like class warfare and generational wealth vs the rest of us.

The Irony of it : We actually just returned from spring break for five days at the beach. It's almost equally unaffordable to rent. We spent most of our savings for that year on a rental home . The people next to us owned their house. They had a giant party, had dogs pooping near our rental grass, fire smoke blowing into our rental etc. There are poorly behaved "owners" as well.

We need to know we will have the same rights to rent our property as when we purchased the Land and paid the county fees for our permit, and did everything \$\$\$ (geotech etc) the county asked of us in land use diligence that slowed us down. It is the only way we can recoup what we have lost. Can we please insert a clause for people to obtain rental permit if they already owned land and building permit and have incurred the financial Burden to pursue their plan?

Can you please help us?

Thank you,
Lindsey Boccia
503.943.0480

May 31, 2023

Chair Skaar, Vice-Chair Bell, Commissioner Yamamoto, Director Absher

Please consider the following comments as supplemental to my testimony at the BOCC Ordinance 84 hearing on May 30, 2023.

I am a full-time resident of Neahkahnie. As a member of the community, I am a Commissioner on the Neahkahnie Water District Board of Commissioners and member of the board of directors for the Nehalem Bay Health Center & Pharmacy. I am also a CERT and have a HAM license. In the past I was on the board of directors of the Emergency Volunteer Corps of Nehalem Bay and taught the water, sanitation & hygiene class offered by EVCNB. This is a typical level of community involvement for people who consider themselves a part of the community.

In addressing the issue of appropriate regulation of the Short-Term Rental Industry, the County faces a challenging balancing issue. On the one hand, the County has become dependent on revenue from the STR industry. On the other hand, the significant livability issues created by unchecked growth of the STR industry have been well documented in comments to the STR Advisory Committee. Additionally, as discussed in more detail below an unchecked STR industry presents a very significant hidden financial burden on each community.

INCREASE IN LICENSED STRs IN NEAHKAHNI

From 2018, the last time the County considered Ordinance 84, to the present, the number of licensed STRs in Neahkahnie has increased by 50%. From 2010 when Ordinance 84 went into effect to date, the number has increase by more than 230%. At this point the number of licensed STRs in Neahkahnie is about 85% of the current full-time residences and is over 21% of the total water hookups. One STR owner has enough advertised bed space to sleep one-quarter of the full-time residents of Neahkahnie.

HIDDEN COSTS OF STR INDUSTRY

The Neahkahnie Water District was formed in 1967 to primarily serve single family residences. There have always been tourists and rental units in Neahkahnie. However, in recent years, the rapidly increasing number of transient lodgers has created a significant strain on our water service.

Neahkahnie depends on 4 springs for its water supply. The amount of water supplied by these springs changes significantly from the wet winter months to the peak tourist season in the summer. For example, in 2016 the total water output of the springs went from 637 gallons per minute in February to 13 gallons per minute in September. One of these springs has gone dry in summer months. The seasonal variation in production of these springs over several years is shown in **Exhibit #1**.

In the July/August period in 2022 (peak tourist season & lowest water supply), licensed STRs representing 21% of Neahkahnie water hookups used 28% of the water billed by Neahkahnie's water district. The median STR used 42% more water than the median full-

time residence. The top 20% of the STR users used 41% of the total water used by STRs. In other words, the large occupancy STRs use a substantial amount of the water used by STRs in Neahkahnie. This is directly related to the STR occupancy levels permitted by the County. A comparison of water used by full-time and part-time residents and licensed STRs from late 2018 through early 2023 is shown in **Exhibit #2**.

A graph showing the seasonal changes in water billed, i.e. water demand, in the year 2022 is shown in **Exhibit #3**. There was more than a 170% increase in water demand from the winter months to the peak tourist season. Water supply and treatment facilities must be of such a scale as to handle a greater demand than needed by only full and part-time residents. This is a clear example of the hidden infrastructure costs communities face in dealing with the STR and tourist industry.

Water districts are not the only entities that have to deal with increased demand due to larger numbers of tourists in our area. Waste treatment facilities must treat the larger water/waste throughput from visitors. Also importantly, first responders have to respond to emergency calls from visitors which can impact the response time for emergency calls from full and part-time residents.

As you consider proposed changes to Ordinance 84 particularly with respect to increasing the number of licensed STRs, I would ask that the Commissioners carefully consider not only the revenue provided but the actual cost of the STR industry, both to the County and especially to the individual communities.

STR IMPACT ON COMMUNITIES

All the communities in Tillamook County, and the County itself, require active volunteers to function. In fact, many of the attractions that draw tourists to our area are staffed by volunteers, e.g. the Hoffman Center in Manzanita. Many first responders in north Tillamook County that visitors (and residents) need in an emergency are volunteers. While some part-time residents are active volunteers, most volunteers are full-time residents. I know of no absent STR owner and certainly no transient lodger who provides any such volunteer services.

The proliferation of STRs has not only removed structures that could be homes to full or part-time residents, it has also created a neighborhood environment where potential full-time residents do not want to buy. Realtors active in Neahkahnie have reported that potential buyers have required that no STR be close to a house they would consider. There is a tipping point of STR saturation at which neighborhoods no longer become desirable for potential full-time residents to live or buy. This is another hidden cost of the STR industry.

EMERGENCY PREPAREDNESS

The STR industry (as well as the State & County) is encouraging tourists to come to the coast without providing adequate resources for their care in the event of an emergency. At least in Neahkahnie, many if not most of the licensed STRs are in the evacuation zone. After a tsunami, these structures will be destroyed and those occupants who reach safety will have no shelter, water or food. In such an event as well as other significant emergencies, these STR occupants currently depend on community residents for care. This is another hidden

cost of the STR industry that is not being addressed by the County (or the State). At the very least, an STR should be required to have an approved Go-Bag for each occupant.

