Lynn Tone

From: Laurie Sonnenfeld <lauriesonnenfeld@gmail.com>
Sent: Monday, February 13, 2023 9:22 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

To: Tillamook Board of County Commissioners & STR Advisory Committee,

Please don't harm legitimate licensed STR owners by enacting the new draft ordinance. The draft needs substantial further work to create a more balanced plan, and needs further, balanced public participation in developing the plan.

× No existing, lawful STR permit should be in jeopardy due to changes in the ordinance, caps or buffers. Existing, lawfully licensed STRs **should be grandfathered** per the requirements at the time of licensure – including building code compliance, parking configurations, smoke detectors and approved bedrooms / sleeping areas. The licenses should not be phased out, and should be transferable if sold.

× I do support caps on **future** STR permits within community boundaries

× I support buffers on **future** STR licenses outside of the community growth boundaries, and would be in support of even larger buffers between them (1000' or more) in order to protect more affordable housing supplies in "inland" markets that lie outside of our coastal communities.

× I am in support of **future** STRs conforming to current building code.

I own a home in Netarts.

Thank you.

Laurie Sonnenfeld
503-750-1630

Lynn Tone

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, February 13, 2023 9:35 PM
To: Public Comments
Subject: EXTERNAL: STR comments

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

Dear Sarah Absher and STR Committee,

We have lived in the area for 30+ years, built our house in Neahkahnie and have watched the area change over the years. We have loved living here and still do.

Our communities are under stress due to the new business model of *Residence as Hotel.* Though we seem to have adequate infrastructures for now, services were built around the concept of R1 zoning i.e. single family residences. They are not necessarily equipped to handle a tsunami of new mini-hotels. Houses for large groups of visitors, built as an investment by outsiders who have no connection to the community seem to be the trend. It doesn't bode well for our small local residential communities.

- Our streets are frail.
- Our sewers are designed for single family use.
- Water has and will be an issue in the future. Do you wash your towels and sheets every day? A hotel does. In a mini-hotel of vacationers, how much excess water is used over a residential usage?
- The Tillamook County Sheriff lacks coverage for increased problems.
- We lack walkways out of the paved lanes for walkers and their dogs, strollers, kids etc.
- Short term rentals threaten to over-run both public and private domains if left unchecked. They reduce the availability of long-term rentals or affordable housing for local working folks.
- We need a **reasonable cap** on the percentage of houses permitted to this ***commercial*** use in our neighborhoods. 10% max.
- Houses should have a **limit on the number of occupants allowed in an STR** ... these are R1 zoned neighborhood houses and not hotels or multifamily units.
- Need for a **reasonable expiration time for permits** — NO permits in perpetuity.
- **When property ownership changes, STR permits should be terminated** — NO automatic transfer of STR permits when properties sell.

Neahkahnie residents DO care about how change will happen in their neighborhoods.Please limit the number of short term rentals before we lose our cherished and unique community.

Thank you for making this opportunity available. Your efforts to create a real discussion are commendable and I appreciate all the work that has gone into this difficult topic. Hopefully some kind of balance will be reached.

Sincerely,

Barbara Rippey

Lynn Tone

From: robert towle <robtowle10@me.com>
Sent: Sunday, February 12, 2023 3:28 PM
To: Public Comments
Subject: EXTERNAL: Support STR's

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

STR Advisor Committee,

I'm writing today in support of reasonable and thoughtful debate based on actual data surrounding STR impacts.

As I've listened to the debate over increased STR regulations, I've yet to see any meaningful and objective data supporting "quality of life" concerns. Rather, I've heard anecdotal stories mostly reflecting the "challenges" of living with neighbors.

Before the Country imposes greater regulations on STR owners, I urge the Commission to look at real data vs, stories. Data collection can be hard to collect and manage sometimes, while story telling and anecdotes are easy. The role of government should be hard.

I'd also challenge the County to understand the true economic impacts STR's provide. I understand there are limits on how TLT's can be spent, however, any actions taken to essentially reduce tourism in the county will adversely affect County operations. With the adoption in 2022 of the $75. operator "head in bed" fees, the County has created an entirely new revenue stream completely under the County's control as I understand it.

With respect to the notion that STR's adversely impact workforce/affordable housing, I'd reference the Counties own data that suggest most STR's fall west of HWY 101, and very little of that housing would meet any meaningful definition of affordability. No amount of regulation or reduction of STR's will result in more workforce/affordable housing. In fact, reducing STR's would have the opposite affect by directly reducing the operator fees noted above.

I'll close with pointing out the significant legal and financial exposure the County is flirting with by way of Measure 49 claims. Notwithstanding the efforts to say these are not land use issues, a plain read of the current draft regulations would say otherwise. I know most STR owners would be open to reasoned regulations, and I urge the Advisor Committee and the Commissioners to act accordingly.

Regards,
Rob Govender – Towle
(I built my vacation home in Tierra Del Mar 42 years ago with my father and brother and we want to continue to enjoy it as a family and rent it on occasion)

January 2023

STR Advisory Committee,

I'm writhing today in support of reasonable and thoughtful debate based on actual data surrounding STR impacts.

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Regards,

Rob Govender-Towle

415 225 6329

Sent from my iPad

Feb 12, 2023

Tillamook County STR Advisory Committee:

I am submitting my comments in regards to the extreme action you are considering with revisions to Ord 84. The far reaching "Anti STR" stance presented in Ord 84 draft is blaming and penalizing all STR property owners by further restricting property rights - this is not the answer.

Neskowin first and foremost is a resort community. It has been so and enjoyed for generations. Currently, a very small percentage of full time residents, who know doubt "vacationed" in Neskowin before moving full time are lobbying to keep Neskowin and the beaches to themselves and shut everyone else out much like a high end exclusive neighborhood where only "full time residents" are allowed.

In Oregon, the beaches are not just for those property owners that can afford their own beach house but for everyone regardless of their economic situation. The choice of STR homes provides an affordable means for families to enjoy the beach. Vacation rentals are a home, providing a kitchen, bedrooms & living space that's not just doable, but can be affordable for budget minded families so they are not excluded or denied this experience.

There will never be enough hotels to serve all those who want to come and enjoy the beach. That is why the support of the STRs with thoughtful regulations are critically important to provide the public with opportunities to visit, experience and enjoy the Oregon Coast. Not to mention all the industries and communities that depend on guests for their livelihood.

Grandfathering of Current Permit Holders:

All current permit holders have entered into a contract in good faith with Tillamook County and in doing so should be allowed to operate under the current Ordinance 84 as was agreed regardless of ordinance changes, Period.

5 Year Exemption

This is offensive and punitive on so many levels.

Transfer of Permits

I believe the ability to transfer the STR permit to a new owner if sold is critical. Individual property rights are as important to STR as a residential homeowner. Why if the home currently holds a permit should it not continue for a new owner should they choose? That would make no sense other than to penalize the new owner.

STR permits are tied to homes and not the owners. The home has already passed inspections, brought up to required standards so what difference does it make who owns the home? Current STR permits should remain valid & transferable and that right protected independent of future changes to any regulations. Economic instability in never a good thing for anyone.

Max Occupancy/Sleeping Area - should be determined and defined as actual sleeping areas which are bedrooms. Our 900 sq ft cottage has 2 bedrooms and 1 bath. We were granted a max occupancy of 6 guests approved by Tillamook County. We voluntarily reduced our max occupancy to 4 because 8

people are just too many for such a small property. Not only wear and tear on our cottage but too many people in one small space could be problematic.

Limiting the occupancy of the STR is important. No home should be occupied by more persons than the number of bedrooms will safely allow. Promoting non designated sleeping areas may overload the STR's potential for problems ranging from noise to parking, garbage accumulation.

Closets: In what world is this even an issue and why? This should not be a consideration at all to deny or permit a STR permit.

Parking:
I don't believe that an actual measurement of a parking space is effective – too many cars vary in length. It should simply be restricted to how many vehicles fit in the driveway.

Off street parking on adjacent properties should not be allowed to qualify STR parking spaces This is going to be a huge problem overseeing paperwork and enforcement of lease agreements between property owners. Lease agreements come and go – how would you ever continue to verify that an active lease was in place. Available parking on STR property should remain the same.

There should be no "on street" parking offered to STRs to qualify for their permit.
It should be restricted to the actual parking space available on the property of the STR which is common for most communities. I can only speak for Neskowin, but there is no designated on street parking. One is barely able to drive down the streets as is. In other communities on street parking is public parking. If on street parking were available, it may be occupied by the public and unavailable.

STR Limits:
I do not support drastic limits or a collection of new rules to solve problems which aren't solely caused by STRs in Neskowin. The general population of Oregon has gone up over 10% since 2010, so naturally it logically follows that the coast is seeing an increase in visitors as well. There is general agreement that Neskowin has seen a rise in traffic and visitors in recent years, but there are examples of poor behavior from all types of people including owners, family & friends of owners, day trippers, and STR guests alike.

Limits on annual nights rented, and proximity or distance limits between STRs do not appear warranted in a coastal market with such a high percentage of seasonal home owners (67% in 2019). Neskowin is not a traditional residential area and limits are not necessary to preserve balance. A 100 night annual limit could decimate off-season renting and 9 months of the year our overnight visitors may not be here supporting our handful of businesses through the slower seasons.

With regards to density, the cottages in the village are often spaced tightly together and any type of proximity or distance limit could mean that one STR may prevent many others from obtaining a permit as well, and that infringes upon one's property rights. One's ability to qualify for an STR permit should not be limited depending on whether one's neighbor has an STR permit.

Rental Limit: Rental days should not be limited to 100 days. This is penalizing every STR owner for the lack over over site by a few management cos or STR owners. Many people invest in STRs for addtl income, retirement planning or just the financial ability to own a home at the beach.

Likewise, family members who inherit a beloved family beach house may not have the financial ability to keep and maintain the property. If unable to rent due to restrictive limited rental days, they may be forced to sell and that is wrong.

Here is the proof: STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.

Percentage Cap:

I support a percentage cap on STR permits in Neskowin at a level of 35%-50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years, this range is appropriate. On the low end, 35% represents approximately half of the seasonally owned homes. There is already a natural ebb and flow of STR permits opening and closing through the years as families make varied choices about how they'd like to use their home. A percentage cap that is too low may lead to owners holding onto inactive permits for fear of losing their right to rent, thereby squeezing out owners who would like to actively rent their home.

Affordable Housing:

The constant discussing regarding the lack of affordable housing in Neskowin and that somehow STRs affect this issue is absolutely untrue. As a Realtor with over 15yrs experience and another 6 yrs prior as a lender, I can tell you the existence of STRs in a community do not effect the availability or pricing of the primary home residential market. They are two very different markets. STRs should not be penalized for escalating home prices or lack of "affordable housing". Home prices and rents are determined by a free market and that is based on location/supply and demand, its that simple.

A noticeable lack of housing started in 2007/2008. A fraudulent mortgage crisis contributed greatly to the shortage. Builders went out of business and skilled labor left the industry to find other jobs, we still have not recovered. A recent industry report indicated with current population growth and the loss of new homes, if today construction was at its pre 2007 level, it would take 20-30 years to meet current demand. This has led to record level home prices in every market, not just in Oregon but the entire country.

With escalating home prices, you then step into the STR market. They are almost always priced higher, both in rent and purchase price than the average primary residence in a typical neighborhood. This is because they are located in higher demand/lower inventory, desirable markets considered "resort ,vacation, destination" communities. Examples are Cannon Beach, Seaside, Sisters, Bend, Sunriver, Black Butte, Neskowin and most of the Oregon Coast.

If the opinion and goal is to force STRs, through restrictive county ordinances, into either long term rentals or back onto the market for purchase to ease the housing crisis and provide low income housing consider this:

STRs in these markets listed for sale would be sold for more than the average primary residence in an average neighborhood simply due to location, supply & demand. This is not going to alleviate the affordable housing concerns. Again, it is following a supply and demand market.

Monthly rental fees would follow the same market rules. In addition the Landlord/Tenant regulations have become so restrictive fewer people are choosing to be landlords. Again, this will not address housing concerns.

During COVID, the State of Oregon mandated that landlords allow tenants to live in their homes without collecting rent for over 2 years. During that time a landlord could not evict or sell those properties. Without any income, landlords had to pay for the water/garbage/elect service for those tenants along with insurance, mortgage and property taxes on their properties. Why would anyone think that a property owner would put themselves in this position again to be engaged in extensive and restrictive landlord/tenant laws and regulations not to mention another state mandate for free rent.

If an STR owner did choose to rent their property long term, they would no longer be able to use or enjoy their property for themselves or their families. That is one of the many benefits of owning an STR , along with having the freedom over their property.

The lack of housing for "mid level housing for doctors and teachers" who apparently could not find homes is another false statement. Research showed approx 118 homes that were sold in Neskowin alone from Jan 1st to approximately Sept of 2022. That was 118 opportunities (over 13 homes a month) for someone to purchase a home in Neskowin. Now, could the "doctors and teachers" afford to buy, that would be a totally separate topic. But again, blaming STRs for the in ability for someone to buy in Neskowin is incorrect as the numbers show.

When full time residents moved to Neskowin/PC area they were well aware of the resort/vacation demographics of their chosen community. But we have a problem with those few individuals who move then complain that STRs are causing the lack of WFH/low income housing and rising property prices. Nothing could be further from the truth - its simple economics which is nothing more than supply/demand.

We live in a country where goods and services are bought and sold in a free market. That market is determined by supply and demand on everything including housing. If government steps in, manually manipulating housing, forcing prices down through regulations low enough to qualify for low income or WFH housing, this is no longer a free market. This is a socialist approach to the problem and not a solution to the complaints being made. Property in Neskowin and other communities will always demand higher prices, its that simple. There is no "affordable or WFH housing" in Neskowin or similar communities – they dont exist.

Lastly, if this does not make sense, then consider this: I recently asked a lender if a person making 25.00 an hr (approx work force housing wage) 40 hrs a week, 4 weeks a month, no debit, great credit and 20% down on a purchase what is the maximum home price they would qualify for? I was told 225,000.00 to 250,000.00. Check Zillow and you will see what and where a 225K – 250K home for sale will be located. Its not Pacific City or Neskowin.

I strongly encourage Tillamook County to seek mindful regulations that target the issues without penalizing STR owners and our rights as property owners.

Shelia Clark
Neskowin, OR
Florence, OR

Lynn Tone

From: Robyn Sturgis <robynsturgis1@icloud.com>
Sent: Sunday, February 12, 2023 7:06 PM
To: Public Comments
Subject: EXTERNAL: Str

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

Hello,
When my family bought property to build our home we intentionally choose a neighborhood that was a "vacation " neighborhood. The majority of homes in our neighborhood are second homes or short term rentals. I believe there are only two full time residents. Our neighborhood has CCR's and HOA rules that don't allow on street parking and require us to have a bear proof garbage can. I understand and support fair and just rule but a one size fits all approach will not work. I also believe that the properties that currently hold permits should be grandfathered in.
Thank you
Robyn Sturgis
Pacific City Kiwanda Shores
Sent from my iPhone

Lynn Tone

From: Samantha Wolf <samrwolf@gmail.com>
Sent: Sunday, February 12, 2023 6:44 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am the daughter of an owner of a beautiful house off of the coast in Tierra Del Mar, Oregon near Pacific City. This property is one that will be passed onto my sister and I, one of the only things we will inherit from my father. We have owned this house for over a decade and I grew up with many trips to it. I have come to know and love the town of Pacific City. I am writing to you to urge you to not eliminate our STR permit in 5 years. It is extremely likely we will not be able to continue to afford the house unless we have the continuation of the ability to rent it out. The ability to rent out our house allows us (and I am sure many other) owners the ability to afford our houses, especially during a recession. I urge you to reconsider this issue.

Thank you so much for your time and consideration,
Samantha Wolf

Lynn Tone

From: Laurie Balzer <searchingwoman52@hotmail.com>
Sent: Sunday, February 12, 2023 9:40 PM
To: Public Comments; Oregon Coast Hosts
Subject: EXTERNAL: 35495 Upper Loop Road, PacificCity

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

My father built this home from a kit in 1973-1975 before he retired from Ma Bell. Both of my parents were Tillamook Pioneers and my mother had a relative that was the first Post Master General of the Tillamook territory. My roots are in Tillamook County. After my mother pasted in 2011, I inherited the house but since I live in Colorado, I had to find a way to protect it from the Coastal storms. I have had two management companies and the second one has been the best. I have a project manager that quickly response to email and phone calls. He is out of Lincoln City and there is no realistic way he can be at my house is twenty minutes. I have my name, Colorado number, the property manager's name and number to the neighbor across the way (who is the warden-or road watchperson) and also to the neighbor to the North. Since 2012 I have had this house as an STR. 2021 was the only year I made a profit on the income. Like I said I want this house to stay in the family when my husband and I are gone. I've paid for the road to be paved, along with my neighbors there, as the Upper Loop Road was rutted when my parents lived there and only in the last few years has it been paved. My parents owned the lot South of the house and when a neighbor asked to have the trees removed so their view was better of the river, I did so. (I no longer own that property and it looks trashy.)

I visit there when I can and so does my daughter and her family. When my parents moved there the hill was mostly retired people, living there for the view. People bought their groceries from Lincoln City or Tillamook. Pacific City is changing. It now has restaurants and shops for tourist dollars. Tourism is the major income source for the area. Stopping STR to provide housing is not going to bring permanent residents as there is nothing to attract jobs to this area except tourist. There are 3 or 4 motels and all the businesses have brochures pointing out the fun things to do in the area as well as driving to the Tillamook Cheese Factory. I felt sick reading the proposed Ord 84. It makes STR sound as if they destroy the communities they are in instead of bringing tourist dollars. The requirement for four walls for each bedroom would be difficult for the master bedroom as it is a 13-sided house. The neighborhood convent requires no on road parking. The paving of Upper Loop Road did make it accessible for emergency vehicles. I wonder how if all these provisions for STR go into effect (and I pray they don't) who checks that everything is up to code? Does the County have additional money to hire more personnel to inspect STR yearly? In one the earlier proposals was the clause of not allowing parties, including birthday parties in STR. That is a invasion of privacy and I don't see how this can be legal.

Laurie J Balzer
10330 W 77th Drive
Arvada, CO 80005
303-420-5150
Sent from Mail for Windows

Lynn Tone

From: Beth Redman <redman.beth@yahoo.com>
Sent: Sunday, February 12, 2023 9:22 PM
To: Public Comments
Subject: EXTERNAL: Proposed Ordinance Re: STVR's

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

Feb, 12, 2023

Hello,

To introduce myself, it has been a family tradition to have grandparents' vacation home to enjoy family time, peace, and respite. Now I am grandma. After mom passed away on Veteran's Day 2017, I inherited her and dad's estate. As I so much love the Oregon coast, I bought a place outside of Hebo and put my energy into making it our new vacation home. I run and operate Wilderness Edge Cabin, in Washington State, where my primary residence is. The cabin, located on common grounds as our family home, is a licensed business which has been in operation since 2009. There are no county imposed permit fees or inspections and there are no problems that I hear about as complaints from our neighbors.

Part of how I can afford to keep my lodging business going and maintained is the income from vacation renters, so it is very important to me that we as property owner's, are not hit with fees and regulations that are so prohibitive and cumbersome to the peaceful running of a business. Please do not impose the new ordinance which would make it even harder to make ends meet. Of course, no one wants loud or annoying people renting near where they live, so I am hoping everyone that is a STVR owner is careful about making clear that is not what we want when we approve our renter's. It is also important to have the property and home maintained and in good working order. But please, let the regulations not be so cumbersome that we are run out of business!

Thank you for your consideration of my comments,

Beth Redman, Sole Proprietor, Rain Forest Retreat

Lynn Tone

From: jan spaldingshome.com <jan@spaldingshome.com>
Sent: Sunday, February 12, 2023 9:16 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee, My husband and I co-own a cabin in Tierra Del Mar on the Oregon coast. We rent it out on VRBO and also use it for our own family. We are very responsible owners and are respectful of all our neighbors. We have signs up with our phone contact and also list strict guidelines for our guests when they stay at our cabin. When we have had concerns brought to us we have addressed them immediately. We would not be able to own our cabin if we did not rent it out. I believe in being respectful to my neighbors when renting out my property. I feel that should be true of all people who rent out their places AND also true of year round residents. Taking away a homeowners opportunity to rent their own property is wrong. Enforcing noise and parking regulations is the right way to proceed. Thank you. Janet Spalding

Lynn Tone

From: Mike Dooley <ws9033@aol.com>
Sent: Sunday, February 12, 2023 7:57 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am a homeowner & STR permit holder in Neahkahnie Beach. My wife & I built our home in 1995 and have made it available as a STR from the beginning. In those 27 years we've had a total of "zero' issues with guests or complaints from neighbors. In that time 90% of our rental nights have been in July & August. I urge you not to repeal Ordinance #84 for the following reasons.

- If there is a problem it's largely limited to 2 months a year, July & August. Do drastic changes really need to be made for 2 months? Especially considering that those houses will likely be occupied anyway in July & August by owners & family members
- 100% of the affected STR's are in desirable recreational/vacation areas. If those homes have rental restrictions or prohibitions those homes are still going to be occupied. The summer months will still be maximum occupancy. either by the owners or family members.
- In the "purpose & scope" of the proposal, 2 of the 7 points refer to maintaining the County's supply of long term housing. I'm not sure how that conclusion was reached but should I ever be forced out of the STR market my house would not be made available as a long term rental,
- We're coming off extraordinary times in the STR market. As in a lot of situations the pandemic altered the status quo of the STR's dramatically. In our case 2020 brought us 3 times our normal rental nights spread throughout the year. 2021 was a significant drop off from 2020 but still greater than the pre pandemic norm. 2022 was back to pre pandemic levels. In other words, we're back to or close to normal times.
- Many of the proposed changes are unreasonable and just stating that proposed changes are not "land use issues" doesn't make them "not land use issues" One example, and yes, it affects me, is the 250 ft. separation, come on, .. that's nearly a football field.

I am asking you to not repeal Ordinance 84 but leave the door open to revisit the issue after a few years of being back at the normal rental market.

Regards,

Mike Dooley
Neahkahnie Beach

Lynn Tone

From: nanette stevenson <nanettestevenson@hotmail.com>
Sent: Sunday, February 12, 2023 7:29 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

I am in favor of keeping the current Tillamook County STR rules and regulations. I have had zero complaints as have the other 2 surrounding STR's on my street. My tenants as well as myself contribute to the local economy by patronizing the already struggling shops, restaurants, grocery, hardware stores and gas stations. I also contribute by hiring a local management team. housekeepers and lawn maintenance. Again, I support and follow the current Tillamook County rules and regulations.

Regards,

John Stevenson

Lynn Tone

From: Brandon Yahoo <bgray052299@yahoo.com>
Sent: Sunday, February 12, 2023 10:26 PM
To: Public Comments
Subject: EXTERNAL: STR Draft Proposal - Feedback

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

The proposed draft is a drastic over reach in an attempt to fix issues that could already be resolved if current regulations were enforced. Many of the parking complaints, too many people, garbage outside of cans, noise, etc are already addressed with current regulations. The complaints don't come from people following the current rules, they come from people ignoring the current rules. Don't spend county money and time paying over priced attorneys to add more rules, pay a couple people to drive around and issue citations to landlords and management companies that are not enforcing the rules.

Our HOA already covers a lot of the proposed rules. In Pacific City we don't see any of the issues all these rules and limitations are supposed to correct. Let neighborhoods and towns develop their own rules if they have a specific issue to address, but this broad proposal is an overreach and will end up in a legal fight vs just enforcing the rules everyone has already agreed to. Add some clarification, if needed, but don't rewrite the book and try to limit peoples property rights.

Thank You,
Brandon Gray
6755 Nestucca Ridge, Pacific City
Lifetime Oregonian

Sent from my mobile device.

February 13, 2023

To: Tillamook County Short Term Advisory Committee
Director Sarah Absher
Commissioner Erin Skaar

Re: Comments on Draft Ordinance 84

Hello,

My name is Terri Desaro and I'm a full-time resident of Neahkahnie, in unincorporated Tillamook County. I want to thank you for your time and dedication to the efforts on behalf of our communities. It is my belief that the livability of our residential communities are at risk if STRs are allowed to proliferate and operate without regulation.

After reviewing the revised draft Ordinance 84 regarding regulation, I support the draft as comprehensive and reasonable, and does not place undue burdens on STR property owners/operators.

Thank you again for listening to the residents in our communities; your time and commitment are appreciated.

Sincerely,
Terri Desaro

Lynn Tone

From: Peter-Tana Hatton <pthatton@gmail.com>
Sent: Wednesday, February 8, 2023 4:58 PM
To: Public Comments
Subject: EXTERNAL: STR Proposed Changes - Please read!

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

We are writing as we are concerned owners of a family home in Manzanita that we have owned since March 2016. Our family has always enjoyed going to the Oregon Coast and we wanted to be able to spend more time as a family together which prompted our decision to purchase our home. As we did not have the ability to purchase the home outright with cash, we obtained a mortgage on the home. Of course, that means paying each month the mortgage, the taxes, insurance, the utilities and the upkeep of the home to maintain it properly. We were able to obtain a STR permit from Tillamook County and observe all the rules that are required to maintain the home in an outstanding manner to look nice, not just for us, but also for our guests. Airbnb and VRBO both require that we maintain our property in a safe and legal manner. Having our home as a STR helps cover the mortgage and expense with owning a home on the Oregon Coast.

We maintain our STR Permit as required under the current Tillamook County Laws and Regulations. When our family visits Manzanita and the north Oregon Coast we spend a few days (sometimes a full week, if we can) at least 2-3 times per year. When we are there, we shop Manzanita Fresh Foods, The Little Apple, Fred Meyer in Tillamook, frequent restaurants like Wanda's, Manzanita Lighthouse, Riverside Fish & Chips in Nehalem, Pirates Cove and Garibaldi Portside Grill in Garibaldi, and shops in the area. We travel to Tillamook to visit the Tillamook Cheese Factory, Mohler Wine Tasting, the Antique Shops in Wheeler, when running, ride the Oregon Coast train out of Garibaldi. Our STR guests do the same! They also take guided fishing trips on the Nehalem River, go crabbing at Kelly's Marina, visit Rockaway Beach. Our family and our STR guests are here to visit and enjoy the Oregon Coast.

The Proposed Changes to the STR Code is unbearable. It is heartbreaking to think that we may be forced to sell our family home in Manzanita due to these discriminatory clauses in the Code. The Present Code has STR's covered. Does Tillamook County not depend and thrive on Tourism? Is it Tillamook's Intent to drive Tourism out of the County and have it be that the very grocery stores, the shops on Laneda Ave. in Manzanita, the antique shops in Wheeler, the train in Garibaldi, the Visitors Center at the Cheese Factory that rely on Tourists close due to lack of business. What about the workers that depend on Tourism to find employment – the Cleaners, the Maintenance folks, Roby's Furniture & Appliance (that gets 40% of it's business from STR and 2nd home owners), the Antique shops in Wheeler, the business owners of small shops up and down the Coast. How many kites or ice cream's are the 'locals' going to be able to purchase to support the local business enough to remain in business. To make STR Building Codes more Restrictive than other Residential Building Codes begs the question" "does Tillamook County not care about the Safety and Welfare of Long-Term Renters and homeowners?" To have STR Response times faster than local Emergency teams are able to Respond to situations? That Tillamook County does not address these same concerns across with other housing in the County is disturbing. When looking at Complaints and actual Incidents, less than 4% of Complaints/Incidents are actually related to a STR situation, and most are dealt with immediately, whereas those more abundant Complaints/Incidents with long-term housing and owners take much longer to address and resolve.

Since only 7% of the housing stock in Tillamook County is in STR (with 85% of those valued above the WFH limits), these efforts to Severely Limit STR's are insane. We urge Tillamook County to seriously revisit this thinking and retract these proposed changes now. If these Proposed changes are passed, we will be forced to sell our family's home and I can tell you that our family will refuse to step foot in Tillamook County ever again.

The Hatton Family
pthatton@gmail.com
(541) 280-7631

Lynn Tone

From: Jay Nalbach <jaynalbach@gmail.com>
Sent: Wednesday, February 8, 2023 4:18 PM
To: Public Comments
Subject: EXTERNAL: STR proposed ordinance

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

I would like to make a public statement with regards to this newly proposed ordinance for Short Term Rentals (STR).

For the record, I wholly **disagree** with this newly proposed STR ordinance. I do agree with the STR rules which are currently in place. I would like to suggest that Tillamook County enforce the current set of STR rules upon the entire county population, including our day visitors (of which there are many).

I fear for the greater good of Tillamook county should this or any part of this proposed STR ordinance proceed. The new proposals clearly work against the commonsensical norms which should be in place and understood by all people with a relationship to Tillamook County, including all county commissioners and staff.

This new proposed ordinance will lead to a mass withdrawal of visitors to the county, visitation and travel that has been fostered and built in cooperation with Travel Oregon, Visit the Coast and other well meaning organizations, bringing business, prosperity and opportunities to Tillamook County. STRs and their visitors make many contributions to the county (rental taxes, permitting fees, property tax and the like) adding millions of working dollars to the public budget and our local communities, which keep our county afloat and growing.

Multi-generational families, friends, and various groups come to Tillamook county year-round to relax, enjoy and take part in what is a uniquely glorious Oregon coastal experience. Oregonians, out of state visitors and global travellers the world over come to our county, they hike, swim, learn to surf, forage, fly kites and create life-long memories.

This new proposed ordinance will lead to an immediate increase in unemployment and will bankrupt local businesses. Whether loading up on weekend groceries at The Little Apple, having brunch at Wanda's, hanging out in the sun at the Tillamook Cheese Welcome Center or on the sand at Pelican Brewery, our collective travelling guests are always left wondering how and when they can make a return trip. The proposed STR ordinance will negatively affect everyone.

This current proposed STR ordinance is, simply, ludicrous. As a taxpayer, I find these actions to be a vast misuse and waste of the county's time and taxpayer money. The proposed ordinance is clearly not supported by data, is not supported by facts nor are the apparent complaints against STRs clearly and truthfully evident.

I strongly urge the county commissioners to quickly abandon this proposed ordinance, this "solution looking for a problem" so that we may collectively get on with continuing to build a supportive culture, a culture of inclusion and joy, further supporting Tillamook County for generations to come.

Jay Nalbach

Lynn Tone

From: M BARNES-TERRERI <mariasangria@msn.com>
Sent: Thursday, February 9, 2023 8:45 PM
To: Public Comments
Subject: EXTERNAL: Short Term Rental Proposals

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

This is my fourth comment regarding Short Term Rentals in our county.
As such, I feel compelled to be more direct and pointed in tone.

I am *hugely* disappointed in the county's recent proposals regarding STRs.
It would seem that the commissioners have decided to soley represent their voting contituents, by empowering the voice of the minority few, at the of the expense of property owners, and certainly, for the detriment of the local economy.

As if the environmental restrictions in both the fishing and logging industry, were not injurious enough to the local economy over the last several decades, this current plan of destruction, will ultimately gut the life blood of tourism in our area.

I would implore you to consider how the impact of severely reduced tourism dollars, loss of businesses and revenue, reduction in the Transient Lodging Taxes and Licensing fees will be absorbed. How will Tillamook County roads budget for the 30% reduction in revenue? Furthermore, Measure 49 will potentially allow many of the homeowners holding Short Term Rental Permits to claim compensation for the reduction in their property values, after the removal of their STR permits.

Has this group considered the financial impact of these claims on Tillamook County? The tourism industry is just beginning to see the effects of the impending recession, rendering it vulnerable, needing our support and encouragement, not suffocation and impending demise.

With all due respect, wake up and consider the impact of your decisions on the people in your community for the long term, not just during your brief and shining moment as an elected official.

Regards,
Maria McGarry-Barnes
5260 Grandview Street
Neskowin, OR 97149
mariasangria@msn.com

Lynn Tone

From: Kendall Crosby <crosbykendall4@gmail.com>
Sent: Thursday, February 9, 2023 5:06 PM
To: Public Comments
Subject: EXTERNAL: Draft STR Ordinance

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

Dear Tillamook Board of County Commissioners and STR Advisory Committee:

My husband and I own a home in Neahkahnie and rent it to short-term guests for part of the year. We take this role very seriously and work hard to provide a high quality experience for our guests. To this end, we collaborate with our manager and service providers throughout the community, thereby supporting local jobs and families. Our guests are wonderful people who come from all over the country to enjoy the beauty of the Oregon Coast. Unlike many locals and those who can afford unoccupied 2nd and 3rd homes, the visitors we attract spend a lot of money during their visits; on things like restaurants and bars, local shops, tours, etc.

While we are not opposed to thoughtful County regulations that encourage safe and attractive accommodations and create guardrails for potentially undesirable behavior, we are concerned that the current Draft Short Term Rental Ordinance is aimed at ridding the County of STRs by making the regulatory structure challenging and unpredictable. Requiring STRs to be separated by 250' is arbitrary, may force the elimination of many very desirable STRs, and pits owners against each other. Forcing owners into a lottery after 5 years of licensing upends any meaningful planning and investment in STR properties.

The problem with this approach is that it is not aligned with the County's stated goals of promoting neighborhood compatibility and livability. 250' spacing and a time clock on licensing may effectively eliminate a sizable number of STRs, but that is a different outcome than compatibility and livability. While there may be residents, and even members of the Committee, who feel that getting rid of STRs will improve livabilit, there is currently no data to back this conclusion. This is a view that is personally held, not studied and verified.

I understand that these more extreme strategies were included by County Staff and its Legal Counsel as part of a complete ordinance rewrite that Committee Members did not request. Such a misuse of the Committee review process is highly inappropriate, especially in this instance where discouraging quality STRs may negatively impact tourist revenue and quality of life throughout Tillamook County. So many communities would give anything to have our "problem" of short term visitors.

I would like to request that the Committee's efforts remain focused on developing a thoughtful and supportive management structure that can be demonstrated to improve STR compatibility with existing neighborhoods and overall livability. Confusing these desired outcomes with someone's personal preference for having fewer STRs would be a terrible mistake.

