



Tillamook County Short-Term Rental Advisory Committee Meeting  
<https://www.co.tillamook.or.us/commdev>

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## February 1, 2022 Meeting Agenda

9:30am-11:30am

Microsoft Teams Virtual Meeting

### Agenda

<b>Topic</b>	<b>Time</b>
Welcome & Introductions	15 minutes
Collaborative Process Discussion	45 minutes
Short-Term Rental Presentation	20 minutes
Discussion of 2018 Workplan	20 minutes
Discussion of March Agenda	10 minutes
Public Comment	10 minutes
	<b>120 minutes</b>

## Virtual Link for Public Meetings

Microsoft Teams is utilized for Tillamook County Short-Term Rental Advisory Committee Meetings. To access this link, please visit: <https://www.co.tillamook.or.us/commdev>

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



*Land of Cheese, Trees and Ocean Breeze*

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# Tillamook County Short Term Rental Committee Report

Report Prepared by: Sarah Absher, CFM, Director  
Date: December 13, 2018

A handwritten signature in blue ink, appearing to be 'SAB', is written over a blue circular stamp or seal.

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**Introduction & Background:** In 2009, the Tillamook County Commissioners adopted a countywide ordinance to regulate the use of private homes as short-term rentals (“STRs”) in the unincorporated areas of Tillamook County. From 2009 to 2010, over 347 Short-Term Rental permits were issued for rentals located in the unincorporated areas of Tillamook County. A steady increase in the number of permits issued remained from 2011 to 2015 except for 2013 where a substantially lower number of permits were issued.

Since 2015 there has been rapid growth in the number of Short-Term Rental permits issued in the unincorporated areas of Tillamook County, where the number of permits issued in 2015 more than doubled the number issued in 2014 (34 permits issued in 2014 to 73 permits issued in 2015) and to date over 123 new Short-Term Rental permits have been issued for the 2018 calendar year. To date, 827 active Short-Term Rental permits have been issued for properties within the unincorporated areas of Tillamook County.

The Tillamook County Short Term Rental Committee was formed by the Tillamook County Board of Commissioners on July 18, 2018 at the request of the Department of Community Development in response to the rapid growth and increase in the number of Short-Term Rentals within the unincorporated areas of Tillamook County and also in response to concerns related to short-term rentals raised by unincorporated community residents. The Board found that the significant number of short-term rental properties in the unincorporated communities of Tillamook County to be a concern to many community members and desired to establish a committee to advise and recommend solutions to issues related to short-term rental properties in the unincorporated communities of Tillamook County.

The Short Term Rental Committee has been tasked with providing the Board of County Commissioners with recommendations of actions that can take place to help maintain a balance between short-term rentals and full-time residents within the unincorporated areas of Tillamook County. The Committee consists of nine members representing north, central and south county, the vacation rental management community, the real estate community, economic development, public safety and one member at-large. A copy of the Board Order has been included as “Exhibit A”.

**Process:**

The committee held a kick-off meeting on August 13, 2018 and held additional meetings on September 4<sup>th</sup> and 25<sup>th</sup>, October 15<sup>th</sup>, November 6<sup>th</sup> and November 20<sup>th</sup>, and December 10<sup>th</sup>. All meetings were publicly noticed and held at the Tillamook Library, the Port of Tillamook Bay, and the Tillamook County Courthouse. Notice of each meeting, meeting materials and meeting summary documents have been posted on the Community Development website for public access and review. These meetings have been well attended by the public and public participation has been welcomed.

The kick-off meeting included a conversation about roles and responsibilities, as well as expectations of the committee members. The committee identified a series of goals and future meeting dates were established.

The committee desired to create a process that was thoughtful, educational and relied on “factual” information in addition to anecdotal information. A copy of the meeting summary reflecting these conversations is included as “Exhibit B”.

Subsequent meetings held on September 4<sup>th</sup> through November 6<sup>th</sup> consisted of review of Tillamook County Ordinance #84 that regulates short-term rentals within the unincorporated areas of Tillamook County and panel discussions. Meeting summaries of the discussions related to review of Ordinance #84 and the panel discussions are included as exhibits with this report. Below is a brief description of each of the panels. Copies of the questions provided to each panel member are also included in “Exhibit B” of this report.

Panel 1: Municipalities. The first panel consisted representatives from the City of Seaside, Cannon Beach, Manzanita, Lincoln City and Newport to visit with the Short Term Rental Committee about their Short-Term Rental programs. Questions were prepared and sent to each panelist so that they could speak specifically about how their Short-Term Rental programs have evolved, the challenges presented as a result of allowing short-term rentals in their communities, and the positives/negative affects short-term rentals have had in their communities. In preparation for the meeting and panel discussion, Short Term Rental Committee members were given copies of each of these cities short-term rental ordinances for review.

Panel 2: Community, Public Safety & Housing. The second panel consisted of representatives from unincorporated communities, Erin Skaar from C.A.R.E., local fire chiefs and Chris Laity, Tillamook County Public Works Director. Each panel member was encouraged visit about their professional or community experiences with short-term rentals in their respective communities. A series of questions was provided to panel members in preparation for this discussion.

Panel 3: Vacation Rentals, Tourism & Economic Sustainability. The third panel consisted of representatives from vacation rental agencies, Nan Devlin from Visit Tillamook Coast, Justin Aufdermauer from the Tillamook Chamber, a policy analyst from Airbnb, and business owners that rely heavily on the tourism industry. As with Panels 1 and 2, a series of questions were prepared and provided to each panel member in preparation for the panel discussion.

Community Surveys & Townhall Meetings.

Two townhall meetings were held on Saturday, November 3 in Oceanside and Rockaway Beach respectively. These townhall meetings were hosted by the Oceanside Neighborhood Association (Oceanside Citizen Advisory Committee also known as the Oceanside CAC) and the Barview/Twin Rocks/Watseco Citizen Advisory Committee (CAC) specifically to discuss short-term rentals within the unincorporated areas of central and north Tillamook County. Both townhall meetings were well attended and surveys were also distributed at these meetings to help gather community input regarding short-term rentals. (Copies of the surveys were also emailed by the Oceanside Neighborhood Association to their membership and interested party email distribution list.)

Robust conversations surrounding the negative and positive impacts of short-term rentals took place at both townhall meetings. The biggest concerns raised included lack of enforcement, lack of response from rental owners when issues arise, noise, parking, solid waste, pet waste, fire concerns related to fireworks, and over-crowding of rentals.

Included in this report is a copy of the Oceanside Neighborhood Association’s (ONA) report of the townhall meeting that took place in Oceanside and tabulated results and findings from the distributed community survey. Copies of the survey have also been distributed to the Neskowin and Pacific City Citizen Advisory Committees (CACs) and responses continue to be received by the Department. While only the survey results from the Oceanside townhall and ONA membership email distribution list are included, it is reasonable conclude that the survey results tabulated by the Oceanside Neighborhood Association and reflected in the attached report resonate throughout the unincorporated areas of Tillamook County. This conclusion is based upon concerns and complaints received by the Department related to short-term rentals located throughout the unincorporated areas of the County.

**Findings & Conclusions:**

Concentration of Permitted Short-Term Rentals within Unincorporated Communities. Based upon County records, the percentage of Short-Term Rentals within the unincorporated communities of Oceanside, Netarts, Pacific City/Woods and Neskowin are as follows:

Unincorporated Community	# of Improved Properties	# of Short-Term Rentals	Percentage
Oceanside	743	95	13%
Netarts	695	65	10%
Pacific City/Woods	1274	226	18%
Neskowin	870	103	12%

In addition to the information provided above, GIS mapping exercises that depict the areas of concentration of permitted short-term rentals is included with this report. The mapping exercise also includes depiction of the location of short-term rentals within the unincorporated Community of Neahkahnie which indicate that the percentage of short-term rentals within this community is consistent with the percentages determined in the four sampled unincorporated communities identified above.

The maps indicate that the concentration of rentals appears to be closest to bodies of water, properties that have view corridors to the ocean and Netarts Bay, and largely within higher cost housing markets.

Affordable Housing Stock & Short-Term Rentals.

The Tillamook County housing study titled “Creating a Healthy Housing Market for Tillamook County” states that land scarcity, low-wage economy and seasonal housing are the three factors that have resulted in limited household



mobility and low turnover rates. The study also identifies two distinct housing markets within Tillamook County: a coastal market where homes sold are priced well above \$200,000 and an interior market concentrated largely around Tillamook and other cities where homes are sold, by and large, for less than \$200,000.

In review of real market values (RMV) per County Assessor records for properties with issued short-term rental permits, 60 of the 827 short-term rental properties, roughly 7%, were identified with an RMV of less than \$200,000. The 61 properties are located throughout the County and the majority are in oceanfront communities identified in the housing study as being located within the “coastal market”.

In a more conservative approach, review of assessed values (AV) for permitted short-term rental properties was also completed. Based on County Assessor records, 122 of the 827 short-term rental properties, roughly 15%, were identified with an AV of less than \$200,000.

Both percentages are significantly lower when applying a \$160,000 threshold for property values in relation to what could be “affordable housing” based upon the median gross income for households in Tillamook County of \$42,581 per year. Based upon the RMV of short-term rental properties, 31 properties or roughly 4% of the 827 properties fell at or below this threshold. Based upon the AV of short-term rental properties, 69 properties or roughly 8% fell at or were below this threshold.

#### Neighborhood Concerns.

The Short-Term Rental Committee spent a significant amount of time focused on addressing neighborhood concerns. As mentioned earlier in this report, concerns raised and reflected in the surveys included lack of enforcement, lack of response from rental owners when issues arise, noise, parking, solid waste, pet waste, fire concerns related to fireworks, and over-crowding of rentals. Based upon the surveys received, parking, noise, unsafe visitor activities (fireworks, on-site fires, etc.), unruly pets and pet waste, as well as ineffectual or unresponsive complaint procedures were ranked highest. Other concerns included lack of garbage management and degradation in the quality of livability in neighborhoods.

*Note: When discussing neighborhood concerns, part of this process included identifying what issues exist solely as a result of short-term rentals and what issues may exist irrespective of the presence of short-term rentals in communities. For example, there are several contributing factors to the parking challenges in Pacific City/Woods. Likewise, unsafe visitor activities and lack of garbage management are not limited to visitors staying in short-term rentals.*

#### Preservation of Multi-Family Housing Stock for Long-Term Rentals.

The committee recognizes the importance of multi-family housing stock for availability of long-term rentals. While not able to reach a unanimous decision, the committee had three proposals for Board consideration. The least favorable option was to prohibit short-term rentals within a multi-family dwelling. Another option for consideration is to allow only one dwelling unit within a multi-family dwelling to be permitted as a short-term rental. The third and most favorable option amongst committee members present was to prohibit short-term rentals in multi-family dwellings consisting of 3 or more units.

#### Emergency Preparedness.

Another concern raised by community members and by members of the Short-Term Rental Committee is the lack of emergency preparedness of short-term rental properties and guests. It is recognized by all that in the event of an earthquake, tsunami or other hazard, vacationers will not be prepared. The committee visited about a requirement for posting of evacuation route maps and storing “go bags” in rentals. The committee concluded that educating

visitors needs to be a priority and when preparing for a natural disaster, communities should consider storing and stocking additional supplies for vacationers.

#### Proposed Actions.

The committee unanimously agreed that three actions should be taken immediately:

- Require short-term rental owners and vacation management companies to post contact information on the exterior of the short-term rental and eliminate the option to notice neighbors of a rental by mail. (This proposed action item is supported by local emergency responders who like neighbors, oftentimes do not know who to contact in the event of an issue or emergency.)
- Mandate the posting of emergency procedures and evacuation routes in short-term rentals. (The Department is working with DOGAMI on creating easy to read evacuation maps that can be posted in short-term rentals.)
- Design and enforce accountability measures for unresolved conduct or license compliance measures.

Based upon the municipality and public safety panel discussions as well as testimony received, the committee also unanimously agreed that the reinspection interval should be shortened to every three (3) years instead of every five (5) years as currently required.

#### Enforcement.

The overwhelming conclusion and consensus by the committee and community members is that the Department must engage in active enforcement of Ordinance #84, the County ordinance that regulates short-term rentals. While enforcement provisions are outlined in Ordinance #84, due to lack of staffing and other limitations, the Department has not followed through with enforcement actions necessary to help resolve concerns raised by neighbors and ordinance violations.

During the 2018-2019 Tillamook County budget hearings, the Department proposed the hiring of a code enforcement officer through the Tillamook County Sheriff's Office to assist in short-term rental code enforcement. Due to hiring limitations, this position remains unfilled. The Department recognizes that enforcement is a key part of an effective short-term rental program and an immediate solution to enhance this part of the program must be the top priority moving forward.

The committee discussed the current code enforcement provisions contained within Ordinance #84 at the December 10<sup>th</sup> meeting. Two notable comments were made by committee members during discussion. One comment was perhaps the Board should consider reducing the number of violations from three to one or two prior to consideration of permit revocation. The second comment was that the Board should consider alternative measures to permit revocation for violations.

Taking all of the comments and suggestions into account, the Department has explored an alternative approach to hiring a code enforcement officer and will be prepared to present details of an enhanced enforcement program to the Board of County Commissioners at the December 18<sup>th</sup> workshop.

### Short-Term & Long-Term Action Discussion.

The committee has identified a series of proposed actions that can be taken immediately in response to community concerns received that will also enhance management of the short-term rental program. These immediate actions are reflected in the recommended amendments to Tillamook County Ordinance #84. A draft copy of those amendments is included with this report.

Long term actions include continued monitoring of the growth in the number of permitted short-term rentals within the unincorporated areas of Tillamook County. With recent implementation of STR Helper, a vacation/short-term rental nationwide software program that identifies unpermitted rentals, the Department expects the number of short-term rentals to increase as unpermitted rentals are permitted and accounted for.

The committee would also like to continue discussion and audit of Ordinance #84, with focus on definitions related to maximum occupancy and sleeping areas, as well as parking provisions. While a cap may not be recommended by the committee at this time, it is recognized that there may be an overcrowding issue in neighborhoods due to the high maximum occupancy numbers of guests allowed in rentals. In addition to parking issues that may be attributed to high maximum occupancy allowances, concerns continue to be raised about the adequacy of public utility facilities needed to serve short-term rentals with high maximum occupancy allowances.

### Closing Comments.

It has been my pleasure to serve as the Board as the liaison to the Short-Term Rental Committee. I am proud to share that this has been a transparent, collaborative, and educational process.

I would like to personally thank the committee members and community members who have given so much of their time to serve on the committee and participate in this process. Public comments shared with the committee have been extremely valuable throughout the process and are greatly appreciated. Several panelists traveled substantial distances to participate in our panel discussions and we greatly appreciate their willingness to share information and experiences with the committee.

I feel the Short-Term Rental committee is of great value to the County and I would like to request that the Short-Term Rental Committee remain a functioning committee, and continue to assist the Department in monitoring the growth of short-term rentals as well as continued review of Ordinance #84. I would like to propose that the committee continue to meet on a regular basis to continue work on the long-term action items and provide the Board of County Commissioners with recommendations for continued ordinance amendments where deemed appropriate for Board consideration.

### Exhibits.

- A. Tillamook County Board Order #18-070
- B. STR Committee Meeting Summaries
- C. GIS Mapping for Unincorporated Communities
- D. STR Permits- Yearly Increases
- E. Percentage of STRs by Location
- F. Oceanside Neighborhood Association Short-Term Rental Survey & Findings
- G. Draft Recommendations to Tillamook County Ordinance #84





BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

In the Matter of the Formation of the            )       ORDER  
Tillamook County Short-Term Rental            )       #18- 070  
Committee and Appointment of Members        )

This matter came before the Tillamook County Board of Commissioners on July 18, 2018 at the request of Sarah Absher, Director of the Department of Community Development. The Board of Commissioners, being fully apprised of the representations of the above-named person, finds as follows:

1. The Board has found the significant number of short-term rental properties in the unincorporated communities of Tillamook County to be a concern to many community members.
2. The Board wishes to establish a committee to advise and recommend solutions to issues related to short-term rental properties in the unincorporated communities of Tillamook County.
3. The purpose of the committee shall be to provide the Board of Commissioners with recommendations of actions that can take place to help maintain a balance between short-term rentals and full-time residents in the unincorporated areas of Tillamook County.
4. This Committee shall be a nine (9) member committee composed of:
  - Two (2) community members from South County
  - One (1) community member from North County
  - One (1) community member from Central County
  - One (1) member representing the vacation rental management community
  - One (1) member representing the real estate community
  - One (1) member representing economic development
  - One (1) member representing public safety
  - One (1) member at large
5. Nanci Sheeron and Scott Nienkamp are qualified and willing to serve on the Short-Term Rental Committee as community members to represent South County.
6. Jim Haley is qualified and willing to serve on the Short-Term Rental Committee as a community member to represent North County.
7. Jerry Keene is qualified and willing to serve on the Short-Term Rental Committee as a community member to represent Central County.

**EXHIBIT A**

8. Nicole Twigg is qualified and willing to serve on the Short-Term Rental Committee to represent the vacation rental management community.
9. Pam Zielinski is qualified and willing to serve on the Short-Term Rental Committee to represent the real estate community.
10. Aaron Palter is qualified and willing to serve on the Short-Term Rental Committee to represent economic development in Tillamook County.
11. Tim Carpenter is qualified and willing to serve on the Short-Term Rental Committee to represent public safety.
12. Gus Meyer is qualified and willing to serve on the Short-Term Rental Committee as a member at large.

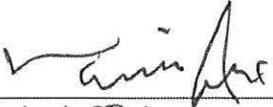
NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

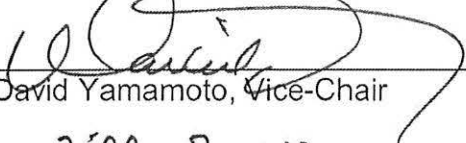
13. The Tillamook County Board of Commissioners approves the formation of the Tillamook County Short-Term Rental Committee.
14. Nanci Sheeron and Scott Nienkamp be and hereby are appointed to the Short-Term Rental Committee as community members to represent South County.
15. Jim Haley be and hereby is appointed to the Short-Term Rental Committee as a community member to represent North County.
16. Jerry Keene be and hereby is appointed to the Short-Term Rental Committee as a community member to represent Central County.
17. Nicole Twigg be and hereby is appointed to the Short-Term Rental Committee to represent the vacation rental management community.
18. Pam Zielinski be and hereby is appointed to the Short-Term Rental Committee to represent the real estate community.
19. Aaron Palter be and hereby is appointed to the Short-Term Rental Committee to represent economic development.
20. Tim Carpenter be and hereby is appointed to the Short-Term Rental Committee to represent public safety.
21. Gus Meyer be and hereby is appointed to the Short-Term Rental Committee as a member at large.
22. All Committee members shall serve at the pleasure of the Board of Commissioners.

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Dated this 18<sup>th</sup> day of July, 2018.