TAXPAYERS SHOULD NOT SUBSIDIZE STRs

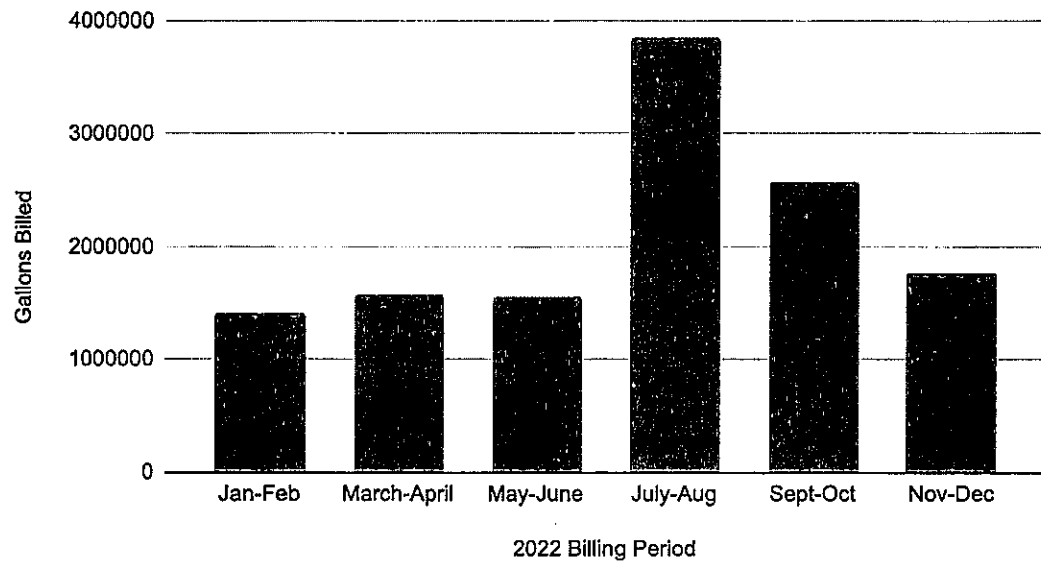
Regulations without adequate enforcement are worthless. However, taxpayers should not have to subsidize the enforcement of STR regulations. Adequate enforcement will require dedicated personnel employed by the County whose sole function is to inspect STRs as well as respond to and document serious complaints of STR violations. The full cost of adequate enforcement should be borne by the STR industry, not the County taxpayer.

Hopefully the County will institute a transparent process in which all the County's expenditures associated with the STR industry will be set forth along with the revenues collected. Providing a clear assessment of the costs vs revenue of the STR industry is critical in monitoring the true cost vs benefit of the STR industry.

Respectfully submitted,
David Boone
Daveboone01@gmail.com

Exhibit #1

Gallons Billed vs. 2022 Billing Period



Lynn Tone

From: Sarah Absher
Sent: Wednesday, May 31, 2023 9:34 AM
To: Lynn Tone
Subject: Letter to County Commissioners by Margret page / Rebuttal

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Tuesday, May 30, 2023 4:33 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: [Sarah Absher] Letter to County Commissioners by Margret page / Rebuttal

[NOTICE: This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Corey + Meadow Davis (meadowandcorey@gmail.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

Tillamook County Board of Commissioners and Sarah Absher,

We are real estate brokers in Tillamook county. Meadow was number one broker on the North Coast in 2022 and 2019 and we want to make sure that you know that not all brokers are aligned with the opinions of Margaret Page in her past or recent letters on this topic. Her opinion certainly does not represent any of the brokers we regularly work with concerning her stance on the STR issue. And just because the letter head says TBOR, does not mean that all the brokers are in lock step with these penned opinions. As brokers of note, without records of ethics violations and disciplinary actions, we thought we should speak up. We feel that regulating STR's in residential zones is a good idea. Manzanita has done this very successfully for decades and it has worked well for all parties and for protecting property values. Case in point, Manzanita property values. Gearhart made STR's completely illegal and their property values went up! That is not our position, we believe that Manzanita is a good model, STR's by %. It's proven to work, it's predictable and it clearly maintains parity with the needs of investors looking to protect both income and property values. Thank you for doing the hard work in a needlessly contentious time.

Corey + Meadow Davis

▪

Lynn Tone

From: Chris <gracestrand@gmail.com>
Sent: Tuesday, May 30, 2023 8:42 PM
To: Lynn Tone
Subject: EXTERNAL: STRS comments , final draft

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

To the Commissioners and STR Committee,

I 've read the final draft three times so far and am curious to find specifics for our Neahkanie unincorporated neighborhood- the cap for STRS and protections for our water supply specifically. And quality of life.

Something that has embedded in my memory is that Manzanita as a lower cap than Neahkanie. While Manzanita has a public park, restaurants, shops , sidewalks and public parking and a local police department, Neahkahnne has none of those amenities . We have historically been a residential neighborhood with an average of 2 occupancy in its homes with no infrastructure to support the current load of STRS let alone increase the increase proposed.

After reviewing all of the STRS and their occupancies on the map of Neahkahnne, the purposed ordinance is specific about parking, our crumbling roads with no sidewalks or shoulders have their own ideas about parking particularly for those with 10-18 occupancy numbers. The volunteer fire department has one access road to Middle and Upper Neahkanie to deal with emergencies specifically fire. It is hardly likely the fire department and emergency services will grow to meet this cap that is being recommended.

My strong belief is that Neahkahnne should have a STR cap equal to or less than Manzanita's 17.5% .

I am a widow who has been in the neighborhood for more than 35 years. The safety and sureness of Neahkahnne is something not many areas have. It erodes every time multiple carloads and cars pile in to our dead end roads. Illegal fireworks have proliferated even as they are outlawed. Manzanita police department does not attend to the calls reporting illegal fireworks. The wildlife, birds, pets and Vietnam war veterans with PTSD are left unaddressed because it's just for a few days. The fire hazard is profound, protection is not possible with our current volunteer fire department size.

My next concern is the transfer of licenses upon sale of a property. Prohibiting of the transfer of STR licenses is needed in fairness to other property owners who want to apply for one of the limited number of liscenses , to allow residents currently living next to STRS to perhaps enjoy a next door neighbor again, and to stall or eliminate property inflation for those currently holding a license. We see now enhanced property values and marketability for a select few that increases taxes for all.