If the Board of County Commissioners wishes to eliminate a large number of STRs, and perhaps reduce the quality and investment in those that remain, then this agenda should be stated openly and the potential impacts rigorously studied and shared with the public. The STR Review Committee should not be allowed to create a discouraging environment for STRs and pretend that goals of compatibility and livability are being served.

Sincerely,

Kendall Crosby

8455 San Dune Rd.
Nehalem, OR 97131
541-419-7799

Lynn Tone

From: thomas cooper <tommycooper@me.com>
Sent: Thursday, February 9, 2023 11:20 AM
To: Public Comments
Subject: EXTERNAL: STR Draft Proposal - Feedback

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

I am a property owner in Rockaway Beach Oregon who would be affected by the proposed ordinances. I took 3 properties that would have been condemned and used local contractors and businesses to bring them up to code and bring needed tax revenue to the community. Then wages I pay go directly to Tillamook County residents and they get a living wage. I haven't had any complaints that I couldn't resolve with my neighbors directly. Tillamook Counties number one source of revenue is Tourism and given the few hotel options in the area and the significant tourism revenue, wagest, and taxes I've brought to the community that all of this would suddenly change. It's one thing to limit it moving forward but another to just arbitrarily change it for those who have added value and done everything the right way.

For your consideration,

Thomas Cooper

Lynn Tone

From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Saturday, February 11, 2023 2:49 PM
To: Public Comments
Subject: EXTERNAL: Ordinance 84 and complaints

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

Sadly many of the "complaints" sent to the county are made by a group of petty people who would prefer to have the beach all to themselves. Like some children these professional complainers have a hard time sharing and invent whoppers that they send to the county to try and get their way.
It's surprising that the county can be so naive to take their statements verbatim.
Each "complaint" needs to be verified as true before they can be taken seriously.
It seems in Tillamook County the squeaky wheel gets the grease no matter how fraudulent the noise.
Sam Dixon

Lynn Tone

From: Mike Cook <mikerusts@gmail.com>
Sent: Saturday, February 11, 2023 12:58 PM
To: Public Comments
Cc: Randy B. Thorpe; Karen Babbitt; Neah Kahnie; gail young; Colleen Schwindt; Linda
Subject: EXTERNAL: Public input Feb 14 STR Advisory Committee

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

STR Advisory Committee, Director Abasher:and Commissioner Skaar:

This is in follup to my earlier testimony and responding to the current status as a 20 year resident, active here in Neahkahnie.

In reading the comment summaries I'm struck by the both the serious, thoughtful work being done and that clock that is ticking for closure. Clearly, in due respect to our community of those living here, like us, and part-time owners who have built a long standing committment to our Neahkahnie community, we need a better formula and spirit for accommodating, really hosting, visitors to OUR neighborhoods and sharing both the beauty we love and the risks we face every day. DOING NOTHING IS NOT AN OPTION.

Tailored caps and innovative density and capacity limits, and effective nuisance management all seem reasonable tools. The elephant now locked in the closet, though, is the recognition of risks of both living and visiting here. While visitors may be here a day or week, these homes will be largely occupied every day, totally unprepared the risks of coastal life. While rental postings should be required, it should be on the shoulders and conscience of the STR owners and County to brief visitors on these risks and long recognized preparations. County Emergency Management could assist this effort with the assistance of TLT funds.

Thank you for your work in facing up to this complex but essential challenge especially on Valentines Day.

Respectfully,

Mike Cook
37335 1st St., Neahkahnie
503-368-3048

Lynn Tone

From: ellen simmons <ellenpsimmons@gmail.com>
Sent: Saturday, February 11, 2023 9:36 PM
To: Public Comments
Subject: EXTERNAL: Revision of Ordinance 84

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

Dear Commissioner Skaar, Director Absher and STR Advisory Committee Members,

I am a homeowner and part time
resident of Neahkahnie.
Thank you so much for your hard work on behalf of the unincorporated communities of Tillamook County.
I fully support the revisions to Ordinance 84 for reasons of health and safety, access to long term rentals, and
livability issues for permanent residents.

Sincerely,

Ellen Simmons

Lynn Tone

From: jim lara <lara_jim@hotmail.com>
Sent: Saturday, February 11, 2023 8:13 PM
To: Public Comments
Subject: EXTERNAL: Comments on proposed revisions to STR Ordinance

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

I do not believe the changes to the STR ordinance have been fully considered as to regional economic impacts and property rights, and respectfully request that additional economic and historical context be considered prior to further consideration of draft language. I also would request consideration of the notion that surveillance by neighbors or management agents may be an inappropriate mode for enforcement, potentially leading to privacy concerns. Lastly, I disagree a proposed provision of awarding permits by geographically spacing them out 250' apart. This seems arbitrary and adds unnecessary bureaucratic burdens to permitting and enforcement.

My family and I have visited the Tillamook coast regularly since moving to Oregon years ago and we have many happy memories of staying in STR's during this time. We now own a property in Neahkahnie we hope to rent in this manner while also living at the coast ourselves for extended periods. This area is our dream come true and we hope to share it out with others in a similar way. It seems one of the challenges to preserving the beautiful nature of this coastline is to accommodate tourism while at the same time avoiding the significant environmental impacts of large scale development like hotels and growth. STR's are an important component in all this.

In reviewing the past comments and materials regarding the potential STR policy regulation changes, it occurs to me to ask, has the committee tasked with this been educated with regard to the historical record/context of the development areas and tourist destinations? There is excellent historical context about the origins of my area, Neahkahnie, as a tourist destination for Portlanders in the early 20TH century at the following websites:

https://neahkahnievisions.smugmug.com/Places/Neahkahnie/i-QBKVChC/A

h ttps://www.nehalemvalleyhistory.org/omeka/

I wasn't sure if the folks on the committee tasked with recommendations were aware of these precedents:

- Early tourists to the Neahkahnie area stayed in tents rented from nearby residents on Nehalem Road. (The first STR's?)
- Until it burned down in 1958, a resort area and store had been established on the beach at the base of Nehalem Road (Neahkahnie Tavern and Anderson Store)
- Visitors rode to the Neahkahnie area from surrounding region (Nehalem, Wheeler) in auto stages (communal transit)

The area is a public cultural resource in that the beautiful scenic area is of interest beyond the region for its natural and historic uniqueness – Spanish Galleons (beeswax), Buried Treasure, Cape Falcon Marine Reserve, Sir Francis Drake.

While I agree with many others that safety should be preserved, trash and pet waste in neighborhoods and the beach should be managed and disposed of, and traffic should be managed it is just common sense that some inconvenience and bother just go with the territory when one chooses to live in beauty's midst. Putting severe limitations on STR's is not going to do much to alleviate these problems in the grand scheme of things. Locals and visitors will still continue to come to the beach. They will drive, walk and bike on the roads; people will continue to gather on the beach and in homes. Occasionally they will get carried away, and that will require enforcement. Folks will still come to Neahkahnie,

the beautiful public beach, just for the day, and that is great, because many who couldn't afford a rental or camping spot are still welcome. There will continue to be traffic jams, a need to find garbage cans, and for people to drive, bike and explore neighborhoods along the roads, exercising patience and goodwill with each other as we all enjoy these tourist destinations during high season.

In order to make livability improvements, greater energy and efforts should be placed on how the tax revenue from these rentals can provide greater community support to help alleviate the burdens tourism places on the infrastructure (ie increased safety patrols, garbage and waste receptacles, parking and transit management) throughout the county.

Thanks for the opportunity to share thoughts on this matter.

Lara Spangler

Lynn Tone

From: Lyn Frisch <whoagirl5@comcast.net>
Sent: Saturday, February 11, 2023 1:28 PM
To: Public Comments
Subject: EXTERNAL: STR Advisory Committee

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

Sarah Absher, CBO, CFM, Director

We own a vacation rental home in the Neahkahnie neighborhood of unincorporated Tillamook County, it is managed by VACASA. As property owners, we make a substantial financial contribution every year in property andlodging taxes; we provide hundreds of employment opportunities, and we and our guests support numerous Tillamook County retail businesses, including many in Manzanita, Nehalem,Wheeler and establishments further south to include Tillamook itself.

We want to be a part of the review and improvement to the management of STRs in our neighborhood and Tillamook County.Thank you for taking on this challenging and difficult task of addressing the impact of STRs on our community.We have commented on a couple ofthe items in the new ordinance.

Some of the new recommendations are reasonable, others do not make sense, such as the 250 foot rule.How will that be managed, who gets to stay, and who goes.The 5 year limit, then what.It takes a few years for a STR to develop it's rental base, then the permit is removed?We support caps on the limits of the numbers of STRs in communities.We also think that any building code changes for STRs should also apply to all housing units in the community

We respectand understand the concerns of our permanent resident neighbors about the quality of life in the neighborhoods they live in year-round.I hope we can all work together as a community to come to a mutual and reasonable resolution to this issue.

Thank you for your time and consideration,

Lyn Frisch
Michael Theobald

Lynn Tone

From: Jason Cassell <jcassell87@gmail.com>
Sent: Friday, February 10, 2023 2:37 PM
To: Public Comments
Subject: EXTERNAL: Public comment- STVR

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

Hello,

I own a home in Nedonna Beach, Rockaway, where my family has been visiting for five generations. I recently learned Rockaway Beach governs the majority of the Nedonna Beach neighborhood. Still, our home lies within Unincorporated Tillamook County and is subject to potential changes being discussed in the STVR ordinance.

Although I have not rented our home, I am writing in favor of tourism and how additional visitors increase the economic prosperity of Tillamook County and the services it provides.

I visit Rockaway Beach twice a month and eat virtually every meal out or purchase food to bring back to the house. Riverfront Fish & Chips, Buttercup, Salmonberry, The Roost… restaurants from Manzanita to Tillamook add to our experience at the beach. Since Covid, the increased number of visitors has allowed restaurants to be open more days of the week along with opening new venues such as Rockaway Rosters in Rockaway Beach.

The services provided in Rockaway Beach and these neighboring beach cities are at an all-time high because of the increased number of visitors. Limiting short-term rentals would reduce tourism, negatively impact the restaurants and be an economic step backward for our beach communities.

Some neighbors spoke negatively about STVR at our July 2022 annual homeowners meeting. For example, they didn't know who to call IF there was a noise issue, but the homeowner/management company phone number is clearly provided on each home. Similarly, one talked about more cars parked in the neighborhood, but their home is a private residence, and all the cars were their guests!

Maintaining a positive environment is essential, so regulations concerning parking capacities, noise, exterior lighting abatement, etc., should apply to all homes regardless of whether it's a short-term rental, long-term rental, or a resident.

Prudent leadership at this juncture will allow our community to grow with economic opportunity while providing livability for all.

Sincerely,

Jason Cassell
Mobile: 503.953.5444
jcassell87@gmail.com

Lynn Tone

From: Anne Stewart <anne.s.stewart@gmail.com>
Sent: Friday, February 10, 2023 11:24 AM
To: Public Comments
Subject: EXTERNAL: STR Draft Proposal - Feedback

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

Thank you for allowing the opportunity to share our concerns on the new STR ordinance. Our house is at 1750 Portland Ave, in Oceanside. We are part time residents but long time Oregonians, who have been renting our house part time since 2006. We are both on a fixed income and rely on the revenue we generate by renting it out when we are not there. We also enjoy the peace of mind knowing it isn't sitting idle and vulnerable to weather and crime.

We believe that for our community(Oceanside)it would be unfair to treat each unincorporated the same. The issues are different for each locale. While the state park generates a lot of traffic to our beautiful coast, any potential issue could be managed by funding enforcement capabilities.

Our street is popular for visitors as it is in the village and if each neighbor has to fight each other for the right to rent due to limitations on density it will turn neighbor against neighbor.

I am 76 and my partner is 73. It is in our plan to sell eventually and the sale will generate funds needed for our long term care. So we are against limits on the transferability of rental license. It is important to protect our property rights.

We strongly believe that the county should continue to regulate STR's under the existing ordinance.

Respectfully Anne Stewart and Diane Del Rosso

Lynn Tone

From: Pam Statz <pamstatz@gmail.com>
Sent: Friday, February 10, 2023 9:14 AM
To: Public Comments; David Yamamoto; Erin Skaar; Mary Faith Bell; Lynn Tone
Cc: jcasegraham@gmail.com
Subject: EXTERNAL: Comment in support of Short Term Rentals in Tillamook county

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

Tillamook County Board of Commissioners & STR Advisory Committee,

I'm writing in support of Short Term Rentals in Tillamook county. I am opposed to the Draft revision of the Short Term Rental Ordinance.

My husband and I have an LLC that owns one property on Neahkahnie Mountain. Yes – it's an LLC but we are not faceless. We do not make a profit from renting our home. We spend as much time there as we can afford to. Our ability to rent as a STR helps us cover part of our mortgage and we pay much more on top of that for the privilege of owning a home in this community.

Implementing the proposed ordinance as written will make owning a home on Neahkahnie Mountain only possible for the super rich. If we can't rent, we will have to sell. Is that what the purpose of this ordinance is? To drive out the middle class for the super rich?

Banning STRs in tourist destinations isn't going to suddenly open up the area to affordable housing. We have a house on Neahkahnie mountain because it is our retreat. If I rent it full time and STRs are outlawed – then again -- only the super rich will be able to enjoy Oregon's coastal communities.

If STRs are outlawed – homeowners will still rent their properties. And they will do it without following safety guidelines and people are going to get hurt.

The proposed ordinance is extreme and harsh to those of us who have been following the rules, paying the fees, getting inspections and making sure our homes are as safe as possible for guests and the community.

Pam Statz & Justin Graham

--
Pamela Statz
pamstatz@gmail.com
pamelastatz.com
415.577.9149
.-.. . .- ...- . ... / .. -. / - .... . / - .-. . . ...

Lynn Tone

From: Michael Neumann <mneumann5169w@gmail.com>
Sent: Friday, February 10, 2023 8:57 AM
To: Public Comments
Cc: J R Neumann
Subject: EXTERNAL: Short term rentals
Attachments: Bob Neumann Neskowin short term rental letter.pdf

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

Please see attached comments from my 89 year old Father.
Thank you for considering

--
Michael Neumann
503-705-4607

To: Tillamook Board of County Commissioners & STR Advisory Committee

As part of the Breakers Homeowners Association, I respectfully ask Tillamook County to reconsider limiting short term rental properties. Particularly those properties in coastal resort towns, like Neskowin, that have been specifically set up and operated as short-term rentals for decades.

My reasons why are as follows:

1. This measure seriously impacts rental revenues generated particularly here in Neskowin that:
   A. Fund and maintain the $250,000 rock sea wall that helps protect the whole village of Neskowin.
   B. Provides jobs for maid services and workers of all categories.
   C. Helps support all the local businesses.
   D. Provides much of my retirement income.
   E. Grossly affects and limits our returning customer base.
   F. Limits amount of money for increasing maintenance costs.
   G. Lowers property values.
   H. Without year-round rental income, buying beach property and having a mortgage won't pencil out. Limits the buyer pool.

A possible solution would be to grandfather in Condominium Associations that currently exist.

Please do not move forward with this proposal!

Very concerned owner,

J Robert Neumann
Owner Breakers #1
Neskowin, OR

Lynn Tone

From: Ryan McGlone <ryanlmcglone@gmail.com>
Sent: Saturday, February 11, 2023 9:49 PM
To: Public Comments
Subject: EXTERNAL: Letter to Tillamook County Commissioners and Residents Regarding Short Term Rental Ordinance Changes

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

Hello County Commissioners and Short Term Rental Advisory Committee,

My name is Ryan McGlone and I am writing to you from Bend, Oregon, my home and another Oregon tourist community that has endured a constant struggle to find the balance where short term rentals fit in amongst a bustling lifestyle community. We also own a second home in Pacific City that we love dearly and use as a short-term rental.

As I listen to the current debate around repealing ordinance 84 and replacing it with a new ordinance designed to significantly limit STR operation in the county, I fear that the County Commissioners are about to invoke great economic hardship on coastal communities without performing their fiduciary duties to do proper due diligence on what these drastic changes could do to your constituents and your communities.

As a Realtor in Bend, Oregon I've intimately witnessed the impacts of the decision in 2015 to put some restrictions on short term rental opportunities in Bend. Contrary to what is being communicated by those looking to strictly limit STR's in Tillamook County, the net result was no measurable change in housing affordability in our community regardless of the price point. Just like in Tillamook County the bulk of STR's are in higher-end neighborhoods that offer quick proximity to community amenities sought by tourists and wealthy second homeowners alike. In these areas there are hundreds of homes that already did not qualify for STR's due to CCR and HOA regulations as well as the caps imposed by the City. The demand for these homes is still incredibly high regardless that they are not eligible for an STR permit, and they do not sell at a discount.

We see similar trends in areas of Bend that are closer to the median home price. HOA restrictions and the restrictions imposed by the city have had zero impact on house prices in these neighborhoods. This is partially because there are so few STR's located in median priced communities, mainly because these areas are not near the same luxury amenities that tourists and affluent primary and second home owners are attracted to. The few STR's that are rented out in median priced neighborhoods typically have poor occupancy rates which is why they make up just a fraction of a percent of the housing stock in more "affordable" neighborhoods.

Similar trends are present in Tillamook County when observing neighborhoods like Shorepine and Dory Pointe in Pacific City. Both neighborhoods are predominately second homes and STR's due to their location to amenities and typically sell between $650K to $900K. Prices far outside the realm of affordable housing. Since the moratorium was placed on STR permits back in July, several homes have sold in both communities that no longer qualify for STR permits. These homes did not drop significantly in price and still sold at prices that are multiple times higher than the median sales price of a home in Tillamook County. This is real-time evidence that these sales will not lead to a trickle-down effect on affordable and low-income housing.

This community will however see a massive impact to their economy if the latest proposals to repeal and replace Ordinance 84 are enacted, and it is prudent for County Commissioners to hire a 3rd party to perform an economic impact

study on how this change will impact the economics of tourism before they attempt to repeal and replace the current ordinance.

Take our coastal home for example. Last year approximately 125 families/parties enjoyed our special home and the surrounding community of Pacific City. It is more than reasonable to think that each family/party spent $1000 on their trip in Pacific City when accounting for food, restaurants, fuel, entertainment, etc. That means that just through their discretionary spending roughly $125,000 circulated through the local community from our guests. If you conservatively assume that just half of the STR's in the county produce that same type of impact, then those 900 units would account for roughly $112,500,000 in economic benefit to Tillamook county just in discretionary spending. This does not include any of the economic benefits realized from property management services, cleaners, maintenance employees, etc., or the tax revenues gained by the county.

If our house lost our permit. We would not sell it, nor would it become a long-term rental. We will hold it as a second home as I imagine the bulk of STR homeowners would do. This would mean massive economic losses as these homes sit vacant for most of the year with no economic benefit to the community. Those few homes that do go get sold due to the change will simply be picked up by affluent second homeowners and wealthy residents. This will not become long-term rentals, nor will they provide lower income/affordable housing options for those that rely on the domestic economy for employment.

If I were a resident with my employment immediately tied to any source of local employment (retail, tourism, grocery, restaurant, energy, etc.) I would be frightened that my career is in immediate jeopardy if this ordinance is repealed, and the current revision is passed. If I had a job that is not directly linked to these fields, I would still be concerned that the long-term trickle down negative economic effect would eventually hit my industry and profession.

The only permanent residents that will be winners in this scenario are those that are not part of the domestic workforce (i.e.. retirees, second homeowners and those working remotely). They will get to continue to live with their standard quality of life, and get to enjoy a quieter coastal community, while the rest of the community will face the hardships of large-scale unemployment. Even this subset stands to eventually lose as depression kicks in, and the entire community takes turn for the worse.

It only makes sense that with this type of economic risk, the county commissioners would consider the long term and unintended consequences of making such a change. It seems prudent that they hire an independent economic consulting firm to perform an economic impact analysis before making such a consequential decision.

There is also a silver economic lining with STR's that I have not seen discussed. This option could both allow for coastal communities that have built resilient economies based on tourism to thrive, while making a significant impact on affordable housing. Any reduction in STR permits will result in an immediate reduction in the collection of short-term operating license revenue. I believe 75% of this fee directly goes to fund affordable/low-income housing projects in the community. Right now, this annual fee is fairly minimal.

The county commissioners could elect to substantially increase this annual fee. Imagine if the average annual fee paid by a STR operator was $1,000? The county would collect an additional $1,800,000 in fees, the majority of which would be for lower income housing/affordable housing projects each year. If at the same time, the Commissioners elected to shift the allocation of discretionary transient lodging tax dollars towards affordable housing, the community could see a measurable impact on affordable housing options within Tillamook County all funded by STR's and tourism.

The coastal economies have been devastated several times in the past half century due to increased environmental regulations in forestry and fishing industries. Commissioners should not risk putting your community through this type of hardship again. Many communities recovered by turning towards tourism as a way to rebuild, and reshape their way of life. Change is difficult, and comes at a price. As a resident of Bend there are things that I do not appreciate that come along with additional tourism and short-term rentals in my own town, however I understand that a large subset of our economy is built around this business model. I am fortunate that most of our local politicians and business owners agree, and still allow for a significant number of STR's to operate with sensible guardrails within our community. I would

rather live with some of the annoyances and watch our community thrive, rather than take on all the negative outputs that crush communities when unemployment dramatically increases and depression kicks in.

It is time for the County Commissioners to do their full due diligence as fiduciaries for their community and constituents, and properly weigh the economic benefits offered by STR's and their financial potential to turn the tide on affordable housing, versus the relatively uncommon nuisance brought forth by increased tourist traffic and the occasional complaint.

I hope they make the right decision, rise above the politics, look at the hard facts, and properly evaluate these economic benefits before making a rash decision with potentially devastating consequences.

Thank you for listening

Ryan McGlone & Family

Lynn Tone

From: ask48@mindspring.com
Sent: Sunday, February 12, 2023 9:45 AM
To: Public Comments
Subject: EXTERNAL: Tillamook County Short - Term Rental Advisory committee mtg.
Attachments: February STR Agenda.pdf

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

We have owned property on Hillcrest Rd. in Neahkahnie for 34 years. We do not rent and have never rented.The majority of houses in our neighborhood have become short-term rentals. The rules regarding licensing and occupancy need to be enforced. We have observed too many cars per dwelling and overflowing trash. If the existing rules cannot be enforced, we strongly support the new draft.
Thank you.
Kent Haskard
8980 Hillcrest Rd

Sent from my iPad

Lynn Tone

From: Kim Braasch <kimmeelu@yahoo.com>
Sent: Sunday, February 12, 2023 11:17 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Hi, as a working senior, Tillamook homeowner and summertime STR with Vacasa, paraphrasing former Governor Tom McCall, I'd rather have people visit here than build and move here.

Kim Braasch
34690 Nehalem Ave, Manzanita
562-313-1362

Sent from Yahoo Mail on Android

Lynn Tone

From: Rachel Cardman-Brewer <rachelcb@livingroomre.com>
Sent: Sunday, February 12, 2023 11:13 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,
Hello, I am writing as a STR permit holder. We love the coast. We love being there, and I love knowing that someday I will be able to retire into my house there. In the meantime however, I need to be able to rent it out to keep that dream alive. I am a 40 year old single mom. I am not wealthy and I am nowhere near retirement age. The longevity of of my dream is dependent on STR being allowed as is in unincorporated Tillamook county. Without short term rentals the impact on the community would be vast. We bring in a lot of revenue for everyone in our communities in many different facets. Not to mention, by changing the rules, you are drastically changing who can and will be able to afford living at the coast. I would imagine that you would see the communities filled with older white people only. The people who can afford to buy a place and not have it occupied, or live there full time. Everyone deserves to breathe the fresh air and have a chance at securing their financial future and dreams. Changing the STR rules would harm that for a lot of people.

Thanks,
Rachel

Lynn Tone

From: Cole <cg@option-g.com>
Sent: Sunday, February 12, 2023 1:32 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My wife and I purchased a home in Neahkahnie as our future residence.
We've put over $100,000 in improvements on it and currently rent it out as an STR to offset the cost of ownership until we can make the move.
Abandoning and rewriting the current regulations puts our entire financial planning in jeopardy and the future possibility of moving out of reach. While we question the legality of a lot of the proposed changes, we mostly feel they are entirely unnecessary. Our house was built by an architect for his family to spend time at the coast together in. It was never meant to be a full-time residence and therefore does not have closets. Why would you need closets if you are only staying for a few days? It makes no sense. How is this a safety issue? It's not.
Adding closets to our property would ruin the architectural beauty of this special home and take up much needed living space. None of our immediate neighbors live or rent out their homes and they are grateful that we have people staying at the house from time to time. When we paused renting our house out for a short period of time, our neighbor's house got broken into and the perpetrator slept in their house.

If we ever decided to not rent our house out short-term, or if regulations did not allow us to do so, we would not rent our house out long-term as we don't want anyone living in the house full-time. Houses in our community would rarely, if ever be affordable enough to purchase for what you consider affordable housing, nor would most any home in a community within walking distance of the beach. The idea that opening up beach properties by reducing STRs will have zero effect on affordable housing. The better solution would be to put a sizable portion of the money STRs are generating via occupancy taxes into subsidizing lower income housing in non beach front communities.

We currently do not allow our max limit of guests we are permitted to have nor do we let more than 2 cars park when visiting. We have never had any complaints and we have been told our guests are very friendly and quiet. We vet all of the guests we allow staying in our home. Why are we being punished for a handful of STRs that pack people in their houses and allow several cars? Why would full-time residents be allowed to park multiple cars up and down the street, but a person visiting for a few days can't park on a public street? We've had neighbors who live full-time park their broken down and wrecked cars in front of our home, so that is ok? Any regulations for parking, trash, noise, lighting, complaints, etc. should be implemented for the entire county, not just STRs.

If passed, the current proposal would have a devastating impact on the entire county, not just STR owners. Our cleaners are begging for more work and most likely would move out of the county if they can't find more cleaning work. It would definitely put restaurants and other establishments out of business. The amount of money that the county gets from occupancy taxes and fees would go away and there would be no money for improvements to the community. The current proposals would make it harder for the people that cannot afford beach homes to even visit because the prices of rentals would skyrocket with scarce availability.

Regarding the proposed 20 minute in person response time - this is not reasonable in any way. We had to call 911 one early evening, because we saw on our camera what we thought was someone breaking into our home, and it took over

20 minutes for a police officer to arrive. We know he got there as fast as he could, but I person who is not a police officer shouldn't be expected to get there faster.

We do feel that the current number of STRs, at least in our immediate area, is adequate and adding more is unnecessary. We support capping permits at the current level and allowing the transferability of those permits. If a proposal of a lower cap is voted for, we feel current permit holders should be grandfathered in and the level should be reached over time by attrition. The 250 ft proposed buffer is unfair to current permit holders and a 5 year exemption is not nearly enough to be considered fair compensation.

As a final comment, we do want a good quality of life for full-time residents and we also want those that aren't as fortunate enough to afford a home at the coast to be able to enjoy it as well. It shouldn't just be a place for rich retired people to enjoy. Over the past 2 years we saw a surge in visitors due to the pandemic, that is already subsiding. It seems like these proposed changes are a reaction to that surge and we suspect you'll already see a decline in the county's revenue when the next STR occupancy tax forms roll in. If you put all these regulations in now, when the problem is somewhat fixing itself, you'll further reduce the amount of money the county receives from these taxes and the entire county will suffer for years to come.

Sincerely,

Cole & Lea Anne Gerst

Lynn Tone

From:	caseycaponefelix@gmail.com
Sent:	Sunday, February 12, 2023 1:27 PM
To:	Public Comments
Subject:	EXTERNAL: Do Not Repeal Ordinance #84 an allow one corrupt individual to control the narrative of STRS in our community

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

Tillamook Board of County Commissioners & STR Advisory Committee,

If the 250ft rule is added to a new ordinance, potentially eliminating our ability to rent our property and violating our land use rights and permit holder rights, you can be sure we will make sure every single one of us str owners will persue our rights. We will sue the county for compensation lost. This is exactly what Mr. Kearns wants. He needs a steady pay check, and doesn't care if he ties the county up in legal battles and depletes the county's tax payer funds. I suggest the county revisit this immediately with another lawyer who isn't writing the entire ordinance for his future compensation needs in mind. Yes Bend Oregon has a 250 ft rule. Bend is a different animal with many more hotels and motels for people to enjoy the area. You will be eliminating tourism and people's ability to visit and enjoy the coastal community. Also, Bend homeowners, weren't as prepared, knowledgeable, and organized as we are to fight for our legal rights. Don't make the mistake Dan Kearns wants you to. Stop allowing a publicly bias lawyer to control the conversation and narrative on strs in Tillamook by allowing him free rein to write an ordinance we never asked for. Do seek opinions from the people and Lawyers not bias. You have a duty to protect the public's best interest. your duty is to CONSULT with Mr. Kearns to receive his OPINIONS not to be lazy and let him control the narrative and write something NO ONE WANTS!!! Do your job as a public official. Whose ideas are these in the ordinance? Certainly not yours or the publics. I suggest you stand up for the people's rights and do the right thing.

Are you ready to explain to your constituents, business owners, the public, why the economy has been affected by your careless decisions? Why businesses are leaving? Why there still isn't housing after reducing and eliminating strs? Why the public no longer has the ability to stay the night on the coast and visit? Why the county funds that support Tillamook have been reduced? Why Tillamook county residence will need to pay more taxes to cover the gap strs no longer fund? Can you explain why you failed us?

A politician needs the ability to foretell what is going to happen tomorrow, next week, next month, and next year. And to have the ability afterwards to explain why it didn't happen.

Winston Churchill

Lynn Tone

From: Emma Heathershaw <emma.seaside@gmail.com>
Sent: Sunday, February 12, 2023 1:11 PM
To: Public Comments
Subject: EXTERNAL: Comments in support of current Ordinance #84

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

I am sending this in support of current Ordinance #84. We have owned and managed a licensed STR since 2015. Since this is our only income from the property since the dairy farm is no longer in operation and there are no dairy farmers leasing the land this far south in Tillamook county, the proposed changes to current STR ordinance will greatly impact our livelihood.

We have not had any parking issues, any occupance issues and have not had any complaints about our STR. We live close by, clean and manage our STR and hope to be able to do this. Our STR alone has generated about $20,000.00 in TRT taxes to the county alone.

Thank you for your consideration.

Kind regards,

Emma Heathershaw
Sand Dollar Restaurant & Lounge
Tel: 503-355-2200; Fax: 503-355-2205

www.sanddollarrestaurant.com

Lynn Tone

From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Sunday, February 12, 2023 12:59 PM
To: Public Comments
Subject: EXTERNAL: Short term rental debate

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

Hello.
I own a 2 bedroom cottage in unincorporated Rockaway Beach.
I've a 6 guest maximum though I usually get no more than 5 guests.
A mom, a dad, one or two kids, maybe a dog.
These people are harmless and don't bother anyone. They're just here to spend a couple of peaceful days at the beach.
Problems begin when you have STR's housing 15 to 20 guests or even more because then you're talking as many as 10 vehicles showing up to one home that only has room for 4 cars. It also creates more of a party atmosphere with the noise that comes with it.
I live full time in the same neighborhood as my STR. There are an equal number of residents and STRs on my street. The only property causing any issues is the oversized STR housing 20 guests. No room for all the cars that show up and quite a bit of noise from such a large boisterous groups. Just eliminate the larger rental hones, cut down the maximum guests to 10 and there will be no more "complaints ".

Janell Dixon

Lynn Tone

From: Heather Weigler <hlouweigler@gmail.com>
Sent: Sunday, February 12, 2023 12:02 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am writing to express my concern with efforts to repeal ordinance #84.

My family has owned a house in Cape Meares since 1977. Two generations have enjoyed and cared for the home, and we have been fortunate to be able to both cover the expense of maintaining the property and share the joy of being on the Oregon Coast with other families because we offer it as an STR. We have never received a single complaint from any neighbor, we pay our taxes, and we maintain the property without negatively impacting the community. In fact, we have employed several folks to help maintain the property. STRs create local jobs that support local families and businesses.

I am disturbed by the County's proposed action, which is unreasonable from a policy perspective and which would amount to an unconstitutional taking of my right to use and enjoy my property. Tourism is vital to the coastal economy, and the proposed action would severely and negatively impact that economy. Reasonable regulations make sense; the proposed actions are not reasonable and should be rejected. If they are not, the county can expect to be embroiled in controversy and litigation around its big government actions.

Please reject repealing Ordinance 84 in favor of more reasonable approaches to balancing all the interests.

Thank you,

Heather Weigler
Cape Meares Home Owner

Lynn Tone

From: Heather Weigler <hlouweigler@gmail.com>
Sent: Sunday, February 12, 2023 12:01 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am writing to express my concern with efforts to repeal ordinance #84.

My family has owned a house in Cape Meares since 1977. Two generations have enjoyed and cared for the home, and we have been fortunate to be able to both cover the expense of maintaining the property and share the joy of being on the Oregon Coast with other families because we offer it as an STR. We have never received a single complaint from any neighbor, we pay our taxes, and we maintain the property without negatively impacting the community. In fact, we have employed several folks to help maintain the property. STRs create local jobs that support local families and businesses.

I am disturbed by the County's proposed action, which is unreasonable from a policy perspective and which would amount to an unconstitutional taking of my right to use and enjoy my property. Tourism is vital to the coastal economy, and the proposed action would severely and negatively impact that economy. Reasonable regulations make sense; the proposed actions are not reasonable and should be rejected. If they are not, the county can expect to be embroiled in controversy and litigation around its big government actions.

Please reject repealing Ordinance 84 in favor of more reasonable approaches to balancing all the interests.

Thank you,

Heather Weigler
Cape Meares Home Owner

Lynn Tone

From: Maureen Bradley <bradleym04@gmail.com>
Sent: Sunday, February 12, 2023 11:26 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am an STR owner who has recently invested in a big remodel to improve the look of my home. Prior to this investment, it was an eye sore in the neighborhood.