THE BOARD OF COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

  
\_\_\_\_\_  
Tim Josi, Chair

  
\_\_\_\_\_  
David Yamamoto, Vice-Chair

  
\_\_\_\_\_  
Bill Baertlein, Commissioner

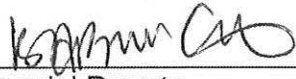
Aye    Nay    Abstain/Absent

ATTEST: Tassi O'Neil  
County Clerk

By:   
\_\_\_\_\_  
Special Deputy

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William K. Sargent, County Counsel







# STR Committee Meeting

August 13, 2018

## Meeting Summary

### I. INTRODUCTIONS & EXPECTATIONS

Sarah Absher – Sarah is the Director of Community Development. She started working in the department in 2000 was there when program was initiated. Her background is in land use planning & cartography. Sarah has been the Director for approximately one year.

Scott Nienkamp – Scott is a retired fire fighter and moved to the county in 2010 from St. Louis, Missouri. He has limited experience with STR's but is eager to learn. He has concerns about the STR program getting out of hand. He's curious why a business license is not required. \*(Business licenses are currently not required for unincorporated Tillamook County).

Aaron Palter – Aaron has lived in the county since 1999 and is the economic development representative for this committee. He served on the Tillamook Revitalization Project and is the Project Coordinator for the Port of Tillamook Bay for the past 9 years. Aaron also served on the Tillamook Planning Commission for 4 years. He has concerns more than expectations. He cautioned on being thoughtful as opposed to thoughtless in the development process. He wants to represent the vocal minority and wants absolute transparency.

Gus Meyer – Gus is originally from Tillamook County and is here for balance. He has seen our county go from heavy forest industry to light forest industry and now to tourism. Finding a balance of social economics with the difficulties of getting there; he wants to find out what he can do to help with economic development in an atmosphere of change. There's an interconnection between business, housing and short-term rentals. Some concerns are 1) complaints & liability 2) shortage of affordable housing 3) Enforcement in cities is better than in unincorporated areas and 4) businesses are having trouble finding seasonal work. Gus is also on the County Road Advisory Committee.

Tim Carpenter – Tim moved to the county in 1976 and is the Fire Chief for the Netarts Oceanside Fire District. He is chair person for the Coastal Fire Chief Caucus (an arm of the Oregon Fire Chief's Association); this topic comes up at their meetings regularly. His main objective in wanting to help modify the

ordinance is from a public safety perspective. Hotels & Motels are held to a higher standard in regards to fire and safety. The Ordinance addresses some of his concerns but would like to see stronger enforcement. He is concerned about the change in communities with fewer full time residents and more short-term rentals. Feels the change of housing is contributing to the lack of volunteer fire fighters. Would like to see something positive for everyone. The most desirable places (proximity to the ocean, etc.) are being used as STR's and as they get too full in those areas, we will begin to see them pop up more and more in "less desirable" areas inland. Tim was also on the committee that developed the short term rental ordinance and is eager to be on this committee as well.

Pam Zielinski – Pam is on the committee as the representative for the Real Estate community. She's owned STR's over the years and cares about the community greatly. She would like to see more enforcement, especially with repeat offenders but suggested a "grievance process" rather than straight to fines. She would like to see a trade association to help neighbors live in harmony with vacation rentals. Pam would not like to see a requirement for a business license when operating a short term rental as this is not a commercial use. Feels the impact on real estate, housing & the economy. Would like to see workforce housing & ADU's. Pam attended every public hearing and committee meeting for the short term rental ordinance and was on the Housing Study committee.

Nicole Twigg – Nicole is the vacation rental representative and wants a very straight-forward approach. She owns/manages a vacation rental company for over 10 years full time. They currently have about 23 employees, five years ago they had 4 employees. She mentioned the changes to the ordinance in Lincoln City and the confusion all the changes created. She would like to preserve owners' rights as well as control the nuisances. Would like to see more enforcement. Streamline between TLT & STR's. Nicole feels she follows the rules when others aren't and would like to see that change. \*\*(STR Helper is a program that will search for rentals not complying with the ordinance.)

Jerry Keene – Jerry is on the committee to represent the central portion of the county. Jerry is a nearly retired attorney and is the President of the Oceanside Neighborhood Association. He felt compelled to be on this committee due to the changes in our communities. Oceanside is the 2<sup>nd</sup> largest contributor to the TLT tax. He would like to see this committee be cognizant of "Talking vs. talking to". Authoritative statistics & credibility. Feels this can be broken down to 1) character of communities/penetration of communities by STR's 2) conduct & accountability and 3) health and safety. Also has concerns about tsunami awareness for vacationers.

Jim Haley – Jim is on the committed to represent the northern portion of the county. He would like to see a reasonable & rational approach between municipalities & unincorporated Tillamook County. He hopes to see unincorporated areas of the county be modeled after the municipalities in regard to short term rentals; owners of STR's are required to obtain a business license from the City of Rockaway Beach. He feels STR's are motels and feels people do not respect the communities. He does see excessive occupancy & vehicles in his neighborhood. Trash receptacles have been a problem in his neighborhood too. Jim feels government intrusion has caused more problems in creating more regulations.

Nanci Sheeran– Absent

## II. COMMITTEE PROCESS & OBJECTIVES/ROLES & RESPONSIBILITIES/ SHORT TERM RENTAL PROGRAM DISCUSSION

- Our goal was to create a balanced group consisting of individuals with various diverse backgrounds to help us through this process.
- Our goal will be to develop a program other municipalities can adopt if they choose. There is a need for short term amendments by December, however this committee can go beyond December as the Tillamook County Commissioners did not assign a sunset date for the committee. Multi-Family Dwellings & Accessory Dwelling Units are not eligible to be a short term rental.
- Short Term Rental Helper is a nationwide company assisting in locating vacation rentals. The program searches Craig's List, Airbnb, VRBO, Vacasa, etc. for rental advertising. The initial scrape located 1,800 properties being advertised without the necessary permit. Airbnb/VRBO are only required to submit payment rather than declaring which specific properties are being rented and by whom and when. They manage many different properties and often pay with one check and no detailed breakdown. We know there are violators in the county who are not complying with Ordinance #84; STR Helper will assist us with compliance.
  - Jerry asked for a comparison spreadsheet illustrating change from year to year
  - Gus is concerned the program hasn't been properly "debugged". However, this is not a brand-new software program.

- Enforcement was raised as a concern by all members present. There is funding for a code enforcement officer, however the Sheriff's department is currently understaffed and cannot supply us with a code enforcement officer while they are under staffed.
- The "Beat the Wave" map is a color-coded tsunami evacuation map. We will most likely require this map to be in all vacation rentals.
- Sarah would like to have panels attend 3 meetings to answer questions and provide insight from their perspective.
  - Panel 1: Community, Public Safety & Housing.
  - Panel 2: Municipalities.
  - Panel 3: Vacation Rentals, Tourism & Economic Sustainability.
- A specific and necessary change to the wording of the ordinance is in relation to the sanitation system at Sahhali Shores at Neskowin. This is a community system, and due to the size, is overseen by DEQ. Wording can be changed to refer to "single septic/single property".

### III. ORDINANCE #84 REVIEW

Tabled for the next meeting.

### IV. FUTURE MEETING DATES – All from 9:00 a.m. to 11:00 a.m. as follows:

- 1) September 4, 2018- Tillamook County Library Main Branch, Tillamook
- 2) September 25, 2018- Tillamook County Library Main Branch, Tillamook
- 3) October 15, 2018 (Jim will be absent)- Tillamook County Library Main Branch, Tillamook
- 4) November 6 2018- Tillamook County Courthouse
- 5) November 20, 2018- Tillamook County Library Main Branch, Tillamook

### V. ADJOURN



# STR Committee Meeting

September 4, 2018

## Meeting Summary

### I. Roll Call

- 1) Tim Carpenter
- 2) Gus Meyer
- 3) Pam Zielinski
- 4) Scott Nienkamp
- 5) Jerry Keene
- 6) Aaron Palter
- 7) Nicole Twigg
- 8) Jim Haley
- 9) Nanci Sheeran
- 10) Sarah Absher
- 11) Robert Buckingham

### II. DISCUSSION OF SHORT TERM RENTAL ORDINANCE #84

The purpose of the review is to clarify misunderstandings on the subject before we begin proposing changes.

#### Sections 1-4

Pam noted this ordinance does not pertain to condos. Sarah confirmed that condominiums and motels are exempt.

Jim noted that perhaps changing the verbiage from Vacation Rental to Short Term Rental could be misleading to people.

#### Section 5

(5)(G) – Jim suggests defining “monetary considering” to include the word barter.

Pam – How people would estimate for lodging tax.

Gus – How would it be enforced?

Sarah – We often receive calls from people turning their neighbors in.

Tim – We need to protect family sharing of their vacation homes.

(J) – Jim feels the word “risk” isn’t a violation.

Jerry – “risk” defines conduct and feels it’s not confusing.

Sarah asked Tim, who was part of the original committee. Tim said they were simply word-smithing at the time. Sarah asked Tim to research regulations for a possible edit to that definition.

(b)(B) – Pam asked about basement conversions and if those conversions are a dwelling unit when it could be in violation of the zoning ordinance.

Sarah explained a guest house with no cooking facility is allowed under Article 4 of the Tillamook County Land Use Ordinance. She also explained that if a basement is converted to living space but does not include cooking facilities then it's not considered a dwelling unit and would not qualify for as a short term rental. She added that a separate entrance with separate cooking facilities would be considered a duplex, etc. and would have to comply with zoning ordinances and a microwave and a hot plate constitute as a cooking device even though it's not hard-wired.

- (L) – Jim would like to see this ordinance dealing with maximum occupancy with square footage as opposed to number the home sleeps.
  - Tim – feels section (O)(3) relates to that issue.
  - Gus – Why aren't RV's counted?
  - Pam – Camping isn't allowed on property in most zones.
  - Jerry – They're not allowed, so the ordinance doesn't need to elaborate.

## Section 6

- (a)(A) – What ordinance does Sheriff Andy Long use when enforcing noise complaints?
  - Jim pointed to the “good neighbor” guidelines from the City of Seaside.
- (D)(3) – Pam asked if the notification process ends with the mailing of notices, or if there is more an owner needs to do when they receive returned mail.
  - Sarah – notification ends with the signed affidavit of mailing.
  - Pam – Is there already, or could we create a database of all short term rentals?
    - Sarah – County council has advised against such a public list to protect empty vacation homes.
    - Tim would prefer signs on the home over mailing notices. A sign has the contact information visibly available on the home.
- (E) – Jim states that garbage is an issue on his street. Some owners have large enough receptacles but if the property is rented multiple times in a week and trash pick-up is only once a week then trash ends up all over his block. Could we adjust the number of receptacles to match the # of occupants, or perhaps to also coincide with the number of trash pick-up each week?
  - Scott – Owners who also manage their own properties are often the offenders. Management companies do not want the negative implications.
  - Pam – perhaps add the word “adequate”
- (F) – Gus feels one fire extinguisher is not enough.
- (O)(3) – Jim mentioned the cross referencing isn't correct.
  - Sarah acknowledged those discrepancies will be fixed as part of this process.
  - Jim – Are sleeper sofas being considered during inspections? Are those “sleeping areas”? Nonconforming rooms are required to have a locking

door.

(P) – Jim feels the word “permissive” should be replaced.

(S) – Gus feels on street parking is a problem.

Nicole – should be based on maximum occupancy, rather than basing parking spaces on the number the home sleeps?

Jim – Is there is a guide where owners can confirm how many parking spaces they should have based on the size of their septic system. We define the minimum required but should we have a maximum vehicle allowed as well?

Sarah asked Tim if there are thresholds for occupancy based on fire and safety.

Tim – Fire & safety ordinances aren't the same for residences as they are for commercial businesses. They cannot inspect a private home unless they're invited.

Jim – Could this be a condition of having the license?

Sarah – Short term rentals are required to be inspected by a County building inspector however there is no requirement for a fire inspection by the local fire jurisdiction.

#### Section 7

Permits that are in good standing and paid in full are transferrable.

Pam asked if once the B.O.C.C. denies a permit, do the owners have any other options?

Sarah – Their next option would be circuit court.

(e)(B)(1) – Gus would like the word substantial to be defined.

(d) – Pam raised the concern of requiring major repairs to be completed within 60 days. Contractors are all busy and expecting repairs to be done in 60 days is not reasonable.

#### Section 8

(a) – Aaron asked if fees are covering the County's costs.

Sarah – in most cases yes. On average, the fees are accurate for staff time, etc.

#### Section 9

(A) – Jim asked if this can be re-worded to ask for a functioning or valid address?

Nicole feels the county should send the notices for owners.

Aaron – Proof of mailing from the USPS? Would cost owner more money.

(G) – Jim feels this is insufficient due to the experience he's had in Rockaway Beach.

#### Section 10

(A) Aaron – Reword to say, “not less than every (5) years”?

#### Section 11

Jim – Anybody can complain. The complaint would need to be reviewed for validity.

Section 12 – (no comments, questions or concerns were raised.)

Section 13 – Gus mentioned Ordinance #35 does not exist. It was never signed.

Section 14 – (no comments, questions or concerns were raised.)

Section 15 – Aaron feels the ordinance should refer to the building code rather than stating the verbiage of the code. Codes change periodically, and we wouldn't need to update the ordinance if the ordinance referred to the building code number.

Sarah – it's better to spell it out for owners rather than relying on the owner to research and interpret but she will visit with County Counsel.

**\*\*To revisit in future meetings\*\***

- Exemption of condominiums and further discussion of whether a Short Term Rental Permit should be required.
- Incorporation of language prohibiting the use of multi-family dwellings and accessory dwelling units as Short Term Rentals.
- Noise Ordinances – Is there a Noise Ordinance and how is it enforced by the Tillamook County Sheriff's Office?
- Consideration of garbage/solid waste requirements based on maximum occupancy vs. # it sleeps.
- Consideration of parking requirements based on maximum occupancy vs. # it sleeps.
- Consideration of requiring notice of new Short Term Rentals to be sent by Tillamook County DCD or remove notification requirements and only require posting of a sign with contact information on the rental property.

### III. PUBLIC COMMENT

Tom Dotson – Passing on public comments at this time.

April Dragoo – April encourages inviting the public or holding town-hall style meeting.

Regarding notification, she would prefer signage over mailing notices.

April would not like to see inspections more frequently than every 5 years.

### IV. FUTURE AGENDA ITEMS

- a. City panel discussion on September 25, 2018 at the main branch of the Tillamook County Library. Committee members are encouraged to bring a list of items they'd like to see incorporated or changed.

### V. ADJOURN



# STR Committee Meeting

## September 25, 2018

### Meeting Summary

#### I. ROLL CALL

- |                              |                       |
|------------------------------|-----------------------|
| 1) Sarah Absher              | 14) Judy Wilson       |
| 2) Jerry Taylor-Manzanita    | 15) Cynthia Alamillo  |
| 3) Mark Barnes-Cannon Beach  | 16) Bill Baertlein    |
| 4) Weston Fritz-Lincoln City | 17) David Graves      |
| 5) Derrick Tokos-Newport     | 18) Ron Young         |
| 6) Robert Buckingham         | 19) Tim Dotson        |
| 7) Jim Haley                 | 20) April Drago       |
| 8) Nicole Twigg              | 21) Barbara Ramirez   |
| 9) Aaron Palter              | 22) Melissa Rayo      |
| 10) Pam Zielinski            | 23) Tom Steibler      |
| 11) Jerry Keane              | 24) Joni Sauer-Folger |
| 12) Tim Carpenter            | 25) Melissa           |
| 13) Gus Meyer                | 26) Barbara Ramirez   |

#### II. PANEL DISCUSSION

Jerry Taylor – City Manager, City of Manzanita

- Manzanita is a residential community with limited commercial zones for hotels so they were open to short term rentals. A survey was conducted, and they acknowledge some didn't self-report.
- STR program dates to 1994.
- 17.5% cap in lowest density residential zones
- Incorporated into the ordinance in 1995.
- The area surrounding the golf course was added to the cap pool in 2006.
- In 2010 the regulations were removed from the zoning ordinance and became ordinance # 1003.
- 3 years ago they started enforcement and use the Civil Infractions Ordinance.
- A signed voluntary compliance agreement will be accepted in lieu of fines, or a reduction of fines.
- The MCA# (permit number) is required to be on all advertising.
- Local contacts must return the call within 30 minutes.
- They have not addressed Bed and Breakfast type operations at this time.

Specific questions addressed (questions listed on page 5)

- 1) Condominiums are allowed as an STR, however one license per owner. Each spouse may own one separately. An owner couldn't also be a member of an LLC, it's one or the other.
- 2) They use the state definition of "Rent" as any consideration, donations, etc.
- 3) 2 people per sleeping unit + 4.
- 4) Applies to all owners & renters. Is the noise unreasonable for neighborhood livability?
- 6) Garbage has not been a big problem.
- 9) 2 off street parking spaces are required just as a home. They feel a public street is a public street.

Mark Barnes – Planning Director, Cannon Beach

- Their STR program has been in effect since the early 1980's. They are currently undergoing an amendment process.
- Their biggest allies have been members of the STR Management industry; they meet semi-regularly in informal settings.
- They count days rather than nights.
- Regular inspections are conducted every 5 years; when renewing licenses.
- 14-day permit; rented to 1 party every 14 days - No cap
- Grandfather's permits & the lottery permits have a 200 permit cap.
- Owners must submit their booking calendars to be analyzed for compliance.
- Goal is compliance rather than punishment.
- The number of bedrooms equals the number of parking spaces required; people are removing their landscaping for additional parking spaces.
- The full roster of STR's with contact phone numbers are listed on their website; they do not require signage or notification.
- One license per owner, similar to Manzanita's program. However, they aren't as strict when it comes to an LLC.

Weston Fritz – Assistant Planner/Vacation Rental Dwelling Program Coordinator, Lincoln City

- Currently there are 540 STR's.
- There are two zones where STR's are allowed, in addition to commercial zones.
- The R1.5 zone has reached the cap
- No cap in commercial zones
- A 30-night accessory business license can be obtained; however these haven't been as appealing to owners.
- STR licensing and land use are tied together.
- Not transferrable to new owner; new owner – new license.

- Transferring to new owners is allowed in the Road's End area. This area was annexed from the county and can transfer licenses to a new owner. This area solely requires a business license, there are no ordinances regulating STR's in the Road's End area.
- Condominiums are not excluded from STR's.
- 3 people per bedroom + 1, no separate allowances for children.
- 1 parking space is required for each bedroom, with a two parking space minimum requirement.
- No on street parking is allowed, except for the Road's End area.
- Monitoring is complaint driven.
- 50% of the front yard must be landscaped.
- Signage is required with a local representative's phone number listed.
- Full STR list is available to the public, however contact numbers are not posted publicly on the website.
- Trash receptacles are to be of "sufficient size". Any owner with multiple complaints will be required to add multiple receptacles, or a larger one.
- A pattern of negligence could result in fines or a revocation of the license.
- Licenses must be renewed annually and will be subject to a 3-year inspection cycle.
- They have a waiting list and is considered first come, first served.
- One license per owner in a residential zone. However, multiple licenses are allowed in commercial zones.
- The finance department/water department

Derrick Tokos - Community Development Director, City of Newport

- The City of Newport is not as reliant on tourism as other coastal communities in Oregon.
- They are on the tail end of updating their ordinance.
- The Ad-Hoc committee consisted of 14 people. Approximately 50-60 people attended their evening town hall style meetings, with low attendance at their monthly meetings.
- Problems are not driving the changes.
- Proposed changes include allowing for ADU's anywhere.
- Owners feel they don't know their neighbors anymore and are losing their sense of community.
- There is currently no cap on STR's.
- There are no limits as to how many STR's someone may own.
- The property has the license rather than the owner; authorized agents are subject to the provisions just as an owner would be.
- Is considered a "living document" and should evolve along with the industry.