' Many of us believe that the current excessive level of STRs in NKN has and continues to erode the very fabric of our community. We are blessed to live in a location with some of the most beautiful scenery in the world. However, it isn't the scenery that makes this place my beloved home. It's the strong sense of community I experience here ... neighbors supporting neighbors and residents devoting their time and talents to improve the livability and sustainability of our small community. For generations NKN residents have enjoyed wonderful neighborhoods, but neighborhoods exist only when there are neighbors. Over the past few years more and more of us are living next door to a constantly changing parade of strangers.

Based on publicly available information the estimated average occupancy of NKN STR's is ten compared to the average for other NKN residences of two occupants. Our limited resources are being stressed by the excessive number of packed STRs. NKN Water District data shows that on average STRs use significantly more water than residents. This is particularly problematic during the dry summer season when rental occupancy is at its peak and the output of our springs are at their lowest. Our amazingly dedicated volunteer fire department has faced an exponential increase in the number of calls over the past several years as Tillamook County has become more and more reliant on tourism as a primary revenue source. At the same time the fire department, like many other organizations, struggles to keep staff and volunteer positions filled.'

STR licenses should be limited to one per owner (whether an individual or a corporate entity) to dissuade investors and for fairness to others since the revised ordinance will likely include a cap on available licenses. This restriction has worked well in managing STR growth in Manzanita. For example, the same owner who currently owns and operates 5 beach-front NKN STRs (with occupancies ranging from 4 to 20) has only one STR in Manzanita (here's her website <https://www.vacationrentalsmanzanita.com/>).

The definition of "bedroom" should be consistent with a common sense understanding of the term bedroom, e.g., the definition applicable to residential real estate listings. The term bedroom should not be broadened, as the Committee recommends, to include any area with or without walls intended for sleeping purposes, e.g., a sleeper couch or futon in a living room or den.

This is especially important because STR occupancy is set by the number of bedrooms. Expanding the definition permits STR owners to continue to excessively pack what are intended as single family homes, leading to more people, more cars and more issues. For example using the Committee's proposed definition of bedroom and occupancy limits, a STR with only one actual bedroom plus a sleeper couch and "clothing storage unit" in a 100 sq ft living room could be rented for occupancy by 6 adults and 3 twelve year olds. Community livability requires STR occupancies to be reasonable. This is not reasonable.

The definition of "owner" must include the following statement as originally presented by Director Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals and to enforce rules such as a limit on license transfers or a limit on the number of licenses per owner. Commissioner Skaar's suggested exclusion of inheritance from the definition of "transfer" should be limited to inheritance by family members given that the stated purpose of this exclusion is to protect family ownership of vacation homes.

The County has taken steps to improve the STR complaint system, but without a strong enforcement program it's just a stack of complaints. Enforcement requires proof of violation. In the past it's been left to community residents to try to prove violations resulting in a he said/she said standoff and no penalties. It is the County's responsibility, not ours, to enforce the STR program it created. The County needs to use TLT dollars or impose an enforcement fee on STR owners to employ enforcement officers to serve in each area with a significant number of STRs to respond quickly and serve as the County's witness for enforcement proceedings. Manzanita has budgeted for an enforcement officer. Does the Manzanita enforcement officer serve Neahkahnne or just Manzanita as the police officer does?

STRS have been a hot topic for 38 years that I am aware of. Metastatic. The creep is insidious and mold like. I hope my analogy is not too hideous and vivid, that it is not lost.

Please add my comments and concerns to the reading list for Committee and Commissioners as well all involved of adding public comment regarding STRS.

Sincerely,
Chris Strand
Neahkanie

May 30, 2023

Tillamook Board of Supervisors and Short Term Rental Advisory Committee,

Thanks for allowing me to speak briefly tonight to the Short Term Rental Advisory Committee. My name is Lee Mercer and my wife and I own a house at 5502 Four Sisters in Pacific City which we rent out to generate modest income in our retirement and spend time in with friends and family. My daughter from Hawaii and our granddaughter recently stayed there before our first **great** granddaughter was born in Tillamook last month and we were able to meet her and share their joy.

We very much agree with the need to have vacation rental owners avoid disturbing the neighborhoods of long-term residents. We also respect the need to have housing for all who need it in Tillamook County. When I previously worked at a Food Bank in Santa Cruz County, California, which fed 30,000 low-income people a month, 3,000 second homes in that coastal community, sitting empty most of the year, seemed a crime, when so many folks were homeless. And in our area of Pacific City, it seems like many more big beach houses are second homes without rental signs, and sit empty most of the year, than those which are available for short term rent.

And, as we all know, short-term rental properties are drawing thousands of tourists generating cash flow and jobs for our tourist and service industries. So, before we kill the goose that lays the golden eggs, lets make sure our short-term rental regulations remain fair and reasonable.

Thanks to this committee for many edits which have been made on the draft ordinance. It appears many of the problems in the original version have been solved. But as you finalize your work, remember that short term rental owners want to be good community members, contribute to the prosperity of our communities, pay our fees and taxes, and assure housing, employment and prosperity for all who need it in Tillamook County.

A couple of issues-

It seemed like limiting the number of children to 2 or 3 in a rental was very odd. My wife and I would like to see more kids for the grandkids to play with in a community than some of the adults we might get as renters.

Also- sending out a bunch of fliers by mail or at the door annually to all neighbors within 250 feet of the house seems a bit much.

Also, the response time of 30 minutes for any possible complaint by neighbors about rental tenants, 3 violations of which in a year could generate sanctions, seems like more than you would require of a hotel or restaurant serving the public.

But again, thanks for your diligent work on this ordinance.

Lee Mercer and Laurie Chadwick
Silverton, OR

Lynn Tone

From: Public Comments
Sent: Monday, June 5, 2023 8:05 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Regulation of Short-term Rentals

From: Will Glasgow <wjgpx@hotmail.com>
Sent: Saturday, June 3, 2023 2:00 PM
To: ltone@co.tillamook.or.us; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Regulation of Short-term Rentals

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

To Whom It May Concern:

I have been an owner of a house in Neskowin (49400 Nescove Ct.) for over 40 years. With the advent of short-term rentals, I have seen the look and feel of our neighborhood change dramatically, for the worse. Specifically, the number of people, cars and traffic resulting from short-term rentals have made this single-family residential area—which had been quiet and somewhat secluded being south of Neskowin Creek and north of Cascade Head—feel much more like the area north of the creek which contains numerous motels, restaurant/stores and a public beach access.