Using local contractors and landscapers, I have greatly improved the look of my home because I want it to be something that my neighbors can be proud of and that will appeal to my renters.

As I also live next door to another STR, (for my primary address), I understand the need to attract a respectful clientele. My intention is to keep my rental fee at a level that will attract a more mature, established group of renters. The cost to rent will be reflective of the high-end materials and furnishings, I have used in my remodel.

If STRs are restricted under the proposed ordinance, I would likely have to sell my home. Given the high-end price I would need to charge for my home , it would not be suitable, or financially feasible, as a long term rental property. It would likely be purchased by an out of town buyer. This would not solve any long term housing issues on the coast.

As for the other issues brought forward by the proposed ordinances, I believe we need a lot more data to help understand the problem(s) we are trying to solve.

Thank you for willingness to hear my perspective. Needless to say, I am very much against the proposed changes as currently stated.

Maureen Bradley
Pacific City
503-307-8091

Get Outlook for iOS

Lynn Tone

From: sjwolf@teleport.com
Sent: Sunday, February 12, 2023 1:59 PM
To: Public Comments
Subject: EXTERNAL: Neahakahnie rentals STR caps

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

Dear County Commissioners and STR Advisory Committee,

I live in Neahkahnie and am writing to let you know of my *vigorous* support for the STR draft revisions. This could be a game changer for full-time residents like myself.

I am heartened by your efforts to restore balance in residential neighborhoods like ours by putting in STR caps and density limits. I'm also relieved you've recommended a maximum limit on occupancy and parking.

I know we've a ways to go yet - issues such as lack of enforcement, resource concerns (specifically, water) and emergency preparedness are on-going concerns - but your work reflects a real investment in community livability.

Thank you.

Sherrie Wolf
Fulltime resident
Manzanita home owner over 30 years
38470 Beulah Reed rd
97131

Sent from my Verizon LG Smartphone

Lynn Tone

From: Karen Jackson <manager@awlpropertiesllc.com>
Sent: Sunday, February 12, 2023 1:41 PM
To: Public Comments
Subject: EXTERNAL: My STR in Tilammok County

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

Dear Advisory Committee and County Supervisors,

I am urging you to NOT repal ordinance 84. I am all for sensible enforcement and perhaps sensible amendment to the ordinance if there is ample evidence that it is needed

My husband and I are approaching retirement and diverted a significant portion of our assets towards investing in a beach house in Falcon Cove. We paid far above asking because we really want a place in this location for our family for years to come. We can afford this be operating as a short term rental. Part of our decision was reading about existing sensible regulations. By repealing the ordinance that was in place when we purchased in December 2021, you are violating our land rights and causing us substantial financial harm. The rules in this draft proposal are not evidence based and extremely unreasonable and come across as trying to target short term rental owners. To create silly rules that do not apply to owners who use their beach house on the weekends and lend it out to friends is discriminatory.

Our sweet little cabin is a special place we want to share with others who love the beauty of the Forest and the Peoples Coast. It would never be a long term rental and over the past year we have invested $175,000 to restore it after decades of neglect from prior second home owners who used it on the weekends but did not maintain it.
We have put our savings, our sweat and our love in to this cabin and provided jobs for local contractors.

Please do not repeal this ordinance.

Karen Jackson
44935 2nd Avenue, Arch Cape
650-722-0461

Lynn Tone

From: Barbara B Taylor <barbbt66@gmail.com>
Sent: Sunday, February 12, 2023 2:23 PM
To: Public Comments
Subject: EXTERNAL: Support #84 with possible amendments.

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

I have had a home in Pacific City since the 70s and before that was part of a family that had had a home here since the 30s ....albeit part time vacation. I have lived and worked here Full Time since 1993 and built a new home in 1996 in place of the earlier cabin.
In the earlier decades there were few short term rentals and one had to really pull favors to find a place for friends and their families to come and enjoy Pacific City (there was no room in grand pa's cabin).
I have been delighted to have that option NOW.....big family and plenty of friends that LOVE PC.
My permanent home is surrounded by Vacation Rentals and it has made no difference at all to my Neighborhood (they were all second homes before and not one was suitable for the workforce (unless they were executives or professionals).
PLEASE KEEP ORDINANCE #84 or slightly modify with some improvements. I am not shocked by the Not in My Backyard folks but feel in many ways they have blamed Vacation Rentals (who mostly park and walk) for the parking and traffic problems brought on by the DAY TRIPPERS.
Please get back to the business of keeping and perhaps lightly improving the existing ordinance # 84 Sincerely.,

Barb

Barbara Bell Taylor
barbbt66@gmail.com

Lynn Tone

From: Carol Horton <carol-horton3@comcast.net>
Sent: Sunday, February 12, 2023 2:13 PM
To: David Yamamoto; Erin Skaar; Mary Faith Bell; Public Comments
Subject: EXTERNAL: STR Ordinance 84 Comments

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

Dear Short Term Rental Committee and Tillamook Board of County Commissioners:

I am writing to let you know I disagree strongly with the Absher/Kerns re-write of STR Ordinance 84.

First, the existing STR ordinance has not been enforced. The county needs to address enforcement of CURRENT law before adding even more restrictions.

Second, STRs have been blamed for all manner of problems, but no actual data has been presented to back up these claims. STRs do not take away from workforce housing, and they do not generate the number of complaints purported. Rather, they are a valuable resource for tourists and provide significant income to the county.

Third, the numerous and detailed restrictions presented in the re-write are too draconian (for instance: overly restrictive definition of a bedroom, carbon monoxide detector *inside* all bedrooms, interconnected fire detectors) and seem designed to get rid of STRs.

Fourth, any restrictions regarding parking, noise, garbage, safety, etc should be applied to ALL homes, not just STRs.

Lastly, I believe current STR permit owners should be able to keep their permits and not have them taken away after some period of time (five years). Many of the families who rent our home do so every summer. They

see our home as their vacation home, too. Loosing our rental permit would result in great disappointment for these annual renters.

Over the last 40 years, my Oceanside home has been a part-time residence and a short term rental. It has NEVER been a full-time residence. We continue to have family gatherings at our vacation home and feel a part of the Oceanside community. We are not a faceless out-of-state investor.

Thank you for this opportunity to comment on Ordinance 84.

Sincerely,
Carol Horton

STR Owner, Oceanside

Tax Payer, Tillamook County

Supporter of local business: Oregon Beach Vacations, Roby's Furniture & Appliance, All Star Appliance, Rosenberg Building Supply, Dale Stewart Construction, Angus Electric, Zuercher Plumbing, Bayside Surveying, Tillamook Fireplace Center, Fred Meyer, Safeway

Lynn Tone

From: Tim Duyck <tcduyck@gmail.com>
Sent: Monday, February 13, 2023 3:49 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Hello, my name is Tim Duyck and I am sincerely not in favor losing short term rentals.
My family has been going to the beach, especially Neskowin for the last two decades. We enjoyed renting different homes to stay when we go. We don't have a trailer house or fifth wheel to go camping, and don't want to buy a one to go to the beach. Prefer to rent a home that we can feel comfortable in and be close to the beach. We recently bought a lot in Neskowin, and it was a dream come true. we had plans to build a home to enjoy for the rest of our lives. We can't live there full-time, and can't afford to just hold it with no income coming in, so we had planned to let others enjoy it and help pay for the home also. I understand the worries of others about noise from tenants, or too many cars in the driveway. I don't mind the idea of rules to keep the ocean beach, neighborhoods clean quiet and beautiful. However, I can't imagine limiting these beautiful, getaways and vacations from families who deserve to be able to enjoy the beach like everyone else. Not everyone has the money to just own a home at the beach. Some people rely on being able to rent a home for a weekend. Oregon coastline is a very limited commodity. Most people can't enjoy living at the beach full-time. They have jobs that don't allow that. The only way for them to enjoy a vacation, it's to rent.
Thanks for considering this.
Tim

Lynn Tone

From: Jonathan Hager <jhager@gmail.com>
Sent: Sunday, February 12, 2023 9:14 AM
To: Public Comments
Subject: EXTERNAL: Analysis of long term effects for short term rental caps

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

We are writing to address a myth that has been circulating within Tillamook County regarding short term rentals and affordable housing. The myth suggests that *the cap on short term rentals will increase the number of affordable housing units*. Unfortunately, this is not the case.

According to the "Creating a Healthy Housing Market for Tillamook County" study completed by czb, llc in 2017, as well as the housing needs analysis completed in 2019 for the county, the issue of affordable housing is not tied solely to short term rentals. Instead, it is the result of a complex interplay of factors, including limited buildable land supply, and a low-wage economy that does not support revitalization.

To quote the Tillamook housing Needs Analysis, "the housing market in Tillamook County has two distinct parts. There is a *coastal market* with strong demand from upper-income households, investors, second home buyers and retirees. And there is an *interior market* concentrated largely around Tillamook and other inland communities, such as Bay City. This market has a relatively older and less expensive housing inventory, which is more attainable to local residents." Within both reports, the interior market is described as weak and in need of revitalization. The interior market was drawn as a North & South line approximately 5 miles from the Pacific Ocean.
It appears that some of the ten recommendations outlined in "Creating a Healthy Housing Market for Tillamook County" such as hiring a housing coordinator funded by the 7 districts and the county have been implemented. Sarah Absher, Jake Davis and TJ Fiorelli have held that role. Although, I am not sure if the salary is partially funded by the 7 districts as recommended. I was unable to find evidence of which of the ten recommendations were pursued. Was employer assisted housing pursued? Was deferred system development charges pursued? Was a community land trust pursued? Was the transfer of development rights pursued? This should be an exercise for the Tillamook County Housing Commission to evaluate how far we have come and next steps rather than the Short Term Rental Advisory Committee.

Someone might argue that the draft regulation will increase the available supply of houses on the market. This regulation as written **does not do that**. This draft regulation only attempts to **reduce the supply of short term rental** in the county through a short-term rental cap.

As a matter of fact, **if regulations artificially reduce the total supply of a good** or service, this will shift the supply curve to the left, causing the intersection of the supply and demand curves to occur at a **higher price** and lower quantity. This is simply how the economy works.

The only thing that can be guaranteed if the draft regulation is enacted with caps is that nightly prices of short term rental rates will increase. Instead of a short term rental unit renting for $200, it will rent for $300 or $400. Instead of $500, $1000. Instead of $70 within the interior, $140. That is for the STRs that retain their rights.

When prices go up, profit goes up. When profit goes up, the internal rate of return (IRR) goes up. Alternatively, an owner can get the same IRR with a higher initial capital outlay. Given the historical returns on housing, a house costing $500,000 with a $10,000 annual profit will generate an 5-year IRR of 5.8%. If the profit is $25,000/year, that same 5.8% IRR would support an initial capital outlay of $1,250,000 house! A limit on short term rentals will result in higher appraisals in the coastal market. If you want to see how this has manifested itself elsewhere on the Oregon Coast look at summer nightly rates and real estate prices in Cannon Beach. Their rules are more than 35 years in the making allowing us to observe long term consequences of short term rental regulation.

You will be asked today if the "draft ordinance amendments have been designed in a manner to address, alleviate and solve livability and enforcement concerns? ... Housing." You can unequivocally say that the draft ordinance supports housing in the already enacted Operator License Fee but **the cap** will have the unintended consequence of making rentals more lucrative and have the exact opposite effect.

The belief that limiting short term rentals in Tillamook County will increase the number of affordable housing units is a myth. Studies have shown that the issue of affordable housing is a result of multiple factors. The draft regulation to reduce the supply of short term rentals in the county will result in an increase in the nightly rate of short term rentals which in turn increase the maximum initial capital outlay for a desired return. Therefore making housing in the desirable coastal market even less attainable for local residents. The draft regulation does not solve the problem of affordable housing, but instead over the long term will do the exact opposite.

Sincerely

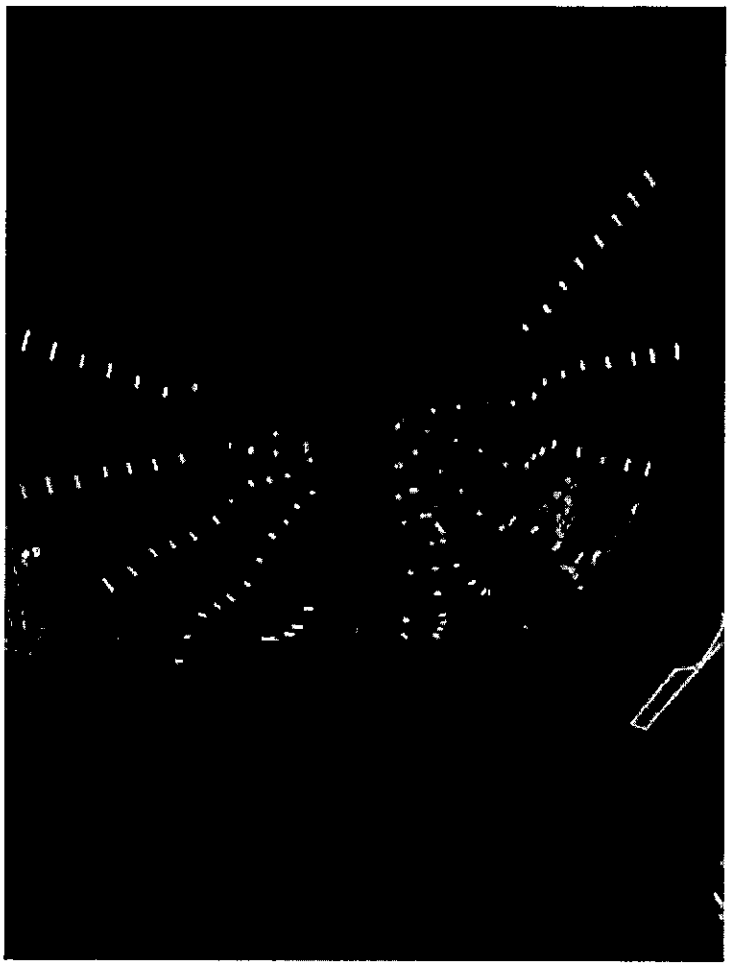
Jonathan and Carol Hager

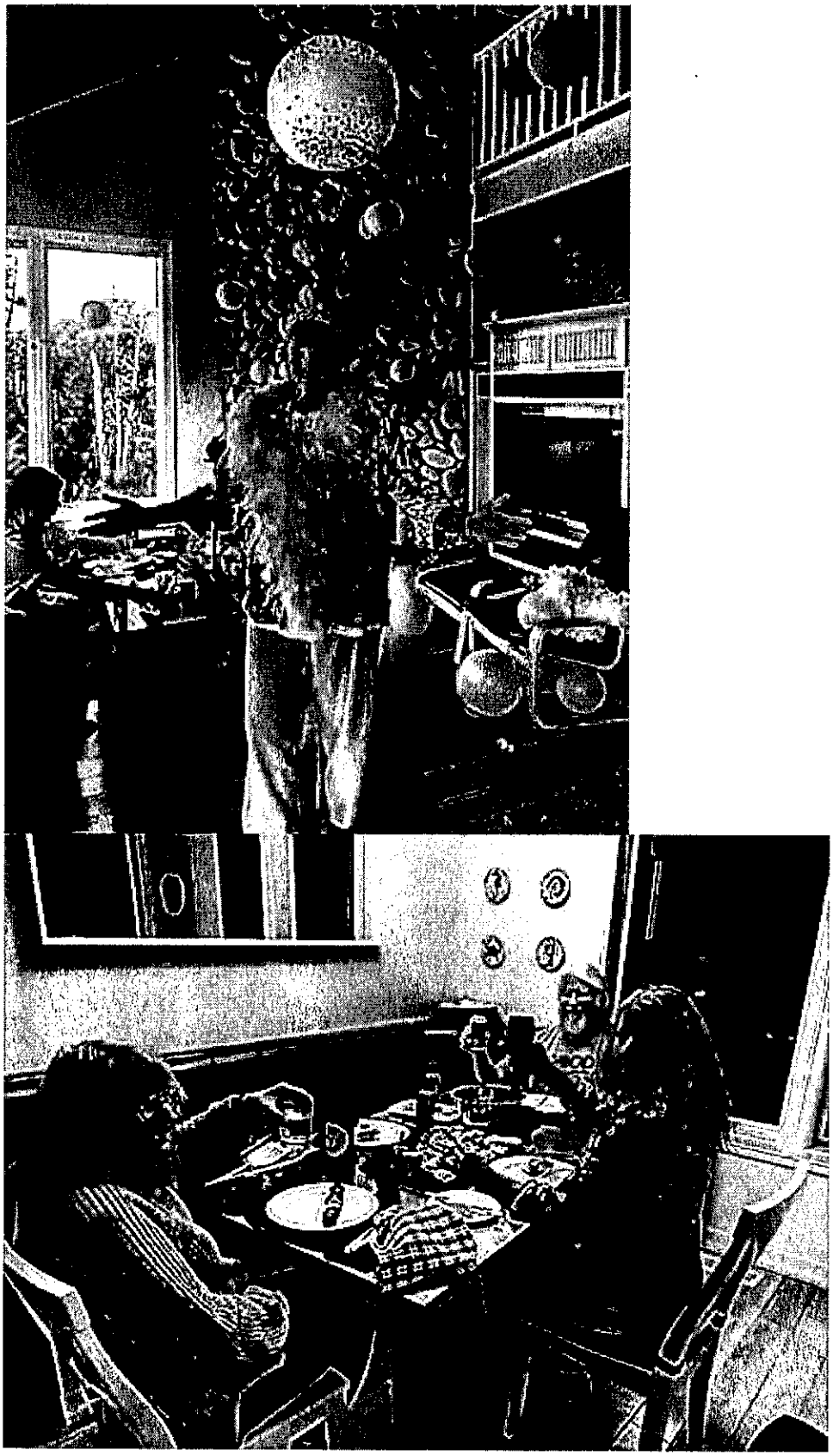
Lynn Tone

From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Thursday, February 9, 2023 9:20 AM
To: Public Comments
Subject: EXTERNAL: STR Advisory committee proposed ordinance.

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

Dear Commissioners,
Throughout our careers, one of our goals was to be able to have a get-away home on the coast. (We live in Portland.) When I retired in 2020, we were fortunate and found a great place in Avalon West. We've spent many weeks there, often with our children and grandchildren. As I expect is with many retirees, in order to make this dream financially possible, we needed to find a place we could rent out part of the time to help cover the costs. The STR income is also a critical portion of our retirement earnings.
During the few years we've owned our home, we've worked to be good neighbors. Our place is professionally managed by Oceanside Beach Rentals and as far as I know there have been no complaints filed by neighbors.
We have reviewed the draft of the proposed ordinance to replace Ordinance 84. We are very concerned that, as written, we will be at risk of losing our STR income and will be forced to sell. Prohibitions against normal activities, like celebrating a birthday, requiring the smallest repair to be performed by a licensed contractor, and forcing STR owners to upgrade to current building codes are all "poison pills" that will effectively shut down our vacation rental and many others. Our biggest concern is that after 5 years, we will have no guarantee that our license will be renewed due to various proposed caps and distance restrictions. Finally, the draft ordinance's rationale that allowing existing STR licensees to operate for 5 years is "compensation" for an eventual "taking" is disingenuous and, I think, unprecedented.
We understand that there are occasionally problems with guest and support all reasonable efforts to minimize unreasonable impacts . Existing issues need to be backed by actual data and then addressed by better enforcement of the existing ordinance and well thought out modifications to owners and property manager's responsibilities.
If we lose our STR income, we lose. If the County loses STR revenues, it loses. Please instruct the STR Advisory committee to return to its initial charge of improving the existing ordinance to better protect neighborhood livability for all.
Thank you,
Lloyd & Linda Hayne
250 Reeder St
Oceanside
PS: We want to share with you some of the life long memories we've already made at our home in Oceanside.





Lynn Tone

From: Andrew Crosby <andrewcrosby1@gmail.com>
Sent: Thursday, February 9, 2023 10:43 AM
To: Public Comments
Subject: EXTERNAL: Draft STR Ordinance

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

Dear Tillamook Board of County Commissioners and STR Advisory Committee:

We own property in Neahkahnie and are part time residents as well as short-term lessors. We care about our neighborhood and support thoughtful STR regulations to promote high standards of quality, safety, and guest behavior. At the same time, we want to register our concerns about a couple provisions that have been introduced by Staff in the recent draft STR Ordinance. These provisions do little to "regulate" for compatibility and livability, but instead threaten to confuse the STR market and undermine overall quality. Such impacts are out of sync with the stated goals of the ordinance.

In a nutshell, we believe proposed language that would restrict STR licensing to 5 renewals reflects a minority agenda that seeks to eliminate STRs rather than manage them effectively. The Ordinance was founded on goals of compatibility and livability, yet intolerance seems to be the core value driving this provision. As property owners we find this approach both highly intrusive and inconsistent with the County's stated purposes for regulation. Specifically, we oppose the provision governing "Renewal of Lawful Pre-existing STRs" (.110(B)(1)&(2)) because it discourages committed investment in well-run STRs. Additionally, we question "Density Limitations of STR Registration Certificates" (.040(D)) as a means of limiting the number of STRs because the mechanism is arbitrary and unpredictable. Overall, these terms reflect careless policy that will lead to bad business.

Some background on us: We are long time Oregonians who have owned a home in Neahkahnie since 2015, sometimes occupying it full time, and now occupying the property for part of the year and renting it for short-term use approximately 4-5 months out of the year. It is a home we love, and one we love sharing with others. We have made significant improvements to the property to increase its beauty, durability, and safety for our guests, and have done so with the understanding that we will recoup the cost of these improvements through rental income. Our wonderful property manager, who lives full time in Manzanita with her husband and school age children, does an exceptional job maintaining the home, attracting high quality guests, screening applicants, managing reservations, and coordinating cleaning and repairs. As a result, the property is always beautiful and maintained to a degree we could not manage on our own. Guests consistently enjoy renting our home and value their connection with Manzanita/Neahkahnie. We have never experienced problems or complaints of any kind.

Our objection to the Draft's proposed 5-year licensing cap (.110(B)(1)) is that it would undermine investments we've made and relationships we've worked very hard to build. It is impossible to overstate the time and effort required to properly equip a home for rental, establish and nurture management and other service relationships, develop marketing materials, connect with desirable guests, and foster "repeat visits". These are just some of the main challenges; there are a thousand detailed considerations in establishing a quality STR. Our home alone supports numerous local jobs including our manager, builder, sub-contractors, landscape maintenance, cleaning, etc. And it generates significant income for the community.

All of this effort, and all of these relationships, would be pointless in the context of a 5-year licensing window. You can't pull the rug out from a thoughtful enterprise every five years and expect the result to be good business and greater livability; sound planning and investment requires predictability, which is clearly what the

5-year limit is designed to eliminate. We have worked incredibly hard to establish a home that can be mutually enjoyed by our family and guests. It is not something we wish to see unraveled by an otherwise well-meaning ordinance. The County hopes to promote livability and compatibility, yet a 5-year sunset will do just the opposite; it will spark a "race to the bottom" in which owners compete to churn the most income with the least cost before their license is forfeited.

Our second objection is to the proposed mechanism for limiting STR density via a 250' separation requirement. Some form of community-wide density cap may make sense. However, a 250' separation is a blunt and random strategy; it looks good on paper but has unpredictable on-the-ground consequences. Because plat configurations and home density vary significantly, some desirable high-quality STRs will be randomly eliminated from areas where they rightly belong. And some parts of a community are simply better situated to accommodate short term guests. In such a complex environment, it is preferable to allow the market to determine where STRs exist; government control will potentially make conditions "different" but not necessarily "better". Overall, the proposed 250' rule looks more like a way of eliminating STRs than managing the system for compatibility and livability.

Finally, recordings of the 1/10/23 Committee meeting confirm that the 5-year renewal limit and 250' limit were included in a complete ordinance rewrite at the sole initiative of County Staff, NOT at the request of Committee Members. While we understand Staff created this draft for "discussion purposes" only, it has now become the de facto draft for consideration and discussion. This administrative sleight of hand demonstrates a certain amount of overreach and creates the impression that Staff has an agenda that supersedes Committee and community input; specifically to make short-term renting awkward and discouraging. This is highly inappropriate, especially since such objectives are at odds with the stated goals of the Ordinance.

Overall, it makes sense to manage STRs in ways that promote neighborhood compatibility and overall livability. And, because economic vitality is so critical to livability, it is essential that any new STR regulations are based on clear policy objectives and solid data, not personal hostilities. In other words, simply making it harder for visitors to find consistently good accommodations at the beach will not improve livability in the County. Therefore, the Board of Commissioners bears responsibility for insuring that any regulation is guided by a clear headed assessment of whether the means will achieve the desired ends of compatibility and livability without undue economic and social impacts.

Thank you for your consideration.

Sincerely,

Andrew Crosby
8455 San Dune Rd.
Nehalem, OR 97131
541-419-0876

Lynn Tone

From: Andrew Crosby <andrewcrosby1@gmail.com>
Sent: Sunday, February 12, 2023 11:41 PM
To: Public Comments
Subject: EXTERNAL: Draft STR Ordinance

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

Dear Tillamook Board of County Commissioners and STR Advisory Committee:

There seems to be a distortion at the heart of the Advisory Committee's deliberations on the Draft STR Ordinance. Specifically, the Committee and Staff are charged with developing provisions of an ordinance that will improve compatibility of STRs with existing neighborhoods and enhance overall livability. Yet the Committee, under Staff's strong influence, has begun to explore ways of reducing the number of STR's or otherwise making it cumbersome to carry out short term renting.

That is not the Committee's charge. The Ordinance, for which the Committee plays an advisory role, is intended to guide and constructively regulate STRs so they may continue to provide needed visitor accommodations without unduly impacting neighborhood quality of life. Committee Members and Staff were not empowered to eliminate short term accommodations along the coast, but that is exactly what the 250' separation requirement and 5-year licensing limit promise to do.

Given the enormous economic benefits enjoyed by Tillamook County from its vigorous flow of short term visitors, it is imperative that County leaders not confuse effective management strategies with measures to eliminate or repress STRs. Conflating these two paths may cause economic harm from which the County cannot recover. Of course the County Board of Commissioners may enact policies that curtail STRs, but it should do so openly and with rigorous study of the economic impacts. But, telling the public that you intend to manage STRs to improve compatibility and livability, while actually moving to weaken the industry is completely irresponsible and inappropriate.

The Committee's drift in focus from effective STR management to outright attack appears to reflect the personal biases of certain members. Such biases rest on flawed assumptions about the character of short-term guests and the economics of STR properties. For instance:

1. Short-term visitors are less desirable than long-term or part-time residents and will detract from livability. In fact, visitors add vibrancy to the community by bringing family and children into an older demographic that often maintains its economic activity elsewhere. Visitors come with a fresh perspective and tend to seek out new experiences that contribute money to the community (e.g. - restaurants, bars, tours, fishing, sports rentals, general shopping, etc.).

2. Short term guests are incompatible with existing neighborhoods because they behave badly and cause negative impacts. Information supporting this assumption is anecdotal and has not been rigorously documented. In our experience, guests have almost entirely been families with young children, or multi-generational families getting together. We have not had a single "party" incident or complaint throughout years of renting. Families come to walk on the beach, explore downtown Manzanita, go crabbing, enjoy time on the deck, play games in the yard, read by the fire; all the things we like to do. Likewise, our property manager fielded only two minor and quickly addressed complaints across multiple properties over four years of managing STRs.

3. A house occupied by numerous families throughout the year is incompatible with an existing neighborhood. There is simply no data to back this assumption. People act like people and go through the same motions of life whether they occupy a home for a week or a year. We live in a society with very fluid residency, and won't improve conditions by fantasizing about neighborhoods filled with residents living and working their entire lives in Tillamook County. Restricting tourism in a quest to turn back the clock will only diminish the flow of money and vitality that supports our coastal communities.

4. If STR's are restricted, homes will become occupied by full-time residents. This idea is misguided. Beach property is incredibly expensive and when STR owners get squeezed out by new regulations it is far more likely that their homes will be purchased by increasingly wealthy buyers who can afford non-rented second homes. These are not "full time residents" who hold jobs in the community, etc. The result is a shift toward a quiet, older demographic, who often leave their properties unoccupied and contribute little to the local economy.

5. STR owners are super wealthy people just taking advantage of the community. Not true. Like us, many owners of STRs don't have the financial ability to own a non-rented second home or live full time at the beach. But we love the beach and enjoy contributing to the community. STRs offer a fluid means of "sharing" property so that extreme wealth isn't required to enjoy property at the beach. The result is a more diverse demographic and greater economic vitality.

6. Restricting STRs will enhance the availability of affordable housing. This is simply wrong. Given extremely high valuations throughout the County, and the likelihood of ever more wealthy buyers replacing owners who run STRs, prohibitions on renting will not produce more affordable housing. It will merely create a shift toward more unoccupied homes. That would certainly not support compatibility and livability. Meaningful affordable housing demands comprehensive community strategies, not knee jerk ideas like "get rid of short-term rentals." That just makes things worse.

As Neahkahnie property owners, we approve of the County's good faith efforts to uphold existing communities and raise the bar for short term rentals. However, we adamantly oppose any move by the Committee to curtail STRs in the name of compatibility and livability. It's both disingenuous and economically dangerous.

Thanks for your consideration.

Sincerely,

Andrew Crosby
8455 San Dune Rd.
Nehalem, OR 97131
541-419-0876

Lynn Tone

From: David Kratzer <dhkratzer@gmail.com>
Sent: Sunday, February 12, 2023 10:30 PM
To: Public Comments
Subject: EXTERNAL: Tillamook county needs STRs

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

The Oregon coast is a great place to vacation. After visiting the Oregon coast for several years, staying in STRs, we have been blessed enough to be able to purchase a home in Oceanside. We wanted to share the fun and adventure of the Oregon coast with others who can't afford to purchase their own second home on the coast so we have contracted with Vacasa to manage our property when we aren't using it. They have done a great job and all of our reviews are five stars. I know our guests spend money in Tillamook, in addition to the TLT funds collected by the county.

Please continue to support STRs so that they can thrive and financially support the county and provide fun vacations for people from all over.

Thanks,
David Kratzer

Lynn Tone

From: Steve <swoods.home@aol.com>
Sent: Sunday, February 12, 2023 9:59 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

To our Leaders,

I encourage you to reconsider your new regulations concerning Short Term Rentals.

I recently enjoyed my 70th birthday at an STR in Neskowin. We had brothers, nephews, high school friends and a friend from my first job. In all there were 16 of us. Under your new rules this wouldn't be possible (limit of 10 plus 2) for total occupancy. Some of our people are single so we used all 9 bedrooms to sleep everyone. We were all together in one place and enjoyed each others company and told a lot of old stories. Where else could we do such a gathering? The local Motel wouldn't work for us. Could we find two houses side by side and rent both? Maybe but the chances are not great. I believe we are not the only groups who like to gather every few years and catch up on life.

I question who came up with the 250' limit for STR's, and is it 250' in all directions which means it's really 500' from one to the other? Did they consider the village portion of Neskowin which has much higher density and much smaller lots? If lot's are 50' does this mean no other STR for 5 lot's to the north, south, east, and west would be approved? That's an awful lot of homes that would be eliminated from just one approved STR.

How does one make plans when the rules change every 5 years? Even at my advanced age I tend to think beyond 5 years when making major financial decisions such as a home purchase. I know there are already people who are rethinking what they are going to build or if they will build at all based on your new proposals.
How is this going to impact your communities when the contractor, builder, cabinet maker, and all the rest find there is no longer any employment to be had near their home? This will not only curtail new people from moving into the area but will force others to move out.

Are we chasing a problem that doesn't exist? Do we really have that many problems with STR's? In the last year I would like to know how many complaints the county actually received. Did some of those come from he same people again and again just because they don't like STR's? The discussions I have listened to indicate there are actually very few complaints that reach the county. Correct me if I am wrong. Is it 20, 200 or 2,000? I don't believe I have ever heard an actual number put on it.

I have noticed a lot of the letters to the county seem to mention the same issues as though a group was directing the responses to the county. I find it very strange that many of those concerns are the same ones mentioned to Lincoln county in their request for community input. I also believe that much

of this is coming from the small group of people who live here full time. Do they have different property rights than I do? Does their opinion count more somehow than the STR and vacation/second home people? I wasn't aware of any difference in either the US or State Constitution.

As I understand it Tillamook County receives far more revenue from the STR's than from hotels and motels at this time. In addition the revenue from STR's is growing while the hotel and motel revenue is declining. Is this due to the internet and the ease today in finding a full home to rent at a price which isn't much higher than a single room in a motel? Today when I travel I tend to stay in STR's by choice and for many reasons. Do you really believe VRBO, VACASA, AIRB&B and others are going to go away or that the desire to visit the coast is going to decline? I think that ultimately the internet and the demand will win this battle.

If the county should adopt these new restrictive regulations on STR's they might as well quit spending dollars to promote tourism. Why would you advertise to create demand for something that you don't have the supply to fulfill? Under these new regulations the supply will dwindle quickly once the first 5 years is up.

I have lived in Oregon all of my life and I hate to see so many infringements being placed upon us with such little understanding of the long term impact. As an example do we really need a rule telling us how we have to shield our outside lighting? Can't we just go talk with our neighbors and work it out? Will you be regulating the size of the light bulbs next?

Thank you for taking the time to consider my thoughts. I apologize for taking so much of your valuable time but I hope you will give strong consideration to my comments.

Sincerely,

Stephen R. Woods

Lynn Tone

From: Robert Hakes <robert@roberthakescons.com>
Sent: Monday, February 13, 2023 3:18 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My name is Robert Hakes and I started our project process in 2021 by inquiring with Tillamook County in regards to building a couple of duplex's for STR on land that we were considering buying. Our goal was to build two duplex's and use them as STR for two reasons. 1. Income property and 2. Give us a place to stay at the beach. We previously owned a house in Oceanside and really liked it there but the financial burden of having two houses was hard. We decided that we would be better off to sell our beach house and have a couple STR properties that we could use on occasion and generate some income. We floated this idea at the County planning department and they gave us the green light. Here we are getting close to having our building permit and now are being told that we cannot get an STR permit. We have spent over $400,000 to get to this point. Our opinion is that any project that was in the works with the understanding that STR was an allowable use should be granted the STR permit after occupancy permit is granted.