Specific questions addressed (questions listed on page 5)

- 1) Condominiums are not excluded from STR's. However, if there is one central location for contact and check-in/out, etc. then they are treated similarly to a hotel, and would not qualify for an STR.
- 2) No, they do not define monetary consideration.
- 3) 2 people per bedroom + 2. This is tied to parking; 1 parking space is required for each bedroom.
- 5) Yes, and it's effective.
- 6) A "valet service" is required for repeat offenders to enforce the garage requirements.
- 8) Sleeping areas must have fire egress.
- 9) Regarding parking, advertising equates use.
- 13) 2012 & on will be subject to structural safety inspections. When they go to annual license, there will be a 3 year inspection cycle.

III. PUBLIC COMMENT

Tom Dotson – Encourages building a partnership with VRBO, etc.

Barbara Ramirez – Parking in Oceanside is a problem. She feels vacation renters are typically, better than full time rentals. She acknowledges her perspective has changed over time. She's never had an inspection.

David Graves – Asked for an update in the lawsuit regarding the vacation rental property in Manzanita.

IV. FUTURE AGENDA ITEMS

- a. October 15, 2018 topic to be Public Safety. We will invite members of local fire and safety, public works representatives and law enforcement.

V. ADJOURN

## STR PANEL QUESTIONNAIRE

1. Does the STR ORD apply to condominiums? Are there any exclusions/prohibitions/limitations for multi-family dwellings and ADUs?
2. Does your jurisdiction define monetary consideration? Does bartering or donation count for compensation?
3. How do you calculate maximum occupancy?
4. Do you have a noise ordinance for STRs and how is it enforced?
5. Do you have a Good Neighbor Policy and is it effective?
6. What are your garbage/solid waste management requirements for STRs?
7. Neighborhood Notifications- Do you require notice to neighbors for STRs, a sign posting, or a combination of notification requirements? Are they effective?
8. How are sleeping areas defined? Is this definition effective in determining maximum occupancy and parking standards?
9. What parking challenges does your jurisdiction face and how do you determine the adequate number of parking spaces for a STR? Is on-street parking allowed?
10. How do you enforce the STR ORD? What challenges have there been with code enforcement and how do you typically address them?
11. Does your jurisdiction work closely with local fire departments and road jurisdictions for STR management and enforcement?
12. How does your jurisdiction respond to community concerns related to livability? How does your jurisdiction balance community needs with the STR demands? What provisions are in place to help balance livability in residential neighborhoods? (Ex: Do you have a cap on the number of STRs?)
13. Are regular fire/life safety inspections required? How does the building codes program interface with the STR program and licensing requirements?
14. Do you feel the fee schedule for STRs adequately covers the cost for maintenance of your jurisdiction's program?
15. Do you foresee your jurisdictions STR program being modified in the future? If so, what modifications are being considered and why?

# STR Committee Meeting

October 15, 2018

## Meeting Summary

### I. ROLL CALL

- |                      |                       |
|----------------------|-----------------------|
| 1) Sarah Absher      | 14) Ilean Ross        |
| 2) Robert Buckingham | 15) Kris Woolpert     |
| 3) Jim Haley         | 16) Kathie Norris     |
| 4) Pam Zielinski     | 17) Barbara Rodriguez |
| 5) Nicole Twigg      | 18) Ron Young         |
| 6) Gus Meyer         | 19) Tim Dotson        |
| 7) Scott Nienkamp    | 20) Ann Price         |
| 8) Aaron Palter      | 21) Larry Rouse       |
| 9) Erin Skaar        | 22) David Graves      |
| 10) Jerry Keene      | 23) David Boone       |
| 11) Chris Laity      | 24) Tom Steiber       |
| 12) Gary Albright    |                       |
| 13) Tim Carpenter    |                       |

### II. PANEL #2 DISCUSSION

Erin Skaar – C.A.R.E. & head of the Tillamook County Housing Task Force.

- Consultant from Park City, Utah said Park City is no longer a “community”. It’s a 2<sup>nd</sup> & 3<sup>rd</sup> home, vacation destination location. He strongly encouraged everyone to consider what is the identity we seek. Decisions we make will affect our identity.
- The study focused on workforce housing rather than short term rentals.
- The starting point for the study was *What housing is needed for the jobs we have*.
- They looked at why affordable housing wasn’t being built.
- They learned the face of Tillamook County is changing and we must recognize those changes.
- Found there are 2 different housing markets; 2<sup>nd</sup> & vacation homes are more often purchased along the coast, not affecting workforce housing. Some bleed over, but mostly different markets.
- 2<sup>nd</sup> & vacation homes are a healthy market, where rural and non-coastal areas buyers can’t move up as easily as they used to; most coastal homes aren’t available for them.
- CARE website to access Housing Study:  
<https://www.careinc.org/housing-task-force/>



Chris Laity – Tillamook County Public Works Director

- Chris moved here last fall and saw first hand how fast lower end homes are selling.
- Public Works can't find people to hire because they can't find a place to live.
- Acknowledged lack of housing and our pay scale probably both play a role.
- Full time residents generally have helped to maintain the roads they live on. As full-time residents give way to STR's, the new owners are no longer helping to maintain those same roads and ditches.
- Calls requesting PW to fix roads are on the rise. Those not accustomed to our region often have higher expectations for road maintenance.
- Unfortunately, most often a minimum of 3-4 cars per rental is common. Pockets of Pacific City have ample parking but not everywhere. Maxwell Mountain has always been difficult due to the width of the road but is now worse with those parking on the street where they shouldn't. They have found "no parking" signs don't work because they'll just park somewhere else and congest that area.
- Sarah Absher asked if 2 spaces are adequate or if parking should be location driven. Chris mentioned enforcement will be the issue.
- David Graves asked about the money provided by the TLT program. Chris informed us the TLT funds are helping to maintain what we have. However, there's not enough to start new projects. As our roads deteriorate, more money will be needed to repair what we have.
- Jim Haley wondered if "park and rides" for rentals would be something to consider. Also, are there unbuildable parcels that can be converted into parking lots for such park and ride requirements.
- Tim Carpenter asked how roads are classified. Chris answered as ordered by The Board of County Commissioners. Tim explained the 3 different types of roads, 1) private - not county maintained 2) county owned & maintained, and 3) local access - not county maintained.
- A study in 2015 showed STR's are doing well overall in regard to solid waste. They are considering starting a recycling program, placing bags in homes.

Tim Carpenter – Fire Chief of Netarts Oceanside Rural Fire Protection District

- Tim mentioned this process could easily get away from us and feels we won't be able to solve everything by the end of the year. He supports continuing the committee into 2019.
- The most common complaints from people are regarding parking, traffic, and the loss of neighborhood identity. Noise and livability are next on people's minds.
- Traffic/parking is as much a safety issue as it is a nuisance issue.
- Enforcement is a challenge but having the local contact information has helped.
- Regarding question 10 – They are primarily volunteer. Absentee owners and current demographics have affected the number of volunteers. They do not have jurisdiction over residential inspections. They would have to accompany a county inspector. A suggestion was to make a change of ownership trigger a new

inspection. Aaron asked the time and cost for inspections. Tim responded approximately 2 hours at \$100 per person and they work in pairs.

- Tim supports tsunami posting in STR's. Tourists rarely consider educating themselves on tsunami evacuation routes and could cause congestion at time of crisis due to lack of education. David Boone mentioned in their years of renting along the coast they never saw tsunami evacuation or preparedness postings. He mentioned tourists will also need cared for after an evacuation/disaster.
- Absentee owners have lock boxes at their homes for fire and safety personnel. Jim Haley asked if we should make that a requirement for STR's as well.

Jerry Keene – Chair of the Oceanside-Netarts C.A.C.

- Jerry would like more data rather than discussing personal experiences.
- 15% of residences in their community are registered as an STR.
- Jerry's observation was the majority of the public in attendance live in Oceanside or Netarts and feels their communities are at the apex of STR's.
- The ONA will be sending a survey to property owners in part to provide consideration in the Short Term Rental Committee's deliberations.
- Concerns should be directed to the residential use rather than the owners of STR's.
- Jerry encourages us all to avoid expecting a "one size fits all" ordinance, but rather leave room for local option considerations.

Gary Albright – Chair of the Barview-Watseco C.A.C.

- Gary has observed the caring for roads by residents on the decline due to loss of full-time residents but does not feel they have experienced the loss of community as other communities have experienced.
- They do have some issues with excess parking but feels day use parking is more to blame than STR's.

Ielean Ross – Chair of the Pacific City-Woods C.A.C.

- Ielean has been a member of the Pacific City-Woods C.A.C. for 14 years. They started with approximately 50 members and now have over 300 members.
- Question 2: Their C.A.C. said no years ago. They are not opposed now provided they have separate hook ups and shouldn't be allowed on a single lot. The revised PCW-R3 ordinance will hopefully allow for workforce housing.
- Question 3: Feels it's not enforced.
- Question 4: noise followed by parking are the most prominent concerns. Shore Drive can be especially difficult. Their parking study is currently being evaluated. They are hesitant to expand parking. Their opinion is providing more parking will only bring more people. Ielean would like to see an improvement on what they have rather than adding more spaces. There is no "shoulder season" any more, parking is a concern throughout Pacific City.
- Question 6: They'd like to see the management company on signs and notices.

- Question 7: No. They do not feel on-street parking should be allowed.
- Question 8: Ilean asked if there was to be a dedicated enforcement officer. Sarah explained the current shortage at the Tillamook County Sheriff's Department. They need to be fully staffed first.
- Question 11: They do not feel there is a balance, and strongly feel STR's affect livability as well as property values.
- Question 12: Their hope is STR helper will find those not in compliance.
- Ilean feels there should be no more development allowed in Pacific City, nor should any more STR's be allowed; "nothing new to bring more people in".

### III. PUBLIC QUESTION & COMMENT

Barbara Rodriguez: Is there a 2<sup>nd</sup> egress planned for Oceanside & Netarts? Chris Laity explained the alternative routes right now are logging roads but there's a federal highway system that's in the design and land procuring stage. Possibility of construction beginning in the summer of 2020.

Barbara Rodriguez: Would like to see phone numbers on each STR, would like to see regular inspections and encourages us all to be open minded, not all tourists are bad people.

Chris Woolpert: Are existing rentals being filled throughout the year or only in the summer and on holidays?

Nicole Twigg: Gross earnings are less than people expect. She'd like to see data on the coastal average.

Kathie Norris: They've had a continued problem with a VACASA rental across the street. She has written letters but has not received a response.

Ron Young: Anecdotes are insignificant without real data. Day use is bleeding into the STR debate because STR's are an easy mark to attack.

David Graves: Would like to see an extension of the committee. Sarah explained while some short term solutions should be made by the end of the year, the committee will extend into 2019.

Ann Price: Encourages us to work on the "low-lying fruit" first and extend the committee into 2019. She also cautions us against creating policies & rules that cannot be enforced because enforcement is vital to this process.

Aaron Palter: Recalls when he was on the Tillamook Planning Commission and cautioned against making big decisions with few people there to speak for it or against it.

Jerry Keane: We can encourage tourism and be concerned about the impacts at the same time.

Tim Carpenter: None of the TLT money goes to public services like safety & law enforcement and that should be addressed as a % should also be going to protecting and serving.

IV. FUTURE AGENDA ITEMS

- a. November 6, 2018 from 9:00-11:00 a.m. at the Port of Tillamook Bay main conference room at 4000 Blimp Blvd. Invited guests for Panel #3 include local business owners, vacation rental management representatives, the Tillamook Chamber of Commerce, and Nan Devlin to name a few.

V. ADJOURN

STR PANEL #2 QUESTIONNAIRE

1. By your estimation, what percentage of dwellings in your community are short term rentals?
2. Do you feel there should be exclusions/prohibitions/limitations for multi-family dwellings and ADUs?
3. Based upon your observations, do you feel the maximum occupancy of short-term rentals in your community are calculated appropriately, are they too high, are they too low?
4. If too high, what contributing factors helped you arrive to this conclusion?
5. In your opinion, what are the most prominent community concerns related to short term rentals in your neighborhoods?
  - a. Parking
  - b. Noise
  - c. Solid Waste
  - d. Other
6. Do you think a Good Neighbor Policy would be effective in helping to reduce community concerns and impacts to residential neighborhoods?
7. Do you feel Neighborhood Notifications and contact information in the event of an emergency or issue are effective and easily accessible?
8. Do you feel on-street parking should be allowed? If not, why?
9. Do you feel the enforcement of STRs as outlined in the Ordinance is effective? If not, what are the challenges and limitations, and how do you feel enforcement could be better addressed?
10. Based upon the percentage of short-term rentals in your community, does your community or district feel there is adequate emergency responder staff serving your community to address conflicts or issues related to short term rentals when they arise?
11. Does your community feel the livability between short term rentals and the residential culture of your neighborhoods is in balance? Please explain why you feel there is or

is not balance in your neighborhoods. What provisions do you feel would help better promote and maintain balance, and ensure the long-term residential livability in community neighborhoods is preserved? (Ex: Do you feel there should be a cap on the number of STRs in your community?)

12. Do you feel the County inspection process for fire/life safety compliance is adequate? If not, why?
13. Do you feel the STR program as a whole is adequate or lacking? If lacking, why and what modifications do you feel are necessary to better manage the program?
14. Do you feel the vacation rental industry is compromising the availability of long-term rental or full-time rental housing stock? If so, why?

# STR Committee Meeting

November 6, 2018

## Meeting Summary

### I. ROLL CALL

- |                              |                        |
|------------------------------|------------------------|
| 1) Robert Buckingham         | 15) Tim Carpenter      |
| 2) Jim Haley                 | 16) Jerry Keene        |
| 3) Nicole Twigg              | 17) Marie Ziemecki     |
| 4) Amy Van Dyke              | 18) Danielle Johnson   |
| 5) Stephanie Starostka Welch | 19) Kim Bergstrom      |
| 6) Mary Jones                | 20) Peter Steen        |
| 7) Nan Devlin                | 21) April Dragoo       |
| 8) Justin Aufdermauer        | 22) Barbara Rodriguez  |
| 9) Andrew Kalloch            | 23) David Graves       |
| 10) Tim Dotson               | 24) Jay (of Garibaldi) |
| 11) Pam Zielinski            | 25) Tom Steiber        |
| 12) Aaron Palter             | 26) Kathy Norris       |
| 13) Scott Nienkamp           |                        |
| 14) Gus Meyer                |                        |

### II. PANEL #3 DISCUSSION

Tom Dotson – Operations Manager, Vacasa

- Vacasa started in 2009 with one owner in Oceanside currently with over 10,000 homes in 23 states & 16 different countries.
- Question 1: Possibly 10%
- Question 2: 6 of their rentals are MFD's, most of their rentals are SFD's
- Question 3: Vacasa employs over 2,500 employees with benefits. Locally they employ 75 employees year-round and approximately 200 in the summer months. In 2015 Vacasa paid over \$1,000,000 into the TLT program. Approximately \$130-\$200 are spent per day locally by tourists.
- Question 4: Yes, the industry is still in its infancy and rental managers have come a long way. The tourism campaign has been a great success and Tom appreciates the partnership with the county and county staff.
- Question 5: Vacasa is a local business and primarily serves the industry.
- Question 7: Fewer than 1% of their rentals were ever used as long-term rentals. Their employees also have a hard time finding housing.
- Question 8: They do risk assessment and have guest services available 24 hours a day. They enforce the county's ordinance, and Tom likes to meet the neighbors to get to know each other. Parking is an issue, especially in Oceanside and they'd like to see the parking requirements changed.



- Question 9: Yes; they have 2 forms of signs and the owner has the option.
- Question 10: Guests adhering to the rules can be challenging. Tom has been known to conduct a drive-by.
- Question 11: Yes. Restrictions are appreciated if they're fair. Each community is different and perhaps should have different ordinances for the different communities.
- Question 12: Depends on who you are and where you live.
- Question 13: Local oversight with good response time. Emergency preparedness; tsunami evacuation signs are posted in their rentals and are working at having emergency kits available as well.

Andrew Kalloch – Public Policy, Airbnb

- Airbnb was launched in 2008 with a single listing in an apartment in San Francisco. Eight years later they have over 5 million listings in 81,000 cities. In the period ending 09/01/18 they had 13,000 hosts and in Tillamook County 360 hosts welcomed 67,000 guests. Two thirds of which are women and nearly one in four are over the age of 60. The average age of booking guests in the county is 40.
- Question 2: MFD's should be allowed. Long term affordability for tenants and lower income families. Supplementing income can help some afford a home.
- Question 3: A recent survey said money saved on accommodations is spent locally.
- Question 8: Airbnb has a mutual rating system for guests and hosts. Hosts who continually receive bad reviews or serious complaints could be removed from Airbnb or their score could be lowered. Anybody can lodge a complaint on their platform. Unlike local property managers, they won't have Airbnb employees locally to handle complaints or emergencies.
- Question 13: A higher compliance rate will be achieved with less rules & regulations.

Justin Aufdermauer – Executive Director/CEO, Tillamook Chamber of Commerce

- Question 3: We all benefit from tourism. Vacation homes pay more into program than hotels. Roby's estimates 40% of their stock goes to STR's. Benefits far outweigh the impacts. Secondary businesses like subcontractors also directly benefit from STR's as well.
- Question 4: No. Tourism is growing but our community isn't. There's push back to growth and STR's have become an easy target. We should find the actual problem and embrace growth. A one size fits all policy won't work for all of our communities because our communities are different.
- Question 7: Inconclusive information on how they relate; feels they're different.
- Question 12: Depends on who the audience is.

Nan Devlin – Director of Tourism, Tillamook Coast

- We do not depend on tourism dollars like Lincoln City, Canon Beach & Seaside do.
- Trends are showing favorability to STR's due to a lack of hotel rooms, although they remain an easy target.
- January – March saw an 80% occupancy rate.
- Tourist destination spending is outside their lodging, which goes to restaurants, grocery stores, gas stations, etc.
- Nearly 3,000 jobs of which only 15% are minimum wage,
- Question 3: City Budgets such as Manzanita & Rockaway Beach depend on the TLT.
- Question 7: No; these are two different animals completely. Long-term rental laws have changed in favor of tenants' rights. "Cause to evict" is still a law, however it's dependent upon how the tenant feels about that "cause". Some may not want to rent long term any more.

Mary Jones – Kiwanda Hospitality Group & Pelican Brewing Co.