I want to whole-heartedly endorse your draft ordinance as a balanced and reasonable way to respect the historical rights and expectations of residents living in a single family neighborhood with the desires of others to generate income from their properties. While I would have personally favored even more restrictive provisions, I appreciate your efforts to accommodate a wide variety of interests. I therefore would hope you would make no further liberalizing changes to the draft ordinance and adopt it as drafted.

Very truly yours,

William Glasgow

Lynn Tone

From: Public Comments
Sent: Monday, June 5, 2023 8:05 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR propo9sed regulations

From: Beth Redman <redman.beth@yahoo.com>
Sent: Sunday, June 4, 2023 5:56 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR propo9sed regulations

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

RE: 19340 Steelhead Lane, Hebo, Oregon 97122

To Whom This May Concern:

For me it has been a family tradition to have grandparents with a vacation home to enjoy family time, peace and respite. Now I am grandma and after mom passed on Veteran's day 2017, and my brother and I inherited her and dad's estate, I so much love the Oregon coast that I bought a place outside of Hebo and I put my love and energy into making it our new vacations home.

A great part of making this dream a reality to afford and keep it going and maintained is the income from vacation renters. Without the ability to share my home as a STR, it would stay vacant much of the time.

The trouble with the proposed rules that Tillamook County proposes is that it makes it very hard to keep it going as a STR. The proposed rules like requiring immediate response to a phone call or complaint could put a person in danger having to confront someone. I believe the complaints should be addressed by the county sheriff who is trained to deal with such situations. As a permitted STR owner I believe that our permit fees and the tax revenue paid to the county should cover such circumstances.

Too many regulations add up to too much costs for an owner of an STR. For example, paying for a septic system inspection on an annual basis is cost prohibitive. Every 5 years would be more reasonable.

I believe that it is a property right to operate an STR. I dislike the threat of having our permits turned into licenses.

There are so many things that Tillamook County is trying to regulate it is making it prohibitive to run my business.

Another important consideration is all the revenue generated to local business from tourists that visit the coast. Also there is the revenue from the owners who spend time at their vacation homes with purchases to improve the homes and property and maintenance revenue paid to contractors and cleaning staff. Makes jobs and brings in money to the county.

Thank you for considering my comments.

Sincerely, Beth Redman

Lynn Tone

From: Merle Wallis <nkndude@gmail.com>
Sent: Sunday, June 4, 2023 12:35 PM
To: Lynn Tone
Subject: EXTERNAL: Short term rentals

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

I have written several times to support a cap on short term rentals. We built our Neahkahnie home in 1994 and we are full time residents and registered voters in Tillamook County.

We value highly the sense of community and living in an area with respect for neighbors.

Some rentals are inevitable. We are opposed to rentals by companies that buy up home and are never owner occupied.

A lack of rules will result in our neighborhood being destroyed by thoughtless transients.

There must be a cap on rentals and rules for renters to limit cars, trash, noise,etc.

Merle Wallis
8305 Treasure Rock Road

Sent from my iPhone

Lynn Tone

From: Chris Silkowski <csilkowski@gmail.com>
Sent: Sunday, June 4, 2023 12:47 PM
To: Lynn Tone
Cc: Sarah Absher
Subject: EXTERNAL: STR public hearing

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Ms. Tone

My wife and I have lived in Neskowin since 2018 after building a home on a lot we purchased in 2005. We moved to the area for quality of life and continue to work remotely from home. Prior to moving to Neskowin, we owned a home in Lincoln City that we rented out as a part-time short-term rental.

I have a conflict that prevents me from attending the hearing on June 13th, however, I would like to voice my appreciation for Ms. Absher and the Commissioners for attempting to address the issues caused by the recent influx of short-term rentals along the coastal communities.

The draft ordinance provides a good balance between STR properties and non-STR properties and enhances livability for full-time residents. Although I would have liked to have seen a cap on the number of days an STR is rented (like what we were subject to in Lincoln City), I feel that the draft ordinance can be used as a model for other communities across the country that are impacted by STRs.

Thank you for your time and your continued efforts on this important matter.

Best regards,
Chris Silkowski

Lynn Tone

From: Davensue_163 <davensue_163@comcast.net>
Sent: Monday, June 5, 2023 4:25 PM
To: Lynn Tone
Subject: EXTERNAL: Feed for the June 13 STR hearing

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

My name is David Williams. I am married to Susan Williams. Susan's father first visited Neahkahnie in the 1930s. He designed and built a summer cabin in the early 1950s. At that time there were very few cabins. It was mostly sheep meadow. The cabin he built became what we call "The Beach House"

Susan, her sister Margaret, and their mother Evelyn spent most of their summers there as they were growing up.

Since then, "The Beach House" was remodeled by Margaret and Bill Barss, the current owners.

Over the years, many other structures built in those early days have evolved into remodeled, full-time residences, and comfortable second homes for people, who desire, quiet, peaceful, and simple living.

Short term rentals like anything else can be good or bad. I think owners of beach houses have every right to rent them out to provide extra' income for themselves. This has been done over the decades with seemingly little negative impact. That's because its scale has been limited.

Left unchecked in favorable economic times (low interest rates with lots of expendable income), STR numbers have grown and they have become unacceptable to Neahkahnie's livability. For example, the five beach houses now under STR contracts, all along the prettiest part of the Oregon coast, now owned by one absentee owners.

Neahkahnie is not a resort.

However, I can imagine a resort, much like you might see along the Hawaiian coast along Neahkahnie beach. If I can imagine it, so can a developer.

STR should only be allowed for property owners who live in and care for their homes, and not absentee owners, who may own multiple properties and are in it only for the money.

The whole character of the community will change if we allow monied interests to manage our community.

We need strict regulations that limit the number of STRs and their density, insure compliance with building codes, and address impacts on parking, potable water, sewer, etc.