Please take this into consideration when making a decision that will impact others people livelihoods and retirement plans.

Thank you,
Robert and Wendy Hakes
503-318-1863

Lynn Tone

From: Jason Muth <jason_muth@hotmail.com>
Sent: Monday, February 13, 2023 3:36 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My wife and I live in Elko Nevada, and have a house in Nedonna. We both love it there, and may retire to Tillamook County in the future. Without the STR, it makes no financial sense to have a vacation home there. As a small business owner, I very much value my time away from work, and find Rockaway Beach to be a great place to relax.

Like many other STR holders, we still pay all of our share of property taxes that fund many things that we will never use. Additionally, we shop local there. We have purchased lots of new furniture in Tillamook, bought a brand new boat in Garibaldi, and spend quite a bit at restaurants and at Tillamook Meat. We also purchase insurance locally.

I find it concerning that the powers that be would want to regulate out of business the 7 plus million extra tax dollars an fees that are paid to the county mostly by people that use very little of the services we are paying for. Our property taxes, without the TILTand fees would not have nearly the same impact to the county.

Please think of us that have investments in your county, and the economic impact that the rentals provide to your citizens.

Thank you,
Jason and Dusty. Muth
Elko, NV

Sent from my LG G Pad 7.0 LTE, an AT&T 4G LTE tablet

Lynn Tone

From: Mark Thompson <m.r.thompson@hotmail.com>
Sent: Monday, February 13, 2023 3:02 PM
To: Public Comments
Cc: markthomps@msn.com
Subject: EXTERNAL: Comments to STR Advisory Committee 2-13-23

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

Dear STR Advisory Committee members,

I am writing to express concern about the latest proposals from the STR Advisory Committee. **My family and I have felt very much a part of the Tillamook community since we purchased a modest (fixer-upper) home about 10 years ago in Nedonna Beach. We invested every weekend in it for a year, as we worked, with our young children, to fix it up an turn it into a family dream of having a place to enjoy the coast, and a place where we could help others do the same. It's an understatement to say that we love the area and the people. That may be why it's been so difficult for us to see the proposals made by the STR Advisory Committe to take away our ability to offer our home, and to put restrictions on us that would not ever seem reasonable is placed on any other residents of the county.**

Please reconsider the proposed restrictions, and instead develop a proposal that is better tailored to the problem you seem to be trying to solve. Specifically, we ask that you consider if greater enforcement mechanisms are needed for the rules that you have now, which we abide by. If there really is a problem with STRs, we believe it is your duty to consider a well-tailored program to address those.

We find it unreasonable that we may have to surrender our rights if another rental exists within 250 feet of us. We also would expect that if the county took such a step, we would be entitled to compensation for the change in value to our property and the lost revenues on which we depend, and for which we work so hard.

I offer these other comments in summary form, since I know your meeting is coming up quickly:

- Please abandon the idea that our rights to rent our property can be disposed of by the county;
- Please abandon the idea that you can characterize a land-use decision as something other than what it is by simply changing the name of it to a certificate;
- Please ensure that the County Commissioners are aware of our claim for compensation if the county were to take away our existing rights to rent our property;
- Please consider that homeowners like us, who have invested in, cleaned up, and maintained our property, and who enforce all of the county's rules, and have never had any complaints may not be your real enemy here -- please put together a proposal that is more tailored to your goals, and that doesn't unduly harm those you don't intend to change.
- Please don't recommend that we abide by a code that is more strict than any resident in Tillamook county would be -- if your concern is safety of our renters, please so state, and explain your basis.

Otherwise, the efforts seem calculated to simply stifle STRs for reasons other than those that are met by your code conditions.

- Please consider that rentals in the area seem to be declining rapidly from the levels during the pandemic. Many of your concerns may be taking care of themselves already -- it would be wise to take a pause from your efforts and reassess under the new normal.

Thank you for your consideration,

Sincerely,
Mark and Janelle Thompson
503-706-0434
markthomps@msn.com

Lynn Tone

From: Sharon Hammel <slh.hammel@gmail.com>
Sent: Monday, February 13, 2023 1:21 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Hi - My folks bought our cabin in Neskowin in the early 1970's and has been part of our family and friend's/renters lives ever since. We hired Meredith Lodging about 7-10 years ago to manage it for us as it was too complicated to get a cleaning person on a consistent basis. We have had NO reports of incidences at our place on Breakers Blvd and Corvallis street. We saw a huge increase in rentals when Covid started in early 2020. This year, 2023 we have seen a significant decline. i assume this is because people's kids are back in school and they cant "work from home" anymore.

It makes no sense to me to require STR owners to have restrictions on their homes or higher requirements for being up to code than any other home in Neskowin. We are down there as often as time allows so all maintenance is taken care of. I also don't see a reason there has to be 250' between rentals. i also disagree with the idea of a percentage cap on STRs given that they currently represent so few homes. Neskowin has always welcomed renters, it is a vacation town. How will the little store or the two restaurants make a living without renters? Sure there are day people but not enough. The parking lot is only so big. We have room for four cars at our place and I understand you want them to be a certain size. If all the cars are on the lot, then it is really not anyone's business how many there are. How will people know it is family cars versus renters cars? Especially when no one is complaining?

If neighbors have a complaint they need to come over and knock on the door or they can call the police. If the police come and there is a problem the police will sort it out and all's good.

Our house has a small sign that everyone can read from the road that allows you to call Meredith. They are a local company and want their properties to be as nice as possible - as we all want the beach to be. Our cabin would never be a place for someone to live full time, unless it is for us, so it is not taking away permanent home for someone who wants to live in the area - and never has been. Houses have gone up around us in the intervening 50 years but Neskowin is still a family vacation place. Please don't try and "solve" something unless you can enforce it, because then people will just blame "government" for not doing their job. That is not what we want or need.

Respectfully yours - Sharon

Sharon Hammel (she/her)
slh.hammel@gmail.com
206.437.8991

Lynn Tone

From: helhe at hotmail <helhe@hotmail.com>
Sent: Monday, February 13, 2023 1:29 PM
To: Public Comments
Subject: EXTERNAL: STR Comments - NKN Resident

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

To Whom It May Concern:

The wise regulation & monitoring of Short-Term Rentals in unincorporated Tillamook County areas is of grave concern and importance to me. We have several in our immediate neighborhood, on our street. I am a full-time resident and active community member. We participate in Emergency Planning, we meet regularly with our close neighbors to discuss areas of mutual concern and consequence. The increasing number of STRs is a priority for us. We find that traffic increases considerably in the summer months with these rentals, and they drive fast and our already unmanaged roadway. The road bed deteriorates because of this. There are simply more cars using the road, besides residents.

Exterior lights are often left on overnight. We live in a sheltered location and darkness is a security matter for us. Leaving lights on overnight draws unwanted attention to our neighborhood.

After carefully reviewing the measures set forth in the Ordinance 84 Revisions, I energetically support the key elements outlined therein. Please help us protect and strengthen our communities that are vital to emergency and social growth. Thank you for your willingness to review the policies and listen to the residents affected by your actions.

Thank you in advance for your help in these matters, Helen Gourde

Lynn Tone

From: Bob Malone <bmalone1@comcast.net>
Sent: Monday, February 13, 2023 2:46 PM
To: Public Comments
Cc: Olivier, Judy
Subject: EXTERNAL: Comment of Support for Ordinance 84 Draft Revisions

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

Tillamook County Short Term Rental Advisory Committee:

Judy and I are property owners on Sunset Drive on Neahkahnie Mountain. We share the concerns of many in this area that further regulation of Short Term Rental permits is necessary to support the full-time resident community on Neahkahnie, in the City of Manzanita and in the Tillamook County area in general. We want to thank the Advisory Committee for drafting the proposed revisions to Short Term Rental Ordinance 84. We think such revisions are necessary and we fully support the revisions as proposed.

Sincerely,

Judy Olivier and Robert Malone
5424 Sunset Drive
Neahkahnie, Oregon 97131

Lynn Tone

From: Karen Campbell <mabelhank@gmail.com>
Sent: Monday, February 13, 2023 9:21 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

We are STR owners in Neskowin. We fell in love with the area and the home. We purchased the home in 2012 and have been renting it as an STR ever since in order to pay the mortgage until such time that we can retire and live there ourselves. My family has been renting homes in Neskowin since the 1960's. STRs are nothing new in Neskowin and are part of the fabric of our community.

In the more than 10 years we have been renting, we have never had a single complaint about any of our guests. We have many guests who love Neskowin too and return year after year with their families.

5 years of exemption from the percentage cap and distance limit is unreasonable compensation for investment and infringes on our property rights. If we were unable to renew our license after 5 years, we would have to sell the home, as would a lot of others. There should at least be a grandfather clause for those of us with current permits and licenses.

STRs do not impact affordable housing. There are very few STRs in this area that would be considered "affordable housing" if they were rented long term.

We currently have the required signage in our front window. Requiring another sign at the front property line is not necessary or realistic and is, quite frankly, a safety concern.

Neskowin has very few full time, permanent residents. Without visitors to short term rentals in the area, there would likely be no small businesses in town. No market, no art gallery, no restaurant.

There are currently 187 short term rental permits issued in Neskowin (only 102 of which are stand alone houses) out of a total of approximately 908 properties. This is a very small percentage compared to nearby areas like Pacific City and Lincoln City.

If we and others lose our permits, Tillamook county will also lose a lot of revenue from lodging taxes and fees (Neskowin accounted for $448,000 in lodging tax revenue in 2021).

We are in favor of increased enforcement of the regulations currently in place using a portion of the revenue being brought in by the fees and taxes we already pay.

Thank you.

Karen and Gene Campbell

Lynn Tone

From: Sarah Johnson <sarahaveryjohnson@gmail.com>
Sent: Monday, February 13, 2023 9:56 AM
To: Public Comments
Subject: EXTERNAL: STR comments

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

I am Sarah Avery Johnson, a full-time resident living on 2nd Street in Neahkahnie, property purchased by my parents in 1960. Although the beauty of this neighborhood remains, it clearly is negatively impacted annually by the numbers of short term renters who flock into the area. This is a neighborhood that was never designed tor tourist traffic, and especially in mid-summer, it can almost feel under siege, I write to express my support for the draft ordinance prepared by Sarah Absher and legal counsel, Daniel Kearns. I believe it is an appropriate response to the need to balance the real concerns of local residents with the interests of those who wish to vacation here.

Your continued effort to address this increasing local problem is appreciated. Thank you. Sarah Avery Johnson

Sarah Avery Johnson
(h) 503-368-5452
(c) Direct: 503-799-3063

Lynn Tone

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, February 13, 2023 10:09 AM
To: Public Comments
Subject: EXTERNAL: STR Comments

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

My name is Barry Marshall. I have been a resident of Neah-kah-nie for 23 years, and 10 years previously in Manzanita. I have volunteered in a variety of formal and informal activities to maintain improve our communities. I have attended your meetings via the internet and in person. For many of us, it is difficult to attend these meeting due to other commitments. Please be aware of our neighbors' concerns though they are not able to attend, unlike the folks who have an economic interest in growing the short-term rental industry.
I appreciate the committee's efforts to equitably address the big issues raised by short term rentals in our community. Like all group processes, none of us will be totally satisfied with the results. Change is difficult, and community interests are diverse.
I think the draft proposals are a great step in the right direction, subject to necessary modification in the coming years.

I echo all of the points in Jacki Hinton's comments. I don't need to restate all of them.

Our community here is small, as are our social services. Our water system is stressed by the big new demands of short term rentals, which use much more water, with no sources of more water. Our roads are underfunded and overused. Police presence here is almost non-existent.
I would like to point out that complaints go mostly unreported to the county as we call the agent, IF we can find who that is. Could there be a public database of house and agents, with a contact number. Is this already available. When a nearby renter was harassing an eagle here, there was no response from the agency. A neighbor called the State Police.
We know of two dog attacks on our beach in the past week, with several other recent incidents. The owners were visitors, probably not bad people but certainly irresponsible.

I support whatever can be done to protect and increase the civility and quality of life for all of us here: residents, part-time residents, and visitors. I see the county fulfilling its role of making reasonable rules to guide us all.
I appreciate your efforts.

Regards,
Barry Marshall

Lynn Tone

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Monday, February 13, 2023 10:15 AM
To: Public Comments
Subject: EXTERNAL: STVR- public comment

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

The Nickels family has been making Rockaway Beach their second home for five generations. After such time, the beach house was no longer salvageable by making repairs so we made the decision to rebuild last year to preserve the legacy. The cost of building a modest two bedroom home was exorbitant, over $335 per square foot, further impacted by supply chain challenges resulting from the pandemic. Instead of abandoning the project or cutting back on materials, we opted to rent the home when it wasn't in use by the family to offset some of the increased costs.
This decision has benefitted all involved; neighbors, visitors and the local economy alike.

- We used a local contractor, restored furniture and purchased new items from area businesses... and even spent $7500 with a Tillamook based landscape company to ensure the property would be attractive for short term vacation rental.
- We ensured the home met all structural and parking requirements outlined by the Tillamook County STVR licensing entity. Additionally we selected Meredith Lodging to professionally manage the rental process; protecting our home and livability for neighbors.
- I'm proud to introduce visitors to the wonderful experiences our family has sought-out and enjoyed for years. We provide sample itineraries and restaurant recommendations to guide their exploration and I'm delighted when they comment on how these local business owners have enhanced their visit.
- My neighbors are thrilled we've rebuilt a beautiful new home in place of the ramshackle cabin and that we've responsibly attended to our occasional renters and guests. There have been absolutely no noise or parking complaints or issues of any kind.

Changes to the ordinance are clearly targeted to reduce STVR vs provide standards that would apply to all homes; whether short term rentals, long term rentals or permanent residences. Any standards adopted should apply to all types of property use in order to ensure livability. Further, any changes should be based on data vs. conjecture.
Restaurants have been able to extend their service based on having more visitors... cutting back on STVR will negatively impact the economy and the experiences we all enjoy when we visit the beach communities.
In order for the county commissioners to make informed decisions for Tillamook County on STVR and related issues, it's imperative that an economic impact study be completed to provide guidance. Our beach communities are finally on the verge of having a robust offering of restaurants and activities... we should be making decisions that once again position Tillamook County as the predominant beach area as it was when the Nickels ancestors began visiting in the early 1900's.
Sincerely,
Annette Nickels Dhein

Sent from Mail for Windows

Lynn Tone

From: Dave Parker <dgarden50@gmail.com>
Sent: Monday, February 13, 2023 10:27 AM
To: Public Comments
Cc: Sharon Parker
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,
 My wife and I bought a lot near Manzanita 28 years ago. More recently we built a small house so we could better enjoy the Oregon coast. We have reached retirement age and realized we weren't using the house often and it seemed like an unused opportunity for others to come down to enjoy the coast. We recently set it up as a short term rental. Although we have just started, we feel our house will be a great experience for those who rent it. The income will help us with maintenance and taxes in our retirement years. It should also be a benefit to the community by providing employment for maintenance of the home, and by bringing people to the local restaurants and stores.
Thank you for the opportunity to comment on your deliberations for updated regulations. Dave Parker

Sent from my iPad

Lynn Tone

From: MICHAEL sprando <MSPRANDO@msn.com>
Sent: Monday, February 13, 2023 10:27 AM
To: Public Comments
Subject: EXTERNAL: STR Advisory Meeting - Unincorporated Tillamook County 2/14/23 meeting

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

My family and I have owned our vacation home in manzanita since 2006. We have just learned that there is an effort to restrict the use of our personal property in regard to short term rentals. This is quite concerning as we rely on the supplemental income to help pay for our lovely home especially while we continue to put our children through Catholic High school and college. I guess my first question would be why are short term rentals a concern in unincorporated Manzanita? Our home is located on Sandpiper Lane just east of Necarney Blvd. We have approximately 43 homes on this stretch of road and to the best of my knowledge only ONE full time resident!!! I know that this is a similar situation in this area. Manzanita is a vacation destination and cannot be clustered into a "one size fits all" approach to STR rental problems in other unincorporated parts of Tillamook county. This proposal not only seems very premature but also very unfair and very likely illegal. I have spoke to several neighbors recently and it appears that NO formal notice has been sent to homeowners regarding these drastic proposed changes to the current ordinance. Doesn't the County have some requirements to advise all homeowners when their property rights are being threatened?

Before this commitee proceeds any further I would request that ALL homeowners in the impacted area receive formal notice as to the proposed changes. I would also request a detailed outline of the negative impacts of STR in our small unicorporated area. It is my contention that there are NO legitamate concerns in unicorporated Manzanita that would warrant such drastic proposals like eliminating the current ordinace !!

On a personal note, Manzanita has been a blessing for our family in more ways than I can express. Without the ability to STR our property over the years our family wouldn't have had the ability to experience this piece of heaven!

Best Regards,

Michael Sprando

Lynn Tone

From: Merle Wallis <nkndude@gmail.com>
Sent: Monday, February 13, 2023 10:52 AM
To: Public Comments
Subject: EXTERNAL: Short term rental

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

I am a full time resident in Neahkahnie and we have had a house here since 1994. We love this community and want to keep the social fabric intact maintain the neighborhood. A few well regulated rental could be available, but to let the neighborhood morph into a random mess of short term rentals managed by some absentee landlords would be a disaster for the full time residents.
I totally support the letter from Jacki Hinton and I thank the committee working on this issue.
Merle Wallis
8305 Treasure Rock Road
NKN

Sent from my iPhone

Lynn Tone

From: Sally Greer <sallyskooter@gmail.com>
Sent: Monday, February 13, 2023 11:12 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

After years of looking for our second home on the Oregon coast, in 2003 my husband and I found The Breakers Beach Houses and finally made our purchase. We both were close to retirement and realized that the rental income allowed us to enjoy time here, share with others, and still afford the HOA dues and Capital Reserve costs that address the revetment, landscaping, and scheduled maintenance which keeps the houses and grounds attractive, safe and enjoyable.

Our guests, many of whom have been visiting for up to 50 years, return year after year, benefitting Neskowin and other nearby towns by frequenting restaurants and other businesses. And because we have our own off street parking, our guests don't impact the neighborhood with cars in front of other homes.

The Breakers were actually designed as short term rentals and our by-laws prevent any of us from living on-site permanently. With that said, if we were to lose the ability to rent short term, this would present a great hardship on some of us.

As an owner of The Breakers with an existing permit for a short term rental, I am respectfully asking Tillamook County to revise the ordinance allowing these properties to continue with short term rentals.

Sincerely,
Sally Greer
David Heil
Breakers #7

Lynn Tone

From: Stephen Piucci <steve@piucci.com>
Sent: Monday, February 13, 2023 11:37 AM
To: Public Comments
Subject: EXTERNAL: Opposition to change in STR regulations

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

Folks:

As a North Coast property owner for the last 25 years, in three different "second homes", our family has been proud to pay taxes in Tillamook County, and though we live in Portland, have always felt pride of ownership, community and dedication to the coastal way of life.

In the last two homes we've owned, we have had short term rentals, (by the way, without any neighbor complaints, including the last year in the Neahkahnie neighborhood). We are managed by an excellent company, Manzanita Beach Getaway, whose owner and staff feel as we do about the importance of following the rules and taking care of the property and being considerate of the community .

Additionally, having been coming to the Manzanita area since 1977, we remember a day when there were no jobs to speak of around these parts. In fact, there were few stores and not much economic vibrancy until the 90's. Since then, Manzanita , pre-Covid, had become a thriving place, helped significantly by the STR tourism driven economy. We acknowledge a big problem (that will not be solved by capping or otherwise stifling property rights - an unconstitutional taking?); that is, affordable housing. If you wish to improve life in our communities, especially in North County, efforts to provide affordable housing will be far more helpful than trying to limit reasonable economic activity. Perhaps STR's are a place to look for some of that money?

Thank you for your consideration.

Steve Piucci
Melissa Powers

Steve Piucci, attorney
PIUCCI LAW
900 SW 13th Suite 200, Portland, OR 97205
Phone: 503-228-7385 | Fax: 503-228-2571

Lynn Tone

From: Megan Liz Cole <meganliz@nehalemtel.net>
Sent: Monday, February 13, 2023 11:57 AM
To: Public Comments
Subject: EXTERNAL: STR Comments

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

Commissioner Skaar, Director Absher and STR Advisory Committee Members,

I am a full-time resident of Neahkahnie and I STRONGLY support the comments of Jackie Hinton dated 2/11/23.

Please add my voice to those supporting the County's draft revised STR ordinance.

With my sincere thanks for your excellent work,
Elizabeth Cole

Lynn Tone

From: Steven Bruegge <brueggesteve@comcast.net>
Sent: Monday, February 13, 2023 12:04 PM
To: Public Comments
Subject: EXTERNAL: Please don't restrict Short Term Rentals

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

Commissioners,
I am writing as a satisfied user of Short Term Rental properties, as I am not an owner. My family loves to stay at such places while vacationing, enjoying the ability to stay together on an economical basis. We neither wish, nor can afford, to stay longer with other options for accommodations. If Short Term Rentals were to be restricted in your area, we would look to other places to spend our vacation times.

Tourism is a major economic contributor to Tillamook County, why you would want to enact unreasonable rules and regulations for STR's that will negatively affect all the businesses that visitors patronize is incomprehensible.

regards,
Steve Bruegge
Portland, OR

Lynn Tone

From: Sarah Wolf <sarah.wolf6@gmail.com>
Sent: Monday, February 13, 2023 12:05 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am the daughter of an owner of a beautiful house off of the coast in Tierra Del Mar, Oregon near Pacific City. This property is one that will be passed onto my sister and I, one of the only things we will inherit from my father. We have owned this house for over a decade and I grew up with many trips to it. I have come to know and love the town of Pacific City. I am writing to you to urge you to not eliminate our STR permit in 5 years. It is extremely likely we will not be able to continue to afford the house unless we have the continuation of the ability to rent it out. The ability to rent out our house allows us (and I am sure many other) owners the ability to afford our houses, especially during a recession. I urge you to reconsider this issue.

Thank you so much for your time and consideration,

Sarah Wolf

Lynn Tone

From: Anthony Power <apower0709@gmail.com>
Sent: Monday, February 13, 2023 8:42 AM
To: Public Comments
Subject: EXTERNAL: Personal comments on STR Proposal

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

Good day:

Background
We purchased a house that has been an STR for quite some time in an area full of homes used either as weekend get-a-way or STR. If I stand in the drive way I can see an STR placard on nearly every house. We live out of state but come here for a month in the winter and one in the fall. Finally, our small 2 bedroom house is under the watchful eye of a local property manager.

Having walked the streets in January pre-and-post covid there was clearly a change in occupancy. This year appears to be well below the peak of 2021 when it seemed everything was rented out as people tried to get away from lock down and walk the beach. That year and the next were atypical and likely not representative of the new normal; this year the streets are mostly empty during the week and not completely full on the weekend. I hope the thinking discounts the level of STR activity the past two years and reflects what is likely to be the future not the recent past. I would hate to see this become like the Colorado River Pact where water allocations were made base on peak flows - resulting in demands for more water than actually exists today.

As to the Good Neighbor point, it should be just that - and apply to everyone.

Some financial concerns come to mind since this property is part of our retirement plans.

Given the nature of the neighborhood I would hope transferability is not an issue since that would adversely impact property values. Our decision to totally upgrade the house from the 1980s was based in part on the assumption that property values would support the changes.

Since our occupancy is less than 20% of the year that leaves the rest of the time to produce sufficient revenue to cover the costs of owning a coastal home. We need to have guests so any cap on total nights of rent would likely put a big dent in that. I also think that a cap could produce an unintended consequence. There would likely be an imbalance in the local economy since the summer would book first leaving much of the year forced to be vacant.

cheers
anthony power

Lynn Tone

From: John Meyer <jkm@caretrust.us>
Sent: Monday, February 13, 2023 9:08 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations

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

February 13, 2022

Dear Tillamook Board of County Commissioners & STR Advisory Committee,

We own a vacation rental home in the upper Neahkahnie area of Nehalem. This home has been a lifelong dream of our family, our children, and our grandchildren and we hope to enjoy it for many generations to come. Because of the high price of coastal properties, it was only possible for us to purchase this home if we were able to use it as a vacation rental. But we are also very happy so many guests and visitors can enjoy it and our coastal community. Many come back every year, as they develop wonderful memories of this beautiful place, just as our family has been able to do since the 1940's because vacation rentals were available. They are part of the very fabric of our state, and opportunity to share the Oregon Coast with others.

We are writing to express our objection to replacing Ordinance 84 with the draft new ordinance that was tabled recently. The new draft document is draconian in almost every respect, seems crafted with the sole objective of restricting and eliminating vacation rentals. It will lead to nothing but lawsuits that will tear our communities apart needlessly. The county started this review process with good intentions by involving all of the various interest groups in coming up with recommendations. This new draft undoes all that effort and creates a spirit of distrust and animosity. Thousands of hours of community participation were ruined by the pen of an attorney opposed to STRs being given a free hand to draft an ordinance that does away with STRs. We strongly favor continuing to work together as a community within the framework of Ordinance 84.

John and Maria Meyer
Neahkahnie Beach House
Nehalem, OR

Lynn Tone

From: Ronald Wolf <rwolf483@gmail.com>
Sent: Monday, February 13, 2023 6:09 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Thank you for reviewing my comments. I am a home owner in Tierra Del Mar. I lived at our house, part time, and worked at the Tillamook Regional Medical Center, also working in Portland. At the same time and later, I started to offer short term rentals at the house, obtaining a permit in 2016. The rental activity helps fund the ownership and mortgage of the property. I am sure that this type of arrangement is common in Tillamook county.

I think the needs for privacy and quiet living conditions for the residents of our communities in Tillamook County, and the need for financial support of owners, ability to rent short term, housing for visits to the coast for citizens of the state of Oregon, and the needs of local business owners are all relatively balanced. I believe there is middle ground regarding regulations of short term rentals that would reflect such a balance. My own experience at the coast is suggestive that it is not overcrowded, and businesses still struggle to make ends meet with respect to retail, restaurants, supplies, etc. Any effort to regulate rentals should be subtle, and perhaps intended to discourage out of proportion growth, as opposed to cause a reduction of visits to the county. This would be opposed to the draft resolution from south of Lincoln City, which is available for public review, and suggests a STR permit cap with severe restriction on the number of short term rental permits in that area. Instead, I would suggest a predictable, low growth rate and grandfathering in of existing permits, within reason.

Thank you

Ronald Wolf
Tierra Del Mar.

Lynn Tone

From: lee nbcbancshares.com <lee@nbcbancshares.com>
Sent: Monday, February 13, 2023 6:10 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

To Whom it May Concern:

My name is Lee Stuart and my wife, Debbie, and I first visited Pacific City and Tillamook County in the summer of 2019 at the suggestion of a good friend who has been coming to PC for many years from the Portland area. My wife and I spend most of our time in Nebraska, where our families and our roots are, but within a few hours of our first visit, my wife was looking online to see if we could afford to buy a house in this lovely town. When we found a tiny old, beat up, little house on Ocean Drive we realized that the only way we could afford it was to have it be a rental property. After making an offer and getting an inspection that woefully fell short of identifying the numerous issues with this house, we purchased it in November of 2019. Debbie flew back to PC several times in the following months to meet contractors and suppliers as we knew we needed to fix the place up, and given the state of disrepair of the house, she stayed in local hotels several times in 2019 and 2020, in fact I believe she was very likely the very best customer of one establishment in 2020 when few people were visiting due to Covid. Unfortunately, we realized after demolition that the house would need significantly more work (and investment) than was planned, and then when Covid hit, and then the fires, Debbie was unable to visit to check on progress for several months. In the end, we invested several hundred thousand dollars to improve this little home on the beach, much more than we had planned, but the results are amazing.

We now rent it out through a local management company, but our focus is on having limited use when we aren't there, and between my wife, myself and our adult children, we spend close to three months in town and have worked hard to meet the locals, make friends, shop locally and support local causes. When the fires hit, workers stayed at our place when they couldn't get home. We also made donations to local funds who were ensuring that people had food to eat. We've supported the construction of the local skate park and plan to continue investing to support the good programs in and around PC. We have been looking for another lot or house to buy for when we have the ability to spend more time here, knowing the small house on the beach won't support our growing family forever, especially as we hope to retire here.

We love the Oregon coast, Pacific City and Tillamook County. We shop at the Safeway in Tillamook on our way into town and for things we can't find in PC. We go to the PC and Tillamook farmers markets whenever we are in town. We frequent the local establishments and have made friends with several of the owners. We don't ever want to leave this place but the proposed new regulations on STR's will financially harm us in a significant manner and put us in a situation where we may not be able to afford this lovely home. Perhaps that is what some people want to have happen with the new regulations, but I know there are many people like us who have invested in the community and care about its future and believe that STR's are wrongfully being blamed for some of the problems affecting the county.

Our house is not a "party house". We limit the number of people who can stay there as renters and we comply with all the past regulations. However, right next to us is another rental house. Under the new regs, one of us will have to go. Which one will it be? Who will decide? These are just a few of the questions many of us are asking as we read the proposed regulations and wonder why this is going on. I hope you will reconsider and focus on other issues rather than punishing those who have invested so much in this community.

Respectfully,

To: Tillamook Board of County Commissioners and Short Term Rental Advisory Committee

I am fully in support of many issues outlined in the draft ordinance governing short term rentals (STRs) such as safety. However, I urge the county to grandfather the right to rent for condominium properties that were originally developed to be STRs and have been operating as such since their initial development many years ago. In Neskowin, for example, the ocean front properties, the Chelan, the Pacific Sands, and the Breakers have always been STR properties. The Breakers was developed in 1972 with an existing house on site designated for the rental manager. The Breakers has been continually renting since then - a fifty-year history. Both the Pacific Sands and Chelan were built even earlier and were always STRs. These properties have private roads into the complex with off road parking and other amenities for their guests which minimizes their overall impact on adjacent residences. The owners and guests associated with these properties dine at our local restaurant, shop at the local store, and patronize the seasonal farmers' market.

My family has owned a unit at the Breakers since 1976. There are eleven units, each owned by individual families. Some of the original owners have passed on and their units are now owned by sons, daughters, and grandchildren. It is a family place where the owners all know each other and come together to ensure that our common property is maintained at a high standard as is required by Oregon Condominium law.

I am unaware of parking and noise complaints from the Breakers. We have set high standards for our guests and much of the time our management company has staff on-site. Although we spend a lot of the time there, we have personally never observed any bad behavior from any of our guests. Having said that and in the interests of being a good neighbor, I think that some of the revenue collected from STRs should be designated to hire a compliance officer to address parking, noise, and other issues that are perceived as coming from STRs.

Please do not adopt this draft ordinance as currently written which will take away our ability to rent our condominium.

Kathy Hamel, Owner Unit 9, the Breakers, Neskowin Oregon

Lynn Tone

From: Alan Coppola <ajjcoppola@gmail.com>
Sent: Monday, February 13, 2023 12:14 PM
To: Public Comments
Cc: Cindy Bernert-Coppola; Nicole Twigg
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Alan Coppola and Cindy Bernert-Coppola here.
We own a house at 6000 Centerpointe Loop, Pacific City, OR 97135

Our comments about the current STR proposal as of February 13, 2023 are the following:

1. While not against STR caps in general, we recommend that they start from the current percentage for the relevant area they are in and put an upward cap (e.g. 20% more than what is already there). Caps should apply to all land used for housing equally and include RV parks, camping parks, hotels, motels, and all housing not having an STR permit.
2. While not against a response time to complaints, an unreasonably short response time like 20 minutes is not going to be fruitful. Perhaps take an average of the non-emergency times already available in the county. I suspect even a reported fire or violent crime report will not have a response within that short of a time.
3. Any maximum occupancy calculation should be applied evenly to all properties in the county. We use a property management company (Kiwanda Coastal), and all advertisements and our permit clearly state what the maximum occupancy is.
4. We own a single home in Pacific City and have used it as an STR for a year. While we have a reasonable mortgage, it is clear that we will never make an operating 'profit' from this endeavor. If our permit for an STR is ever revoked, based on new regulations, we'll need to consider that as a Land Use breach of contract and take appropriate action.

Thanks for your consideration and work on these issues.
We do love the area and people, and so look forward to living there in the next number of years.

Respectfully,
Alan Coppola and Cindy Bernert-Coppola

Lynn Tone

From: Lee Mercer <marne.lee.mercer@gmail.com>
Sent: Monday, February 13, 2023 9:14 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My wife and I own a vacation rental in Pacific City which provides us with a modest supplement to our income in our retirement. We bought the house for an investment and have regularly spent money to keep it in good repair, recently painting it and making regular improvements.

It appears in walking and bicycling around Pacific City that a vast majority of the largely uninhabited housing are not rental units, but 2nd (vacation) homes of folks from other areas who rarely use the houses. In our complex and the neighboring one, there are many homes which are empty most of the year.

In the meantime, those of us who are renting housing are providing income for those who clean, maintain and manage the units, and providing places for hundreds of tourists to stay who provide income to fishing guides, horseback and camel guides, and employees in bars, restaurants, grocery stores, hardware stores and others.

The current proposed restrictions and rules are ridiculously complex, call for regulations which go beyond building codes, and will make it difficult for us to continue offering our house to the tourists who provide Tillamook County with a large percentage of its revenue.

We also were informed that revenue from vacation rental fees is used, in part, to build workforce housing in the county. We fully support this, and would be willing to pay even more in fees to support this laudable effort.

Please consider returning to regulations which are fair and rational and allow Tillamook County to be a popular tourist destination on the Oregon coast.