- Question 3: Good living wage jobs in the tourism sector. Tourism brings in the people that spend the money. There are a small amount of hotel rooms in the county and STR's are common in Pacific City. Using the home as an STR helps many afford to purchase those homes.
- Question 4: In balance with those buying houses & businesses. Not in balance with long-term housing, but they're different subjects.
- Question 5: Their businesses are based in the tourism/vacation industry.
- Question 7: No. Zoning is more of a problem than restricting STRs. The need for workforce housing is extremely important.
- Question 11: Not entirely; making everyone follow the rules would be a solution.

Stephanie Starostka Welch – Nestucca Ridge Development

- Their short-term rentals started in 2000. They currently have 65 homes in their rental pool, mostly in Shorepine Village. Shorepine was created with vacationers in mind so they don't experience the same problems with trash and parking as other areas may.
- Their businesses wouldn't be there without tourism dollars and STRs.
- They employ roughly 30-50 employees depending on the time of year.
- Question 10: Parking is probably their biggest issue, but they don't have many complaints.

Amy Van Dyke – Sunset Vacation Rentals

- Sunset Vacation Rentals started in 1995 and had 60 homes when she joined the company. They have since purchased a smaller vacation rental company and joined the inventory. They had a long-term rental company, which has since been sold. They have approximately 115 homes in the Manzanita and Rockaway Beach

area with approximately 20% in unincorporated Tillamook County; they have a good relationship with city & county staff. Their guests check in at an office so they all have a face to face interaction, which helps when a problem may arise.

- Question 2: A very small number are multi-family dwellings.
- Question 3: Vacation rentals and tourists bring dollars, which results in jobs. Their employees have benefits. Guests & employees bring a lot to our communities.
- Question 4: Yes, she feels there is a balance in their community.
- Question 7: Long-term & short-term rentals are totally different. Those who buy coastal homes are not the same as those buying a full time/long-term residence. Not any different as it used to be. People have always had a hard time finding long-term rentals in the county.
- Question 8: They have a 24 hour service. Emergencies are sent via text. It's they're community too so they're serious about enforcement & complaints.
- Question 9: Signage is preferred.
- Question 10: Biggest problem is overall "vacation brain".
- Question 11: Only a small fraction of their rentals are in unincorporated Tillamook County. Most of their business is inside city limits so it's much easier for them. If the ordinance is too difficult then people will try to get away with more. Rental companies want a good image so they're usually wanting to take care of problems right away.

#### Nicole Twigg – Kiwanda Coastal Properties

- Nicole owns Kiwanda Coastal Properties and currently has approximately 60 homes in her rental pool.
- Question 1: TLT money predominantly comes from South County.
- Question 2: Zoning relates more to MFD's; we need more zones where MFD's are allowed. We also need ADU's allowed in more zones.
- Question 3: Jobs are created by tourism. One full time job is needed for every 30 tourists.
- Question 4: Guest expectations are a lot higher than they used to be. Rustic cabins aren't appreciated like they used to be.
- Question 11: Nicole feels there is no enforcement by the County & it's not fair across the board.
- Question 13: Strict regulation equals less compliance.

#### Jim Haley – Committee Member

- Economic development is an extremely complex issue and often a circular argument. "to get tourists we need fancy restaurants, but without fancy restaurants we don't need tourists."
- If people can't afford houses whose problem is that? Do we need to help them buy a house?

- Regulations may not be easy to follow but that doesn't mean they're not necessary.

Jerry Keene – Committee Member

- Regarding economic development, Jerry mentioned tourism takes place in residential zones where other businesses such as logging & fishing do not.

Pam Zielinski – Committee Member

- Pam recently moved from an area where there were no STRs in close proximity to an area with several STRs. She's been pleasantly surprised with how peaceful and quiet her new home is located.

Tim Carpenter – Committee Member

- Tim lives near STRs that used to be full time residences and says things can get out of hand and sees a loss of sense of community
- Tim would like to see this group continue to meet in 2019.

Gus Meyer – Committee Member

- Gus asked if the management companies keep track of repeat customers
  - Vacasa does not track repeat customers
  - Airbnb does keep records on customers/repeat customers
  - Sunset Vacation Rentals has a review system sent to guests via email. Many of their guests are repeat customers but they don't track at this time.

Aaron Palter – Committee Member

- Does Airbnb require homeowners to carry homeowner's insurance? No, Airbnb has a "Million Dollar Host Guarantee" as well as "Host Protection Insurance".

### III. PUBLIC QUESTION & COMMENT

Pete Steen – Cape Meares

- Balance is subjective and will be different in different areas.
- They have divided Cape Meares into 7 neighborhoods and each neighborhood has a captain. Problems are closely monitored by the captains. Captains are there to help in the event of a disaster.

Kim Bergstrom – Neah-Kah-Nie

- Loss of sense of community not solely due to STR's. The "idea" of community has changed. "Good neighbor" policies should also include full time residents.

Jay – Garibaldi

- There is a group of property owners using somewhat of an “underground network” to find tenants for fear of being sued. Current laws protect tenants/perspective tenants more than landlords/owners. Long-term rentals are very hard to find.

IV. FUTURE AGENDA ITEMS

- a. Framework for Discussion: November 20, 2018 from 9:00-11:00 a.m. at the main branch of the Tillamook County Library.

V. ADJOURN

### STR PANEL #3 QUESTIONNAIRE

1. By your estimation, what percentage of dwellings in your community are short term rentals?
2. How many rentals under your program are part of a multi-family dwelling? Do you feel there should be exclusions/prohibitions/limitations for multi-family dwellings and ADUs?
3. What benefits do you feel vacation rentals bring to the community and Tillamook County as a whole?
4. Do you feel the vacation rental industry is in balance with other goals and values of your community and Tillamook County?
5. By your estimation, what percentage of your daily business operation serves the tourism/vacation rental industry? Do vacation rentals play an integral role in your business or organization?
6. How do you feel your business benefits from the vacation rental industry, if at all?
7. Do you feel the vacation rental industry is compromising the availability of long-term rental or full-time rental housing stock? If so, why? If yes, is this impacting your business in any way? (Ex: Lack of long term or affordable housing stock for employees.)
8. How does your vacation rental management company address community concerns related to noise, excessive parking, trash and other issues that may surface between neighboring full-time residents and your guests? Do you feel your company adequately addresses these concerns w they present themselves?
9. Do you feel signage should be posted on the exterior vacation rental or a sign on the property so that property owner or management company contact information can be easily obtained?

10. What challenges does your vacation rental management company have to regularly address in relation to the management of vacation rentals?
11. Do you feel Tillamook County's Short-Term Rental program for vacation rentals is adequate? Do you feel there should be more stringent restrictions for on-street parking, the number of occupants allowed, solid waste management, and enforcement provisions? Is there anything you would like to see Tillamook County do differently in managing vacation rentals?
12. Do you feel Tillamook County as a community supports the vacation rental industry? If not, why?
13. What solutions would you propose be considered for continued regulation of vacation rentals that support this tourism-based industry while keeping in tune the balance of community visions, needs, and preservation of residential neighborhoods?
14. Additional comments are welcome.



# STR Committee Meeting

November 20, 2018

## Meeting Summary

### I. ROLL CALL

- |                  |                       |
|------------------|-----------------------|
| 1) Sarah Absher  | 8) Kathy Norris       |
| 2) Jerry Keene   | 9) David Graves       |
| 3) Jim Haley     | 10) Barbara Rodriguez |
| 4) Pam Zielinski | 11) Bud Miller        |
| 5) Gus Meyer     | 12) Heather Crawford  |
| 6) Aaron Palter  |                       |
| 7) Tim Carpenter |                       |

*Voting Committee Members Present Include: Jerry Keene, Jim Haley, Pam Zielinski, Gus Meyer, Aaron Palter and Tim Carpenter*

### II. DISCUSSION ON RECOMMENDATIONS TO B.O.C.C.

- Jerry's Motion: As a matter of policy to prospectively prohibit short term rentals in multi-family housing structures as part of the short-term rental ordinance.
  - Seconded by: Tim
  - In favor: Tim, Jerry, & Gus
  - Opposed: Aaron, Pam, & Jim
  
- Tim's Motion: Anything over a tri-plex be prohibited from being used as a vacation rental.
  - Seconded by: Jerry
  - In favor: Jerry, Gus, Jim and Tim
  - Opposed: Aaron & Pam (Pam opposes the word prohibit. She was hoping for verbiage similar to if there's a 4-plex, to limit the vacation rental to only 1 unit rather than say they can't use any strictly because it's over a tri-plex).
  
- Jerry's Motion: Uniform posting of evacuation and emergency responder contact information be posted in all STR's. Jim asked if Jerry would want to specify what information must be listed; Jerry declined at this juncture.
  - Seconded by: Aaron
  - In favor: all present
  
- Jerry's Motion: Requiring prominent exterior or window posting of owner/ manager contact information or online reference ID. Eliminating the option of notification via

letters. Discussion: Aaron disagrees with the word “OR” in the event of an emergency. Jerry agreed to amend his motion to eliminate “or online reference ID”; amendment also seconded. Discussion: Jim asked that the license number should be posted – Amendment also seconded.

- Seconded by: Pam
- In favor: all present
  
- Jerry’s Motion: Encourage the provision of emergency provisions on site.
  - Seconded by: Pam
  - In favor: Jerry, Jim, Tim, Gus & Pam
  - Opposed: Aaron
  - Possible Future recommendations:
    - Gus recommends tying the verbiage to the Resiliency Plan.
    - Sarah mentioned partnering with Tim and Gordon McCraw to provide owners with a list of items which are consistent with emergency provisions. The intent provides direction to DCD to ensure the information is available.
  
- Jim’s Motion: Shorten the inspection interval.
  - Seconded by: Pam
  - In Favor: All present
  - Opposed: none
  
- Enforcement: Sarah would like to talk to her staff and come up with proposed language or revisions on how we can improve the enforcement component and bring back to the committee to discuss.
  - Jerry: There are a number of complaints regarding enforcement and acknowledges that the county does not have the staff to take the “gun and badge” approach to every violation. The best way to get past visitor mis-conduct is to make it clear to the owner they will be held responsible if they do not respond in a timely manner when they are alerted to a problem.
  
  - Sarah asked if everyone agrees with tabling enforcement until her staff can provide input-All agreed.

### III. PUBLIC QUESTION & COMMENT

- Kathy Norris – The low hanging food approach is excellent. Hopefully the reports from the other communities will help reinforce that. Parking issue: an interesting comment in one of the Oceanside surveys is “Maybe it’s time for the communities to become parking permitted”.
  
- Jerry Keane – The Oceanside membership will vote on their report, so they can forward it to the commissioners.

- David Graves – Declined to speak due to time constraints.
- Heather Crawford – Expressed interest in becoming a committee member. Heather suggests going beyond the shell & interior of the structure for the fire and life safety inspection. She recalled an oceanfront rental she managed where the edge encroached closer and closer to the foundation of the home to the point where she had safety concerns. The current ordinance does not include the physical characteristics of the land to play a role in the inspection process, so she made the decision to no longer manage the property.
- Barbara Rodriguez – She’s been attending meetings such as this for 20 years and feels this is a circular argument with no resolution. Oceanside has always had and probably always will have parking problem from property owners, vacation rental occupants, tourists, etc. Vista house has 3 units and has been rented for 23 years and has found her renters take care of her home. She acknowledges there are problems but feels the full-time renters, full time occupied home owners, etc. can be just as bad. Long term renters can be very hard on homes and yards; she’s found short term renters to be much better. What’s the difference between a short-term rental, a full time rental and a private home; they are each money makers. Short term rentals don’t rent 365 days a year so it’s not a problem every day of the year. “Go Bags” agrees with including water but feels people buy/bring more food than they need for their stay as part of human nature.
- Bud Miller – Thanks all who’ve served on the committee and he appreciates the consideration of the fact that short term rentals are an impact on the people who live here. The best way to limit the problems of short-term rentals is to limit the number of short-term rentals. Sees a disconnect between solving the workforce housing problem and revising the short-term rental ordinance; solve that problem when it’s totally unrelated to short term rentals.

#### IV. FUTURE AGENDA ITEMS

- Sarah has proposed that this committee continues to meet in January and throughout 2019. Pam suggested the committee doesn’t have to be the same people on the current committee. Sarah agreed individuals may retire from the committee and be replaced with a new member after the application process-All agreed.

#### V. ADJOURN

## IDEAS FOR NEAR-TERM COMMITTEE RECOMMENDATIONS

### I. Emergency Preparedness

- a. Post evacuation and emergency responder information in rentals
- b. Prominent exterior of contact information or online reference ID for online information
- c. Emergency visitor provisions (?)

### II. Accountability Measures

- a. Prominent exterior posting of complaint/concern contact information (eliminate opt out by mailing)
- b. Reinforce 24 hour/20 minute response mandates in the ordinance
- c. Dissemination of county phone number or online link to log dissatisfactory or failed responses by owners/managers
- d. County site or hotline should verification suggestions: cell photos with time/date / vehicle license numbers / identify witnesses
- e. County maintenance of a failed responses log
- f. Incorporate logged/verified response failures into STR license renewal process (Sanctions? Probation? Phased discipline?)
- g. Adjust license and renewal fees to include county staff and costs for complaint logs and verification

### III. Affordable Housing Impacts

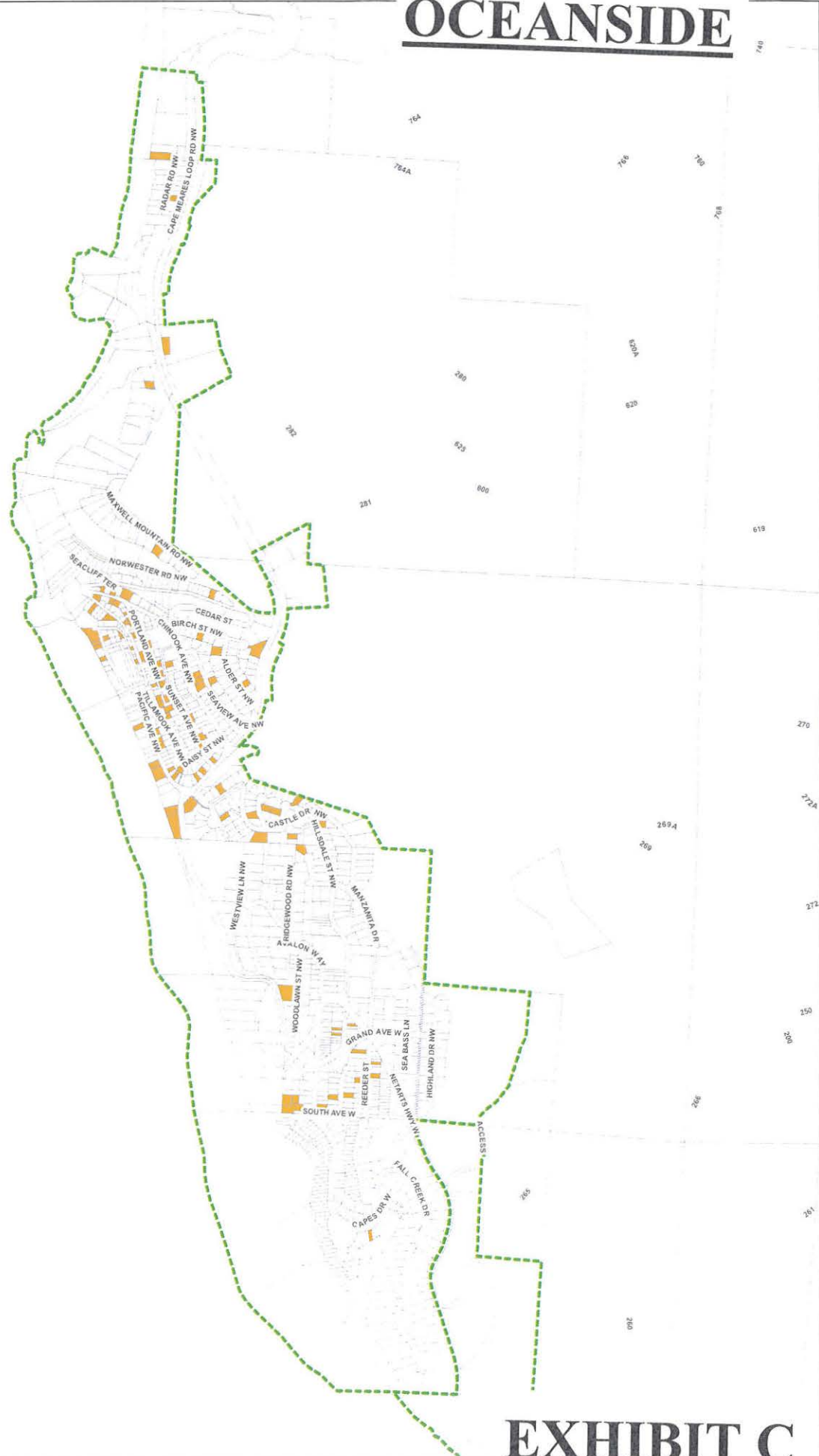
- a. Prohibit STRs in multifamily housing structures

### IV. Data Collection for Use in Consideration of Future Rules Revision

- a. Compile survey responses into Committee report with analysis of the nature and intensity of reported issues/concerns sorted by community
- b. Format new and ongoing complaint log statistics for future analysis and correlation with survey data
- c. Design complaint log database for easy breakdown by location, frequency, and the nature of reported issues to assist with evaluation and targeting of future regulatory measures (limits on STR license transfers? caps on licenses per zone? caps licenses per individual?)