We should also limit to one the number of STR's any one person can hold. We should also require that STR's not be held by corporations, but only be held by single individuals or families

Times are very good now for owners to make lots of money renting out homes to people who want to experience living on the coast. What will happen when times are not so good and STR units sit empty, perhaps for long periods of time.

I truly believe it is in our best interest to limit STR units to individuals only, at a scale that does not impact in any significant way Neahkahnie's way of life.

Lynn Tone

From: Jacki Hinton <hintonjacki56@gmail.com>
Sent: Monday, June 5, 2023 7:31 PM
To: Lynn Tone
Subject: EXTERNAL: Comments re June 13th BOCC STR Hearing

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Chair Skaar, Vice-Chair Bell, Commissioner Yamamoto and Director Absher,

My name is Jacki Hinton. I am a full-time Neahkahnie resident and an active member of my community. I have followed the STR ordinance revision process closely, including attending all but two of the Advisory Committee meetings (and for those missed I listened to the recordings). This is matter of great importance to me and my community, as is evidenced by our high level of participation over the past year and a half.

I like many Neahkahnie residents chose to live here because I want to live in a community of neighbors where a commitment to community service and support of one another are part of the local culture. When purchasing our home over eight years ago, we relied on Neahkahnie's zoning, establishing it as a single-family residential community. Yes, there were a few STRs, many of which had been renting for years.

By mid-2022 Neahkahnie STR levels had shot up so high that our once quiet community now constitutes a "resort community" according to a recent Oregon Coast Host published statement. Just to be clear this would be a "resort community" with no public services (not even a portable public restroom), no designated public parking areas, no shops, no restaurants and very limited access to law enforcement services. It would also be a "resort community" with scant infrastructure. Our extremely winding and narrow roads are poorly maintained. Our public drinking water is sourced from local area natural springs which rely on rainfall. Consider how challenging it must be for our community of about 200 residents to manage the 24/7 impact of approximately 830 transient lodgers. This simply is not sustainable.

Manzanita, our immediate neighbor to the south, adopted a 17.5% cap on STRs 20 years ago. They work hard to try to maintain a balance between tourism and community livability. Given the absence of any public services, Neahkahnie STR occupants head to Manzanita adding to their parking issues and overcrowding of their small businesses.

Although our community already has an excessive number of STRs, I urge you to adopt the proposed STR cap of 1% over existing STR levels for each community pending completion of Director Absher's community-by-community assessment. Our Neahkahnie community looks forward to meeting with Director Absher to evaluate our unique needs and concerns more thoroughly.

I encourage you to prohibit STR license transfers for all licenses issued after the pause is lifted. I also support the proposed exception for existing STR licensees to be allowed one transfer of their STR license.

I strongly support adding a provision to the proposed ordinance to limit owners to only one STR license within a community. This limitation helps to discourage investors from buying multiple properties for the sole purpose of operating them as STR businesses. Currently in Neahkahnie a single out-of-state investor owns and operates five ocean front STRs. How can this be differentiated from a hotel or motel operation? Is it fair to allow someone to hold multiple STR licenses if availability is limited by a cap?

Lastly, I fully support Jerry Keene's position as stated in his May 26th "*STR Committee Reflections*" regarding "*Perpetual Corporate STR Licenses*". The STR ordinance definition of "owner" should be revised to specifically include corporate

ownership. I also support Jerry's position on daytime noise. It is a common issue which can and should be addressed as Jerry suggests.

I want to take this opportunity to thank the members of the Advisory Committee and Lynn Tone for their dedication and hours of service throughout this long and arduous process.

I have been in awe of Director Absher's professionalism and outstanding facilitation skills over the past 18 months. I am grateful that she has chosen to devote her considerable talents to Tillamook County and its communities.

Respectfully submitted,

Jacki Hinton

Lynn Tone

From: Megan Liz Cole <meganliz@nehalem.tel.net>
Sent: Monday, June 5, 2023 7:52 PM
To: Lynn Tone
Subject: EXTERNAL: Comments re BOCC STR Hearing

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

To: Chair Skaar, Vice-chair Bell, Commissioner Yamamoto, Director Absher
From: Liz Cole, Nehalem OR

I generally support the May 27, 2023 draft of revisions to Ordinance 84, but there are some aspects that I would like to see modified, even though these revisions are a significant improvement over the current Ordinance 84.

My comments on specific issues are:

1. New licenses should be limited to one per person regardless of the type of or level of ownership.
2. I strongly support no transfer of new STR licenses. Although I oppose any transfer, I also believe existing licenses should absolutely be limited to one transfer.
3. Current occupancy levels create safety issues as well livability issues in a neighborhood. There should be no more than 10 people allowed, regardless of age and regardless of house size.
4. There needs to be a reasonable cap on the level of STRs in a neighborhood. The number of STRs in Neahkahnie is currently too high and the proposal to raise it even further will make a bad problem even worse. In my view a target level of 15% is appropriate.
5. Noise is a problem and there should be limits during nighttime, but also during the day. Having criteria that noise is excessive if it can be heard (and recorded) within a neighboring residence seems workable.
6. Most communities depend on full-time resident volunteers to function. We need new residents who want to be a part of and actively contribute to the community. Realistically, who wants to buy a home and live next to a high turnover short-term rental?

Thank you for your attention, and for your efforts in this important matter.

Sincerely,
Liz Cole
Nehalem, Oregon

Lynn Tone

From: Sarah Absher
Sent: Monday, June 5, 2023 8:03 PM
To: Lynn Tone
Subject: Fwd: Key Principles
Attachments: Key.Principles.OCH.pdf

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Oregon Coast Hosts <oregoncoasthosts@gmail.com>
Sent: Monday, June 5, 2023 6:24:54 PM
To: Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>
Cc: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Key Principles

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Greetings Commissioners,
Please consider reviewing the attached Key Principles from Oregon Coast Hosts, which are being shared as public comment. Our Board of Directors believes this document is a concise summary of many public comments that have been made with vital feedback to the proposed draft. As the current draft is tweaked in preparation for the next version, we encourage thoughtful review of these ideas in the spirit of collaboration.