Lee Mercer and Laurie Chadwick
Owners of 1 vacation rental in the Four Sisters neighborhood of Pacific City.
Lee Mercer 831-818-5247 marne.lee.mercer@gmail.com

Lynn Tone

From: Dick Binns <dick.binns@gmail.com>
Sent: Monday, February 13, 2023 1:25 AM
To: Public Comments
Cc: Dick Binns
Subject: EXTERNAL: STR Draft Proposal - Feedback

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

Thank you for this opportunity to provide input on STR Draft Proposal that is intended to replace Ordinance #84 and the general topic of STR's in Tillamook County.

By way of background our family has owned a property that we had built, in Oceanside for over 30 years. Built as a family vacation and weekend property it began to see use as a Vacation Rental in 2014 as our economic situation changed. We enjoyed many weekends in Oceanside and still have our Tillamook Library cards from when our daughters were young. We've spent significant sums with local Netarts based contractors updating and maintaining the property.

My understanding is one goal of the restrictions proposed in the STR Draft Proposal is to increase long term rentals and affordable housing. While a laudable goal, the STR Draft does little to accomplish this goal. Were we denied an STR Permit the property would not enter the residential rental pool and I suspect the same is true for a significant majority of the other STR's in Oceanside. And, most STR's are not suited to affordable housing from both a location and cost aspect.

At a high level the STR Draft Proposal is an overreaction to what is in part an ephemeral problem. We saw usage of our property

increase significantly in 2021 and 2022 due to Covid and Remote Working impacts. Over time, I suspect these trends will drop leading to less visitors to Tillamook County. From an organizational perspective I suspect jettisoning Ordinance #84 and replacing it with the STR Draft Proposal was the lazy way out of the problem of figuring out what needs to be done to make STR's work for residents, visitors and owners. It's much simpler to ignore what already is and start over with a clean slate than to amend existing regulations.

Specific to some of the STR Draft content it's clear whomever drafted it has not visited Oceanside. The 250' restriction would play havoc in Oceanside where many of the lots are only 3000 sq feet (a legacy of when Oceanside was platted for tents). My guess is there are at least 15 homes within a 250' radius of our property. The idea that five years of use would compensate for eventual loss of an STR license would likely not work for many owners on an economic basis and could be construed as a "taking". There also appear to be potential requirements for owners having to adjust to new codes subsequent to initial construction. That strikes me personally as hell for both homeowners and inspectors.

I would suggest someone should do an economic impact analysis on how many STR's would be lost in Tillamook County if the STR Draft Proposal were implemented and what that would mean to both Tillamook County revenues as well as the incomes of those that manage and maintain the properties and serve the STR visitors at local restaurants, stores and services.

My request is that the ungrounded STR Draft Proposal that throws the baby out with the bathwater be shelved and that someone get on with the real work of making Ordinance #84 do what it needs to

do for the local Tillamook County residents, visitors and STR owners. This could include enforcement mechanisms at tourist high times when things can become quite crowded.

Thank you for your time and attention and the opportunity to provide input on STR's in Tillamook County.

Richard (Dick) Binns

Tillamook County Property Owner since 1992

Lynn Tone

From: Ryan McGlone <ryan@teammcglone.com>
Sent: Monday, February 13, 2023 9:52 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Hello County Commissioners and Short Term Rental Advisory Committee,

My name is Ryan McGlone and I am writing to you from Bend, Oregon, my home and another Oregon tourist community that has endured a constant struggle to find the balance where short term rentals fit in amongst a bustling lifestyle community. We also own a second home in Pacific City that we love dearly and use as a short-term rental.

As I listen to the current debate around repealing ordinance 84 and replacing it with a new ordinance designed to significantly limit STR operation in the county, I fear that the County Commissioners are about to invoke great economic hardship on coastal communities without performing their fiduciary duties to do proper due diligence on what these drastic changes could do to your constituents and your communities.

As a Realtor in Bend, Oregon I've intimately witnessed the impacts of the decision in 2015 to put some restrictions on short term rental opportunities in Bend. Contrary to what is being communicated by those looking to strictly limit STR's in Tillamook County, the net result was no measurable change in housing affordability in our community regardless of the price point. Just like in Tillamook County the bulk of STR's are in higher-end neighborhoods that offer quick proximity to community amenities sought by tourists and wealthy second homeowners alike. In these areas there are hundreds of homes that already did not qualify for STR's due to CCR and HOA regulations as well as the caps imposed by the City. The demand for these homes is still incredibly high regardless that they are not eligible for an STR permit, and they do not sell at a discount.

We see similar trends in areas of Bend that are closer to the median home price. HOA restrictions and the restrictions imposed by the city have had zero impact on house prices in these neighborhoods. This is partially because there are so few STR's located in median priced communities, mainly because these areas are not near the same luxury amenities that tourists and affluent primary and second home owners are attracted to. The few STR's that are rented out in median priced neighborhoods typically have poor occupancy rates which is why they make up just a fraction of a percent of the housing stock in more "affordable" neighborhoods.

Similar trends are present in Tillamook County when observing neighborhoods like Shorepine and Dory Pointe in Pacific City. Both neighborhoods are predominately second homes and STR's due to their location to amenities and typically sell between $650K to $900K. Prices far outside the realm of affordable housing. Since the moratorium was placed on STR permits back in July, several homes have sold in both communities that no longer qualify for STR permits. These homes did not drop significantly in price and still sold at prices that are multiple times higher than the median sales price of a home in Tillamook County. This is real-time evidence that these sales will not lead to a trickle-down effect on affordable and low-income housing.

This community will however see a massive impact to their economy if the latest proposals to repeal and replace Ordinance 84 are enacted, and it is prudent for County Commissioners to hire a 3rd party to perform an economic impact study on how this change will impact the economics of tourism before they attempt to repeal and replace the current ordinance.

Take our coastal home for example. Last year approximately 125 families/parties enjoyed our special home and the surrounding community of Pacific City. It is more than reasonable to think that each family/party spent $1000 on their trip in Pacific City when accounting for food, restaurants, fuel, entertainment, etc. That means that just through their discretionary spending roughly $125,000 circulated through the local community from our guests. If you conservatively assume that just half of the STR's in the county produce that same type of impact, then those 900 units would account for roughly $112,500,000 in economic benefit to Tillamook county just in discretionary spending. This does not include any of the economic benefits realized from property management services, cleaners, maintenance employees, etc., or the tax revenues gained by the county.

If our house lost our permit. We would not sell it, nor would it become a long-term rental. We will hold it as a second home as I imagine the bulk of STR homeowners would do. This would mean massive economic losses as these homes sit vacant for most of the year with no economic benefit to the community. Those few homes that do go get sold due to the change will simply be picked up by affluent second homeowners and wealthy residents. This will not become long-term rentals, nor will they provide lower income/affordable housing options for those that rely on the domestic economy for employment.

If I were a resident with my employment immediately tied to any source of local employment (retail, tourism, grocery, restaurant, energy, etc.) I would be frightened that my career is in immediate jeopardy if this ordinance is repealed, and the current revision is passed. If I had a job that is not directly linked to these fields, I would still be concerned that the long-term trickle down negative economic effect would eventually hit my industry and profession.

The only permanent residents that will be winners in this scenario are those that are not part of the domestic workforce (i.e.. retirees, second homeowners and those working remotely). They will get to continue to live with their standard quality of life, and get to enjoy a quieter coastal community, while the rest of the community will face the hardships of large-scale unemployment. Even this subset stands to eventually lose as depression kicks in, and the entire community takes turn for the worse.

It only makes sense that with this type of economic risk, the county commissioners would consider the long term and unintended consequences of making such a change. It seems prudent that they hire an independent economic consulting firm to perform an economic impact analysis before making such a consequential decision.

There is also a silver economic lining with STR's that I have not seen discussed. This option could both allow for coastal communities that have built resilient economies based on tourism to thrive, while making a significant impact on affordable housing. Any reduction in STR permits will result in an immediate reduction in the collection of short-term operating license revenue. I believe 75% of this fee directly goes to fund affordable/low-income housing projects in the community. Right now, this annual fee is fairly minimal.

The county commissioners could elect to substantially increase this annual fee. Imagine if the average annual fee paid by a STR operator was $1,000? The county would collect an additional $1,800,000 in fees, the majority of which would be for lower income housing/affordable housing projects each year. If at the same time, the Commissioners elected to shift the allocation of discretionary transient lodging tax dollars towards affordable housing, the community could see a measurable impact on affordable housing options within Tillamook County all funded by STR's and tourism.

The coastal economies have been devastated several times in the past half century due to increased environmental regulations in forestry and fishing industries. Commissioners should not risk putting your community through this type of hardship again. Many communities recovered by turning towards tourism as a way to rebuild, and reshape their way of life. Change is difficult, and comes at a price. As a resident of Bend there are things that I do not appreciate that come along with additional tourism and short-term rentals in my own town, however I understand that a large subset of our economy is built around this business model. I am fortunate that most of our local politicians and business owners agree, and still allow for a significant number of STR's to operate with sensible guardrails within our community. I would rather live with some of the annoyances and watch our community thrive, rather than take on all the negative outputs that crush communities when unemployment dramatically increases and depression kicks in.

It is time for the County Commissioners to do their full due diligence as fiduciaries for their community and constituents, and properly weigh the economic benefits offered by STR's and their financial potential to turn the tide on affordable

housing, versus the relatively uncommon nuisance brought forth by increased tourist traffic and the occasional complaint.

I hope they make the right decision, rise above the politics, look at the hard facts, and properly evaluate these economic benefits before making a rash decision with potentially devastating consequences.

Thank you for listening

Ryan McGlone & Family

Lynn Tone

From: Shawn MacDonald <nwsteelheader@hotmail.com>
Sent: Monday, February 13, 2023 10:38 PM
To: Public Comments; Sarah Absher; Shawn MacDonald
Subject: EXTERNAL: Short Term Rental Policies, Pacific City, Tillamook County Oregon

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

This letter is written in response to the proposals to significantly limit and effectively abolish short term vacation rentals in Tillamook County Oregon.

First a little bit about myself and my interest in the matter. I own a personal family vacation home in Pacific City that I built in 2007. I have never rented my house as a vacation rental. I have been very involved in my neighborhood. For the past 10+ years I have been the president of Dory Pointe Homeowners Association. I have committed hundreds of hours working to help make the Dory Pointe neighborhood and the area around the Cape a better place.

Over the years I have purchased and refurbished two severely dilapidated homes in Pacific City. I have also constructed one new house in Dory Pointe. I owned and operated one vacation rental in Pacific City on the Cape for a little over one year. I currently own 6 individual bare lot properties in Pacific City, on the Cape. I have the plans to one day build on each of these lots and make them into short or long term rentals as retirement income. I do not currently own or operate a short-term rental property in Tillamook County, but one day I hope to own and operate a few.

When Ordinance #86 was introduced, I applauded the commonsense approach to helping manage vacation rentals in the county. I believe that there are always ways to learn and improve over time. Ordinance #86 and vacation rentals do need to be continually monitored and improved or modified with measured and fair changes made over time. Unfortunately, that is not the position we find ourselves in today. Tillamook County is considering extreme measures. Today we find ourselves in a position where there is a very real possibility that vacation rentals will be nearly impossible to attain as an owner or a renter. The policies suggested are based on emotion, not on substantive facts. Here are a few things to consider in your deliberations about adopting some of the extreme measures being discussed and debated.

Vacation rentals rob housing from workforce housing - FALSE

- Dory Pointe Subdivision in Pacific City has 73 lots and nearly every house in Dory Pointe subdivision has sold at least once in the past 15 years. In certain times those houses have sold for very low prices. More recently they are at a pricing peak, which is rapidly coming back to earth. In none of the sales of any of the homes in Dory Pointe in the past 15 years, has anyone from the local workforce community purchased (or rented long term) one of the houses in Dory Pointe. We have a few full-time residents, but they are retirees or people who can work remotely for their jobs. The reality is that the values of the homes near the ocean in highly desirable areas make for terrible workforce housing. For one simple reason - they are generally much more expensive than the wages associated with service industry workers can afford. This is not a Pacific City issue. This is an issue anywhere in the US where

you have a high demand area and reasonably nice homes. The simple fact is that the houses in Dory Pointe and on the Cape (in general) are not suitable for, and not taking away from, workforce housing. If you read the statistics on the workforce wages vs cost/value of homes with short term rental permits in Tillamook County, you will see that the houses are beyond the affordability range of workforce housing.

Serving your constituents means listening to your residents only - FALSE

- I do not live in Pacific City because I have to live where my job is available, unfortunately, that is in Portland, Oregon. However, that does not mean that my needs can be ignored by the politicians and elected officials of Tillamook County. I pay property taxes on 7 properties in Tillamook County. I have paid development fees to build homes and develop lots. Those fees go to the County, the PCJWSA, the School district... My family volunteers in the community, beach cleanup, invasive plant removal, library store... Please consider that the role of the County government is to support the citizens and the stakeholders within the community. Please do not ignore vacation rental owners. We are stakeholders who care very much for Tillamook County.

We don't need vacation rentals in our town - FALSE

- Tourists are the lifeblood of the vacation areas in Tillamook County. Pacific City is a huge revenue generator (in total dollars and percent of total Tillamook County) based on the short history of the Short term Rental tax. I do not imagine that many of the businesses in Pacific City could exist if every month was like February, with no tourists. No tourists = no revenue = no jobs = no businesses. You can't have the tourists if you don't have infrastructure to support them. Vacation rentals are a critical component in the tourism infrastructure. Tillamook County has to come to terms with the fact that its greatest resource is its natural resources and tourism. It should be nurtured and supported, not eliminated with one sided policies and ordinances.

All the problems are caused by vacation rentals and renters - FALSE

- Statistics can be very informative in this false narrative. Yes, it is in fact true that some tourists, come to Tillamook county and cause problems. Problems with parking, noise, trash, overcrowding, traffic, etc... That is understood. Look at the County statistics of problems caused by vacation rentals, they are shockingly low. Many of the anecdotal complaints by the Anti-STR supporters are not substantiated to be about people in vacation rentals. Follow the facts, not the anecdotes. How many drunk driving arrests in Tillamook County were local residents vs vacation renters? How many drug offenses were local residents vs vacation renters? If you have a problem with parking, start towing cars. Don't ban vacation rentals.

Hotels and Motels get a free pass - WHY?

- The logic is lacking from the argument that short term rentals are the root cause of all the problems and overcrowding. Hotels and motels bring a greater density of tourists to an area than a vacation rental home. If you want to eliminate the crowds and traffic. Then shut down the hotels and motels- ban them from the County. Let them only operate for a limited number of days per year. These are ridiculous suggestions, but they emphasize how poorly constructed the arguments are against short term vacation rentals. How exactly do you feel it is fair to single out Vacation Rentals?

You don't have a right to have a vacation rental - FALSE

- This is a land use issue. I have invested a lot of time and money with the expectation that I can use the property as it is zoned in the land use zoning. Reasonable rules about how that land can be used make sense, but not outright changes to previously permitted, legal use of my properties.

250 foot rule and percentage of overall properties are fair and reasonable limits - FALSE

- Vacation rentals are concentrated in very specific areas. They are near the coast and they tend to be on very small lots. The average lot in Dory Pointe is 40 feet wide. 250 feet in every direction from a single house in Dory Pointe would eliminate 20+ other houses from being a vacation rental. That means that Dory Pointe could have 3 or maybe 4 vacation rentals for the 73 lots in the subdivision. Many of the people who bought in the Dory pointe subdivision did so intending to rent their property as short term rentals. Many others bought there because they had rented in the past and wanted their own home. There is an expectation that if you buy in a high density tourist area, that tourists will be present. This is true anywhere on the Cape. The new rules would be an extremely unfair burden on many of the owners of Dory Pointe. Let us as a homeowners association manage our vacation rentals. Give us and the county common sense rules to manage issues and deter offenders.

I could continue to fill up the page with details about all of the reasons we should be taking a measured approach to solve any real or perceived problems. Unfortunately, I don't get a vote. You get to vote. You get to vote on whether the 7 properties that I have invested in, developed and prepared can be used for the purpose I had intended. You get to decide if all the people in Pacific City who bought properties to use as vacation rentals can have the rug pulled out from underneath their feet. Based on what I have seen with the behavior of abruptly shutting down ("Pause") vacation rental permits this past summer with minimal warning, I am fearful that you are not listening. Please listen. Please understand the other tools that you have at your disposal to manage these issues. Please do not shut down a critical tourism resource in Tillamook County. Please respect property rights. Please make changes that improve livability for residents, while also maintaining a viable vacation rental environment.

Kind regards,
Shawn MacDonald
Portland, Oregon
Pacific City, Oregon

Lynn Tone

From: Heather Crawford <osbeachrentals@yahoo.com>
Sent: Monday, February 13, 2023 10:57 PM
To: Public Comments
Subject: EXTERNAL: Str

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

Hello, my name is Heather Crawford and I am the owner of Lighthouse property management, which is a long-term housing management company. I am also the owner
of Oceanside beach rentals, which is a vacation rental management company here in Tillamook County.
I'd like to start out by saying and listening to the meetings it's abundantly clear that the people in charge have no idea what the laws are and how heavily handed they are in the state of Oregon supporting tenants rather than the rights of homeowners. And it's been presented that we would all be much better off having long-term rentals as opposed to vacation rentals. When there couldn't be anything further from the truth. In Oregon law support tenants so in the event, a tenant has a loss of job, starts to use drugs, or decides to move a bunch of people into your home and violate their lease agreement. It is literally a minimum of a 90 day process which tens of thousands of dollars of damage can be done in the meantime.

In addition, in Oregon, if a tenant lives in a home longer than a year an owner, must pay them to leave the property if they decide to end tenancy.

The housing impact study conducted by Sarah in 2018 proved that more than 70% of vacation rentals were valued at over $400,000. That number has only increased in value. It is not feasible that an average family and Tillamook County with a median income could afford to make a four or $5000 rent payment which would be necessary to cover the cost of a mortgage

Vacation rental owners have been told for years, actually since 2018 that are permits were safe and would be grandfathered in any upcoming changes. Pam Zelinkski also asked Sarah point blank to confirm that permits would be grandfathered and she confirmed that indeed they would be. It is a part of public record.
Just to find out that both the county, commissioners and community development have no intent on honoring their word.

I purchased my first vacation home in 2018. I have been managing the property after the owner was diagnosed with cancer and eventually passed away. They built the house is there a dream home and planned to retire there. They put it in the vacation rental market to try and help make ends meet while John Lusk battled cancer. The steep cost of radiation and chemotherapy treatment took its toll on their family and he ended up spending nine months and OHSU before passing away.

David Yamamoto made a comment to me that vacation rental owners were people that lived out of our county and we're not constituents so it didn't really matter to him what was decided to do with vacation rentals. I am here to tell you that he has severely misinformed and that's disappointing.

As I described above, John and Gwen Lusk put their house up as a vacation rental because he was dying of cancer, not because they were a greedy corporation, trying to make a ton of money. Their home has had an active STR permit since 2015.

In fact, most of my home owners that I manage for purchased a second home with the intent of retiring on the Oregon Coast. By putting their home in a vacation rental pool, it is helping them earn their retirement dream faster.

In a time of absolute financial uncertainty in this world, with no guarantee that Medicare will be around or be funded, it is financially prudent for us to be conscientious of what our retirement looks like.

I purchased my second vacation rental in 2021. I cashed out my complete retirement account bought an unfinished home then hired various trades to get the inside of the home complete. Although it was a rush, I nearly got my permit as the moratorium was enforced. I built at home specifically to be a vacation rental.

I am a single parent I do not receive child support. It was on my shoulders alone to of raise my four children,
Help them get a great start in life, a good education, and most importantly raised upstanding citizens in our community.

I can tell you that I personally donate tens of thousands of dollars each year to land and habitat preservation programs, towards athletic programs at the high school and junior high. I donate heavily for charity drive. I do all of this because I believe strongly in community, sense of belonging, and I believe in the well-being of building a better future. I appreciate what being a vacation rental owner in our community has provided towards enhancing our community, supporting projects financially, and helping to make Tillamook County a better place.

The reality is the outline that you've described, pulling everybody's permit after five years, whether it's your intention, directly or indirectly, you will single-handedly destroy small businesses and Tillamook County, large corporations, such as Vacasa will be able to weather Homeowner turnover.
Myself, Oceanside Beach Rentals we will not be able to and that's a reality. You're setting up an environment where large corporation such as Vacasa will thrive. And if I'm being completely honest in my conversation and phone calls with the county, no one wants to say it out loud, but it sounds like the majority of the neighbor complaints are coming from neighbors property that are managed by these mega corporations who do little besides collect their management fee, and move on.

Maybe if we're discussing putting caps on things, we should discuss putting a cap on how many vacation rentals one company could manage, hold them to a higher standard, if a management company is causing disruption in the community, maybe being allowed to manage 500 homes in the community isn't the right answer. Maybe that number and feasibly be cut down to 100 until it can be done successfully.

If there are complaints, address them, manage! And that might require community development to manage!
If a homeowner is calling repeatedly, with a complaint, let's dig into it and figure out how we can solve the problem. I don't want anybody to feel frustrated with where they live, but I'm telling you that I go above and beyond to try and make everything as smooth as possible for the neighbors of the property that I manage. They all have my phone number and I do my best to take care of an address any issue they have immediately. I manage! That is my job. It sounds to me as if no one is interested in doing their job so rather than taking care of the issue, Tillamook County would rather slit the throat of an asset, then take care of addressing the problem.

Tillamook County was founded on vacation destinations. Happy camp was just that a place to go camping on the beach. You used to be able to take a train from Portland directly into Oceanside for two dollars and stay in a cabin. Pacific city was designed built, and for decades was nothing more than second homes.

Now, all of a sudden we have an influx of people moving from out of state to Oregon and they're pissed off because they don't like our culture they don't like our history and frankly they want to change it. I'm sorry that's not what we are. I do understand that there's a need to help provide workforce housing. We've done that. As vacation rental owners we are

contributing towards that and every quarter when we pay our taxes we continue to help Tillamook County be successful in achieving its goals.

I will never convert any of my properties to long-term housing, I have too much first hand information to see how financially devastating it is and how much can go wrong. I think it's incredibly negligent for Tillamook County to try and force STR owners to do that.

If we are in need of workforce housing, why is nobody talking about the 72 unit complex that's under way or the 48 unit at Holden Creek that was newly completed.
Another reality is, there's only so much Land in Tillamook County. It might be beneficial to take a long, hard look at possibly rezoning some areas that would allow for dense population of housing. It's clear that taking an $800,000 house and not allowing it to be a vacation rental is not the answer to solve workforce housing issues.
Nor is it financially prudent to single-handedly spike, unemployment in our county? I can tell you last year alone I spent over $400,000 in our community hiring Housekeeper's, maintenance men, contract laborers and landscapers.

How can you in good faith believe that you are doing the right thing when you will devastate so many families financially, and take away their jobs. I am one small piece of the puzzle, but it's a large amount of money.

And as far as pulling each permit, after five years, I believe that will be financially devastating to a lot of families, and could possibly force people into foreclosure. I had a few new homeowners purchase homes this last year at $850,000. I believe their mortgage payment somewhere close to $6000. When they purchased I had to provide them with a financial documentation through rental history. The house in question has had an STR permit since 2013.
They did their due diligence, making sure that it was a financially prudent decision when they purchased. Losing their STR permit will force them into foreclosure.

I appreciate how tough the decision is and how difficult it is to come up with the right answer. Pulling permits is not the right answer.

I would ask that you no matter how difficult the task remain strong and not be bullied or manipulated by a collection of bullies that have come into the county and want to change everything to their way.
I think you again for your time, and I can only imagine how difficult it is to come up with the correct path.

Thank you for your time.
Heather Crawford

Sent from Yahoo Mail for iPhone

Lynn Tone

From: Adam Roselli <aroselli@fg-cre.com>
Sent: Tuesday, February 14, 2023 12:43 AM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84
Attachments: Pacific City STR Letter - 2-13-23.pdf

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Thank you for the opportunity to share our family's concerns regarding the proposed repeal of Ordinance #84. Though we are natives of the Portland/Vancouver metro area and have visited the Oregon Coast numerous times throughout our lives, we just four years ago visited Pacific City for the first time and fell in love with it. Over that four-year period, we visited on six different occasions staying at different STR's each time. On that sixth time, we saw a home in the Kiwanda Shores neighborhood hit the market and after touring it, we fell in love with it, and pursued our dream of having a family home at Pacific City.

Though I think there is a perception that STR owners are wealthy investors and corporations with multiple properties, we are the face of the more-typical STR owner; a family who stretched their budget, cashed in their retirement and made ends meet in order to purchase a family beach house to create memories in. Though some could argue that plan lacked prudence, Rachel and I are already seeing our kids growing too fast and at ages 6 and 8, wanted a place to slow down and be close as a family. After successfully closing on our home this past June, we can say we absolutely love it and cherish our time together. We unfortunately now fear our dream will be taken away for we require the revenue of renting our home when we are not using it in order to keep it.

Though we understand the need and the importance of having a well-regulated STR system, the draft proposal respectfully seems to miss the mark. The 250' rule, the potential inability to renew our license, and the possible upgrades that will be required to continue renting our home are daunting. The process of being made whole also seems confusing and incredibly expensive should we be forced to sell and have to take a significant haircut from what we purchased our home for just eight months ago. Our family believes the bad actors should be held accountable and the system should serve all of the stakeholders, but this plan seems to unduly punish families and homeowners who have done nothing wrong and have done nothing more than enjoy and support our community.

We feel our family is the exact type of owner the community would appreciate and want in Pacific City. Every time we are in town, we support the local community by walking as a family for candy and ice cream at Pacific Coast Candy, by purchasing specialty beers at Twist, or by picking up some home-repair items at True Value. We walk every morning to get coffee at Stimulus, grab treats at Grateful Bread, and catch dinner at Pelican, the Oar House or takeout from the Sportsman's or Doryland. We also find ourselves at Chester's or Cape Kiwanda Marketplace multiple times a day for items we need and snacks we want. We support the local economy when we are there and by renting it when we aren't, we ensure others are supporting these businesses as well. If we are forced to sell, I would argue it likely won't be a local, full-time resident who purchases our home, it will instead be the wealthy individual who utilizes the home three weeks a year and lets it sit empty for the balance of the year, starving these local businesses of needed revenue.

We support our community in additional ways as well. We donate to the Pacific City Skatepark. We participated this last year in the Fourth of July beach clean-up and take a trash bag with us at least once every trip to clean up garbage along the beach. We utilize an amazing local property management company who responds quickly to our guests using

multiple local guest relations staff, cleaning staff, maintenance staff and others to keep our home functioning well. Our home will need to be painted and will need repairs this spring which will be done by local vendors. All of this doesn't take into account the support the community receives from the TLT funds that come from renting our home throughout the year to people who visit our home from throughout the world! How amazing that we have already been able to share our home with people from across the country. People visiting Pacific City from Utah, Texas, New Jersey and New York. People visiting internationally from Toronto, Canada and Helsinki, Finland.

We respectfully hope you reconsider some of the changes you are seeking and consider all of the stakeholders who will be affected by your decision. Our family desperately wants to continue our trips walking the trails, feeding the bunnies, checking out the tide pools, racing up the sand dunes, fires on the beach and enjoying life at a slower pace. We hope life will slow down long enough for us to enjoy our kiddos as they grow and hopefully in the long but not too distant future, enjoy it as a family when they are bringing their kiddos to Pacific City as well.

Thank you again for your time and consideration.

Respectfully,

Adam and Rachel Roselli

Lynn Tone

From: Carol Hoke <carolthoke@gmail.com>
Sent: Tuesday, February 14, 2023 7:02 AM
To: Public Comments
Subject: EXTERNAL: STR Advisory Committee Meeting Comment

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

Hello Committee Members,
Thank you all for your time and consideration of the matter before you.
I am writing in support of the proposed Revised STR Ordinance. Most of the issues that affect Neskowin's livability have been addressed and I think this is a good move in the right direction. I agree that compromise is required to arrive at any public policy change and this ordinance has done that.
I am in strong support of a 20% percentage limit in non-incorporated areas that was not included in this proposal. Neskowin is a residential community that does not have the commercial/retail establishments of most coastal towns. The current density of STR's in Neskowin allows for those with investments to continue to operate, yet if allowed to increase will push our summer STR occupancies beyond tolerance.
Sincerely,
Carol Hoke
Full Time Neskowin Resident

Lynn Tone

From: Shifflett, Mark L :LMP Food and Nutrition <MLSHIFFL@LHS.ORG>
Sent: Tuesday, February 14, 2023 7:49 AM
To: Public Comments
Cc: Mark
Subject: EXTERNAL: The Benefits of STR's on the Oregon Coast

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

I am a current owner of an STR Condo on the coast in Neskowin . We offer an affordable alternative for travelers to enjoy the coast. I do not think there should be any restrictions placed on STR owners , except the same enforcement issues that apply to every other residential home on the coast, which can include parking issues, noise , and garbage pick up . There are a variety of benefits of STR's on the Oregon Coast .

1) Economic benefits: STRs bring in significant revenue for local communities, as well as for property owners like me, who rent out their vacation home . We tell all our guests to eat , drink , and shop at all the local establishments in the area . This can help boost the local economy by providing jobs for the management company I use, and supporting small businesses.
2) Increased tourism: STRs can increase tourism in the area, which can help generate even more economic benefits and bring in much-needed revenue to the County.
3) More Options : STRs offer travelers more flexibility and options when it comes to their accommodation needs. This can help attract more visitors to the area and make their trip more enjoyable. If there is restrictions on the number of days an STR can rent , travelers will most likely go to other parts of the Coast , that have no restrictions on the time you can stay . This also has Environmental implications as well , by encouraging travelers to stay in one area , we reduce the carbon footprint .
4) Community building with Neighborhood Committees : By bringing together visitors and locals, STRs can help build a sense of community and foster a sense of belonging for all, since we all have a vested interest in having people from all over the world enjoy the Oregon Coast This can help strengthen the social fabric of the area and promote a positive atmosphere for everyone. We all want to enjoy the Coast as well as maintain a community for the residences .

Thank you for your consideration ,

Mark Shifflett

Lynn Tone

From: Scott Hohensee <hohenseescott@gmail.com>
Sent: Tuesday, February 14, 2023 10:11 AM
To: Public Comments
Subject: EXTERNAL: proposed replacement ordinance for ordinance 84
Attachments: STVRcomments3.docx

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

Tillamook County STR Comments3
2/14/23

Tillamook County STR Advisory Committee,

I would like to make 3 comments regarding the proposed replacement STR ordinance from 1/9/23. The first and most important is that the proposed ordinance, by limiting renewals to a five year period, is penalizing people like myself who have invested time, effort, money and love in Tillamook County. Secondly and thirdly, the proposed ordinance is conflating STR regulation with long term housing solutions and building codes.

Please do not include in any modification to Ordinance 84 or replacement STR ordinance a limit on how long current STR permit holders may renew their permits. Everyone who currently holds a permit has made decisions based on the current rules and changing the rules for the current permit holders will unfairly undermine our long term plans.

As to the conflation of STR regulation with long term housing, my home is located in Kiwanda Shores where at last count there were only 2 permanent residents. All other homes are vacation homes, some of which double as STRs. Removing the STRs from Kiwanda Shores will not likely result in the affected properties becoming long term housing for local residents as this would preclude their use as vacation homes for the owners. This situation would most likely occur throughout high demand areas everywhere in the county.

As to the conflation of STR regulation and building codes, the building codes already provide for allowable room sizes, parking, fire access, etc. Violations are not unique to STRs and should be addressed through code compliance for all residences throughout the county.

Regards,

Scott Hohensee

Lynn Tone

From: Michael Maginnis <mmaginnis007@gmail.com>
Sent: Tuesday, February 14, 2023 10:18 AM
To: Public Comments
Subject: EXTERNAL: STR

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

We support the County's draft revisions that include both a STR cap and density limit in an attempt to restore balance to our residential neighborhoods. Please don't allow special interest groups to dictate our ordinances.

Sincerely,

Michael Maginnis
Tela Skinner
8055 Kahnie Trail Loop
Nehalem

Lynn Tone

From: pbirch1@comcast.net
Sent: Monday, February 13, 2023 1:16 PM
To: Public Comments
Subject: EXTERNAL: Comment Letter on Proposed STR Ordinance
Attachments: Comment Letter re Proposed Tillamook Co STR Ordinance .docx

Importance: High

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

Tillamook County STR Sub-Committee – please see attached comment letter.

Thanks,

Peter Birch

Lynn Tone

From: Jamie Rea <jamietrea@yahoo.com>
Sent: Monday, February 13, 2023 1:08 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am very concerned about the sudden change to repeal ordinance #84, and completely revamp it for several reasons:

1) The ordinance that makes permit holders, after 5 renewals, be subjected to the applicable subarea cap, vague, unclear, and unfair. We bought our property knowing what the rules were up front. Renting of our house reduces "some" of the financial burden of owning a vacation home. Planning financially for being able to rent it out is a factor. Not knowing if 5 years from now, you make it or not, is hard for planning purposes. We have been renting our house out for over 5 years, and several people come back year after year. They too find a place they enjoy, and want that certainty. Previous "permit" holders should be grandfathered in, and not be subjected to any renewal caps.

2) The ordinance which dictates a 250 foot density limit, is unclear and vague. In our neighborhood, we have 3 STR's that I know about, and our homes are close together. How is it all sorted out? Who gets to continue with renting, and who doesn't? Most of the homes in Oregon are very close together, with small lot sizes. I would think having the homes closer together preferable, rather than spread them apart. Why the restriction???? Is it noise? We own several "multi-plex properties, and sometimes "noise" is an issue. We encourage our tenants to talk to one another and let the neighbor know if there is a problem. Knowing what the problem is, they correct it!

3) How realistic is it to have our management company to have to call the STR line within 20 minutes, and than be at our property within 30 minutes. I don't think the local police department have that great of turn around time! 60 minutes is the "norm" around the country! How many complaints have there been, who's making the complaint, and what for? Usually, it's the same people that complain.