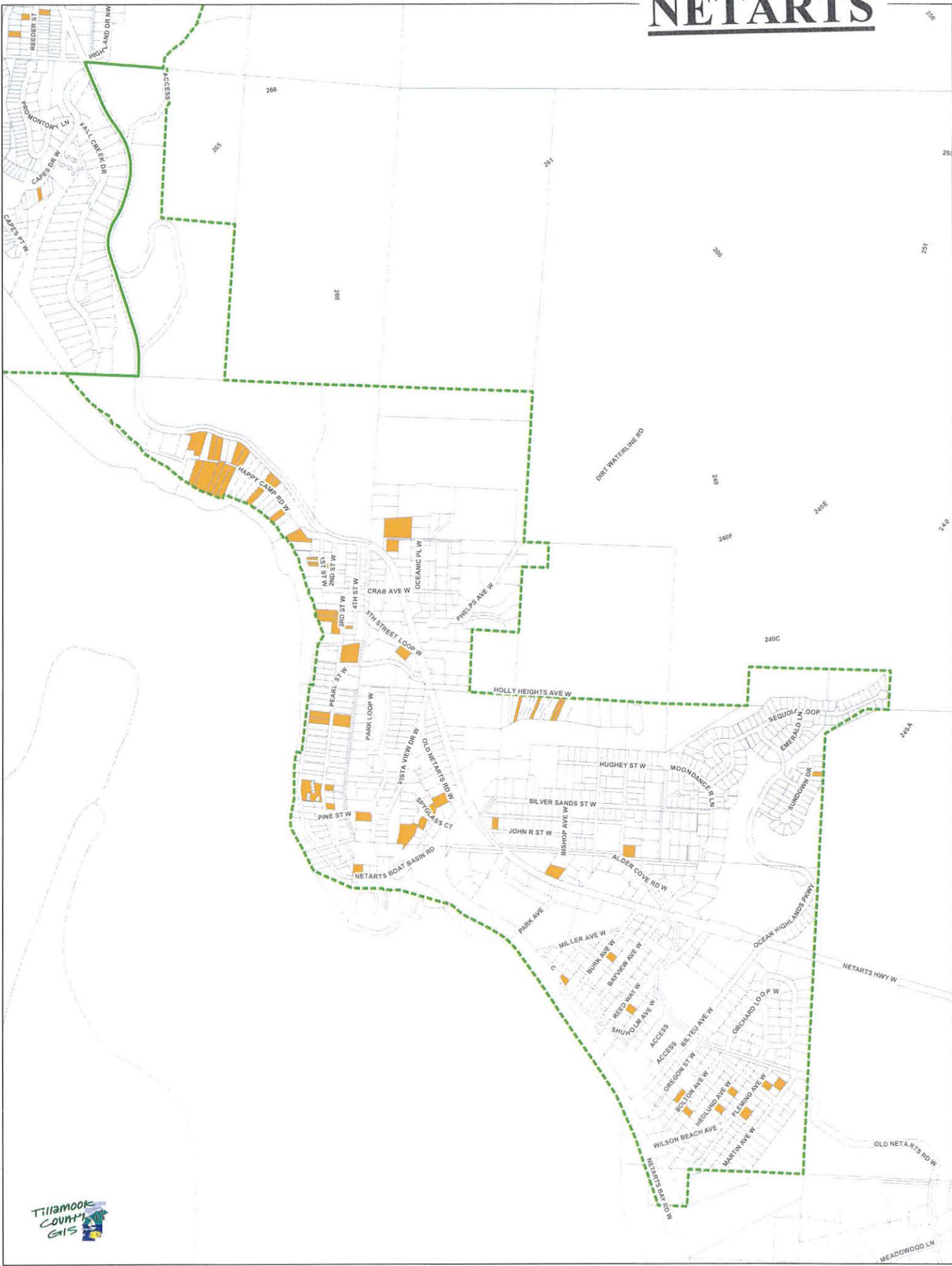
# OCEANSIDE



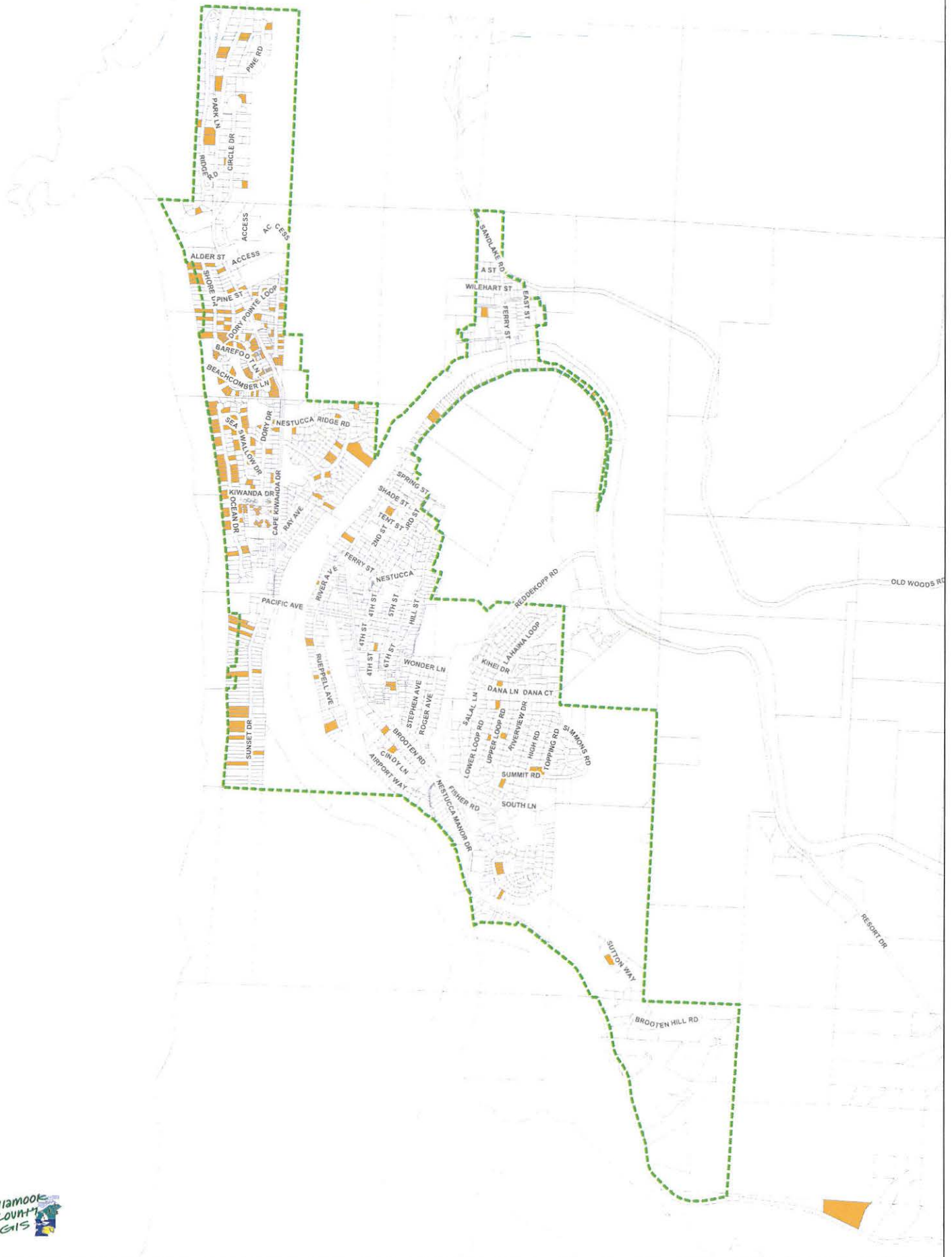
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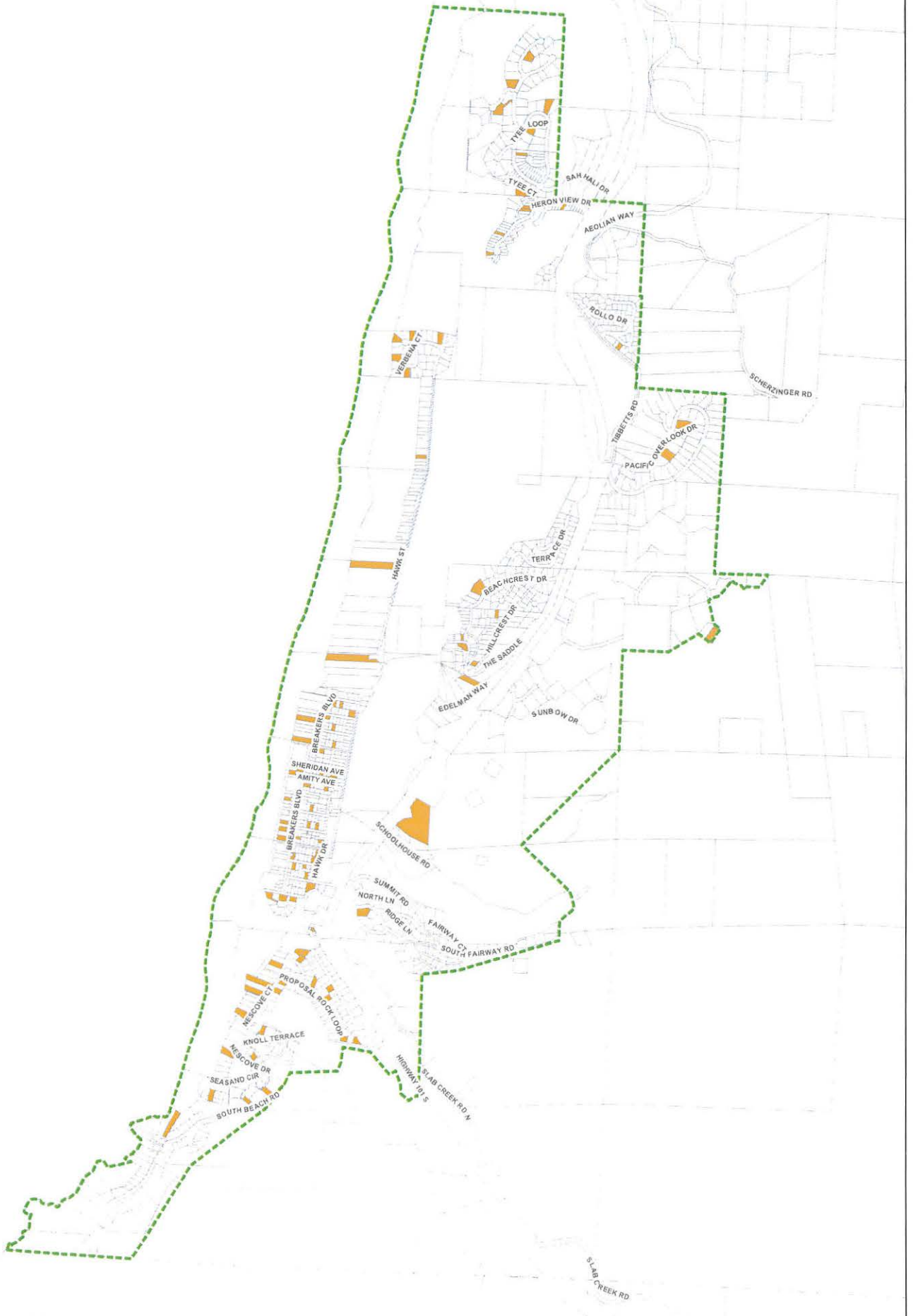
# NETARTS



# PACIFIC CITY/WOODS

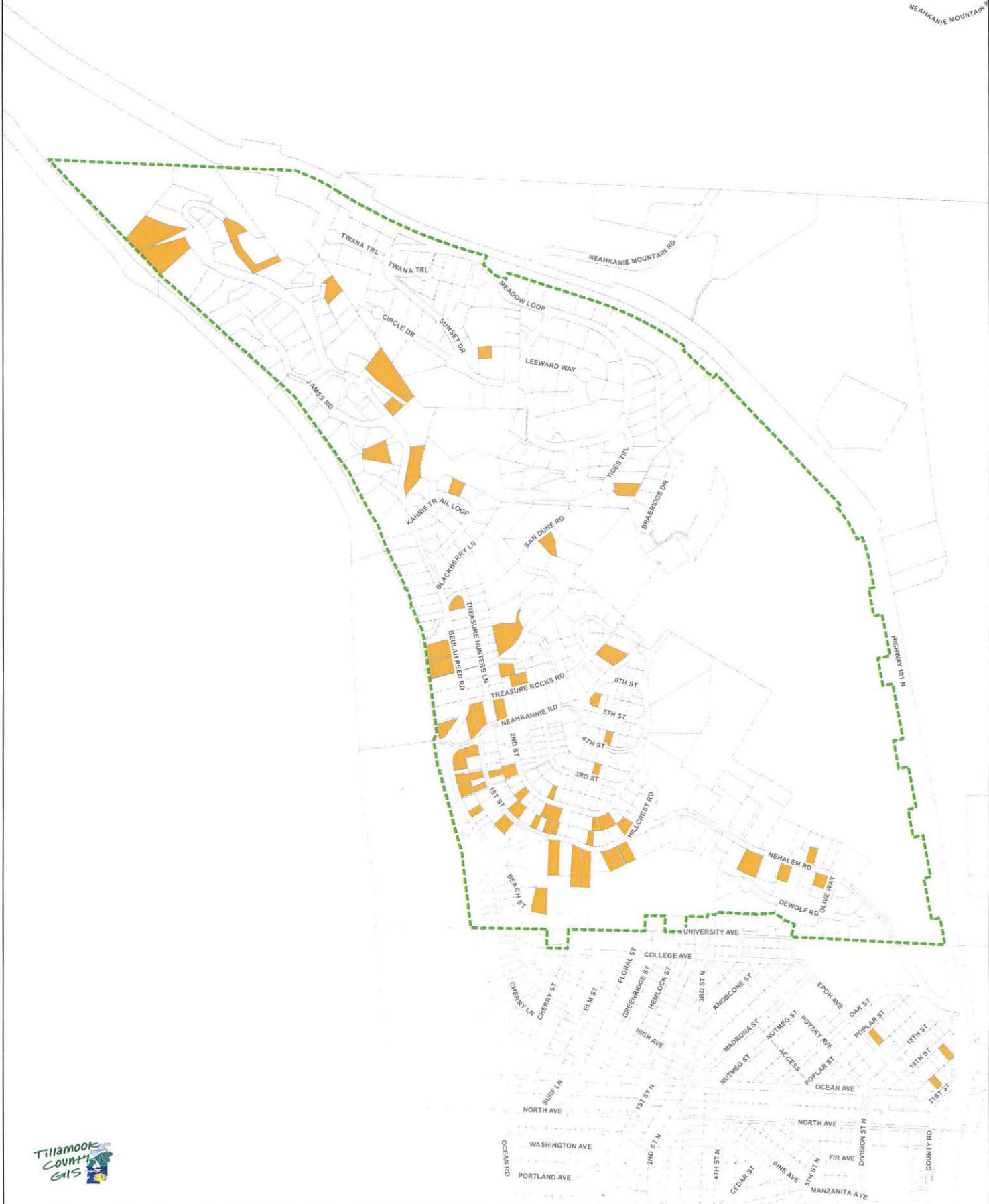


# NESKOWIN



# NEAHKAHNIE

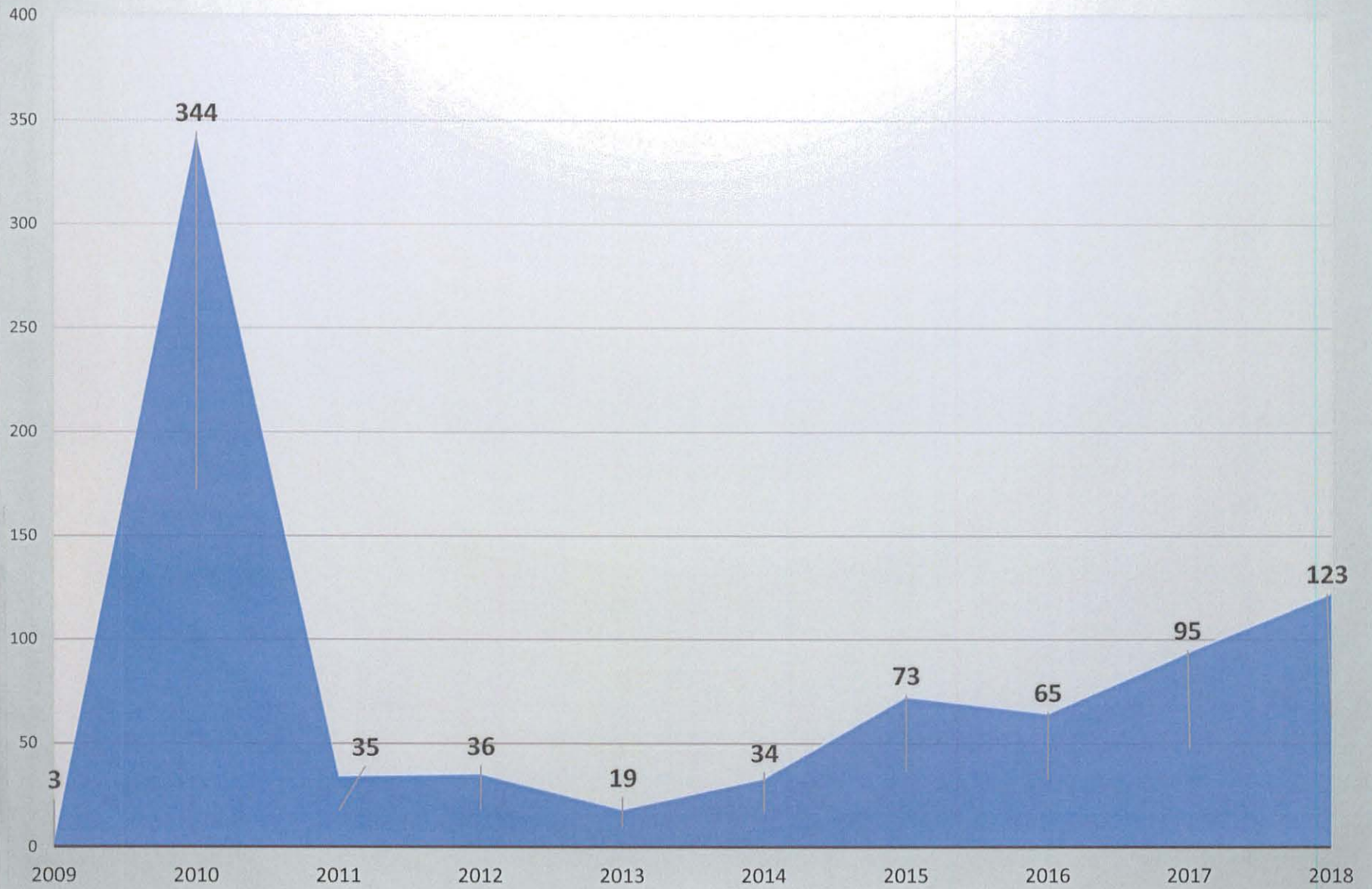
NEAHKAHNIE MOUNTAIN RD







# STR Permits - Yearly Increase

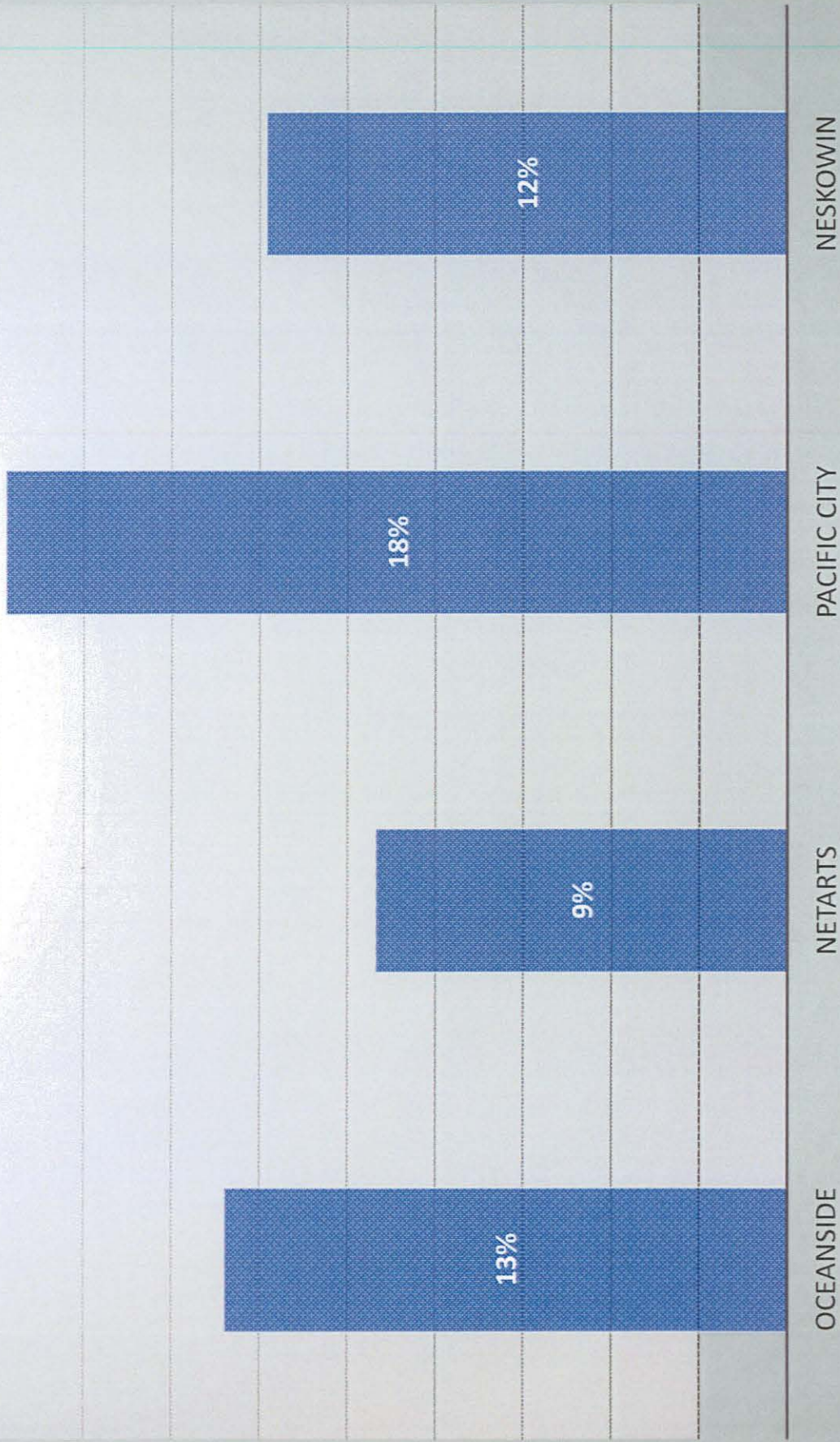


**EXHIBIT D**



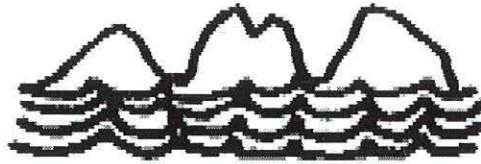


# Percentage of STRs by Location





Absher



Oceanside Neighborhood Association  
www.oceansidefriends.com  
oceansidefriends@gmail.com