Thank you,
Hillary Gibson, President
Oregon Coast Hosts

**TILLAMOOK COUNTY SHORT-TERM RENTAL (STR) ORDINANCE #84
KEY PRINCIPLES
OREGON COAST HOSTS**

As Tillamook County continues to discuss updating the rules and regulations for Ordinance #84, Oregon Coast Hosts would like to share our general feedback on the draft proposal, share data, and provide some alternative ideas for consideration by the Board of County Commissioners.

Current STR Permits may not legally be changed to Licenses. Tillamook County may make this change going forward, but not retroactively. A solution is two types of permits. This idea is provided as a starting point on the following page, and more refinement and collaboration is needed to dial in a balanced and legal path forward.

Background

STR Violations Reported by Tillamook County - May 25, 2023

STR violations 2019	0
STR violations 2020	0
STR violations 2021	0
STR violations 2022	1
STR violations 2023	8

During the above time period, spanning more than four years, there was a total of 9 violations and 32 complaints.

10 total 9-1-1 calls to STRs were identified from 2020 & 2021 out of approximately 800 disturbance calls. It is unknown if the 911 calls were linked to guests, owners, neighbors, or trespassers at the STR addresses.

In Tillamook County, no STR has ever had a permit revoked for having three strikes.

In May 2022, at the Short-Term Rental Advisory Committee meeting, Sarah Absher noted the low number of complaint calls to the county and explained that the reasoning was due to contact signage working as an effective means to promote communication among neighbors, and that most STR owners and managers were very good at taking care of problems immediately.

77% of all public comments citing STR concerns or support for the restrictive draft are from a single community, with only 7% of the STR permits throughout unincorporated Tillamook County. During 16+ months of written public comment many communities submitted zero concerns for increased STR growth or nuisances: Barview, Bay City, Beaver, Cape Meares, Cloverdale, Falcon Cove, Hebo, Nedonna Beach, Otis, Rockaway Beach, Tierra del Mar, Watseco, and Winema. This disproportionate distribution of public comments shows a significant disparity from a single community, and there is valid concern that one community's efforts to strictly regulate STRs could impact the entire county.

93% of homeowners with STR permits have only one single permit in Tillamook County. Anecdotal information regarding a high rate of corporate ownership is not supported by the STR permit list.

Unlike Clatsop & Lincoln Counties, Tillamook County has only 782 hotel rooms. We are highly reliant on STRs to provide accommodations for visitors. STRs collect & remit approximately 70% of the transient lodging taxes (TLT), which totaled nearly \$40 million for 2014-2022.

Oregon Coast Hosts has serious concerns regarding the proposed draft ordinance. We support Tillamook County being at the forefront of STR regulations, instead of following in the misguided footsteps of others. The following categories contain feedback on STR regulations and reflect consensus from the Board of Directors for Oregon Coast Hosts and may not represent the views of all homeowners.

GREEN LIGHT - STRONG SUPPORT

STRs are allowed as an outright use in residential zones under the Land Use Ordinance. Any modifications to that outright use, must be appropriately reflected in the Land Use Ordinance, and cannot impair nonconforming use rights of existing STR permit holders under state law.

Any STR with an active permit at any time in 2022, and any newly constructed STR with a certificate of occupancy issued in 2022 or 2023, may have an active STR Permit and continue to operate under Ordinance #84 - Amendment #1 as long as three (3) conditions are met:

- *The STR Permit must be renewed annually or transferred to new owner within 60 days of sale*
- *The STR may not increase maximum occupancy.*
- *The STR meets requirements in Ord #84 - Amendment #1*

STR Permits originally approved prior to July 1, 2023 have legal land use rights which run with the land and may continue after a sale and transfer to a new owner until the STR Permit is either closed by an Owner or revoked by the County. If the property is sold, the new owner has sixty (60) days from the date of closing to file for transfer for continued use of STR Permit.

STR Licenses approved after July 1, 2023 are specific to the property owner, are not transferable, and automatically become void with the sale of the property. STR Licenses fall under new regulations in Ord #84 - Amendment #2.

- STR Permits have continued transferability as required by state law
- STR Permits may not be replaced with Licenses
- Requirement for all STRs to meet building codes *at time of construction or remodeling* per code
- Parking Space minimum requirement 8 feet x 16 feet
- Minimum parking requirement of 1 space per STR & total number determined simply by available spaces
- Maximum 8 off-street parking spaces per STR for overnight guests + 2 daytime guest parking spaces
- Online STR database & online complaint form in addition to Granicus Hotline
- Contact Person 24/7 response within 30 minutes of any STR-related complaint (in-person not required)
- Bedroom: A room intended and permitted to be used for sleeping purposes that has the following attributes:
 - a) Light
 - b) Ventilation
 - c) Heat
 - d) Emergency escape and rescue opening
 - e) Smoke alarm
 - f) Carbon monoxide detector within 15 ft of a bedroom door
 - g) Exterior Emergency Escape Egress
- Enforcement - Hold visitors and permit holders accountable to rules & regulations
- Community Equity - Hold all residents to the same standards for noise, parking, garbage, and lighting
- Good Neighbor Guidelines - *Hello, Neighbor!* for all neighbors
- STRs in commercial zones should be exempt from inclusion in any potential percentage cap limit

YELLOW LIGHT - CONSIDER WITH CAUTION

- Percentage Caps: *[note: 51% of polled homeowners with STR permits do not support any percentage cap]* OCH has concerns about any percentage cap which could result in elimination of property rights for approximately 75%-80% of homeowners in Coastal Zone communities where historical use of visitor lodging is significant and both homeowners and landowners have vested rights.
- As an organization, we understand the desire for a reasonable set of "growth management" tools. If the BOCC feels it is absolutely necessary to manage growth of STRs, then we can support a cap allowing 2% annual STR increase per community with a three year sunset clause.
- Maximum Occupancy: 2 per bedroom + 2 extra, capped at 16 total maximum occupancy (over age 5) & exemptions allowed for unique properties on a case-by-case basis.
- Noise prohibitions for STRs only - need a county noise ordinance in residential areas for all homes, residents and visitors to truly impact livability - proposed daytime limits are unreasonable and vague.
- Estate Home Classification - arbitrary parking & occupancy limits - Homes with 5+ bedrooms cater to multigenerational families and are an important category of accommodation which are few in number.
- Exterior lighting required in downward direction- needs to apply to all homes to truly impact livability.