Thank you for considering some of my issues.

Regards,
Jamie Rea (K & J Properties - I'm the "J")

Lynn Tone

From: Nicole Twigg <nicoletwigg22@gmail.com>
Sent: Monday, February 13, 2023 12:51 PM
To: Alan Coppola
Cc: Cindy Bernert-Coppola; Public Comments
Subject: EXTERNAL: Re: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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Thank you for your input!

On Mon, Feb 13, 2023 at 3:14 PM Alan Coppola <ajjcoppola@gmail.com> wrote:

> Tillamook Board of County Commissioners & STR Advisory Committee,
>
> Alan Coppola and Cindy Bernert-Coppola here.
> We own a house at 6000 Centerpointe Loop, Pacific City, OR 97135
>
> Our comments about the current STR proposal as of February 13, 2023 are the following:
>
> 1. While not against STR caps in general, we recommend that they start from the current percentage for the relevant area they are in and put an upward cap (e.g. 20% more than what is already there). Caps should apply to all land used for housing equally and include RV parks, camping parks, hotels, motels, and all housing not having an STR permit.
> 2. While not against a response time to complaints, an unreasonably short response time like 20 minutes is not going to be fruitful. Perhaps take an average of the non-emergency times already available in the county. I suspect even a reported fire or violent crime report will not have a response within that short of a time.
> 3. Any maximum occupancy calculation should be applied evenly to all properties in the county. We use a property management company (Kiwanda Coastal), and all advertisements and our permit clearly state what the maximum occupancy is.
> 4. We own a single home in Pacific City and have used it as an STR for a year. While we have a reasonable mortgage, it is clear that we will never make an operating 'profit' from this endeavor. If our permit for an STR is ever revoked, based on new regulations, we'll need to consider that as a Land Use breach of contract and take appropriate action.
>
> Thanks for your consideration and work on these issues.
> We do love the area and people, and so look forward to living there in the next number of years.
>
> Respectfully,
> Alan Coppola and Cindy Bernert-Coppola

--

Nicole Twigg (mobile)
503-816-9516
nicoletwigg22@gmail.com

Lynn Tone

From: Kathy Hamel <foxsable@comcast.net>
Sent: Monday, February 13, 2023 12:27 PM
To: Public Comments
Cc: Peter Birch
Subject: EXTERNAL: Tillamook STR comment
Attachments: Tillamook STR comment.docx

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

To: Tillamook Board of County Commissioners and Short Term Rental Advisory Committee

Attached is a comment letter about the draft proposed short term rental ordinance. Thank you for your consideration.
Kathy Hamel

Lynn Tone

From: Terri Desaro <tldesaro@gmail.com>
Sent: Monday, February 13, 2023 8:15 AM
To: Public Comments
Subject: EXTERNAL: STR Comments
Attachments: STR Comments 02122023.pdf

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

Hello,

My name is Terri Desaro; my husband and I are full-time residents of Neahkahnie. I would like to offer my comments for the upcoming meeting of the Short Term Advisory Committee.

Thank you,
Terri Desaro

Lynn Tone

From: mikecehlen@gmail.com
Sent: Monday, February 13, 2023 8:15 AM
To: 'Jacki Hinton'
Cc: Public Comments
Subject: EXTERNAL: FW: STR comments

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

Hi Jacki,

I sent this to publiccomments@co.tillamook.or.us and it bounced back. Not sure what else to do. Perhaps you could forward it?

Let me know if you have an idea of how to get this in their hands.

Best,

Mike

From: mikecehlen@gmail.com <mikecehlen@gmail.com>
Sent: Monday, February 13, 2023 8:09 AM
To: publiccomments@co.tillamook.or.us.
Subject: STR comments

Greetings Tillamook County Advisory Committee and Director Absher,

My wife Janice Gaines-Ehlen and I have been Neahkahnie residents since 2003. I'm a carpenter/builder and used motor oil recycler. Janice has owned and operated a day spa- Spa Manzanita for over 15 years (just recently sold)

We've been very aware of the changes over past recent years of increased short term rentals and how this "new" business model has affected our neighborhood. Summers see packed houses brimming with people. Overflow parking tends to be in a willi-nilli fashion. Renters often park slightly into the street causing residents to stop if a car is coming the other way. Many times it's a blind corner situation which of course magnifies the danger, especially when large groups of people are walking in the street which has become the new normal.

We've read the recently revised version of ordinance 84 and are in complete agreement.

We'd like to see independent RV and other vehicle campers parking on our streets curtailed as well, but I suppose that's another issue.

It's our opinion that the STR business should indeed be treated as a business and as such be licensed and monitored accordingly. Ordinance 84 addresses this well. We're hopeful it becomes a reality.

Thanks for all the effort you've put into this important issue.

All the best,

Mike

Mike Ehlen
PESCO Pragmatic Environmental Solutions Co. Inc.
Cell: 503-307-0322
email: mikecehlen@gmail.com
website: www.pescova.co
skype: Michael Casey Ehlen

Lynn Tone

From: Public Comments
Sent: Thursday, February 16, 2023 8:12 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Fwd: Amendments to short term rental ordinance

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From: Jill Carter <jcarter1217@gmail.com>
Sent: Wednesday, February 15, 2023 3:44 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Fwd: Amendments to short term rental ordinance

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

Sent from my iPad

Begin forwarded message:

> **From:** Jill Carter <jcarter1217@gmail.com>
> **Date:** February 15, 2023 at 3:36:37 PM PST
> **To:** publiccomments@county.tillamook.or.us
> **Subject: Amendments to short term rental ordinance**
>
> To: tillamook County commissioners and Sara Absher
>
> From: Darryl Carter/Neahkahnie resident
>
> I have lived and worked in Neahkahnie for 38 years. During that period beginning approximately 15 years Ago I have Watched and experienced a decline in the livability of our community. This began with active control by third parties in renting homes in our community via the Internet. It has only gotten worse since then. Now it is nothing more than a business operating in a residential zone. It really should not be allowed. However, it appears that it will be. The commissioners ,when this started had a chance to control the number of rentals and the use of the rentals. They did not do so. As a result, Without those limits and controls now any house in our county can become in essence a motel. This is not fair treatment for the residents of Tillamook County that choose to live and work here.
>
> I have reviewed the proposed ordinance and strongly support its adoption by the commissioners. There are many important additions to the ordinance. Among the most important Are caps on the number rentals allowed in a community, the 250 foot rule and limits on occupants allowed in the rentals.
>
> Another issue that has not been touched on is how rental activities affect on our utilities. A home that use to house perhaps six people on the weekend now could have as many as 12 to 15 people in it and rented continuously.One house on Neahkahnie Beach will hold over 20 people at night. Another will

hold 16. This increased population multiplied by the number of houses in this activity severely impacts our water system here in Neahkahnie. Last summer was the first time in 20 years that our water district had to put out a low water warning. The district asked the residents to not water their outdoor plants or lawns. Our spring flows are the same but the demand has surged because of the rentals.

You commissioners have another opportunity to set things right for the people that live and work here in Tillamook County. I urge you to vote yes to adopt the new ordinance. Do not be influenced by the commercial interest as they are always stronger and they spend more money on promoting their interests.. Remember one thing though, it's only about the money for them. They don't much care about the impacts on the residents of the county

Thanks to all that have worked hard to create this new ordinance.

Darryl Carter

Lynn Tone

From: Chip Long <jvlong3@gmail.com>
Sent: Monday, February 13, 2023 9:32 PM
To: Lynn Tone
Subject: EXTERNAL: Support for Neakahnie STR Ordinance

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

I want to add my strong support to the STR ordinance being considered for Neahkahnie. The interests of all property owners, including full time residents, need to be considered. It is to everyone's benefit to be mindful of the strains put on the community's systems by un-regulated parking and occupancy limits and, especially, by over-burdening the water supply, which is becoming an increasingly vulnerable resource.

Thank you for your attention to these concerns.

Sincerely,

Chip Long
8250 Hillcrest Road

2/15/2023

Burris Services Inc.
DBA All Star Appliance
2111 3rd St.
Tillamook, OR 97141
Phone: 503-842-2211
Fax: 503-842-3370

To whom it may concern,

I have been informed that this meeting will be addressing short-term rentals in Tillamook county and that there is some debate on the impact on local businesses. I would like to make it known that as a service business, we rely heavily on short-term rentals. We service and sell new appliances to them all the time, in fact they make up a large portion all our service business.

Please keep this in mind as you are making any decisions. Lessening short term rentals will not only impact the homeowners, but local businesses as well. These units are used more heavily than normal single dwelling homes and as such require more repairs and replacements.

Thank you.

Allen Burris

All Star Appliance

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Lynn Tone

From: Jeff Spalding <jeff@spaldingshome.com>
Sent: Sunday, February 12, 2023 3:01 PM
To: Public Comments
Subject: EXTERNAL: STR Draft Proposal - Feedback

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

To whom it may concern,

My name is Jeff Spalding and I co-own two places with STR permits. I have rented the one place for over five years. Theses rentals have brought in an average of $5000 in taxes per year to Tillamook county! In addition to taxes, the renters spent money at the local stores, restaurants and other services.

I believe the current regulations are sufficient. If excessive noise or other violations are problems then enforce the requirements for a STR permits. In my five years as an operator, there haven't been any complaints about our properties.

With respect to the issue that having less STR permits would create more affordable housing, I would NOT do a long term lease. We like the flexibility to vacation on our own time and share our vacation home with others who enjoy visiting the Oregonian coast.

Keep the current regulations,

Jeff and Jan Spalding

Lynn Tone

From: Christine Iijima <christine@steveandchristine.com>
Sent: Sunday, February 12, 2023 2:46 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My family depends on the income earned to help pay for our home. Our home is our family's base as we travel abroad for work. The county benefits from the taxes we pay. We have one neighbor and they are not in view of our house. Limiting STRs and incorporating many rules does not have the same effect for all STR owners. Not everyone is in a neighborhood. Wouldn't it be more appropriate to encourage neighborhoods to have associations to institute rules that are better for that area instead of the county limiting the rights of all STR owners?

We had to switch to using a property manager because of some of the rules imposed by the county, which were never issues for us a self managers. For example, we always had someone a phone call away who would help with any surprises. Our renters never reported frustration at our response time. We did not need the county to tell us a required response time. Why now? Have there been significant complaints? This is just one point on the new changes that may not be necessary because STR owners already care about their customers and good property managers already promise to be available. Please be careful of over-imposing rules on everyone just because there is a small percentage of complaints.

Christine

Lynn Tone

From: shiloh elkins <chamrocks73@gmail.com>
Sent: Sunday, February 12, 2023 2:41 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I manage Roseanna's Cafe, in Oceanside Or. Since short term rentals have taken off we have seen year round increase in business. Allowing us to keep our staff working year round. Our business relies on tourism, we don't have enough local business to keep our staff working year round.

Shiloh Cham

Sent from my iPhone

Lynn Tone

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Sunday, February 12, 2023 2:35 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]
To the Tillamook Board of County Commissioners & STR Advisory Committee,

I am both a co-owner of a Short Term Rental in Tillamook County (Pacific City) and an avid traveler who has been a renter of STRs in many parts of Oregon and around the USA. This is my preferred type of lodging, and most visitors to the Oregon coast agree. People desire to stay in a house, cabin, or cottage now, not in individual motel rooms. That will not change, if Tillamook County reduces the number of available vacation rentals; vacationers will just go elsewhere.

Tourism is vital to the economy of coastal areas. Visitors spend money in restaurants, brewpubs, gift shops, grocery stores, and gas stations, as well as activities and services. Those of us who own STRs employ property managers, housekeepers, carpenters and repairmen, landscapers, etc. Property owners pay taxes and fees to the County, and guests pay lodging taxes too. We make a positive contribution to the economy of the area.

It is understandable that you are concerned about the lack of affordable housing. That concern is widespread, and not limited to the coast, but it is misguided to think that there is a correlation between having STRs in the community and the lack of affordable housing. The homes which are desirable as STRs would never become affordable housing, if you reduce the number of permits. In the event you refuse to renew a current owner's STR permit, whether next year or 5 years from now, they will very likely be forced to sell their coastal home, and the buyer will probably be a wealthy Californian.

When the Tillamook Commissioners formed the STR Advisory Committee, it was charged with studying how to best amend Ordinance 84 and enforce compliance, to mitigate some residents' complaints regarding noise, parking, garbage, etc. at STRs. As Commissioners you formed a committee whose members have different business interests and experience, to conduct rational and reasonable analysis of the issues, then make balanced proposals. That process started, but it's

now gone off the rails. What is taking place is a complete hijacking of the Advisory Committee's original purpose.
The current draft would have the Commissioners repeal Ordinance 84 and enact completely different and extremely onerous
regulations. Your appointed county counsel is far from neutral, with an obvious anti-STR bias.
Continuing down this path will lead to prolonged and expensive litigation for Tillamook County.

I urge the Commissioners and the Advisory Committee to interrupt the current trajectory of the Committee's discussions
and resume consideration of how/whether Ordinance 84 should be amended.

Thank you for your consideration of my public comments.

Carol Herzog

Lynn Tone

From: S Wiarda <swiarda@gmail.com>
Sent: Sunday, February 12, 2023 2:32 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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Tillamook Board of County Commissioners & STR Advisory Committee,

Stephanie Wiarda

Lynn Tone

From: Barbara Gordon <bdbg@comcast.net>
Sent: Sunday, February 12, 2023 2:31 PM
To: Public Comments
Subject: EXTERNAL: Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee:

Welcome to the lawyers' full employment ordinance.

Re-reading the proposed changes to Ordinance 84 makes us angrier and angrier. This was not an honest attempt to try to address valid live-ability concerns. But rather an attempt to penalize the small percentage of homeowners who chose to share their homes on a limited basis.

Concerns about late night and outdoor music, garbage, too many cars, are all valid concerns ... for everyone. But if approximately 20% of the houses are rented short term, then, by default, that same percentage must be applied to the "violations." Ergo, violations are caused by 80% of the non-STR homeowners. And, the county can't prove otherwise, because it doesn't enforce or investigate current violations or regulations.

Our house has been a STR for over 30 years, although we have only owned it for 18 years or so. We have always employed coastal residents and businesses to help us market, maintain, and improve our home. Not once, have we had a complaint issued regarding our renters.

But we are sure there were a lot of ticked off neighbors between 2011-2013 when our son would casually invite his fraternity brothers to our home on weekends it wasn't rented. Even then, we didn't receive any notices or complaints.

We will tell you what does work though. The Nesko community phonebook. We have gotten emails and phone calls regarding all sorts of homeowner issues...from smoke detectors to fallen trees. It is really hard to believe that these same folks wouldn't call to complain about garbage, too many cars, and loud noise.

So what happens if we lose in the STR lottery license proposal? Well we definitely sever our contract to have someone in Nesko available to quickly address any property concerns that arise. We definitely cancel our garbage service, since we can easily haul garbage home. We cancel our year round yard service and wait for you to cite us to clean up our yard. We don't invest in sprucing up the house beyond any basic maintenance. After all, it's the beach! And for sure, we won't be renting our home long term to help the county solve its housing shortage.

What kind of government develops lottery based regulations? We can't even begin to imagine all the flowcharts and computer programming that will be going into regulating your proposals. A map showing the 250' issues, a map showing current building code issues, a map showing which houses are active vs non active STR's, and so on. And if that county can't keep up with enforcing the current Ordinance 84, how in the world are you going to enforce the new ordinance when it appears your revenues will be substantially lower but your proposed oversight tripled?

What a nightmare. All because the county is arbitrarily holding a small percentage of homeowners to a stricter standard than other homeowners. If these concerns are real concerns, then they should be applied to all homes, not just the ones that are rented short term.

Proposed Ordinance 84, if enacted as is, will materially impact our property values. Already, home sales are falling through. Long term, the county will be looking at fewer tax dollars and decreased dollars spent in Tillamook County on goods and services. What kind of sound fiscal policy deliberately imposes regulations that will decrease property tax revenue? Just to satisfy an over-vocal minority of NIMBY property owners?

We strongly urge that the county not adopt the proposed Ordinance 84 amendment and that you lift the current moratorium on new STR permits. Do your job. Create a balanced ordinance that actually addresses the valid cares and concerns of all the communities.

Barbara and Mark Gordon
1630 8th Street
Columbia City, OR 97018

47790 Hawk Street
Neskowin, OR 97149

503-407-9044

Lynn Tone

From: james farrow <jamesrcfarrow@gmail.com>
Sent: Sunday, February 12, 2023 3:55 PM
To: Public Comments
Subject: EXTERNAL: STR Regulation

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I love the ability to visit the coast and rent a STR to do it. It's a wonderful way to visit a coastal community with low impact and it works well under the current regulation. Just enforce that and focus on more important issues like jobs and road repair.

J Farrow

Lynn Tone

From: Pat Rice <patjrice@gmail.com>
Sent: Sunday, February 12, 2023 3:28 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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Tillamook Board of County Commissioners & STR Advisory Committee,

I am a community member and property owner in Tillamook county and am fortunate to be able to call the Oregon Coast home. We love our community and the natural beauty that surrounds us and we also love to share that beauty with friends, family and others that travel to experience the place that we're all lucky enough to call home.

I'm writing to voice concern around current efforts to repeal and replace Ordinance 84 before there have been significant efforts to enforce existing regulations around STRs. Ordinance 84 already contains fair and balanced regulations around hot-button issues (parking, quiet hours, garbage pickup, etc) that bubble up in all corners of our communities during the busy season, including STR properties. If there are valid complaints around these issues attributed to specific STR properties, we should focus on enforcement of existing Ordinance 84 regulations and rooting out those breaking existing regulations which will in turn help promote livability in our communities.

Separately, I realize there is a significant need for affordable housing in our County and am strongly in favor of focusing County efforts to combat this crisis on the areas which will have the most impact. Multi-family units and ADUs have a proven track record of providing that impact and I am glad to see that the County is focusing on new upcoming ADU regulations. Our own county data shows that the pool of existing STR properties in the county have real market values which simply do not equate to affordable housing in our current economy and imposing new STR restrictions or reducing the number of STR properties will not change that. Looking forward to seeing the impacts that new ADU and multi-family unit development can have in the future to help address this very real issue in our County.

Thank you for your time.

Respectfully,
Pat Rice

Lynn Tone

From: Melissa Scott <melissarscott10@gmail.com>
Sent: Sunday, February 12, 2023 5:16 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Please reconsider taking away short term rental permits. We own a property in pacific city and the majority of people renting from us is families. You are taking away this opportunity for families to spend time together in a house for the week or weekend. Hotels are just not the same as staying in home together with family.

Short term rentals also have grown the town and support so many oval businesses. This decision will significantly impact visitors and businesses in the surrounding area.

Melissa

Lynn Tone

From: BONNIE MCDOWELL <chiroqueen704@msn.com>
Sent: Sunday, February 12, 2023 5:13 PM
To: Public Comments
Subject: EXTERNAL: Changes to Ordinance #84

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

We are in opposition to most of the language of the proposed Ordinance #84. We feel that the current ordinance should be re-worked rather than starting with new language.

We have a townhouse in Shorepine Village, which we purchased in 2019 as our personal vacation property. But we cannot afford to keep it if we can't rent it out when we are not there. We want to be able to share our home with other vacationers wanting to enjoy the Oregon coast.

Shorepine Village is predominantly vacation property. An average worker would not be able to afford a residence in Shorepine Village. The proposed density and/or distance limits would unreasonably limit nights spent in this type of property.

The proposed twenty minute response time is unreasonable. Could the county sheriff even comply with that?

It is not reasonable for STR's to constantly comply with current building codes.

We want to be able to keep our ability to rent our place short term and to be able to pass that ability on to our children when they inherit the property.

Thank you for your consideration.
Bonnie McDowell and Phil Zapf
6145 Beachcomber Lane, Pacific City, OR.

Lynn Tone

From: Nick Argenti <nick.argenti@gmail.com>
Sent: Sunday, February 12, 2023 4:36 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Dear Tillamook County Commissioners and STR Advisory Committee,

We hope you and your families are doing well. We wanted to provide some inputs for the public comments for the upcoming Public STR Meeting to include who we are and thoughts about the opportunity we all have to make Tillamook and the surrounding area an even better place to call home and further enable benefits enabled by STR's/tourism.

· Who we are: We are a solar/sustainability engineer and a nurse/nursing educator/department chair who have dedicated their careers to helping people, creating innovations that help the world and share our vacation rental with guests that further enhances the community and make the Tillamook area an even better place for everyone to enjoy! We are caring individuals who own, use/enjoy and rent our properties. We are not commercial real estate people but individuals who are a part of the community and give back to the community. We take great care in making our vacation property a place for travelers to create memories that will last a lifetime. We also have strict rules in place so travelers do not negatively impact the community but truly bring an abundance of benefits to the community, such as the local/state revenue through lodging taxes/fees, supporting a variety of local businesses such as restaurants, stores, gas stations and so many more resulting in the employment and financial benefits to these businesses, cleaners, maintenance personnel, contractors/builders, Tillamook County employees and so much more which in turn enhances the community. Imagine a scenario with no tourism or substantially reduced tourism and what Tillamook's tax revenue would be and how it would negatively impact the spectrum of local jobs, the economic impact on the community and local residents.

We were in Pacific Restaurant the other day and asked them why they weren't open during the weekend and they said they didn't have enough business to support it but they were looking at staying open during the weekend during the more popular summer tourism time frame. This is an incredible restaurant/venue and just this one example shows how important tourism and STRs are in directly contributing to the local jobs, the local supply chain, businesses and the community. How many more businesses experience this as well, which is why we believe the county should actually be proactive in helping STRs to have even greater occupancy, which directly helps the community.

· Similar to what other STR owners have shared, we are in favor of enhanced enforcement, permit

transferability and no arbitrary limits. Also, being able to transfer the STR permit should not be restricted in any way as it is tied to land use rights. In addition there should be no limit on the number of nights rented, no proximity/distance limits and no change in occupancy limits. Additionally, while noise, parking and other rules for STR certainly make sense, it also seems to make sense that everyone within the community should comply with similar rules and be held accountable. After all, we want everyone to be able to peaceably and safely enjoy where they are staying, whether they are a resident or visitor. With this in mind, it seems like equitable rules need to be applied.

· For our STR, we hire local (not commercial out of area) people to do maintenance, cleaning, landscaping, a variety of subs and contractors for electrical/plumbing/HVAC, appliances, furniture and so much more. Hiring local individuals is instrumental in benefiting their families and directly enhances the community.

· We ensure guests do not negatively impact the area, comply with local ordinances and in fact they enhance the community with their presence, bringing a variety of cultures, supporting local businesses and tax revenue and are a joy to be with! What we do to ensure no negative impact to nearby neighbors and the community:

o We have clearly defined rental agreements that ensure guests knows and comply with the rules

o We post clear rules within the house

o We send an email and communicate with the guests just prior to check-in to ensure compliance

o We also are able to monitor the number of vehicles parked at the property

o We also have a security deposit that also reinforces following the rules, including if the guests were to disturb neighbors or have more than the allowed number of vehicles

o We are available if there's ever a situation where we need to contact the guest

· Instead of deterring or limiting STRs, it is our belief that Tillamook County should take on an even more supportive role for STR's and see how they can help out the property owners with advertising and coming up with creative ways to enable even higher occupancy rates as this directly feeds back into Tillamook's economy/revenue stream and positively impacts the community. This is already happening to an extent but we believe there are even more ways where we can collaboratively work together to further enhance this vital asset for Tillamook's growth and community improvements, ultimately benefiting everyone who lives full time or visits the area. This is also consistent with what Tillamook published in https://tillamookcoast.com/wp-content/uploads/2016/03/Tillamook-County-Tourism-2025-Plan-Sept-2014-1.pdf stating "Tourism has the potential to further diversify the Tillamook County economy and provide important benefits for residents, businesses and visitors. It

aims to establish a high quality visitor economy that results in maximum benefits to residents, the environment and visitors. Tourism 2025 draws on months of consultation with hundreds of residents, partners and stakeholders."

On a closing note, if you drive or walk through downtown Tillamook today, you can visually see how many vacant/distressed buildings/businesses there are, how long they have been on the market/vacant and that we have a long way to go to get our community and downtown where it needs to be. We have the basic building blocks and are making progress but we need to encourage and support STR's to help enable a community where businesses and local residents can thrive. Remember, we are all a team with the same mission to make our community and world an even better place!

We sincerely appreciate all you and the team do and look forward to making Tillamook and surrounding areas an even better place to call home and for everyone to enjoy!

Nick & Lynn Argenti

Lynn Tone

From: genna golden <genna@goldenmgmt.com>
Sent: Sunday, February 12, 2023 4:16 PM
To: Public Comments
Subject: EXTERNAL: STR Ordinance 84

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

Hello,
I'm writing with some confusion about ordinance 84. I understand that in 5 years you may want to limit the number of STR's available to tourists.
I own a registered STR, and have hosted guests from around the world over the last 7 years. My family has also enjoyed countless weeks of beauty and fun in Cape Meares. It is with great pleasure and full compliance that I host my home.
Do you want the tax revenue from tourism in Tillamook? Every single STR brings both homeowners and guests contributing to the tourist economy. Taxes for STR's have increased and I'm hoping my payments are of use and are valued by Tillamook County.
I don't think permitting fewer STR's will provide more workforce housing. If an owner were to sell their house, with prices easily costing over $140 square foot, the price a new buyer/investor would pay would necessitate a hefty rent payment to support its purchase price. The price point would likely greatly exceed the budget for work-force housing tenant.
And should a family choose to continue owning their home, and not rent it, then the tax base and opportunities to bring tourism to town would fall drastically. Likely many homes that are currently STR's would simply sit empty 9 months a year.
Limiting STR's will bring expensive rental housing, to very little increased housing.

I'm curious what the major opposition is?

Do you feel there are too many unregistered rentals?
Are there that many citizen complaints about rentals?
Do you feel there are too many tourists in Tillamook?
Do you feel that the rentals that do exist fall short of compliance laws?

I look forward to understanding the benefits of this to Tillamook County.

Thank you for considering my comments.

Sincerely,

Genna Golden
vrbo.com/670681

Genna Golden
Golden Management Inc
3519 NE 15th Ave #482
Portland, OR 97212

Lynn Tone

From: Dennis Clark <dennisclark234@yahoo.com>
Sent: Sunday, February 12, 2023 3:57 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

Some proposed amendments to Ordinance 84 appear to serve a single purpose. The elimination of individually owned short term rentals.

If there's a limit to the number of rentals in an area, what is a five year exemption from a percentage cap supposed to do? Give you time to sell?

Where are beach goers supposed to stay when they come to the beach? Is there a plan to construct a chain of hotels to replace individually owned STR's? What's the county going to replace the rental tax generated by STR's with? Some other form of rental? The coast has always been a vacation destination. It's the beach.

Why the "closet" to qualify as a bedroom? Some homes built in the 1920's didn't have bedroom closets. The bedrooms were too small, especially in small cottages or beach houses.

A number of STR's evolved as part of a retirement plan. Many rentals simply provide needed income to not only owners, but an industry that supports them.

Current permit holders obtained their permits under an agreement in place at the time. That permit should remain in place under that agreement. Additional changes result in financial losses damaging the owner.

Permits need to be transferable. What difference does it make which individual owns the property?

Placing placards or signs on short term rentals is an invitation to a burglary. A contact number on any residence is always a good idea. But placards and signs serve no useful purpose and detract from the property. Information can be obtained using other methods.

These are a few examples of why I feel the short term rental industry in Tillamook County has not been accurately represented. I could go on, but I'll spare you. It just doesn't make any sense.

There are so many things wrong with the proposed revisions to Ordinance 84, it's difficult to know where to start or even what to focus on. In our case, the NCAC recommended amendments to Ordinance 84 obviously want short term rentals gone. Why, it's not going to solve the long term rental housing problem. It may force the sale of some property and redistribute some of the wealth. It won't help livability in the community. Complaints appear to be minimal anyway. What complaints may exist need to be resolved by the owner and property management company individually. Owners and property management companies need to be held accountable and required to enforce the rules. Enforcement doesn't normally mean calling the police. It means supplying the

renters with a list of rules. They need to know violations may result in additional fees or possibly forfeiting their right to rent in the future. It's really that simple.

Respectfully,

Dennis Clark,
Neskowin, Or.

Lynn Tone

From: jim lara <lara_jim@hotmail.com>
Sent: Tuesday, February 14, 2023 2:09 PM
To: Public Comments
Subject: EXTERNAL: Comments on proposed revisions to STR Ordinance

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]
I did not see this comment sent Feb 12 registered in the document posted on the STR website today. Therefore I am sending again.

Hello,

I do not believe the changes to the STR ordinance have been fully considered as to regional economic impacts and property rights, and respectfully request that additional economic and historical context be considered prior to further consideration of draft language. I also would request consideration of the notion that surveillance by neighbors or management agents may be an inappropriate mode for enforcement, potentially leading to privacy concerns. Lastly, I disagree a proposed provision of awarding permits by geographically spacing them out 250' apart. This seems arbitrary and adds unnecessary bureaucratic burdens to permitting and enforcement.

My family and I have visited the Tillamook coast regularly since moving to Oregon years ago and we have many happy memories of staying in STR's during this time. We now own a property in Neahkahnie we hope to rent in this manner while also living at the coast ourselves for extended periods. This area is our dream come true and we hope to share it out with others in a similar way. It seems one of the challenges to preserving the beautiful nature of this coastline is to accommodate tourism while at the same time avoiding the significant environmental impacts of large scale development like hotels and growth. STR's are an important component in all this.

In reviewing the past comments and materials regarding the potential STR policy regulation changes, it occurs to me to ask, has the committee tasked with this been educated with regard to the historical record/context of the development areas and tourist destinations? There is excellent historical context about the origins of my area, Neahkahnie, as a tourist destination for Portlanders in the early 20TH century at the following websites:

https://neahkahnievisions.smugmug.com/Places/Neahkahnie/i-QBKVChC/A

h ttps://www.nehalemvalleyhistory.org/omeka/

I wasn't sure if the folks on the committee tasked with recommendations were aware of these precedents:

- Early tourists to the Neahkahnie area stayed in tents rented from nearby residents on Nehalem Road. (The first STR's?)
- Until it burned down in 1958, a resort area and store had been established on the beach at the base of Nehalem Road (Neahkahnie Tavern and Anderson Store)
- Visitors rode to the Neahkahnie area from surrounding region (Nehalem, Wheeler) in auto stages (communal transit)

The area is a public cultural resource in that the beautiful scenic area is of interest beyond the region for its natural and historic uniqueness – Spanish Galleons (beeswax), Buried Treasure, Cape Falcon Marine Reserve, Sir Francis Drake.

While I agree with many others that safety should be preserved, trash and pet waste in neighborhoods and the beach should be managed and disposed of, and traffic should be managed it is just common sense that some inconvenience and bother just go with the territory when one chooses to live in beauty's midst. Putting severe limitations on STR's is not going to do much to alleviate these problems in the grand scheme of things. Locals and visitors will still continue to come to the beach. They will drive, walk and bike on the roads; people will continue to gather on the beach and in homes. Occasionally they will get carried away, and that will require enforcement. Folks will still come to Neahkahnie, the beautiful public beach, just for the day, and that is great, because many who couldn't afford a rental or camping spot are still welcome. There will continue to be traffic jams, a need to find garbage cans, and for people to drive, bike and explore neighborhoods along the roads, exercising patience and goodwill with each other as we all enjoy these tourist destinations during high season.

In order to make livability improvements, greater energy and efforts should be placed on how the tax revenue from these rentals can provide greater community support to help alleviate the burdens tourism places on the infrastructure (ie increased safety patrols, garbage and waste receptacles, parking and transit management) throughout the county.

Thanks for the opportunity to share thoughts on this matter.

Lara Spangler

Lynn Tone

From: Matt Caldwell <mwcaldwell@gmail.com>
Sent: Tuesday, February 14, 2023 3:08 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

We invested and followed all the rules for permitting to create our beach house that we occasionally rent.

Our renters bring significant revenue to Jetty fishery, Kelly's fishery, Tillamook Cheese factory, Salmonberry restaurant, wheeler antique mall and many other. We host fisherman throughout the year who are happy to buy groceries and beers and gas in Tilla county.

Be careful! you know it's these tourism dollars that keeps your county afloat. Do not over reach and punish the very people who invested their hard earned money in your community.

The complaints about rental homes seem completely overblown. I live in my house in Nedonna for the entire spring and fall. It's as quiet as a church. Do not over do these laws and over reach. You're lucky you have the beauty of tillamook county, now please do not punish others for investing there.

I recommend NO changes as the regulations we're already very strenuous.

Matthew Caldwell
26700 Beach Drive
Rockaway Beach, OR

503 888 1801

Lynn Tone

From: Thomas Kearney <Thomas.Kearney@OceanCrestRentalsLLC.com>
Sent: Tuesday, February 14, 2023 3:23 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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Tillamook Board of County Commissioners & STR Advisory Committee,

As a builder in Tillamook County, please consider the following STR Comments"

- Both the following changes preserve the significant investment property owners have made in Tillamook county.
  - The 5 year "grace period" for existing STRs should be extended to 10 years.
  - Existing STRs should be transferable with the property.
- Remove the 250 foot limitation, this doesn't make sense for all areas of STRs in Tillamook County. Many STRs are within less than 250'. The percentage cap controls overall density.
- Include Bed and Breakfasts in STR density calculations.

Thank you for your attention,

Tom Kearney

Lynn Tone

From: Christopher Beach <beachworks2@gmail.com>
Sent: Tuesday, February 14, 2023 4:21 PM
To: Public Comments
Subject: EXTERNAL:

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

Dear Commissioner Skaar, Director Absher and STR Advisory Committee Members:

Please consider the following comments in your deliberations on revision of Ordinance 84.

I am a resident of Neahkahnie and I am active in the community. The neighborhood has changed quite dramatically in recent years, as more STRs have been established here. I am deeply appreciative to all of you for your attention, time, and hard work on behalf of the unincorporated community of Neahkahnie and other communities in Tillamook County.