December 1, 2018

Tillamook Co. Short Term Rentals Committee  
c/o Sarah Absher, Director, Tillamook Co. Community Development

Tillamook County Board of Commissioners  
Tillamook County Courthouse

Dear Commissioners and Committee Members:

**OCEANSIDE NEIGHBORHOOD ASSOCIATION REPORT ON  
LOCAL INTERACTIONS WITH SHORT TERM RENTAL OPERATIONS**

Over the past year, the county STR Committee had access to little or no objective data reflecting how short term rentals are interacting with the communities in which they operate. Too often, the only available information was anecdotal or personal experience. The Oceanside Neighborhood Association CAC just completed an extensive effort to gather such information in our local area. At our December 1, 2018, meeting our membership approved the report and voted unanimously to convey it to county officials for whatever use they deem appropriate.

**Methodology**

The ONA committee designed and distributed approximately **200 survey questionnaires** by hand and email to part- and full-time residents, property owners and STR operators in the Oceanside, Netarts and Cape Meares area during October and early November 2018. Nearly **100 completed surveys were completed and returned (a 50% response rate)**, demonstrating **significant community interest** and engagement. The ONA also organized a **Town Hall** in Oceanside on November 6, 2018, that drew roughly **45 attendees** for a two-hour **group conversation and some informal balloting** on STR issues. The ONA committee then reviewed, tabulated and summarized information from both the survey and Town Hall, into two reports - one of which summarized input by from **Oceanside** respondents, and a briefer report that summarized responses from **Cape Meares** residents. (An insufficient number of Netarts residents participated to support a meaningful report.)

**Format**

The report utilizes **two formats** to present the data from different perspectives: (1) **objective data** (tabulations, percentages and ranked lists), and (2) **narrative responses** (representative examples quoted statements conveyed on the survey forms and at the Town Hall). The reader should remember that these reflect an earnest effort at objective analysis by a **volunteer**

**EXHIBIT F**





**committee with no professional polling or survey experience.** With such a large number of responses to be factored, some inconsistencies or ambiguous responses inevitably led to minor discrepancies in some of the tabulations and percentages. Nevertheless, the committee believes this report offers a **fair and substantially accurate breakdown** of the community input they received.

## **Highlights**

### **Prioritized Concerns and Issues**

When offered the opportunity to **identify and rank the STR issues** of most concern, both the survey respondents and Town Hall participants **consistently** identified these as the top concerns:

1. Excessive and/or inappropriately parked vehicles
2. Excessive or post-quiet hour noise
3. Unsafe visitor activities (fireworks, on-site fires, etc.)
4. Unruly pets and pet waste not picked up
5. Ineffectual or unresponsive complaint procedures

### **Comments Supportive of STRs**

While many of the comments from the community described dissatisfaction or concern over STR operations in the community, the survey and Town Hall surfaced a **significant number of supportive comments** noting the benefits of STRs, including

1. Economic benefits to the local community
2. STR contributions to road improvements (Transient Lodging Tax)
3. Supplemental income for homeowners
4. Interactions with courteous and interesting visitors
5. The increased opportunity to share appreciation of our area's beauty with others

### **Unanimously Supported Action Items**

Survey and Town Hall participants offered nearly **unanimous support** for county measures to:

- **Require STR owners to prominently post contact information on exterior of building (eliminate the current option to avoid posting by mailing notices to local neighbors)**
- **Mandate the posting of emergency procedures and evacuation routes in STR homes**
- **Design and enforce accountability measures for unresolved conduct or license compliance measures**



### Insightful and Constructive Narrative Statements

While it is natural to focus on the tabulated votes and objective rankings, this report also includes **several pages listing quoted statements** from the written survey responses and participants comments at the Town Hall. In some ways, these comments offer insights that are more **useful and informative** regarding community views on the growing short term rental presence than that reflected by the raw numbers. Please take the time to scan the statements that our community members took the time to compose and convey. They **communicate the pulse of the community on STR issues** that mere facts and figures do not convey.

### Special Cape Meares Concern

The surveys received from **Cape Meares residents** essentially mirrored the comments received from Oceansiders, with one important exception. Their responses included a significant concern over the outsized impact of growing STR operations on their **strained and vulnerable septic systems**.

The ONA hopes that county policy makers will find value in these reports and hope that you will not hesitate to contact us or our committee with any further questions or comments on this initiative.

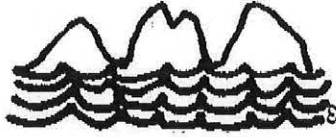
Respectfully submitted,

Jerry Keene  
ONA President  
Central Coast Representative, Tillamook Co. Short Term Rental  
Advisory Committee

### ONA Short Term Rentals Committee

Kathie Norris, Chair / Oceanside  
Kris Woolpert / Oceanside  
Ron Young / Oceanside  
Carol Kearns / Oceanside  
Robert Freedman / Cape Meares  
Scott Campbell / Netarts

Sample



## ONA Short Term Rental Community Survey - 2018

In 2014, the Tillamook County Commissioners adopted a countywide ordinance to regulate the use of private homes as short term rentals (“STRs”) in the unincorporated communities. (Incorporated cities regulate their own STRs.) This year, the county formed a special STR Committee of local officials and leaders to review the ordinance and recommend updates for consideration by the County Commissioners. At the same time, STR growth in our local area attracted community interest. As of 2018, the county reports that approximately there are 743 improved residential lots in Oceanside, out of which 104 residences (15%) are registered as licensed short term rentals.

In response to local interest, the Oceanside Neighborhood Association (ONA) formed its own committee to gather local opinions on STR issues and invited the Netarts and Cape Meares community groups take part. This local STR committee will gather public input obtained by this Survey and at public meeting(s) to be held in November 2018. It will then prepare a report summarizing community sentiment on STR issues and offer it to the community associations for approval by their members. Ultimately, the ONA will convey this report to the county STR Committee and the Board of Commissioners for consideration in their deliberations.

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### Three ways to submit your response!

1. **Copy and paste the text of this survey into a new e-mail (or Reply e-mail) addressed to [oceansidefriends@gmail.com](mailto:oceansidefriends@gmail.com). Type in your answers and hit “send.”**
2. **Copy and paste the text of this survey into a new document on your computer. Add your answers, save it and send the document as an attachment to an e-mail addressed to [oceansidefriends@gmail.com](mailto:oceansidefriends@gmail.com)**
3. **Print a hard copy of the survey, fill in your answers, and deliver it personally at one of the STR community meetings to be scheduled November 2018 or to any committee or ONA Board member.**

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### SURVEY QUESTIONS

1. In which community do you live, operate a business or work?
  - a. Oceanside
  - b. Netarts
  - c. Cape Meares



2. Please check all of the following that apply:

- a. Full-time resident
- b. Part-time resident
- c. Own undeveloped land
- d. Own property rented out on a long-term basis
- e. Own property with a Tillamook County short term rental license
- f. Rent a residence full-time from an owner
- g. Work and/or operate a business in the community

3. Which of these most accurately describes your impression regarding homes operated as short-term rentals (STRs) in your community?

- a. I have no particular concerns or issues.
- b. I have occasionally experienced or been made aware of concerns or issues.
- c. I have significant and ongoing concerns or issues

4. Please briefly provide one or more examples of specific STR interactions (positive or negative) that you have personally experienced and feel comfortable sharing. No names necessary. Add pages if needed.

5. Below (in no particular order) are various views sometimes expressed in STR conversations. Circle any that are consistent with your own view. Feel free to select more than one, or none at all. There is also space to speak for yourself at the end.

- a. I am not currently persuaded that there is a need for additional STR regulation. More study and experience are needed.
- b. STRs are essentially a commercial activity that should be banned or subject to a cap in areas zoned for residential use.
- c. Limiting STR rentals would unfairly prevent people from affording homes in our community.
- d. I favor stronger enforcement of existing STR regulations before adding new ones.
- e. STR growth economically displaces long-term renters/owners in a way that weakens neighborhood bonds and reduces the quality of life for residents who have remained.
- f. I support a homeowner's right to use their home as an STR so long as there are clear and effective ways to hold owners or managers accountable for visitor misconduct.
- g. I support regulating short term commercial rentals but the county should not prevent people from loaning their vacation homes to genuine family or friends.
- h. The county should offer individual communities the chance to determine whether and how to limit or cap STR licenses in their residential zones.
- i. Local regulations would be unworkable and inconsistent; the county should continue to address STR license limits or caps on a uniform, countywide basis.
- j. [Optional space to make your own statement!]

6. The county is considering changes to regulations that govern STR licensing and operations on a county-wide basis. On a scale of 1 to 5, please rate the following issues to indicate the ones you feel the county should look at most closely (or treat as a low priority) when considering new regulations. (1 means “lowest priority” / 5 means “highest priority”). Feel free to add your own comments. They will be reviewed and considered!

- |   |   |   |   |   |   |
|---|---|---|---|---|---|
| a. Providing emergency and disaster information/resources to STR renters  | 1 | 2 | 3 | 4 | 5 |
| b. Effective complaint procedures for neighbors of STRs                   | 1 | 2 | 3 | 4 | 5 |
| c. Visitor parking space limitation and/or enforcement                    | 1 | 2 | 3 | 4 | 5 |
| d. Limits on the percentage or number of STR rentals per residential zone | 1 | 2 | 3 | 4 | 5 |
| e. Exterior lighting restrictions and regulation                          | 1 | 2 | 3 | 4 | 5 |
| f. Setting STR fees high enough to cover enforcement costs                | 1 | 2 | 3 | 4 | 5 |
| g. Limits on the number of STR licenses per owner in a residential zone.  | 1 | 2 | 3 | 4 | 5 |
| h. Other [add your own issue(s)]:   | 1 | 2 | 3 | 4 | 5 |

Additional comments on any aspect of STR regulation are welcome below! We will be forwarding examples of specific comments to the commissioners.

**End of Survey**

**Thank you!**

**ONA Short Term Rental Committee**



Oceanside Neighborhood Association CAC  
[www/oceansidefriends.org](http://www.oceansidefriends.org)

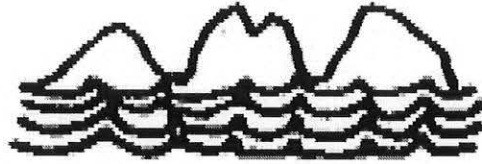
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## Summary of Survey Responses and Town Hall Comments

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Report of the ONA Committee on  
Short Term Rentals

December 1, 2018



## **Oceanside Neighborhood Association**

www.oceansidefriends.org  
oceansidefriends@gmail.com

### **Report of the ONA Committee on Short Term Rentals Summary of Survey Responses and Town Hall Comments**

**December 1, 2018**

#### **EXECUTIVE SUMMARY**

##### **ANALYSIS/TAKE AWAYS**

Oceanside area residents are interested and engaged in the issues associated with STR operations in the local area, as evidenced by a response rate of more than 50% to our distributed survey and the well-attended Town Hall in Oceanside on November 6, 2018.

Community concerns regarding STRs reduced to three general areas:

- **Parking**
- **STR Management / County Enforcement**
- **Livability Impacts**

Within these categories, some of the specific concerns associated with STR visitors and operations might also be attributed to non STR residents and day visitors, e.g. parking, picking up pet feces, outdoor lighting.

While the communities of Oceanside, Netarts and Cape Meares share many of the issues surrounding Short Term Rentals ("STRs"), each community is different. For example, Cape Meares is on septic, Oceanside and Netarts have sewer. There is an opportunity and a need for the county to tailor certain aspects of STR parameters to the circumstances of particular communities.

The survey revealed a critical need for the county to satisfy its largely unfulfilled enforcement obligations under Ordinance No. 84. Without a more aggressive and proactive enforcement effort (planning/more frequent inspections/meaningful sanctions for noncompliance), the county will not be able to leverage the current complaint-driven process into a front end management process that prevents problems instead of merely reacting to them. Nor will the county be able to effectively address residents' concerns over the impact of STR growth on quality of life so that a balance of uses in Oceanside's residential zone might be harmoniously accommodated.

## **COUNTY ACTION ITEMS WITH UNANIMOUS SUPPORT**

Our survey and Town Hall outreach revealed broad community consensus on the following issues related to STRs:

- The need for contact/complaint contact information posted on each STR
- The need for the county to have an effective owner accountability plan to deal with unresolved complaints and other license compliance issues
- The need for STR owners to provide emergency preparedness information/supplies for their guests

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## **FULL REPORT:**

### **SUMMARY AND ANALYSIS OF SURVEY RESPONSES AND TOWN HALL COMMENTS**

#### **INTRODUCTION**

This report will summarize the responses to the survey on STRs that was distributed to Oceanside and the discussion on STRs at a Town Hall meeting that had 44 people in attendance at the outset of the meeting (30 from Oceanside, 11 from Netarts and 3 from Cape Meares). Some people left and others arrived during the course of the meeting. Of those attending that Town Hall meeting, 11 were STR owners.

#### **THE NUMBERS**

195 surveys were distributed both electronically and in hard copy form. There were 80 Oceanside responses returned although a few arrived too late to tabulate their responses in the breakdowns below. Of those, 27 are full time residents; 39 are part time residences; 12 own undeveloped land; 1 owned property rented out on a long-term basis; 18 own one or more properties with a county STR license; 2 rent a residence full time from an owner; 3 work and/or operate a business in the community. Note that responders could select more than one category.

Of the survey responses, 22 indicated they had no particular concerns or issues with STRs; 31 indicated occasionally experienced or had been made aware of concerns or issues, and 18 indicated significant and ongoing concerns or issues. A higher number of full time or part time residents had concerns than those not having concerns. Only 3 STR owner responders had any concerns.

#### **THE IDENTIFIED ISSUES**

Community members were offered the opportunity to identify specific concerns regarding short term rental operations in the community, both in the survey and at the Town Hall. Both the survey and the Town Hall respondents identified essentially the same main issues and in roughly the same order of magnitude.

## **A. SURVEY RESPONSES**

The following issues were volunteered by survey respondents. The number accompanying each issue represents the approximate number of times each was identified. Individual surveys may have identified more than one of these issues.

Parking (23)  
Noise (19)  
Unsafe activities (fires, fireworks, etc.) (16)  
Pets (10)  
Trash (7)  
Traffic (7)  
Excessive or late lighting (4)  
Ineffectual or unresponsive complaint process (4)  
Lack of posted contact information (3)  
Trespassing (3)  
Speeding (3)

## **B. TOWN HALL RESPONSES**

Town Hall respondents were asked to identify the top two issues that they believed the county should focus on as it revises the current ordinance. The number beside each issue reflects the total votes cast:

Parking (17)  
Noise (15)  
Unsafe activities (fires, fireworks, etc.) (9)  
Pets (9)  
Excessive or late lighting (4)  
Ineffectual or unresponsive complaints process (6)  
Lack of posted contact information (3)

## **NARRATIVE SURVEY RESPONSES (QUOTED COMMENTS)**

The survey also asked respondents to express their opinions regarding short term rentals in their own words.

### **A. COMMENTS SUPPORTIVE OF STR OPERATIONS**

The primary supportive comments were related to:

Local Business Economies  
County/Road Improvements

Supplemental Personal Income  
Largely Courteous People  
Interesting Visitor Contacts  
Sharing Our Beautiful Town with Others

#### Samples of Supportive Comments

The idea of a “shared economy” is blossoming all over the world. It benefits all parties from the tourist who gets to enjoy a personal, social experience, to the homeowner who can utilize their asset, to the local businesses which enjoy the additional revenue brought by visitors.

My neighbor, a vacation rental homeowner, initially went over the details of his rental agreement with nearby full time neighbors for their input. We've a positive relationship. He does all the booking, his renters are largely courteous.

STR income makes it affordable to own a house in the area and for some individuals like myself, it is a primary source of income. The 10% lodging tax could be used to enhance our community Bike paths, cell tower, fixing our streets, etc.

STRs add money to our communities in a variety of ways. If we further regulate tourism, I believe it hurts our County.

Oceanside Village area really should be rezoned to allow for STR outright. The area within walking distance to the beach has been used as vacation rentals for 100 years. Only 10% of the population lives here year-round - this should be celebrated and protected.

I think we have a good system in place and we just need better enforcement and easier avenues for a neighbor to complain without fear of retribution.

I oppose caps on STRs. Communities evolve with markets. Let the market speak.  
I oppose being told what I can or can't do with my property, assuming what I choose to do does not negatively impact others.