RED LIGHT - STRONG CONCERNS - TOP 5 CONCERNS IN BOLD

- **Grandfather** current homeowners with STR Permits: 99% of polled homeowners with STR Permits support being grandfathered in under Ordinance #84 - Amendment #1
- **Transferability** of STR permits: 80% of polled homeowners with STR permits support transferability in all cases and it is not legal to restrict transferability of current STR permits
- **Property Rights**: The ability to offer short-term stays is an important stick in the bundle of property rights
- **Distance Limits**: 96% of homeowners with STR permits do not support any distance or density limit
- **Percentage Caps**: 51% of homeowners with STR permits do not support any type of percentage cap
- **Percentage Caps**: Any cap under the current level which would result in loss of a permit is not legal
- **Percentage Caps**: A limit to 1% increase over current levels may limit economic growth & property rights
- Requiring renters to park off-street - owners can't restrict use of parking on public streets (.080 E)
- Requiring immediate response to phone call - immediate is unreasonable (.080 J)
- Requiring exterior lighting to direct downwards - lighting is a safety feature (.080 K #11)
- Requiring expiration date on exterior signage - necessitates annual expenditure (.080 O #1)
- Requiring all STRs to meet *current* building codes - undue burden (.090 A)
- Requiring all STRs with septic tanks to have an annual inspection - 5 years is ideal (.090 C #3)
- Requiring minimum bedroom sizes larger than some currently permitted bedrooms (.030 D)
- Requiring in-person response - faster than sheriff & safety risk better handled by law enforcement (.080 J)
- Limiting parking to 6 cars off-street - previously *required* up to 10 for large homes (.070 D #3)
- Fee no less than \$100 to change Contact Person - financial barrier to compliance (.060 A)
- Any classification of STRs as business or commercial use is rejected - STRs are residential
- Requiring closets or clothing storage in all bedrooms - arbitrary regulation
- Replacement of current STR Permit with License - loss of property rights
- Requiring STR Permit holders to have rental activity annually - need exemptions for construction, long-term renting, and personal extenuating circumstances
- Executed Indemnification and Hold Harmless Agreement - Defense of Tillamook County is an overreach
- Unresolved complaint resulting in immediate violation - needs to be a *valid* complaint to be a violation

ADDITIONAL IDEAS OUTSIDE OF AN STR ORDINANCE

- County wide noise ordinance in residential areas
- County wide recycling program with TLT funds for all community members
- Online STR registry with contact info (Bend, Oregon)
- Online complaint link (Couer d'Alene, Idaho)
- 1 full year of Granicus STR Hotline data on violations before sweeping regulatory changes
- STR liaisons in each community to bridge the gap between residents and STRs
- Retain language acknowledging Tillamook County does not have franchised garbage service in all areas
- Regulation addressing poor guest behavior with fines and/or requirement to vacate enforced by Sheriff
- Regulation addressing false complaints
- Neighborhood mediation requirement for repeat offenders or repeat complainants
- Digital template for exterior signage provided by the county as an option for owners to customize & print
- Work with the Tillamook County Public Works Director on signage for "No Parking" areas or permits
- Transient Lodging Tax - Redistribution of additional funds which exceed the original dollar amount of the 30% earmarked for roads for individual communities at a set percentage to spend however they'd like on community improvements, recycling programs, and enforcement officers
- Transient Lodging Tax - Allocate funds from the 70% earmarked for tourism towards workforce housing for workers in the tourism industry
- Dark Skies Initiative for consideration by various communities & not an STR regulation
- County Incentive Program: Lease to Locals (Sedona, Arizona)
- County Voluntary Deed Restriction Program (Vail InDeed - Colorado)

Lynn Tone

From: Sarah Johnson <sarahaveryjohnson@gmail.com>
Sent: Tuesday, June 6, 2023 9:18 AM
To: Lynn Tone
Subject: EXTERNAL: proposed STR ordinance 84

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

To the Commissioners: I am a long-time resident of Neahkahnie, living on property purchased by my parents in 1960. In recent years, the volume of short-term rental homes in this community has become staggering, with a negative impact on our water system, our roads, and our safety and livability. While I appreciate that population growth is a simple factor of modern life, I firmly believe that there must be regulation of the growth in communities that simply are not designed to support the demands of an additional itinerant population. I have read the proposed amendments to STR ordinance 84. While it is not perfect, it is a reasonable and honest effort to restrain the short term rental explosion in my community. I urge your approval. Thank you. Sarah Avery Johnson

Sarah Avery Johnson
37395 Second Street
Neahalem
503-799-3063

June 5, 2023

Chair Skaar, Vice-Chair Bell, Commissioner Yamamoto, Director Absher

I am a full-time resident of Neahkahnie. I offer the following comments for consideration in addition to my previously submitted comments.

First, I wish to say I agree with the comments made by Jerry Keene in his May 26, 2023, submission to the BOCC. Regarding noise, some in the STR industry have objected to being singled out. As a full-time resident, I would be happy to have the noise regulations apply to everyone, daytime & "quiet time".

I strongly concur with Mr. Keene's observations regarding ownership of an STR.

I am not sure of the appropriate composition of a dedicated ordinance enforcement group but, without adequate enforcement, the BOCC's work on regulations will be largely useless.

My one difference with Mr. Keene's comments is with respect to the composition of the STR Advisory Committee. In my view it was heavily stacked in favor of the STR Industry. I do agree that the Commissioners should carefully consider the survey information to get a better picture of what the communities regard as appropriate STR regulations.