Also, I commend the effort by Director Absher, her staff, and Daniel Kearns in preparing the fully revised draft ordinance. I support the draft as a reasonable, comprehensive approach to a responsible STR regulatory program.

I specifically commend the inclusion of the following, which in combination help address many of the safety and livability concerns raised by our community as well as the county-wide lack of affordable and workforce housing:

- Subareas STR caps
- Density limits
- Five-year limited exclusion for existing permitted STRs
- No future permitting of Accessory Dwelling Units (ADU) for STR use
- Overnight occupancy tied to number of bedrooms and subject to maximum limit (and perhaps eliminate the "plus 2 additional persons" and require provision of basic emergency supplies for each occupant)
- Addition of maximum limit on day-time occupancy
- Requirement for off-street parking and parking diagram
- Noise and exterior lighting restrictions and establishment/enforcement of quiet hours
- Trash containment and pick-up requirements

- Neighbor notification requirement (neighbors could also be notified of the numbe of allowed vehicles and timely notification of any changes)

- Visible, enhanced signage (could this information be available on the County website?)

- More robust complaint collection and response system–and a more robust enforcement process with penalty provisions and requirement of a near-by responder

- County use of STR operator license fees to address local affordable and workforce housing needs

Thank you for the opportunity to provide these comments, and for considering the impact of STRs on the quality of life for homeowners in Neahkahnie.

Best,

Chris Beach
www.beachworkscoaching.com

909-648-0018

Lynn Tone

From: Caroline Mecklem <carymec@gmail.com>
Sent: Wednesday, February 15, 2023 2:29 AM
To: Public Comments
Subject: EXTERNAL: STR draft revisions

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

Dear County Commissioners and STR Advisory Committee,

I live outside of Manzanita and am writing to let you know I *vigorously* support the STR draft revisions.

I am heartened by your efforts to restore balance in residential neighborhoods like ours by putting in STR caps and density limits. I'm also relieved you've recommended a maximum limit on occupancy and parking.

I know we've got a ways to go yet - issues such as lack of enforcement, resource concerns (specifically, water) and emergency preparedness are on-going concerns - but your work reflects a real investment in community livability.

Thank you.

Caroline Mecklem

Lynn Tone

From: Steve Wecks <wexcellent@gmail.com>
Sent: Tuesday, February 14, 2023 6:52 PM
To: Public Comments
Subject: EXTERNAL: Public Comment for March 14th Meeting of the STR Advisory Committee

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

This comment is being resubmitted as it was apparently accidently truncated by staff for the February 14th, 2023 STR Advisory Committee meeting. Find below a summary of several areas where the Draft STR Ordinance is in violation of State Law. These have been submitted to Sarah Absher, Building Official for Tillamook County and to the Tillamook County Board of County Commissioners. If not removed from or amended to reflect State Law in the final ordinance they may be submitted to the Oregon State Building Codes Division for enforcement and/or subject to a Petition for Judicial Review under ORS 203.060

Relevant State Law and State Building Code Pertaining to theTillamook County Draft Short-Term Rental Ordinance

February 3, 2023

1. BACKGROUND. On January 9, 2023 Sarah Absher, Building Official for Tillamook County, presented a draft "Short-Term Rental Ordinance" to the Tillamook County Short-Term Rental Advisory Committee for their review before submission to the Tillamook Board of County Commissioners (BOCC) for their approval. That draft was written by Attorney Dan Kearns and commissioned by the BOCC.

2. OVERVIEW OF STATE LAW REGARDING BUILDING CODES AND ENFORCEMENT
The Oregon State Building Code governing construction of all residential one and two family structures in the State is the Oregon Residential Specialty Code (ORSC). The ORSC and other statewide specialty building codes are governed by the State Building Codes Division under the authority granted to the Oregon Department of Consumer and Business Services by the Oregon State Legislature to "promulgate a statewide building code" for the purpose of governance (ORS 455.020). For a full list of the various codes adopted by the Building Codes Division to govern other aspects of construction and their scope see https://www.oregon.gov/bcd/codes-stand/pages/index.aspx

The Scope of the ORSC as stated in R101.2 is "the construction, reconstruction, alteration, repair and installation of materials and equipment in or part of buildings and structures covered under the state building code". The ORSC and ORS **DO NOT** require existing residences, issued a certificate of occupancy based on the code current at the time, to conform to the current ORSC. They only require compliance with the current ORSC for those elements being constructed, reconstructed, altered or repaired.

ORS 455.040 says "(1) State building code preempts local ordinances and rules.

The state building code shall be applicable and uniform throughout this state and in all municipalities, and no municipality shall enact or enforce **any ordinance, rule or regulation relating to the same matters encompassed by the state building code but which provides different requirements unless authorized by the Director of the Department of Consumer and Business Services.**"

This precludes governmental subdivisions from requiring existing residences to comply with current code unless undergoing "construction, reconstruction, alteration, repair". *It is beyond the scope of this document to determine the historical timeline of code content and adoption by the State of Oregon or by Tillamook County, or to ascertain what authority the County might have to require existing residences to conform to the code in place at the time of their construction or alteration.

The ORSC, 101.2 Scope states "Consistent with discretionary decision-making powers granted to building officials, a building official may take any action including but not limited to waiving a requirement, modifying a requirement and/or accepting an alternate method to the requirements of the state building code. When waiving or accepting a modification, a building official shall not allow a provision that would create an unsafe or dangerous condition regarding fire and life safety, **and may not enforce requirements that are in addition to the state building code except where additional code requirements are specified by the terms of an alternate method approval.**

3. PROVISIONS IN THE DRAFT SHORT-TERM RESIDENTIAL ORDINANCE (STRO) WHICH SPECIFICALLY VIOLATE THE OREGON REVISED STATUTES (ORS), THE OREGON RESIDENTIAL SPECIALTY CODE (ORSC) AND/OR OREGON ADMINISTRATIVE RULES (OAR) This violation comes primarily in two forms which are co-mingled below: 1) requiring standards which exceed current code and 2) requiring existing structures be brought up to current code when not undergoing "construction, reconstruction repair or remodel".

Below find provisions from the draft STRO highlighted, the areas where they are in violation underlined and *relevant code, law and notes italicized.*

Section 030 Definitions

D. "Bedroom" means a room intended and permitted to be used for sleeping purposes (ORSC R202) that has all of the following attributes:

*There is no definition for a "Bedroom" in the ORSC. ORSC 202 defines a sleeping area or bedroom as "HABITABLE SPACE. A space in a building for living, **sleeping**, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces." All building requirements for sleeping areas included in the STRO must use the ORSC code minimums/maximums for Habitable Space, regardless of what term the STRO assigns to that space.*

• A minimum of 70 square feet of floor space and not less than 7 feet in any horizontal dimension (ORSC R304. 1). If the room is intended for overnight occupancy by more than one person, it must have at least 50 square feet of floor area per person

This requirement is not found in the ORSC for habitable space. It is outside the scope of this document to determine if any land use laws regarding occupancy might be applicable.

• Consists of four walls to the ceiling, at least one of which is located along an exterior wall with a window

This requirement is not found in the ORSC for habitable space.

• A minimum ceiling height of not less than 7 feet (ORSC R305. 1)

This requirement exceeds the minimum ceiling height for habitable space in ORSC R305.1.Exceptions 1, 3, 4 and 5.

"1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).

3. Beams, girders, ducts or other obstructions in basements containing habitable space shall be permitted to project to within 6 feet 4 inches (1931 mm) of the finished floor.

4. Beams and girders spaced not less than 4 feet (1219 mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.

5. Conversion of existing nonhabitable space, such as a basement or attic, to habitable space shall provide a ceiling height of not less than 6 feet 8 inches (2032 mm) for flat ceilings or for the portion of ceiling required in Exception 1 of this section."

• A built-in closet

This requirement is not found in the ORSC.

• A carbon monoxide detector (ORSC R315.3).
This exceeds ORSC R315.3 which states Carbon monoxide alarms shall be located in each sleeping room ***or*** *within 15 feet (4572 mm) outside of each sleeping room door.*
It also exceeds Oregon Administrative Rules (OAR) 837 Division 47 which defines the standards for ***existing*** *residential dwellings used as a rental as set by the State Fire Marshall under the authority of ORS 476.725 which states "(2) The State Fire Marshal shall adopt rules establishing standards for the placement and location of carbon monoxide alarms in one and two family dwellings and multifamily housing* ***that were not subject to state building code requirements for carbon monoxide alarm placement or location at the time of construction****. (4) Notwithstanding ORS 476.030 (Powers and duties of marshal and deputies generally), State Fire Marshal* ***rules adopted under this section shall apply for all governmental subdivisions in the state. A governmental subdivision, as defined in ORS 476.005 (Definitions) may not enact or enforce any local ordinance, rule or regulation regarding the design, inspection, testing, maintenance, placement or location of carbon monoxide alarms.***

The State Fire Marshall has clarified OAR 837 Division 47 as follows: "Oregon laws require all homes being sold ***or rented*** *to have working CO alarms, if they meet any of the following:*

• *Homes that contain a CO source [generally any kind of combustible fuel burning appliance or an attached garage]*

• *2011 or newer homes, regardless of the presence of a CO source.*

• *Existing home undergoes reconstruction, alteration, or repair in which a building permit is required"*

.080.I No unpermitted improvements or bedrooms. All electrical, structural, plumbing, venting, mechanical and other improvements made to a registered short-term rental shall be fully permitted and all work completed by a licensed and duly qualified contactor. Any sleeping area used as a bedroom shall be inspected and permitted in accordance with the provisions of this Ordinance. Areas not approved for use as a bedroom shall be locked and secured as deemed appropriate by the STR Administrator, and shall not utilized as part of the short-term rental.

OAR 695-918 encompasses the Administrative Rules of the State Building Codes Division, which governs all construction in the State and supercedes local ordinances (see section 2 above). It does not restrict any owner from performing the work listed on their own properties, even those for sale or rent, except certain electrical

work as outlined in ORS 479.540. Oregon ORS 479.10 to 479.545, is called the "Electrical Safety Law". ORS 479.525 states "the Electrical Safety Law shall be applicable and uniform throughout this state and in all municipalities, and ***no municipality shall enact or enforce any ordinance, rule or regulations relating to the same matters encompassed by the Electrical Safe Law****. ORS 479.540 can be summarized as stating that electrical work on a property that is for rent, lease, sale or exchange and is new or substantially alters the existing electrical installation can only be performed by a licensed electrician and not by the homeowner. Whereas "work on, alterations to or replacement of parts of electrical installations as necessary for maintenance of the existing electrical installations on that property" may be performed by the owner as defined in the Electrical Safety Law and in OAR 695-918-0040.*

.080.K.4. Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
Under code existing at the time of construction GFCI protected outlets in dwellings were not required in outdoor locations until 1971, in Kitchens until 1987 and in bathrooms until 1975. There is no specific provision in State Law or Code allowing local jurisdictions to require updating receptacles to GFCI in these locations in existing one and two family construction except as part of construction, reconstruction, repair or alteration.

.080.K.5 Every bedroom shall have a smoke detector that is interconnected with a smoke detector in an adjacent hallway, common area, or in the immediate area of bedroom. Additionally, an interconnected smoke detector shall be placed on each additional floor and basement without a sleeping area. Interconnected may be via hardwiring or battery-operated wireless interconnectable smoke detectors.

This exceeds ORSC R314 which states:

"R314.4 Interconnection

Exception: Hardwired interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure."

It also exceeds Oregon Administrative Rules (OAR) 837 Division 45 which defines the standards for ***existing*** *residential dwellings as set by the State Fire Marshall*

"(2) Dwelling Units:

(a) Smoke alarms and smoke detectors in dwelling units shall be installed in each sleeping room ***as per the applicable requirements of the State Building Code at the time of construction*** *and in the corridor or area giving access to sleeping areas according to the manufacturer's instructions."*

The state Building Codes Division has clarified the history of the State Building Code regarding smoke detectors for purposes of enforcement:

"Historic Power Source Requirements

Prior to July 1, 1980 – Battery only requirement

July 1, 1980 - Hardwired requirement

April 1, 1990 - Interconnected requirement

Historic Location Requirements

Prior to April 1, 1990 - Outside of bedrooms within 21ft

April 1, 1990 - Outside of bedroom within 21ft and one alarm on levels without bedrooms

April 1, 1996 - Inside each bedroom and outside of bedrooms within 21ft and one alarm on levels without bedrooms"

.080.K.6 A carbon monoxide detector/alarm device shall be placed and maintained in each bedroom or within 15 feet outside of each bedroom door.

Please see note above for ".030 bedroom definition" regarding State requirements for CO detectors in existing dwellings.

.090.A. Inspection Required. The owner of the short-term rental dwelling unit shall obtain an inspection by the local building inspector to inspect the dwelling unit and determine that the dwelling unit meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit as a short-term rental. Inspection shall also confirm there have been no unperrnitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural, and ventilation requirements. A Short-Term Rental Registration Certificate shall be not issued until the short-term rental passes inspection by the County Building Inspector.

Please refer to section 2 of this document. By State law the IBC does not govern the construction of one and two family residences in the State of Oregon. The ORSC does and is State Law pertaining to all "matters encompassed by the state building code" The ORSC does not require existing residences to comply with current code except in the case of "construction, reconstruction, repair or alteration".

4. OTHER PROVISIONS IN THE DRAFT ORDINANCE WHICH MAY VIOLATE STATE LAW. *This document does not seek to investigate ways in which the ordinance provisions regarding septic systems and egress may violate state laws as they pertain to the State Building Code.*

5. PROVISIONS IN THE DRAFT SHORT-TERM RESIDENTIAL ORDINANCE (STRO) WHICH SPECIFICALLY VIOLATE LOCAL LAND USE LAW

.080.N Mandatory Postings

The Short-Term Rental Registration Certificate issued by the County (or a copy thereof) for the short-term rental shall be displayed in a prominent location within the interior of the dwelling unit adjacent to the front door and at the property's boundary at the front of the dwelling unit where it is visible and readable by anyone in the road right-of-way. Additionally, the ownershall post a placard inside the short-term rental dwelling unit at the front door and outside the unit at the property line where it can easily be read by people in the road right-Qf-way that contains the following information: I. The registration number that confirms the certificate is issued by Tillamook County, with the date of expiration. 2. The name of the property owner and the contact person and a telephone number where the contact person may be contacted in case of any problems at, or complaints about, the short-term rental; 3. The number of approved maximum parking spaces and their location(s); 4. The number of bedrooms and maximum occupancy permitted for the short-term rental; 5. Any required information .and conditions specific to the Short-Term Rental Registration Certificate; 6. Day of week of trash pickup; 7. The property address.

Tillamook County Land Use Ordinance 4.020(2) says that in unincorporated Tillamook County no SIGN shall be placed "within 10 feet of the front property line in a required front yard". It also says that in residential areas only one permanent sign is allowed that is no larger than 2sf.

There is no possibility of including everything required on the sign under provision .080.N above to be incorporated legibly in a 2 sf sign. Posting a sign right at the front property line is not allowed in the Land Use Ordinance because it potentially creates dangerous line of sight issues.

Drafted by

Steve Wecks
Barview

*In general, State Building Code for one and two family residences followed the Uniform Building Code until 1980, the Council of American Building Officials (CABO) One and Two Family Dwelling Code until 2000, and the International Residential Code from 2000 until the present. Tillamook County's adoption of these model building codes may have followed a different arc.

Lynn Tone

From: Fred Kassab <fredkassab@gmail.com>
Sent: Monday, February 13, 2023 4:32 PM
To: Public Comments
Subject: EXTERNAL: STR Draft Revisions

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

Dear County Commissioners and STR Advisory Committee,

I live outside of Manzanita but in the growth boundary and am writing to let you know I *vigorously* support the STR draft revisions. This could be a game changer for full-time residents like myself.

I am heartened by your efforts to restore balance in residential neighborhoods like ours by putting in STR caps and density limits. I'm also relieved you've recommended a maximum limit on occupancy and parking.

I know we've a ways to go yet - issues such as lack of enforcement, resource concerns (specifically, water) and emergency preparedness are on-going concerns - but your work reflects a real investment in community livability.

Thank you.

Fred Kassab
34580 Nehalem Ave
Manzanita, OR 97130

Lynn Tone

From: Christine Eisenschmidt <yogalofter@gmail.com>
Sent: Monday, February 13, 2023 4:47 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,
Sent from Mail for Windows

Since 2012 I have been purchasing STVR permits for two units of a two-story duplex cabin that I own in Netarts The new ordinance, as it is proposed, could possibly shut down my ability to earn income from this property and keep it in my family, simply on the basis that there are no closets in the bedrooms.

The property was purchased in 1933 by my father-in-law. The structure that is being rented now was never designed to be a full time residence, and never has been used as such. It is a cozy, well maintained knotty pine cabin, managed by an excellent, *local* property management company. We rely on and support many *local services* and businesses to keep this asset in good shape.

In 11 years of renting the units, there has never been a complaint or a problem about no bedroom closets. We provide wall hooks for hanging clothing and a luggage bench for suitcases. There is no room to build a closet in either bedroom. A simple inspection would show that there is no need for anything more than what already exists. There is no safety issue involved.

This is the most obvious new ruling that would be impossible for me to comply with. The ordinance does not appear to take into consideration older buildings like mine, that were only ever intended as a short term getaway. There must be a way to consider the wide variety of types of residences that draw so many people from far and wide to visit the Oregon Coast. My one-bedroom units are enjoyed mostly by couples looking for a quiet escape from everyday life.

I understand that there are many valid complaints about noisy and disrespectful renters. This sounds like a behavior problem that might be addressed more appropriately in a different manner, rather than rulings on closets and wall heights
Well posted rules of behavior seems like a good start to me. Please look into some other alternatives that would allow vintage buildings, like mine to qualify for permits. I think our cabin is a real asset to the community with its charm and high level of maintenance. A ""one size fits all" ordinance, as this one seems to be, might cause the loss of revenue and visitors to the area.

Thank you for taking time to read about my personal situation.

Christine Eisenschmidt
Owner of 1865 Pearl St., Netarts, OR

Lynn Tone

From: Peter <peter@sym-agro.com>
Sent: Monday, February 13, 2023 5:32 PM
To: Public Comments
Subject: EXTERNAL: Tillamook Board of County Commissioners & STR Advisory Committee:

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

Dear County Commissioners:

We have owned a vacation home in Neskowin for the past 18 years. Our home was built as a vacation property / summer home and has never been a personal full-time residence. I can tell you that our home in was built by a Doctor from San Francisco in about 1973 as a summer home he owned it until 1986. Then Mr. & Mrs. Chambers bought the home as a vacation property, and in 2005 we purchased the property. The first 3 years we used it when our kids were small and let family and friends use it. After 2008 market recession and our kids getting older, we decided to put it into rental pool to offset overhead, property taxes and maintenance cost. We continue to enjoy it for personal use and rent it out in blocks of time for the income.

Most homes in Neskowin share a similar story and use pattern as second homes or vacations home with no use as full-time residence. This has been a long-accepted part of the coastal region. These homes were either used privately for family friends or guest or rented out. The point being there is very long history of accepted land use as a vacation home and there is an inherent property value with this. The asset value of a vacation home is the freedom to use it personally or rent it out. The new STR proposed rules seem to be trying to change an established property right and land use pattern. I can see establishing new rules on new homes but there needs to be some 'grandfather rights" to honor that land use which was in place when we purchased our property.

Many beach property owners are like us buy a home to enjoy time with family and friends and rent our homes out to cover cost and maintenance. We also plan to keep the home in our family for at least another generation. This makes income potential from the property a big part of calculation when buying the asset as well as planning how to maintain it or pass it on to our children. Putting limitations on rental nights, available permits, and no long term permits with grandfather provisions would make vacation home ownership challenging for many of the current owners. It would be very disruptive to change the use rules on an established non-permanent residence property which impact income options.

It appears that Tillamook County decided to designate all properties which are rented short term as "STR". This nomenclature depersonalized the actual underlying personal property and removes the historical context of free use. Now the "STR" designation is applied as a tool to implement regulations on a broad range of properties. While I see how this may apply to community norms and safety but moving into use restrictions and limitations of rental nights which impact owner revenue and property value is going too far. The current narrative seems to be let's use the STR rules to change what some people don't like or are having trouble with. What this leads to is using STR rules to impose new restrictions on family-owned vacation properties- but only those that actively rent to short term users. There needs to be provisions that preserve the land use rights of vacation homeowners in any STR discussion. Many homes like ours have never been a permanent residence for the past 50 or 100 years

To the general public STR most likely seems like people buying residential homes and turning them into short term rentals to profit. But most of the homes in the affected areas have long been vacation homes with the option to rent for income if needed.

One other thing the commissioners may want to consider is to read some forecast from vacation rental companies as they explain the COVID boom impact on rentals and now are forecasting a downturn to more normal rental patterns. Between COVID travel restrictions, home schooling, more work from home there was a year-round spike of rental use in 2021 and 2022. Are rules being made for this recent spike or based on longer established issues?

Lastly, I would suggest the county do a little data mining to determine – how many of all the homes have ever been used for submitting a personal tax return for the past 20 years – this would provide evidence that most of the homes are not or never been residences. If this could be plotted on a map for Neskowin it would be a great visual representation. Of the 15 homes close to ours in Neskowin only 2 have year-round residences. This exercise may bring clarity to the true historical use of home in the affected areas.

Best Regards

Peter & Lori Bierma
Bierma Properties LLC

Lynn Tone

From: vishal duriseti <vishal.duriseti@gmail.com>
Sent: Monday, February 13, 2023 5:43 PM
To: Public Comments
Subject: EXTERNAL: Comments in response to 1st Draft of STR Ordinance

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

To Tillamook Board of County Commissioners & STR Advisory Committee,

I am an existing STR permit owner in Tiera Del Mar and I am reaching out regarding the proposed ordinance to repeal Ordinance # 84.

While I am in strong support of enforcement of the current rules, I would like to bring to your notice that the new ordinance will significantly impact me and my family financially for several years. I would strongly urge you to consider grand-father existing permit holders, allow permit transferability and not set limits on the number of nights.

I have never received a complaint from my neighbors about any violation and have a very vested interest in ensuring that the current rules are strictly enforced to all the STR holders for the sustainable long-term benefit of the community. To that end, I would strongly support reallocating funds towards on-the-ground enforcement in summer months, and especially on weekends.

Hope you will consider the viewpoints of the STR holders and the benefits that short-term rentals bring to the community (increased tourism, job creation, diversifying housing market, higher tax revenue, support of local businesses) as you consider future edits to ordinance # 84.

Regards,

--

Vishal Duriseti

Lynn Tone

From: Barb <barbarakcampbell1@gmail.com>
Sent: Monday, February 13, 2023 6:15 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My family owns a home in Pacific City that we use for family vacations and as a short term rental (STR). We have vacationed in Pacific City since 1993 and were finally able to afford to purchase a home there in 2020. We are one of the approximately 87% of STR owners who own one STR residence in Tillamook county. The house was built in 1998 as a seasonal vacation home/second residence and has been a STR since that time. It has hosted innumerable families visiting the beach, including extended friends and family. It is highly unlikely it would be used as work force or affordable housing if not a STR. We have formed positive relationships with our immediate neighbors, one a STR and one a primary residence, to personally address any potential complaints arising from guests in residence. In 2 years, we've received 1 complaint regarding outdoor music which was addressed and resolved promptly. We support Tillamook County's "Hello Neighbor" community commitment.

We object to the establishment of an undetermined % cap on STRs and on the 250ft distance buffer limit. These limits will remove a large number of well functioning, no complaint STRs that provide much enjoyment for visitors and economic benefit to numerous businesses in Pacific City and to Tillamook County for things including local housing and public safety initiatives. If our ability for STR is eliminated, it is likely that my family would no longer be able to afford to keep our home into which we have put 2 years worth of hard work to repair and update. A 5 year exemption from elimination of our STR would not be fair compensation at all for our investment in this home.

Please do not repeal ordinance #84, but consider fuller enforcement of current rules, modifying occupancy rules to a number such as 12 and cars to 4-6 to limit the potential for unruly guests who are not good neighbors. We are and continue to pledge to be.

Sincerely,

Barbara Campbell

32280 Cape Kiwanda Drive, PC

Lynn Tone

From: djtoner@earthlink.net
Sent: Monday, February 13, 2023 6:19 PM
To: Public Comments
Subject: EXTERNAL: Emailing: STR Rental Comments for Submission
Attachments: STR Rental Comments for Submission.docx

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

Please see attached.
Your message is ready to be sent with the following file or link attachments:

STR Rental Comments for Submission

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Lynn Tone

From: ertoner@earthlink.net
Sent: Monday, February 13, 2023 6:35 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

We have been part-time residents of Tillamook County since 1994. We and other homeowners have financed the replacement and remodeling of the old structures and for many, the burden of that debt payment continues today. We, like many owners, are now retired, living on reduced incomes and needing to hire local help to maintain the properties. The ability to derive income from their property is crucial to its good care. The financial capacity to make these improvements, to host these visitors, to attract tourist dollars to Tillamook in many cases, depends upon the rental income owners can derive from their properties.

We would face tremendous hardship if we lost our permit to rent our property. The proposed regulations are onerous and overreaching. In our area, Cape Meares, there are no other options for vacation lodging, so the proposed limits would severely curtail access to a public beach.

Please do not repeal the existing ordinance. Thank you.

Eden and David Toner

4780 Pacific Ave NW, Tillamook, OR (not a mailing address)

Lynn Tone

From: JERRY PARSONS <jp49236@aol.com>
Sent: Monday, February 13, 2023 7:00 PM
To: Public Comments
Subject: EXTERNAL: STR Comments
Attachments: 2-11-23 JH STR Comments.docx

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

We are Neakahnie property owners and quite appreciative and interested in the efforts underway to review the matter of short-term rentals. During the past 25+ years that we've owned our property we have seen a steady increase in the number of rentals in our area. Some of these properties are under single ownership and operated much like hotels in what is essentially a residential neighborhood. We appreciate that STRs have been a fact of life in all beach communities but most city units , such as Manzanita, have strict regulations that regulate these activities. The unincorporated need similar protection and so we heartily applaud discussions that will make that a reality. We support and endorse the attached comments of Jackie Hinton.
Respectfully,
Jerry and Sandy Parsons

Sent from my iPhone

Lynn Tone

From: Carol Kearns <carolkear03@yahoo.com>
Sent: Monday, February 13, 2023 7:44 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I have had a STR license for 7 years, beginning February 16, 2016 when I retired. I have been a full-time resident in Oceanside since 1981. I rent out the upstairs portion of my house and I live downstairs. The income I generate is needed to pay my monthly mortgage now that I'm single and retired. I do not support the possibility of losing my permit in 5 years. I would be forced to sell my house. That seems unfair to those of us who've held valid permits and may not be able to meet a 250' criteria between rentals. Initially, my STR was the only one on my street, now there are 4 others, one next door, one across the street and another one further down. I think going forward you can put restrictions in place that new applicants agree to upfront, but it's not fair to implement different criteria that would negatively impact existing rentals. I have never had a complaint.

I would like to be able to transfer my permit to my children when I pass away. I think transfers to keep property in the family could be viewed differently than the sale of property not retained in the family. I don't think the permit should transfer with the property if it is just being sold.

I think having signage has helped neighbors know who to contact if there is an issue. Since I only have a one bedroom unit with a no pet policy I have not had any issues with my guests, they seem very respectful of the area.

It does not make sense to me that people would have to meet new building codes to be approved as a STR.

I do support a CAP on the number of permits in an area which helps create a balance.

Carol Kearns
1550 Hillcrest Ave
Oceanside, OR

Lynn Tone

From: Joy Manesiotis <joy.manesiotis@gmail.com>
Sent: Monday, February 13, 2023 8:19 PM
To: Public Comments
Subject: EXTERNAL: STR Comments

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

Dear Commissioner Skaar, Director Absher and STR Advisory Committee Members:

Please consider the following comments in your deliberations on revision of Ordinance 84.

I am a resident of Neahkahnie and I am active in the community. The neighborhood has changed quite dramatically in recent years, as more STRs have been established here. I am deeply appreciative to all of you for your attention, time, and hard work on behalf of the unincorporated community of Neahkahnie and other communities in Tillamook County.

Also, I commend the effort by Director Absher, her staff, and Daniel Kearns in preparing the fully revised draft ordinance. I support the draft as a reasonable, comprehensive approach to a responsible STR regulatory program.

I specifically commend the inclusion of the following, which in combination help address many of the safety and livability concerns raised by our community as well as the county-wide lack of affordable and workforce housing:

- Subareas STR caps
- Density limits
- Five-year limited exclusion for existing permitted STRs
- No future permitting of Accessory Dwelling Units (ADU) for STR use
- Overnight occupancy tied to number of bedrooms and subject to maximum limit (and perhaps eliminate the "plus 2 additional persons" and require provision of basic emergency supplies for each occupant)
- Addition of maximum limit on day-time occupancy
- Requirement for off-street parking and parking diagram
- Noise and exterior lighting restrictions and establishment/enforcement of quiet hours
- Trash containment and pick-up requirements
- Neighbor notification requirement (neighbors could also be notified of the numbe of allowed vehicles and timely notification of any changes)
- Visible, enhanced signage (could this information be available on the County website?)
- More robust complaint collection and response system–and a more robust enforcement process with penalty provisions and requirement of a near-by responder

- County use of STR operator license fees to address local affordable and workforce housing needs

Thank you for the opportunity to provide these comments, and for considering the impact of STRs on the quality of life for homeowners in Neahkahnie.

Best regards,
Joy Manesiotis

Joy Manesiotis
joymanesiotis.com

Lynn Tone

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Sunday, February 12, 2023 10:51 AM
To: Public Comments
Subject: EXTERNAL: Short term rental proposals

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

Hello, I am writing in support of the proposals to manage short term rentals in Tillamook County. I am a resident of Neahkahnie and I am a registered voter in Tillamook County. The committee worked very hard on the proposals and I feel they balance the many varied interests that exist. There can be no one perfect solution but the unmanaged approach we currently have does not consider enough the needs and desires of residents. There has existed a business model that changes our neighborhoods to motels and there needs to be balance. I feel the proposals struck that balance. Thank you for your work on this subject.

Michael Booker

Sent from my iPhone

Lynn Tone

From: Robert Hakes <robert@roberthakescons.com>
Sent: Monday, February 13, 2023 3:18 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My name is Robert Hakes and I started our project process in 2021 by inquiring with Tillamook County in regards to building a couple of duplex's for STR on land that we were considering buying. Our goal was to build two duplex's and use them as STR for two reasons. 1. Income property and 2. Give us a place to stay at the beach. We previously owned a house in Oceanside and really liked it there but the financial burden of having two houses was hard. We decided that we would be better off to sell our beach house and have a couple STR properties that we could use on occasion and generate some income. We floated this idea at the County planning department and they gave us the green light. Here we are getting close to having our building permit and now are being told that we cannot get an STR permit. We have spent over $400,000 to get to this point. Our opinion is that any project that was in the works with the understanding that STR was an allowable use should be granted the STR permit after occupancy permit is granted.

Please take this into consideration when making a decision that will impact others people livelihoods and retirement plans.

Thank you,
Robert and Wendy Hakes
503-318-1863

To: Tillamook Board of County Commissioners & STR Advisory Committee.

My wife and I have owned a rental condominium at the Breakers in Neskowin for over 30 years. Over that time, we have stayed in our second home well over 100 times for greatly enjoyable stays. During those visits, with very rare exception, we have not encountered unacceptable behavior from other visitors. We have seen quite a few garbage bins raided by hungry bears, a few cars not correctly parked and a couple of parties on the beach.

The current draft ordinance has many elements that most reviewers agree with. These include home safety, parking, garbage, noise, and accommodation based on number of bedrooms. The proposed cap on current STR permits for five years will not immediately reduce the number of visitors and the perceived problems that they cause. Instead, it will have an immediate effect on the property market. Because no new STR Certificates will be issued, many prospective purchasers of second homes in coastal towns will be deterred by the inability to rent their property on a short-term basis to cover mortgage, taxes, and maintenance expenses. We fear, should this draft ordinance be adopted, that property values will plummet ultimately leading to the County dealing with numerous claims stemming from those losses from current STR Certificate holders.

Rental agencies with expertise are predicting a reduction in the pandemic-driven boost to short term stays in vacation homes. We have already seen decreased for demand at our condominium, the Breakers. Less visitors should alleviate some of the concerns about STR expressed by permanent residents. Also steps taken by the County such as hiring an enforcement officer to deal with any complaints about STR should greatly help with noise and parking issues.

Therefore, we urge you to please only revise the current draft Ordinance to deal with the livability issues that we all agree upon such as safety. Wait to set any caps on STR permits until we determine if the end of the pandemic affects the number of vacation visits to the coast and if other compliance measures are successful before considering any further action. Such an approach will undoubtedly engender greater harmony among all of us who either live or visit our treasured Oregon coast.

Respectively submitted,

Peter Birch and Kathy Hamel.

Lynn Tone

From: Jamie Rea <jamietrea@yahoo.com>
Sent: Monday, February 13, 2023 1:08 PM
To: Public Comments
Subject: EXTERNAL: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Tillamook Board of County Commissioners & STR Advisory Committee,

I am very concerned about the sudden change to repeal ordinance #84, and completely revamp it for several reasons:

1) The ordinance that makes permit holders, after 5 renewals, be subjected to the applicable subarea cap, vague, unclear, and unfair. We bought our property knowing what the rules were up front. Renting of our house reduces "some" of the financial burden of owning a vacation home. Planning financially for being able to rent it out is a factor. Not knowing if 5 years from now, you make it or not, is hard for planning purposes. We have been renting our house out for over 5 years, and several people come back year after year. They too find a place they enjoy, and want that certainty. Previous "permit" holders should be grandfathered in, and not be subjected to any renewal caps.