We are not against STRs, as long as there are fair and evenly enforced regulations. These regulations should not solely be on a countywide level. Regulations need to also be decided on by individual communities.

Renters staying in our home have been deeply grateful for the homey atmosphere and the ease of access to a beach community so cute and quiet and a full house that felt like they were in their own home.

I am a single mother, and operating my place as a licensed STR has provided income for our family.



With more revenue in the area, I have seen many improvements in Tillamook. I am glad that my guests have provided revenue to local small businesses, and there is capacity for a bit of growth.

## **B. STR CONCERNS ARTICULATED IN SURVEY RESPONSES**

The primary concerns were:

- Crowded or inappropriate parking
- Loud or after-hour noise
- Unresponsiveness to reported complaints
- Lack of contact information for owners/managers
- Unsafe activities
- Unruly or barking pets
- Changing character of the neighborhood

### Sampling of Expressed Concerns

Right now my biggest concern is the possibility of new developments being built around my home/neighborhood that may become STR's and decrease my property value as well as the quiet and privacy in my neighborhood. This is the Trillium division on Hillsdale.

Although the owners claim there is a limit of 3 cars in the driveway, renters frequently arrive with 4 or more up to 6.

I also have concerns regarding the high number of short term renters in general. The vacation property managers really don't screen the renters meaning anyone with the rental fee is able to rent (you know this is very different from a long term rental application, where we can ask criminal background questions. With no real law enforcement in the village, renters can basically do as they please without consequence.

Oceanside is becoming not a place to live and visit and cherish, but instead a place to invest that has an immediate return for that investment, i.e. immediately being able to rent as soon as STR built.

Absentee owners who are unaware of and/or not interested in issues that concern the long-term health and well-being of this community.

Please recognize the difference between individual owners with STR's and a business like Vacasa. Vacasa's continuing impact in Oceanside is ongoing and concerning.

Oceanside is different than other coastal cities and should not be part of county wide governance.

My biggest fear regarding STRs is that Oceanside is becoming less of a small town community and more of a vacation resort. Maybe that's just the way it goes. My family has had a place in Oceanside since 1970- things have changed and not necessarily for the better.

Properties that house 6 or fewer renters are rarely plagued with problem renters. It is the larger rentals that get the "Party people".

Tailor on street parking allowances to specific areas. Utilize on street parking availability in specific areas to limit number of STRs.

Guests or property owners should be required to pick up after guest dogs.

I would like to see a limitation of how many cars have access to the rental, i.e. number of bedrooms.

STRs aside, the real thing that impacts the livability in Oceanside is the massive homes that are being built on tiny streets and sloped lots.

Concern about emergency preparedness when no "real neighbors" and short term renters will not have prepared at all.

I would like to see STR property owners (not property managers) be held accountable for issues and adverse behavior of their tenants. It's kind of becoming a corporate deal, where STR property owners are good on the profit end, but don't want to deal with the hassle it's creating for their small village neighbors.

Several neighbors run STRs but do not have room for all the cars and that becomes an issue, especially during the summer.

Loud and/or obnoxious behavior that would not typically be exhibited by a full-time resident.

Greatly increases the need for hospitality industry workers without providing affordable housing and benefits.

Central Oceanside is largely about on street parking. There are limits in our community for space and safety that the county is not paying attention to. If the county doesn't begin to look at communities individually and the limitations due to density, then I think capping is the only option.

### **C. OTHER NARRATIVE COMMENTS FROM SURVEY RESPONDERS**

**Additionally, these thoughtful perspectives that may be the most objective in reviewing STR's.**

The county must post online a list of STR's contacts, 24/7 phone number for complaints, maximum number of occupants /cars / date of last safety inspection.

I believe County and localities should strive for a balance in a STR policy.

I would like to see parking and lighting regulations followed by everybody.

I am now a part-time resident, but have been a full-timer in the past, and when I have seen problems with STR's poor management is the major issue.

Parking is a continuous problem not only for STRs but for local residents as well. Perhaps we should have permits available to each residence based on the number of bedrooms like in Northwest Portland. An enforcement person needs to be paid by the TLT and the money they collect from the quarterly taxes paid by the STRs. It seems like a committee person should obtain the records, regulations and protocols from the TLT so everyone is clear on what is required.

### **BREAKDOWN OF VIEWS ENDORSED BY RESPONDENTS**

The survey offered respondents a list of conversational comments regarding STR issues and invited them to endorse those they agreed with. The percentages below are rough approximations. Note that the survey respondents could endorse multiple views.

48 (60%) supported a homeowner's right to use their home as an STR so long as there are clear and effective ways to hold owners or managers accountable for visitor misconduct.

47 (59%) supported regulating short term commercial rentals but the county should not prevent people from loaning their vacation homes to genuine family or friends.

38 (47%) favored stronger enforcement/inspections of existing STR regulations.

34 (42%) agreed that STR growth economically displaces long-term renters/owners in a way that weakens neighborhood bonds and reduces the quality of life for residents who have remained.

33 (41%) agreed that STRs are essentially a commercial activity that should be subject to a cap in areas zoned for residential use.

29 (36%) agreed that the county should offer individual communities the chance to determine whether and how to limit or cap STR licenses in their residential zones.

21 (26%) thought that limiting STR rentals would unfairly prevent people from affording homes in our community.

15 (19%) were not currently persuaded that there is a need for additional STR regulation. More study and experience are needed. 13 (16%) had concerns with the changing quality of life for residents

10 (13%) agreed that local regulations would be unworkable and inconsistent; the county should continue to address STR license limits or caps on a uniform, countywide basis.

### **SURVEY AND TOWN HALL SUPPORT FOR POTENTIAL CHANGES TO THE STR LICENSING AND OPERATIONS**

70% of those rating in the survey favored STRs providing emergency and disaster information/resources to renters.

Nearly all those attending the Town Hall agreed that emergency information and evacuation routes should be provided for visitors in STRs

- 24 people agreed in the that STR owners should provide emergency provisions – especially potable water - for STR visitors; 9 people disagreed
- STR owners themselves were evenly split on such a requirement

70% of those rating in the survey were in favor of providing effective complaint procedures for neighbors of STRs.

The Town Hall group unanimously agreed that STR operators should be required to prominently post contact information for complaints on STR residences, either by a telephone number or a reference number to secure specific contact information online.

Experiences of people who did contact owners

- 10 (25%) people indicated that they had a positive experience when contacting a STR owner or manager about a concern or complaint
- 5 people (12.5%) reported dissatisfaction or a negative experience when contacting a STR owner or manager about a concern or complaint. When offered the opportunity, the group declined to differentiate between the responsiveness of individual owners and that of management companies in terms of quality or timeliness.

Roughly two-thirds of those rating favored visitor parking space limitation and/or enforcement.

Ratings were almost equal in favor/not in favor to placing limits on the percentage or number of STR rentals in each residential zone (49% - 50%). In the Town Hall discussion of placing a cap on the number of STR licenses, the concern for quality of life in the community was raised as well as the question of balancing the interests and concerns of STRs and non-STRs.

In a Town Hall vote on STR licenses, the majority of the 45 persons in attendance supported some cap for STRs in residential zones (R-1 Oceanside). The vote on limiting the number of STR licenses per person was much closer. The results were as follows:

- Ban all further licenses – 7 votes
- Impose some maximum cap on licenses – 32 votes
- Opposed any cap on further licenses – 6 votes

- 
- Limit STR license to one per person – 15 votes
  - No limit on the STR licenses per owner- 20 votes
  - Not voting – 10 attendees

During an open discussion of pros and cons regarding STR caps, here (paraphrased) are some of the observations offered by the group:

- If particular problems were adequately addressed, such as parking regulation and an effective complaints process, the issue of caps would “go away”
- A uniform cap would be unworkable; they should be tailored to areas of higher or lower concentrations of STRs (such as Oceanside’s beach village versus less central areas)
- Caps will be ineffective without practical ways to monitor compliance (unlicensed STR use)

- Caps would have a side-benefit of helping increase the availability of long-term rentals and/or affordable workforce housing
- Caps are necessary to address the impact that STR growth is having on the character of our communities
- Most visitors are appreciative and well-behaved people that we should be happy to share our beautiful area with

## REPORT SUMMATION

### Prioritized Concerns and Issues

When offered the opportunity to identify and rank the STR issues of most concern, both the survey respondents and Town Hall participants consistently identified these as top concerns:

1. Excessive and/or inappropriately parked vehicles
2. Excessive or post-quiet hour noise
3. Unsafe visitor activities (fireworks, on-site fires, etc.)
4. Unruly or noisy pets
5. Ineffectual or unresponsive complaint procedures

### Comments Supportive of STRs

While many of the comments from the community described dissatisfaction or concern over STR operations in the community, the survey and Town Hall surfaced a significant number of supportive comments, including:

1. Economic benefits to the local community
2. STR contributions to road improvements (Transient Lodging Tax)
3. Supplemental income for homeowners
4. Interactions with courteous and interesting visitors
5. The increased opportunity to share appreciation of our area's beauty with others

### Unanimously Supported Action Items

Survey and Town Hall participants offered nearly **unanimous support** for county measures to:

- **Require STR owners to prominently post contact information on the exterior of the building (eliminate the current option to avoid posting by mailing notices to local neighbors)**
- **Mandate the posting of emergency procedures and evacuation routes in STR homes**
- **Design and enforce accountability measures for unresolved conduct or license compliance measures**

The ONA local STR committee urges the county to use the above report to appropriately respond to many of the concerns raised by the survey responders.

Respectfully submitted,

ONA Short Term Rentals Committee

Kathie Norris, Chair / Oceanside

Kris Woolpert / Oceanside

Ron Young / Oceanside

Carol Kearns / Oceanside

Robert Freedman / Cape Meares

Scott Campbell / Netarts

# Summary of Short Term Rentals Survey Responses from Cape Meares



## Summary STR Surveys for Cape Meares Community

The unincorporated community of Cape Meares was invited to participate in the ONA short term rental regulation survey. As Cape Meares has somewhat different concerns than Oceanside and Netarts, it was decided to present the Cape Meares survey results separately. This report will consider only the responses from Cape Meares residents, and not the information gathered at the ONA town meeting.

### **The Numbers:**

23 People responded to the survey, 15 were full-time residents, 7 part-time, 5 own undeveloped land, 2 own property rented out on a long-term basis, and 5 own property with STR licenses.

Of the survey responses 8 had no particular concerns or issues, 10 had occasional issues or concerns, and 5 had significant concerns.

### **Major identified issues in Cape Meares:**

Noise

Unsafe activities

Pets

Trash

Septic tank overloads - and resultant pollution

Ineffectual or unresponsive complaint process

Lack of posted contact information.

Unlicensed houses being used as STR's

### **STR Positive Narrative comments:**

Limiting the number or % of STRs in residential zone is in the courts now and seems to headed for a declaration that it is unconstitutional.

Leave it be! Taxes and permits already enforced and there is a strong demand by tourists.

Tillamook County is putting a lot of effort and cost into increasing tourism. If we reduce the number of places people can stay, we are going to reduce tourism. This is called "shooting yourself in the foot." For Tillamook County, it will be shooting ourselves in the wallet!

I have seen no lack of enforcement with my permit. It is regulated already.

Any home owner should be able to do with her or his property as she or he sees fit. Limiting the number of short-term rentals in a community is wrong, too. Who gets to have one and who gets left out? Any decision on this "who qualifies" matter is arbitrary and thus is clearly unconstitutional and is a clear violation of the takings clause. The ensuing litigation would be extremely costly for the County.

**STR Positive Comments (cont.)**

I own a STR in Oceanside and live in Cape Meares. It is profitable and provides me with important income. I would prefer to have a full-time renter but have been unsuccessful in finding one.

**STR Narrative Comments: Areas of concern**

We have homes advertising they sleep 10-12 people. These all become party houses. The homes that advertise they sleep 6 or less, we have had no problems with.

Overloading septic systems is a major concern in Cape Meares, Tierra Del Mar, and Nedonna Beach. This concern should restrict the number of occupants in a STR in these communities. In Tillamook county, on the assumption that number of bedrooms will restrict the number of occupants in the home, the maximum capacity that can be designed into a septic system will determine the maximum number of bedrooms. And yet, on multiple occasions in Cape Meares, I see 5 and more vehicles parked outside a two bedroom home and other evidence that the home is occupied by far more persons than the septic system is able to handle. So what happens when all those people use the bathroom in the morning? In Cape Meares the topsoil is under-laid by layer of impervious clay. So, as the toilet is flushed and reflused, the effluent in the overloaded drain fields flows out of the field, then flows on top of the clay layer downhill, and eventually into the ocean. When some of my neighbors were growing up here, the constant parental caution was to not play in the water where Shit Creek flows across the beach. This is the west end of Pacific Ave. It may be only slightly better now that the number of failed systems is reduced, but is certainly worse than the old days on busy weekends when the STR's are loaded with too many occupants.

This is a problem unique to these communities on the beach and on septic. It is real. The county sanitarian has said that water samples taken offshore at these communities will show a rate of contamination higher than other beaches in the county. An Oceanside Water District employee became seriously infected a few years ago while digging in the soil adjacent to this creek. These communities require additional restrictions on, and strict enforcement of occupancy limits.

I hope the county can look at the economics that currently make it more profitable to create an STR versus a long-term rental. STR's are exacerbating the long-term rental problem in this county. How can long-term rentals be encouraged over STRs?

Renters set out garbage and racoons tip over cans and scatter it everywhere. No one is there to clean up the mess. Speed is also a problem as well as late-night noise.

Some visitors are clueless regarding community respect and treat our neighborhood like a giant party. For example: a young man firing a handgun toward the wetlands.

**STR Narrative Comments: Areas of concern (cont.)**

I am 82 years old. We moved here in 1991 after having a weekend cabin across the street. We built a new home here on a nice quiet street. Then, one by one, the STR's started up on our street (which is a one-lane gravel road). We have had 7 car loads of college kids in one house, and lots of kids having parties, with fireworks in front of our house at 2am. We have a bad racoon problem and they scatter garbage up and down the street. Four of the closest homes (out of 8) are now STR's."

No tsunami awareness, no "go bags" provided.

Too many people and cars in STR's that are not designed or able to handle the numbers.

**Analysis/Take Away**

One of the major concerns that the Cape Meares community has that does not impact Oceanside or Netarts is the fact that Cape Meares does not have a sewer system - each home is responsible for maintaining its own septic system. When STR's are rented out to larger groups than the home is able to accommodate, there is the strong possibility of overloading the septic system, and eventually having run-off that finds its way into the ocean. a number of people reported large groups in certain STR's - as many as 15-20 people occupying a 2 bedroom home for example. Often times this will happen without the knowledge of the homeowner, but in other cases the home has been advertised to sleep more people than is appropriate.

Other than the above, survey respondents generally agreed with the concerns expressed by Oceanside and Netarts respondents. More enforcement and inspection of STR's was very important to most all respondents, as well as having proper signage on all units. The need to be able to locate owners or responsible parties quickly is also seen as important.

The other major concern among Cape Meares residents was about unlicensed operations. People who rent their homes out as STR's but don't register them, and receive payment "under the table." Sometimes this situation occurs under the guise of letting "family and friends" friends stay in the home.

As always, there is a mix of feelings about the issue. It seems clear that those who own or operate STR's think that the current regulations are all that is needed and the process is working well. Those who do not own STR's and are often impacted by the noise and disruptions that come along with having short term renters constantly moving in and out are understandably wanting more regulation and more enforcement of existing regulations.

Respectfully submitted,

Robert Freedman, Cape Meares Representative  
ONA Short Term Rentals Committee



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, and     )  
Creating Penalties for Violations of     )  
This Ordinance                             )

The Board of Commissioners for Tillamook County ORDAINS as follows:

Section 1. Title

This Ordinance shall be known as the "Tillamook County Short Term Rental Ordinance" and may be cited and pleaded as such and shall be cited herein as "this Ordinance", or by any reference to a section or subsection of this Ordinance.

Section 2. Authority

This Ordinance is enacted pursuant to ORS 203.035.

Section 3. Purpose

- (a) The purpose of this Ordinance is to regulate short term rentals in order to enhance public safety and livability within Tillamook County.

Section 4. Applicability

This Ordinance shall apply within the unincorporated areas of Tillamook County, including areas within urban growth boundaries, but shall not apply within the boundaries of any incorporated City. This Ordinance does not apply to Bed and Breakfasts or motels, regulated under the Tillamook County Land Use Ordinance, or to condominiums for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29.

Section 5. Definitions

- (a) For the purpose of this Ordinance, words used in the present tense include the future, the singular number includes the plural, the word "shall" is mandatory and not directory and the term "this Ordinance" shall be deemed to include all amendments hereafter made to this Ordinance.

- (b) The following definitions apply to this Ordinance:
- (A) "Contact Person". The owner or if designated on the application for a permit, the agent of the owner, authorized to act for the owner.
  - (B) "Dwelling Unit". One (1) or more rooms occupied, designed or intended for occupancy as separate living quarters and containing three (3) or more of the following:
    - Refrigeration
    - Cooking facility (including cooking stove, hot plate, range hood, microwave oven or similar facility)
    - Dishwashing machine
    - Sink intended for meal preparation (not including a wet bar)
    - Garbage disposal
    - Toilet
  - (C) "Onsite Wastewater Treatment System". Means any existing treatment and dispersal system of residential wastewater.
  - (D) "Owner". The owner or owners of a short term rental.
  - (E) "Permit". A Short Term Rental Permit.
  - (F) "Person". Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government or any other group or combination acting as a unit.
  - (G) "Rental". An agreement granting the use of a dwelling unit to a person. Use of a dwelling unit by a recorded owner or other person or persons without monetary consideration shall not be considered to be a rental under this Ordinance.
  - (H) "Rented". The use of a dwelling unit granted to a person in exchange for monetary consideration.
  - (I) "Renter". A person who rents a short term rental.
  - (J) "Serious Fire or Life Safety Risk." 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.



- (K) "Short Term Rental". A dwelling unit (including any accessory guest house on the same property) that is rented to any person on a day to day basis for a consecutive period of 30 days or less during the year.
- (L) "Sleeping Area". A room or other space within a dwelling unit designed, intended or used for sleeping. Tents and recreational vehicles shall not be considered a sleeping area.

Section 6. Standards

- (a) All short term rentals shall comply with the following standards:
  - (A) The hours of 10:00 p.m. until 7:00 a.m. the next day are required quiet time. Renters who violate this standard may be issued a citation and be subject to a fine pursuant to this Ordinance.
  - (B) The contact person shall notify every renter, in writing, of the quiet times ~~and that a renter~~. The owner may be fined for violations under this Ordinance.
  - (C) The contact person shall attempt to contact a renter by phone or in person within twenty (20) minutes of delivery of any complaint concerning the conduct of a renter.
  - (D) The name and ~~a functioning~~ phone number of the contact person shall be posted so that it is visible from outside the front entrance of the short term rental. The required signage must be maintained in compliance with this Ordinance in perpetuity, or until the dwelling is no longer being utilized as a short term rental.
  - (E) The owner shall provide covered garbage containers that can be secured ~~by means approved by the local franchised garbage hauler~~. The contact person shall notify guests that all garbage must be kept in secured containers provided for that purpose. As required by Tillamook County Ordinance #4, garbage shall be removed by the local franchised garbage hauler a minimum of one (1) time per week unless arrangements are made with the local franchised garbage hauler to suspend or modify service during the times when the short term rental is not rented. The contact person shall provide guests with information about recycling opportunities.