Comments on specific sections of the proposed Ordinance 84:

1. **0.030 CC.DD:** "inheritance" should be limited to legal family members, i.e., consistent with the "divorce, marriage" language. An LLC should not be able to inherit an STR license.
2. **0.050 A.10:** The County's hold harmless will be ineffective if the STR has limited assets. I would think the County would want proof of insurance, e.g., \$2,000,000 as part of the license requirement.
3. **0.060 B:** I strongly support limits on transferability. While I don't like the proposed one transfer for existing licenses, I understand why the County may determine it must do that. Without such a limit on transfers for existing licenses, the County will have created a monopoly. However, I see no basis for any further transfer. Also, I strongly support the proposed language of no transfer for new licenses. Otherwise, there will be no hope in decreasing the excessive number of STR licenses that currently exist in some communities.
4. **0.080 "occupancy":** While the proposed language is an improvement over the current situation, the number of permitted occupants is still too high for houses built as single-family residences. Having 13-17 people in such a residence I submit does not meet the "safety" obligation of the County. It is unrealistic to think that many people could safely evacuate a smoke filled, unfamiliar space at night. A more realistic number is no more than 10 people regardless of age or house size.

5. **0.130 Penalties:** Small fines will simply be a cost of doing business for the larger STRs. It is important to have the "hot line" that records complaints. It is equally important to have dedicated County personnel who investigate and "verify" the complaint. Members of the community should not have to be the prosecutors & witnesses to enforce STR violations.

Thank you for your consideration.

Respectfully Submitted,
David Boone
Daveboone01@gmail.com

Lynn Tone

From: Sue Williams <suendave_163@comcast.net>
Sent: Monday, June 5, 2023 12:35 PM
To: Lynn Tone
Subject: EXTERNAL: Neahkahnie Short Term Rentals

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

I have written multiple emails with my concerns about the impact of short term rentals on our Neahkahnie community and the negative results that we see. Our sense of community is being eroded. Instead of having this sense community we are turning into a place where houses are purchased for the sole purpose of providing income for the buyer and we no longer have neighbors. We are not zoned for business purposes and yet, STR rentals fit this bill.

We need to limit the number of STR's in general and limit the number of houses that one person can rent out. One person should be able to rent one house, not multiple houses. Manzanita has a cap of 17.5 % STRs. We are currently at 22%. This needs to be dialed back to at least the same level as Manzanita. We also need to be mindful of the impact that these houses that can sleep 10-20 people have on our limited water resources as well as the impact of car parking and noise.

I am a long time Neahkahnie resident and have seen many changes over the half century (or more) that I have been a home owner. Most changes have been beneficial to the community. The STR issues mentioned above are detrimental. We need legal support to address these issues. Please help us.

Susan Ritz Williams
37450 3rd St.
Neahkahnie

Sent from my iPad

Lynn Tone

From: Steve Stewart <drdemento.stew@gmail.com>
Sent: Friday, June 2, 2023 10:52 AM
To: Lynn Tone
Cc: Tom Prehoditch
Subject: EXTERNAL: STR Ordinance Revision.

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Commissioners,

In regard to the upcoming vote you will be making regarding the proposed STR Ordinance Revision I would like to enter the following comments. I am a Neskowin homeowner currently surrounded on three sides by STR houses and have experienced first hand the associated problems of noise, garbage, traffic, parking and poor monitoring and response to these issues. I applaud the proposed revisions as a positive step toward mitigating these expanding problems. I would point out the disproportionate representation of the vocal minority of persons and businesses who oppose these restrictions. Current density of STR permits in Neskowin is around 20%, yet a vast majority of your input comes from this self interested group.

Your endorsement of these revisions will be greatly appreciated by those of us who have to live with the consequences of this currently poorly operating system.

Thank you for your consideration,
S.R. StewartMD

Sent from my iPad

Lynn Tone

From: John <bktail@comcast.net>
Sent: Tuesday, May 30, 2023 5:39 PM
To: Lynn Tone
Subject: EXTERNAL: Short term rentals

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Lynn
I have a short term rental on lilac st in Oceanside.. I got false accusations for fireworks last year! How are complaints going to be verified?!? Property rights is very important to Me.
Thanks, John C.
Get [Outlook for iOS](#)

Lynn Tone

From: Donald Truxillo <donald.truxillo@gmail.com>
Sent: Tuesday, June 6, 2023 3:21 PM
To: Lynn Tone
Subject: EXTERNAL: In support of the draft ordinance to restrict STRs in Neahkahnie

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hello,

I am writing in support of the ordinance that would put the limits and restrictions on STRs in Neahkahnie.

This is important to the sustainability and quality of life in Neahkahnie,

Best regards,

Donald Truxillo

Joseph Long

8250 Hillcrest Rd.,

Neahkahnie 97131

Lynn Tone

From: Public Comments
Sent: Tuesday, June 6, 2023 2:49 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance #84

From: Seth Prickett <sethprickett@gmail.com>
Sent: Monday, June 5, 2023 10:23 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Ordinance #84

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Tillamook County Commissioners,

Thank you for all your hard work on this ordinance and for your public service. I apologize for not getting my testimony in sooner. I own 25930 David Ave which is a short term rental in the Nedonna Beach neighborhood. I am concerned with a number of items in your proposed short term rental ordinance. The most top of mind for me is the annual septic tank inspection requirement (.090 C #3) and requiring all STRs to meet current building codes (.090 A). The property on David Ave overall has fewer occupants than if it were rented out long term. There are many days that the property is not rented out and the majority of stays are for less than 4 people. The usage of the septic system is less than if it were a permanent residence or long term rental so the annual requirement is discriminatory and poses an undue burden. Requiring STRs to meet current building codes also seems discriminatory since it is not required for long term rentals either. Why would the STR requirement be any different? There are a number of other items in the ordinance that I am concerned about but I wanted to highlight these two specifically.

If the current draft ordinance is passed, I would need to reconsider if keeping the property as a STR makes sense financially as well as my time and effort. There is a lot of work that goes into the upkeep of an STR on the coast. Cleaning fees, management, repairs and yard maintenance can really add up. I believe last year the cost of all these things was over \$25,000 which went to local jobs. If the ordinance were to pass I may sell the property but, because I was lucky enough to own before the recent boom in prices and have a low interest loan, the more likely option would be to turn it into a vacation home just for my family. I imagine a lot of other owners are in the same boat.

Respectfully,

Seth Prickett

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