- (F) At least one (1) functioning fire extinguisher shall be accessibly located within the dwelling unit.
- (G) All plug-ins and light switches shall have face plates.
- (H) The electrical panel shall have all circuits labeled.
- (I) Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
- (J) Smoke detectors shall be placed and maintained in each sleeping area, outside each sleeping area in its immediate vicinity and in each additional story and basement without a sleeping area.
- (K) A combination carbon monoxide/smoke detector device shall be placed and maintained on each floor of a short term rental and within 15-feet of each sleeping area.
- (L) All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly installed and vented.
- (M) All interior and exterior stairways with four (4) or more steps and that are attached to the structure, must be equipped with a hand railing.
- (N) All interior and exterior guardrails, such as deck railings, must be able to withstand a two hundred pound (200#) impact force.
- (O) Emergency Escape and Rescue Openings:
  - (1) For all dwelling units constructed after the effective date of this Ordinance every sleeping area shall have at least one (1) operable emergency escape and rescue opening. Sill height shall not be more than forty-four inches (44") 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 at grade floor openings shall be five (5) square feet and five point seven (5.7) square feet at upper floors. Minimum net clear height is twenty-four inches (24") and net clear width is twenty inches (20").

- (2) For all dwelling units constructed prior to the effective date of this Ordinance, every sleeping area shall have at least one (1) operable emergency escape and rescue opening that complies with subsection 6(a)(ON)(1) of this Section. If no such emergency escape or rescue opening exists, then an alternative may be accepted by the Tillamook County Building Official pursuant to the currently-adopted Oregon Residential Specialty Code.
- (3) Every sleeping area in a short term rental that does not comply with either subsection 6(a)(ON)(1) or 6(a)(ON)(2) of this Section, shall not be used as a sleeping area and shall be equipped with a door that remains locked at all times when the dwelling unit is being used as a short term rental. Such a non-compliant sleeping area 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 sleeping area may not be used for sleeping.
- (4) At any time after a permit has been granted for a short term rental pursuant to this Ordinance, the owner may bring a non-compliant sleeping area into compliance and upon a re-inspection and certification of compliance for such sleeping area, a new permit shall be issued that includes the increase in maximum occupancy associated with bringing a non-compliant sleeping area into compliance.
- (P) 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.
- (Q) Short Term Rental Served by Sewer: The maximum occupancy for a short term rental unit shall be calculated on the basis of an average of two (2) persons per sleeping area plus an additional two (2) persons. For the purpose of maximum occupancy, those under two (2) years of age shall not be counted. Tents and recreational vehicles shall not be used to increase the number of people approved to occupy a short term rental.
- (R) Short Term Rental with Onsite Sanitation: The maximum occupancy for a short term rental unit shall not exceed the capacity of the Onsite Wastewater Treatment System. The

capacity is based on the gallons per person per day. Tents and recreational vehicles shall not be used to increase the number of people approved to occupy a short term rental.

- (S) There shall be one (1) parking space available for each approved sleeping area in a short term rental, plus one (1) additional parking space. Off-street parking shall be used if physically available. If a sufficient number of off-street parking spaces are not available for the authorized number of vehicles, then on-street shall be limited to two (2) vehicles. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. Trailers for boats and all-terrain vehicles may be allowed but shall not exceed the allowable on street parking for each short term rental property. Renters may be cited and fined under existing State law or this Ordinance in the event they park illegally.
  - (T) The contact person shall notify every renter in writing of the required off-street parking and other parking spaces available to serve the short term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle and that renters may be cited and fined if this requirement is not adhered to.
  - (U) A house number, visible from the street, shall be maintained.
  - (V) The Onsite Wastewater Treatment System must be functioning as required with no discharges to the surface of the ground, surface waters or backups inside or under the structure. The Onsite Wastewater Treatment System may not be subjected to its design flow capacity in gallons per day.
- (b) The County will provide to short term rental owners, either by direction on the County's website or by email or mail (if requested), with the Inspection Checklist in written form prior to the inspection so that the owner can determine what improvements, if any, will be needed before an inspection is scheduled. The owner shall ensure that all items on the checklist have been completed prior to the contact person calling for an inspection. All reinspections due to incomplete items will be subject to the reinspection fee described in Section 8 of this Ordinance. The County reserves the right to modify inspection requirements ~~as deemed appropriate byat the discretion of~~ the Tillamook County Building Official to ensure compliance with fire and life safety requirements ~~and the International Building Code~~.



- ~~(c) — The County shall complete an annual inspection of the short term rental to confirm fire extinguishers and smoke and carbon monoxide alarms are present and in working order. This inspection shall be scheduled in coordination with the contact person of the short term rental and the fee for this inspection shall be made part of the Short Term Rental Permit renewal fee.~~

Section 7. Short Term Rental Permit Required

- (a) Any new short term rental owner shall obtain a permit prior to using the dwelling unit as a short term rental. Failure to comply with this Section shall be considered a violation that may be enforced under Section 12 of this Ordinance and subject to a fine of not less than Two Hundred Fifty Dollars (\$250) and not more than Five Hundred Dollars (\$500) per day, which must be paid prior to the issuance of a Short Term Rental Permit. After being made aware of the permit requirement by the Tillamook County Department of Community Development, continuing or subsequent instances of renting without a permit shall be subject to a fine of not less than Five Hundred Dollars (\$500) and not more than One Thousand Dollars (\$1,000) per day.
- (b) The owner of each existing short term rental shall apply for and pay the appropriate fee for a Short Term Rental Permit. Within thirty (30) days of applying for the Short Term Rental Permit, it is the contact person's responsibility to contact the Tillamook County Department of Community Development to schedule an inspection and ensure that entry to the structure can be granted by a person eighteen (18) years of age or above. When a call for inspection is received by the Tillamook County Department of Community Development, the inspection will be performed before the end of the next working day.
- (c) A permit shall not be issued until a short term rental passes inspection. Once a permit is issued, a permit shall be good for one (1) year from the date issued, unless subsection 7(f)(A) applies.
- (d) In any case where an inspection is not approved by the County Inspector, the County Inspector shall allow thirty (30) days' time for minor repairs or sixty (60) days' time for major repairs, at the completion of which the owner or agent must call the Tillamook County Department of Community Development for a re-inspection. A re-inspection fee of Seventy Five Dollars (\$75) may apply. If the repairs identified in the original inspection are not rectified at the time of reinspection, the permit application shall be invalidated and

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the contact person must reapply and pay the requisite application and inspection fees.

- (e) All Short Term Rental Permits shall be renewed annually by the end of the month of their application anniversary date and are subject to the annual fee.
  - (A) Either at the time of initial application or upon annual renewal, an owner may pay the annual fee for multiple years in advance. In cases where the annual fee is paid for multiple years in advance, the permit will not be subject to renewal again until the anniversary date for which no advance payment was made.
  - (B) A permitted vacation rental shall not be required to pass a new inspection when a permit is renewed, except in the following cases:
    - (1) there has been a fire, flood or other event that caused substantial damage to the structure;
    - (2) the permit was revoked;
    - (3) there has been an addition or substantial modification to the structure; or
    - (4) the permit has lapsed for more than one hundred eighty (180) days.
  - (C) Billing notice will be sent to the owner in the month prior to the permit renewal date. Such payment will be due by the last business day of the anniversary month.
  - (D) If notice under subsection 7(e)(C) is provided to the owner and the payment is not received by the renewal date, a notice that the Tillamook County Department of Community Development intends to terminate the permit shall be sent to the contact person (if applicable). This notice shall allow an additional thirty (30) days to comply with renewal provisions and shall specify that failure to comply will result in termination of the permit and the necessity to reapply as a new permit application, including a re-inspection of the dwelling unit.
- (fg) The Short Term Rental Permit is transferable to a new owner, so long as the owner of record submits a Short Term Rental Permit application and agrees in writing, to comply with the requirements of this Ordinance. Notification of ownership change shall be made



to the Tillamook County Department of Community Development within thirty (30) days of change.

(gH) Revocation of Permit

- (A) If the terms and conditions of a permit are not met, including compliance with Tillamook County Ordinances #74 and #75: Tillamook County Transient Lodging Tax (TLT), the permit may be revoked as provided in Section 11 of this Ordinance. Permits that are terminated for non-renewal or non-payment under Section 7 of this Ordinance shall not be considered a revocation of a permit and shall not be subject to the procedures contained in this subsection.
  - (B) In the sole discretion of the County Building Official, when a Building Code or Ordinance violation exists at a short term rental that presents an immediate serious fire or life safety risk, the County Building Official may immediately revoke the Short Term Rental Permit as an emergency revocation and shall arrange for an expedited hearing before the Board of Commissioners pursuant to subsection 124(b)(B) of this Ordinance. The County Inspector shall provide written documentation (in layman's terms) of the violation prior to leaving the inspection site.
  - (C) Upon an emergency revocation, the short term rental shall not be rented or used as a short term rental unless the revocation is lifted and the permit reinstated or a new Short Term Rental Permit is obtained.
  - (D) At any time following the emergency revocation of a Short Term Rental Permit pursuant to this subsection, the County Building Official may reinstate the permit upon a re-inspection by the County Building Official verifying that the subject Building Code or Ordinance violation has been corrected.
- (hi) If an application for a permit or the renewal of a permit is denied, or a permit is revoked, the owner may appeal to the Board of County Commissioners by written notice delivered within thirty (30) days of denial or revocation.
- (ij) Except as set forth in subsections 7(hg) and 11(b)(B) of this Ordinance, a short term rental may continue to operate unless and until a permit is otherwise finally revoked as provided in Section 11.

Section 8. Fees Established

- (a) At the time an owner submits an application for a Short Term Rental Permit, the owner shall pay to the County a Two Hundred Fifty Dollar (\$250) license fee as well as a One Hundred Dollar (\$100) Dollar inspection fee for the services of a County Inspector for the initial certification required by subsection 9(a)(B) of this Ordinance.
- (b) An owner shall pay the Special Inspection fee established by the Tillamook County Department of Community Development for each reinspection.
- (c) An owner shall pay a Two Hundred Fifty Dollar (~~\$250~~) renewal fee on the anniversary date of the Short Term Rental Permit ~~which includes the annual fee for inspection of smoke and carbon monoxide alarms.~~
- (d) The fees established by this Section shall be reviewed annually and, if necessary, increased by Board Order in amounts sufficient to reimburse the County's costs for administering the short term rental program, except that:
  - (A) ~~Any increase in the annual short term rental license fee shall not exceed five percent (5%) annually; and~~
  - (B) The County's fee charged to short term rentals for inspections or reinspections shall not be more than amounts charged for other building inspections.

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Section 9. Short Term Rental Permit Application Requirements

- (a) An application packet for a Short Term Rental Permit shall be completed and submitted to the Tillamook County Department of Community Development by the owner of the short term rental on forms provided by the Tillamook County Department of Community Development and shall include, or be followed by, the following information:
  - (A) A list of all property owners of the short term rental including names, address and telephone numbers. Property ownership for the purposes of this Ordinance shall consist of those persons listed on the Tillamook County tax records.
  - (B) A certification by a publicly employed Certified Building Inspector (County Inspector) which includes the following:
    - (1) That, based on an inspection, the short term rental complies with Standards found in subsection 6(a) of this Ordinance;

- (2) The maximum occupancy for the short term rental as defined by subsection 6(a)(~~Q and RP~~) of this Ordinance; and
  - (3) A sketch or narrative describing the location of the available parking spaces as required by subsection 6(a)(~~SQ~~) of this Ordinance.
- (C) The name, address and telephone numbers of the contact person who shall be responsible and authorized to respond to complaints concerning the use of the short term rental.
- ~~(DF)~~ Proof of liability insurance coverage on the short term rental.
- (~~EG~~) Proof of garbage service from the local franchised garbage hauler.
- (~~FH~~) Completed Transient Lodging Tax Registration Form (Tillamook County Ordinance #75).

#### Section 10. Continuation of a Short Term Rental

- (A) All short term rentals shall be subject to re-inspection by the Tillamook County Building Official every three (3) years from the date of ~~initial~~ permit approval of which the ~~five three~~ year re-inspection cycle shall commence upon date of adoption of this Ordinance.
- (B) The fee for a three (3) year re-inspection fee shall be the Special Inspection fee established by the Tillamook County Department of Community Development.

#### Section 11. Complaints

All complaints shall proceed as follows:

- (a) The complaining party shall first attempt to communicate with the contact person designated on the permit and describe the problem.
- (b) The contact person shall respond to the complaint within the 20 minute response period specified under section (6)(a)(C) and make reasonable efforts to remedy any situation that is out of compliance with this Ordinance within a reasonable timeframe.

- (cd) If the complaint is not resolved, then the complaining party may next provide a ~~written~~ complaint to the Director of the Tillamook County Department of Community Development, which complaint shall identify and be signed by the complaining party. The complaint shall include a description of the attempts to resolve the complaint. A copy of the written complaint shall be provided to the owner and contact person by the Director. The Director shall provide a written response with a determination whether the complaint is a violation and such determination will be provided to the property owner, vacation rental management company (if applicable), complaining party, and subdivision homeowner's association (if applicable).
- (de) If not resolved to the satisfaction of either party, within thirty (30) days after the Director of the Tillamook County Department of Community Development concludes efforts under subsection ~~4011~~(d) above, either party may appeal to the Short Term Rental Committee Board of County Commissioners for a hearing by written notice to the Tillamook County Department of Community Development and to the other party.
- (ef) Within thirty (30) days after a party receives notice of an appeal to the Short Term Rental Committee Board of County Commissioners as provided in subsection ~~1140~~(e) above, each party and the Director of the Tillamook County Department of Community Development shall provide the Short Term Rental Committee Board of County Commissioners with copies of all prior communications related to the complaint which are in possession of that person. ~~The appeal hearing shall take place at a publicly noticed Short Term Rental Committee meeting within 45 days of appeal submittal. Notice of decision shall be provided to all participating parties within 10 days of the date of decision.~~

## Section 12. Compliance, Hearings, Revocation and Arbitration

- (a) Compliance
- (A) Owners of short term rental units shall obey all applicable Ordinances of the County and shall be subject to permit revocation procedures provided in this Section.
- (B) If there have been three (3) or more violations of this Ordinance related to the same short term rental within one (1) year or if there have been three (3) or more violations of other County Ordinances related to the same short term rental within one (1) year, the Board of County Commissions may conduct a hearing to consider revocation of the permit



held by that short term rental. Violations include but are not limited to non-compliance of the requirements of this Ordinance. Failure to comply with Transient Lodging Tax Ordinances #74 and #75 will also result in an immediate violation.

- (C) Written notice of closure or discontinuation of a short term rental shall be submitted to the Tillamook County Department of Community Development in writing.
- (D) Failure to renew a Short Term Rental Permit within the 30-days of the permit renewal date will result in ~~the permit becoming null and void~~ permit revocation. Re-activation of a Short Term Rental Permit is considered to be a new permit and must comply with current requirements and fees.

(b) Hearings

- (A) If a hearing is to be conducted pursuant to subsection 7(h), ~~subsection 10(e)~~ or subsection 11~~(a)(B),(e)~~ the Tillamook County Department of Community Development shall give thirty (30) days written notice to all relevant parties of the time, date and place of the hearing; that the Short Term Rental Permit may be revoked as a result of the hearing and of the allegations upon which revocation will be considered. At the hearing, each party shall present such witnesses, testimony and other evidence as that party deems relevant to the issues. At the conclusion of the hearing process, the Board of County Commissioners shall either revoke the permit, rule that the permit remains in effect or may continue the hearing.
- (B) Upon notification by the County Building Official of an emergency revocation of a Short Term Rental Permit pursuant to subsection 7(h) of this Ordinance, the County Commissioners office shall schedule an expedited revocation hearing to be held at the next available opportunity to convene a quorum of the Board of County Commissioners and provide public notice of the hearing. In such a case, the owner shall be notified of the date, time, and place of the hearing and be afforded an opportunity to appear and be heard. At the date and time of the hearing, the Board will hear testimony from the County Building Official concerning the building code violation or Ordinance violation that lead to the emergency revocation. The contact person need not be present. At the conclusion of the hearing the Board may ratify the emergency revocation, reinstate the license or continue the hearing. In the event the Board

ratifies the emergency revocation of the Short Term Rental Permit, the owner may nevertheless apply for and receive a full hearing pursuant to subsection 4112(b)(A), or demand arbitration pursuant to subsection 4112(c)(A) of this Ordinance.

(c) Arbitration

(A) When a permit is revoked, the owner may demand review by arbitration as permitted by Oregon law. Except as a Court may otherwise determine, the decision of the arbitrator or arbitrators shall be final and binding upon all parties to the dispute, including the owner, the County and any citizen complainant. As provided in subsection 7(j), the owner may continue to operate his or her short term rental during the arbitration process. The non-prevailing party shall pay the costs of the arbitrator but each party shall be responsible for their own attorney fees or other costs of arbitration.

(d) The provisions of this Section are in addition to and not in lieu of any other enforcement and penalty remedies contained in this Ordinance or other County Ordinance or State law.

Section 13. Enforcement, Penalties

(a) Enforcement

It shall be the duty of the Director of the Tillamook County Department of Community Development to supervise the administration and the enforcement of this Ordinance, except as otherwise specified in this Ordinance.

(b) Penalties

(A) Violation of subsections 6(a)(A) and 6(a)(SQ) of this Ordinance is subject to citation and fines under the Tillamook County Code Enforcement Ordinance, Ordinance #35, as it may be amended from time to time.

(B) Each day of violation of said provisions of this Ordinance constitutes a separate offense and is separately punishable, but may be joined in a single prosecution.

(C) The provisions of this Section are in addition to and not in lieu of, any criminal prosecution or penalties as provided by County or State law.



Section 14. Severability

If any section, subsection, provision, clause or paragraph of this Ordinance shall be adjudged or declared by any Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity or the remaining portions of this Ordinance and it is hereby expressly declared that every other section, subsection, provision, clause or paragraph of this Ordinance, irrespective of the portion thereby declared to be unconstitutional or invalid, be valid.

Section 15. Repeal of Conflicting Ordinances

Any portions of any other Ordinance previously enacted by this County, which are inconsistent with the provisions of this Ordinance, are hereby repealed.

Section 16. Effective Date

This Ordinance Amendment shall take effect on the 90th day after the date of its adoption.

Date of First Reading: \_\_\_\_\_, 2019.

Date of Second Reading: \_\_\_\_\_, 2019.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
_____ Chair	___	___	___/___
_____ Vice Chair	___	___	___/___
_____ Commissioner	___	___	___/___

ATTEST: Tassi O'Neil, County Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_  
Isabel Gilda, Special Deputy

\_\_\_\_\_  
William K. Sargent,  
County Counsel

DRAFT