2) The ordinance which dictates a 250 foot density limit, is unclear and vague. In our neighborhood, we have 3 STR's that I know about, and our homes are close together. How is it all sorted out? Who gets to continue with renting, and who doesn't? Most of the homes in Oregon are very close together, with small lot sizes. I would think having the homes closer together preferable, rather than spread them apart. Why the restriction???? Is it noise? We own several "multi-plex properties, and sometimes "noise" is an issue. We encourage our tenants to talk to one another and let the neighbor know if there is a problem. Knowing what the problem is, they correct it!

3) How realistic is it to have our management company to have to call the STR line within 20 minutes, and than be at our property within 30 minutes. I don't think the local police department have that great of turn around time! 60 minutes is the "norm" around the country! How many complaints have there been, who's making the complaint, and what for? Usually, it's the same people that complain.

Thank you for considering some of my issues.

Regards,
Jamie Rea (K & J Properties - I'm the "J")

Lynn Tone

From: Nicole Twigg <nicoletwigg22@gmail.com>
Sent: Monday, February 13, 2023 12:51 PM
To: Alan Coppola
Cc: Cindy Bernert-Coppola; Public Comments
Subject: EXTERNAL: Re: Please Support STRs & Tourism in our Coastal Communities with Balanced Regulations - Do Not Repeal Ordinance #84

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

Thank you for your input!

On Mon, Feb 13, 2023 at 3:14 PM Alan Coppola <ajjcoppola@gmail.com> wrote:

> Tillamook Board of County Commissioners & STR Advisory Committee,
>
> Alan Coppola and Cindy Bernert-Coppola here.
> We own a house at 6000 Centerpointe Loop, Pacific City, OR 97135
>
> Our comments about the current STR proposal as of February 13, 2023 are the following:
>
> 1. While not against STR caps in general, we recommend that they start from the current percentage for the relevant area they are in and put an upward cap (e.g. 20% more than what is already there). Caps should apply to all land used for housing equally and include RV parks, camping parks, hotels, motels, and all housing not having an STR permit.
> 2. While not against a response time to complaints, an unreasonably short response time like 20 minutes is not going to be fruitful. Perhaps take an average of the non-emergency times already available in the county. I suspect even a reported fire or violent crime report will not have a response within that short of a time.
> 3. Any maximum occupancy calculation should be applied evenly to all properties in the county. We use a property management company (Kiwanda Coastal), and all advertisements and our permit clearly state what the maximum occupancy is.
> 4. We own a single home in Pacific City and have used it as an STR for a year. While we have a reasonable mortgage, it is clear that we will never make an operating 'profit' from this endeavor. If our permit for an STR is ever revoked, based on new regulations, we'll need to consider that as a Land Use breach of contract and take appropriate action.
>
> Thanks for your consideration and work on these issues.
> We do love the area and people, and so look forward to living there in the next number of years.
>
> Respectfully,
> Alan Coppola and Cindy Bernert-Coppola

--

Nicole Twigg (mobile)
503-816-9516
nicoletwigg22@gmail.com

Lynn Tone

From: Jessica Schaffer <jessica@nervoussystemreset.com>
Sent: Monday, February 13, 2023 3:56 PM
To: Public Comments
Subject: EXTERNAL: STR revisions

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

Dear County Commissioners and STR Advisory Committee,

I live outside of Manzanita and am writing to let you know I *vigorously* support the STR draft revisions. This could be a game changer for full-time residents like myself.

I am heartened by your efforts to restore balance in residential neighborhoods like ours by putting in STR caps and density limits. I'm also relieved you've recommended a maximum limit on occupancy and parking.

I know we have more work to do - issues such as lack of enforcement, resource concerns (specifically, water) and emergency preparedness are on-going concerns - but your work reflects a real investment in community livability. And for that, I am deeply appreciative!

Thank you,

Jessica

Jessica Schaffer
Nervous System Health Educator
pronouns: she/her *(why this matters)*
www.NervousSystemRESET.com
503-348-6288

Lynn Tone

From: Sarah Absher
Sent: Tuesday, March 14, 2023 3:20 PM
To: Combs; nkncac@gmail.com
Cc: Lynn Tone
Subject: STR Comments March 14th STR Advisory Committee Meeting Materials

Thank You Rob,

Your comments will be shared with the committee.

Sincerely,

Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3412
sabsher@co.tillamook.or.us

From: Combs <mcombs3826@aol.com>
Sent: Tuesday, March 14, 2023 3:09 PM
To: nkncac@gmail.com
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Re: March 14th STR Advisory Committee Meeting Materials

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

Hi Jacki,

I'm a resident of Neahkahnie as my family has been for 63 years, for the last 53 years we have a small place up San Dune Rd. I sat in on the meeting today and I agree with a lot of it but I don't really feel the board is looking out for the best interests of all.

I believe you live at the bottom of San Dune Road?

I have a real concern that we have way to many STR's once you turn on to Beulah Reed Rd. as this is a Dead End and should be marked as such, also San Dune Rd. is a one lane private road and we have 4 rentals out of 10 homes even if they are not all classified as STR's. As I said this is a one way road with no turn offs, so if your driving, walking or riding a bike you are out of luck. We did put speed bumps in to slow the cars down put it's a accident waiting to happen with all the traffic.

Another real concern is there are a few houses that are advertising way over the allowed occupancy, one house below us as taken a great room and put in a bunch of sofa beds. Plus the parking along Beulah Reed Rd. is very limited, the only

real parking is across the street from the Historic Reed House but the renters usually take the beach parking as that hose is listed as it sleeps 20, another real problem is there is No Parking up San Dune Rd, except on the property.

Another problem we have at our end of the beach along with limited parking is No Restrooms and No Garbage cans, What we get is people using the bushes and driftwood as a restroom and just leaving their garbage by the dog waste can.

I love this beach and played on this beach in the sixties and now my grand kids are enjoying it and I hope they can in the future.

Thank You

Rob Combs
8390 San Dune Rd
503-806-0583

Where Olympic Journeys Begin

-----Original Message-----
From: Neah Kahnie <nkncac@gmail.com>
Sent: Fri, Mar 10, 2023 11:09 am
Subject: March 14th STR Advisory Committee Meeting Materials

Neahkahnie Neighbors,

It's time for more STR comments from the Neahkahnie community!

STR Committee decisions are being made. There's very little time left to voice your concerns and thoughts on this critically important matter for NKN.

According to Sarah Absher, Tillamook County Commissioners intend to adopt a revised STR ordinance by the July 1, 2023 expiration date of Order #22-033 which imposed a 12-month moratorium on the issuance of new STR permits.

All information and materials for the **March 14th STR Committee meeting** are included in Sarah Absher's email and attachments forwarded below.

Email your written comments to publiccomments@co.tillamook.or.us.

Public testimony is limited to 3-minutes per person. Please email Lynn Tone, DCD Office Specialist, if you would like to provide public testimony at the end of the meeting. Email: ltone@co.tillamook.or.us.
Access to the STR Advisory Committee Page & Meeting Materials: https://www.co.tillamook.or.us/commdev/page/short-term-rental-advisory-committee
Feel free to contact me with any questions.

Your Neighbor,
Jacki Hinton

Begin forwarded message:

From: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: March 14th STR Advisory Committee Meeting Materials
Date: March 8, 2023 at 6:19:42 PM PST
To: Sarah Absher <sabsher@co.tillamook.or.us>
Cc: Lynn Tone <ltone@co.tillamook.or.us>

Good Evening Committee Members,

Attached are the meeting materials for the March 14, 2023, Short-Term Rental (STR) Advisory Committee meeting. Meeting materials and public comments are also posted on the STR Advisory Committee page.

The next Short-Term Rental Advisory Committee meeting will take place on March 14, 2023, starting and 9:30am. (This meeting will continue into the afternoon ending at 2:30pm.) The meeting will be held at the Port of Tillamook Bay Conference Center Conference Room located at 4000 Blimp Boulevard, Tillamook, Oregon. Discussion and consideration of proposed draft language will resume at the March 14th meeting with the conversation continuing with examination of the "transfer" definition contained in Section .030: Definitions.

Agendas and meeting materials will continue to be posted on the Short-Term Rental Advisory Committee website: https://www.co.tillamook.or.us/commdev/page/short-term-rental-advisory-committee

The virtual meeting link for virtual meeting participation and call-in information can also be found at the bottom of the Community Development homepage:https://www.co.tillamook.or.us/commdev.

If you have any questions, please do not hesitate to contact me or Lynn (copied).

Sincerely,

Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3412
sabsher@co.tillamook.or.us

Lynn Tone

From: Public Comments
Sent: Wednesday, March 22, 2023 10:51 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rentals 84

-----Original Message-----
From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Tuesday, March 21, 2023 7:38 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short term rentals 84

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

I'll start by stating that I am a registered voter in Tillamook County since voters seem to be the only people who are being listened to.
I have served my country since I was 17 years old. First in the Marine Corps and later in the Air Force. I recently retired from the military and moved to Rockaway Beach. I have 2 homes directly across from one another. My wife and I live in one and rent out the other as a vacation rental. The rental pays the mortgage for both properties. Not that it's any of the county's business, but It's part of our retirement plan. Now that we've worked and saved and are finally here the county has decided to listen to a very few residents who are unhappy that tourists come to a tourist town. Ridiculous. As you can imagine, a veteran like myself does not believe anyone has the right to tell me what I can or cannot do with my own property. Don't you realize that 50% of homeowners will not be able to pay for their vacation homes if you pass this proposal? They'll lose their homes they worked so hard for. Is that what you want? We're talking about garbage and extra cars. Get your priorities straight.

MSgt Douglas D. Dixon, USAF retired

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 1:02 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: Susan <logrl600@yahoo.com>
Sent: Tuesday, March 21, 2023 12:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Tillamook Board of County Commissioners & STR Advisory Committee,

My small family and I have built lasting memories because we are able to rent a small cottage in Neskowin from the owner. Please don't do away with STRs in Tillamook County.

Thank you, Susan Ward

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 11:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Draft Ordinance 84 comment

From: Kevin Shluka <kshluka@gmail.com>
Sent: Saturday, March 18, 2023 8:42 AM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Draft Ordinance 84 comment

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

To Whom It May Concern;

I am a long-time resident of Tillamook County and co-own a local business with my wife. In reading the many comments opposed to the draft STR Ordinance I'm struck by how often claims are made about the potential loss of jobs and revenue. I have witnessed first hand the painful effects to local health and wealth caused by the saturation of short-term rentals in our community. The lack of local housing and local jobs can be directly correlated to the imbalance of vacation homes and long-term available housing.

Investors who acknowledge that the potential income from a short-term rental so outweighs the potential income from a long-term rental and cannot justify considering a change don't realize the embedded costs to our local economy. Nor do they realize the increased risk to their investment that results from this growing problem.

Similarly, organizations dedicated specifically to protecting the rights of out-of-town investors mistakenly claim jobs and revenue will be lost with any impact to the numbers of STR's. As a local business owner I can

confidently avow the error of such a claim. I was asked to fill out a survey by Oregon Coast Hosts, but realized quickly there was no way to assign our anticipated increase of revenue should the STR Ordinance pass. The survey is formatted so that businesses can only predict loss or no change of revenue with the limiting of STR's. I can assure you our business (and many others) would greatly benefit from more available housing and more local full-time residents (providing potential clients and employees).

Our business suffers greatly from the lack of a local labor pool (a fact inextricably tied to our housing crisis). We provide landscaping services, have done so for nearly two decades. We've provided services to hundreds of homes, many of which are second homes. However, we have never built or maintained a garden for a short-term rental. In fact, one must acknowledge that a garden is a wasted investment at an STR since renters famously trash the landscape.

And ours is not the only kind of local service that is extraneous to an STR but necessary in a thriving community. STR's don't provide customers to our local banks, students to our schools, volunteers to our fire departments. They also fail to support our restaurants and grocery stores through the winter, making it difficult for these businesses to provide year-round good paying jobs.

Our community has hotels that were built in areas designated for visitors. These hotels provide more consistent work to more people, although even that is difficult as competition with STR's becomes increasingly challenging.

The dirty little secret is that most of the money STR's generate leaves our communities instantly. Most investors don't live in Tillamook County. And most contractors and service providers (like carpenters, plumbers,

cleaners, etc.) come from outside our community where the labor pool is sufficient to build such businesses. In the last ten years I've seen one local contractor after another retire, quit, or move away without being replaced. Our community is becoming atrophied.

Despite all these arguments, I'm not wholesale opposed to short-term rentals in our community. I love the extra energy and enthusiasm we enjoy from happy visitors. But we must acknowledge the terrible imbalance that has emerged and take steps to address the problem. Our community suffers and those who are opposed to these restrictions aren't really here to understand the damage it's doing to the place they love.

Sincerely,
Kevin Shluka

Coyote Gardens, INC
PO Box 414
Neskowin, OR 97149

Phone: 503-303-8300
LCB#: 9260

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 8:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: I'm writing in support of STRs in unincorporated Tillamook county.

From: Justin Graham <jcasegraham@gmail.com>
Sent: Sunday, March 19, 2023 4:18 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: I'm writing in support of STRs in unincorporated Tillamook county.

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

My wife and I own a home that we also rent for short term stays in Neakhanie. We've been fortunate to own it for about six years and we love spending as much time at the house as we can. We currently split our time between Neakhanie and Portland, but aspire to move to our home on the coast full time someday.

We could not afford to own the house without the ability to offer it as a Short Term Rental. We rely on that money to help cover our mortgage and utilities. We also appreciate having vacation renters stay. I would hate to have it sit empty between our visits. Our home is meant to be enjoyed. Having renters, many of whom are repeat guests, helps us keep track of maintenance issues and needed repairs that we might miss if our home were only occupied occasionally.

Implementing the proposed ordinance as written will make owning a home on Neahkahnie Mountain only possible for the very wealthy. If we can't rent part of the time, we may have to sell.

Perhaps too many STR's are owned by non-residents and investors, but please know there are many of us who couldn't afford the joys of living in a place like Neahkahnie Mountain without being able to offer our homes as STRs.

--
Justin Graham

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 8:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

From: Florin Dragu <fdragu@gmail.com>
Sent: Sunday, March 19, 2023 5:25 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Dear STR Committee,
I am the owner (and manager) of one STR in the Neahkahnie Beach area that we built on a very difficult lot and I agree with most STR regulations, including number of people, parking, houses to pass regular inspections, no ADUs as STRs, no transfer of STR permits and being 100% up to current building code and even the number of STRs someone should own in one county.
We do not allow parties at our house and decline anyone who plans to have a party.

For us the STR is our future home when we retire in about 10 years and in the meantime we would not be able to afford it if we're not allowed to rent it out as an STR. We built the house in mind with the STR regulations in place at that time (2020).

We are not a business trying to have many STRs (like some national companies buying lots of properties or neighbors we know own 5 or more STRs in close proximity) or rich people to afford to buy and build with cash and only use it when we get to the coast (like a lot of the houses around our house).

We have local people from Manzanita as our housekeepers and we support a lot of the local businesses in various ways, both while building the house and now for any repairs, improvements, etc.

Adding % caps, density limits, number of days caps and especially 5 year max permits would force us to sell the house and miss out on our dream to live there when we retire as no amount of restrictions will drive down the price of houses close to the beach to make them more affordable.

Regards,
Florin Dragu

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 8:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: 5 year limit without guarantee of renewal

-----Original Message-----
From: Tiffany Brown <tdbrown1820@gmail.com>
Sent: Sunday, March 19, 2023 9:56 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: 5 year limit without guarantee of renewal

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

Good Evening,

We purchased a home in Oceanside in April as an investment property. We checked with the county to make sure we would not have any issues getting or transferring the STR permit. We were told since the home already had a permit we would just need to do the required paperwork.

I was informed today that Tillamook county is planning to allow existing permit holders only 5 years and there is a possibility they will not be able to renew after the 5 years.

This information should have been provided before we purchased the house, myself plus the realtor called the county. If this limitation goes through what are we suppose to do? A local resident cannot afford this home and without the rental income we cannot afford this home?

We put our savings into the home and spent a ton of time updating the space.

Sincerely,

Tiffany Brown
Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 8:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

From: Florin Dragu <fdragu@gmail.com>
Sent: Sunday, March 19, 2023 11:11 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Dear STR committee,
I am the owner and manager of one STR in Nehalem (neahkahnie beach) and wanted to say that while I agree with most of the STR proposed regulations, I'm very much against density or proximity or number of days or max number of years for a permit.
The real problem are national companies and people owning many STRs in one county or people out of state who never intend to live in the property or the state and only treat it as a business, like Zillow, Vacasa, Avantstay and others in the same space.
I own only one property in Tillamook county, live in Oregon (Portland), intend to live in it in 10 years (once I retire), and built it on a very difficult lot based on 2020 county STR rules.
Adding density or proximity rules or limiting the number of days or years to hold an STR permit will force us to sell the property and miss out on our dream to live there once we retire, which is what most of the complaints are about, ability to live and enjoy the coast life.
I'm not the enemy and hope the new STR code will address the real issue of out of state and national companies owning STRs and continue to be friendly to in state limited STR owners who plan to live there in the future and not burn their dream based on a few current locals (rich or poor) who want the coast life only for them.

Best regards,
Florin Dragu

Lynn Tone

From: Public Comments
Sent: Tuesday, March 21, 2023 8:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: FW: Comment Letter on Proposed STR Ordinance

Importance: High

From: pbirch1@comcast.net <pbirch1@comcast.net>
Sent: Monday, March 20, 2023 7:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: FW: Comment Letter on Proposed STR Ordinance
Importance: High

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

Tillamook County STR Sub-Committee – I am re-sending this because the attachment to the original email did not go through.

Peter Birch

To: Tillamook Board of County Commissioners & STR Advisory Committee.

My wife and I have owned a rental condominium at the Breakers in Neskowin for over 30 years. Over that time, we have stayed in our second home well over 100 times for greatly enjoyable stays. During those visits, with very rare exception, we have not encountered unacceptable behavior from other visitors. We have seen quite a few garbage bins raided by hungry bears, a few cars not correctly parked and a couple of parties on the beach.

The current draft ordinance has many elements that most reviewers agree with. These include home safety, parking, garbage, noise, and accommodation based on number of bedrooms. The proposed cap on current STR permits for five years will not immediately reduce the number of visitors and the perceived problems that they cause. Instead, it will have an immediate effect on the property market. Because no new STR Certificates will be issued, many prospective purchasers of second homes in coastal towns will be deterred by the inability to rent their property on a short-term basis to cover mortgage, taxes, and maintenance expenses. We fear, should this draft ordinance be adopted, that property values will plummet ultimately leading to the County dealing with numerous claims stemming from those losses from current STR Certificate holders.

Rental agencies with expertise are predicting a reduction in the pandemic-driven boost to short term stays in vacation homes. We have already seen decreased for demand at our condominium, the Breakers. Less visitors should alleviate some of the concerns about STR expressed by permanent residents. Also steps taken by the County such as hiring an enforcement officer to deal with any complaints about STR should greatly help with noise and parking issues.

Therefore, we urge you to please only revise the current draft Ordinance to deal with the livability issues that we all agree upon such as safety. Wait to set any caps on STR permits until we determine if the end of the pandemic affects the number of vacation visits to the coast and if other compliance measures are successful before considering any further action. Such an approach will undoubtedly engender greater harmony among all of us who either live or visit our treasured Oregon coast.

Respectively submitted,

Peter Birch and Kathy Hamel.

From: pbirch1@comcast.net <pbirch1@comcast.net>
Sent: Monday, February 13, 2023 1:16 PM
To: 'publiccomments@co.tillamook.or.us' <publiccomments@co.tillamook.or.us>
Subject: Comment Letter on Proposed STR Ordinance
Importance: High

Tillamook County STR Sub-Committee – please see attached comment letter.

Thanks,

Peter Birch

March 18, 2023

Tillamook County Commissioners and STR Advisory Committee Members –

As eleven-year property owners in Pacific City, my family and I are in favor of establishing enhanced enforcement tools to "mitigate the livability impacts" of short-term rentals (STRs), which is the primary reason cited for the current moratorium on issuing new STR permits. We are opposed to caps on the number of STR permits, which would unnecessarily create winners and losers and weaken the economic vitality of Pacific City and Tillamook County.

To better understand the potential impact of the imposition of STR permit caps, I have analyzed Sections .040 and .110 of the draft STR Ordinance 84 revisions pertaining to the application of STR permit caps. The analysis is attached.

Last week, when seeing the STR permit cap language removed from the March 7 version of the draft STR Ordinance 84 revisions, I concluded that the County had decided not to proceed with the cap and, instead, would focus on establishing a functional program to reduce nuisance STRs. Sadly, my understanding was corrected by County staff at the beginning of the STR advisory committee meeting.

- The STR permit cap removal is only to signify that the issue of the caps is temporarily "tabled".
- The STR permit cap issue "is not open for discussion now".
- The committee will come back to the discussion of STR permit caps and other "growth management tools" at the end of the committee's process.

As I understand the schedule, the final meetings of the STR committee are scheduled for April 3, April 18, and May 9. The aim of the County staff is to complete the advisory committee's work on recommended STR Ordinance 84 revisions by the end of May. Two hearings of the Board of County Commissioners are planned to be held in June, with a vote of the Commissioners on the STR Ordinance 84 revisions by the end of June. The County's one-year moratorium on issuing new STR permits ends July 1.

Discussing the most important issue (STR caps) needs to occur sooner rather than later. The impact of STR caps could be significant to Pacific City's overall economy, in addition to a substantial financial hit to individual property owners in Pacific City. And as the discussion of the definition of "transfer" during the March 14 committee meeting indicated, the issues are complex and intense. Add in the idea that different caps could apply to different portions of Tillamook County, and I don't see how sufficient analysis and deliberations could occur within the publicized schedule, prior to this type of dramatic change to the regulatory landscape being authorized by the Tillamook Board of County Commissioners. Unless the Board of County Commissioners intends to drop the STR caps for now, there is a pressing need for more—not less—discussion of the design and ramifications of an STR permit cap.

To this end, and as mentioned above, I prepared an analysis of what appears to be a potential (and maybe likely) impact of imposing the STR permit caps as detailed in Sections .040-C and .110-B of the STR Ordinance 84 revisions (contained in the Jan 2023 version and deleted from the March 2023 version), which include a 5-year waiver of applying the STR permit caps to current STR permit holders.

Under the conservative assumptions applied (and are listed in the attached analysis), the impact on new homeowner applicants for the first 5 years of the draft Ordinance 84 revisions is pretty clear: *New* homeowner applicants—no matter how long they have lived or owned property in Tillamook County—are locked out of securing an STR permit for five (5) years.

There seems to be a general feeling that under the STR permit cap proposal *current* STR permit holders will be protected. Under the draft ordinance, this is not so. Not only will homeowners (again, some who have owned homes in Pacific City for decades) who do not currently have an STR permit be locked out for 5 years, the ability of *current* STR permit holders to continue to rent will also be impacted, beginning in Year 6.

- In Years 1-5, current permit holders will have to pay the $800+ in annual fees even if not intending to rent that year, in order to retain the STR permit for subsequent years. (They will also have to nominally "rent" their house.)[1]
- At the end of Year 5, current permit holders lose their special status, and they will be in the pool (and on the STR waiting list) along with all other applicants. *Current* permit holders would go on the waiting list behind those *"new"* applicants that have been on the waiting list from prior years. [2]
- Nearly half of the *current* permit holders will not be able to renew their STR permit in Year 6, as the permit cap enters into full effect and those at the top of the STR waiting list (who were blocked from getting an STR permit during Years 1 – 5) are the first in line to get permits. Only to the extent that there are permits remaining would some of the *current* permit holders receive a permit in Year 6.
- In Year 7, nearly half of the Year 6 permit holders will not be able to renew their permits; the "current" permit holders who were blocked from permits in Year 6 will get an STR permit in Year 7.
- In subsequent years, homeowners are expected to cycle off, and then back on, the STR program and the STR permit waiting list – roughly every other year – as the STR cap blocks renewal of current (and issuance of new) STR permits that exceed the cap on the total number of STR permits allowed in a given year.
- Property values of current permit holders (as well as other homeowners in Pacific City) are likely to decline as a result of adoption of the STR permit caps, because current permit holders will not be able to represent that their property has a permit beyond the initial 5-year period. And beyond Year 5, current permit holders (as well as any other homeowner) will not be able to represent with certainty that their property will be eligible for a permit for two or more consecutive years.

[1] These fees are in addition to the Transient Lodging Tax equal to 10% of STR revenues.

[2] Section .110 B. of the Jan-2023 draft STR Ordinance 84 revisions state that "The subarea cap limitations in Section .040(C) shall not apply to the first 5 registration renewals… Thereafter, all applicants for a new or renewed registration shall be subject to the applicable subarea caps." And in Section .040(C), it notes, "…the applicant will be placed on a waiting list in order of rejection / non-renewal."

Imagine the difficulty of either renting or selling a home under this scenario of constant permit turnover and continuous economic uncertainty. Who could plan to build or invest in a rentable area of the County?

We encourage the STR Advisory Committee to recommend, and the County Board of Commissioners to enact, enhanced enforcement tools to "mitigate livability concerns" associated with STRs and allow sufficient time for these enhanced tools to be operationalized before considering the imposition of STR permit caps. If it is felt that "growth management tools" might be needed in the future, we recommend that the County commission an analysis of the economic impact on Pacific City and the County as a whole from implementation of STR permit caps and similar measures. While an analysis of the impact of the imposition of STR permit caps on Transient Lodging Tax revenue and the uses of those revenues is useful, this analysis would not provide a sufficient understanding to policymakers and the public of the broader implications of these types of government actions. The analysis should consider impacts such as:

- The projected contraction in the tourism sector and the resulting decline in revenues to local businesses;
- The level of increased rents at the remaining STR properties from the artificial constraint of supply;
- Reduced new home construction and renovation activities;
- Declines in property taxes from reduced home construction and renovation; and
- Declines in property values for all Tillamook county residents with a potentially rentable property, whether they are a current STR permit holder or not.

Thank you for the opportunity to comment on the draft STR Ordinance 84 revisions. I am available to explain the analysis further if that would be helpful.

Doneg McDonough
Pacific City

Tillamook County Draft Ordinance 84 Revisions (Jan-2023)

Short-Term Rental (STR) Permit Caps (Ord. Section .040-C and Section .110-B)

ANALYSIS OF IMPACT ON PACIFIC CITY HOMEOWNERS

The draft Ordinance 84 revisions, as they apply to the number of allowable STR permits for Unincorporated Communities within City Urban Growth Boundaries of Tillamook County, propose to establish the following rules:

- A limit will be established on the number of STR permits that can be in effect for "defined residential subareas" within Tillamook County.
- If at the time of permit application (for a new or renewed permit), there is not room within the applicable subarea cap, the application will be denied and the applicant will be placed on the waiting list in order of rejection/non-renewal.
- The lead applicant on the waiting list will be contacted by the County when there is room under the cap.
- Homeowners holding an STR permit at the time of enactment of Ord. 84 revisions are given a 5-year waiver from the STR permit cap.[1]

The draft Ordinance 84 revisions do not indicate the specific limitation to be imposed on the number (# or %) of allowed STR permits.

- In Pacific City, 18% of dwellings are reported to currently have STR permits.
- In Kiwanda Shores, 40% of dwellings currently have STR permits.
- Two figures being analyzed by the County of the maximum number of STR permits allowed are a cap of 14% and a cap of 18%.

Based on an analysis of the STR permit cap in the draft Ordinance 84 revisions, the following is anticipated to occur:

- **For 5 years, new STR permit applicants are expected to be locked-out of securing an STR permit for their homes in Pacific City.**
- **Current STR permit holders will lose their STR permits if their home is not rented during a given year or if annual STR permit fees are not paid.**
- **After Year 5, *current and new* STR permit holders are expected to cycle off, and then back on, the STR program and the STR permit waiting list – roughly every other year – as the STR cap blocks renewal of current (and issuance of new) STR permits that exceed the cap on the number of STR permits allowed in a given year.**

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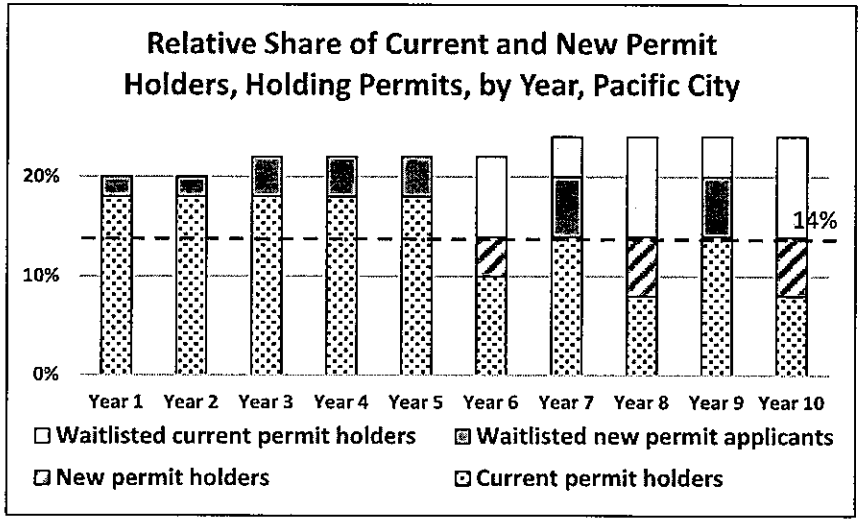
[1] Under the current STR rules, all current STR permit holders – including those not renting their home as an STR in a given year – are required to pay the following fees: (a) Transient Lodging Tax registration fee of $250 annually; (b) inspection fee ($100) every three years; and (c) an annual Operators License Fee of $75 multiplied by the maximum permitted occupancy. For example, for a home with a maximum occupancy of 7 persons, the cost to maintain the STR permit (whether the home is rented as an STR in a given year or not) is $808. In contrast, prior to the current moratorium on issuing new STR permits, homeowners were not required to pay these annual fees to maintain the right to have an STR permit in subsequent years.

In analyzing the STR permit cap in the draft Ordinance 84 revisions (Jan-2023 version), **the following conservative assumptions were applied:**

- A cap of 14% of homes allowed to have an STR permit will go into effect on enactment of the revisions to Ordinance 84.
- Currently, 18% of Pacific City homeowners hold an STR permit, and an additional 2% of Pacific City homeowners want to (and will apply to) secure an STR permit if the moratorium on issuing STR permits is lifted.
- Over the next ten years, an additional 4% of Pacific City homeowners will apply to secure an STR permit.



Cycling of Permit Holders On and Off STR Program: Pacific City

Tracking Eligibility for STR Permit for Current STR Permit Holder, under Draft STR Ordinance 84 Revisions (January 2023), by Program Year

(% indicates number of STR applicants with, wanting, or allowed STR permits)

	Year 1	Year 2	Year 3 (+2%)	Year 4	Year 5	Year 6	Year 7 (+2%)	Year 8	Year 9	Year 10
Total % wanting STRs	20%	20%	22%	22%	22%	22%	24%	24%	24%	24%
Total allowable STR permits	**18%**	**18%**	**18%**	**18%**	**18%**	**14%**	**14%**	**14%**	**14%**	**14%**
Current holders: Permit Renewal Dates in Months 1-2	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - no	3%=yes	3% - some	3% - some	3%=yes
Current holders: Permit Renewal Dates in Months 3-4	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - no	3%=yes	3%=yes	3% - no	3%=yes
Current holders: Permit Renewal Dates in Months 5-6	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - some	3% - some	3%=yes	3% - no	3%=yes
Current holders: Permit Renewal Dates in Months 7-8	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - no	3%=yes	3% - some	3% - some
Current holders: Permit Renewal Dates in Months 9-10	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - no	3%=yes	3%=yes	3% - no
Current holders: Permit Renewal Dates in Months 11-12	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3%=yes	3% - some	3% - some	3%=yes	3% - no
Current excluded permit applicants: Years 1-5	2% - no	2% - no	2% - no	2% - no	2% - no	2%=yes	2%=yes	2% - no	2%=yes	2% - no
Additional excluded permit applicants			2% - no	2% - no	2% - no	2%=yes	4%=yes	4% - no	4%=yes	4%=yes
Total with STR permits	**18%**	**18%**	**18%**	**18%**	**18%**	**14%**	**14%**	**14%**	**14%**	**14%**

Yes, eligible for STR permit | No, not eligible for STR permit | Some in group eligible for STR permit

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR moratorium

From: Paula Sansum <psansum@gmail.com>
Sent: Tuesday, March 14, 2023 9:02 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR moratorium

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

We respectfully request that the board of commissioners extend the current STR moratorium for two additional years. We appreciate the time and energies going into creating workable solutions to date, but believe the additional time is crucial for successful trial and implementation of whatever changes may be decided. Our county is quite large. The communities impacted deserve the courtesy and consideration of a thoughtful process created with long term stability and optimal livability in mind.
As you are aware, most communities tackling these same issues have allowed 3 year moratoriums as time determined necessary to study the issues and arrive at lasting solutions.
Let's take our time in making carefully considered, best decisions for the coastal communities we love.
Thank you,
Paula & Robb Sansum
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comments for the short-term rental advisory committee and county commissioners

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From: Craig Pratt <craig@zpratts.net>
Sent: Monday, March 13, 2023 11:07 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comments for the short-term rental advisory committee and county commissioners

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

To the Tillamook County Short-Term Rental Advisory Committee:

[I am sorry that we cannot attend any of these meetings in-person as we work full-time. And I apologize if this letter is too long. But I want to share our viewpoint.]

Like many people, my wife and I dreamed of owning a home on the Oregon coast during our 30+ years living and working in Oregon. And 20 years ago we fell in love with Oceanside and knew "this is the place."

We watched diligently for a property to become available that would work for our young family. We knew it would need to be a fixer-upper and that we would need to have the ability to rent it out in order to afford the mortgage. When we found a duplex on Maxwell Mountain Road, it ticked all the boxes. We could have our family space to spend time in and share the lower floor with vacationers.

But man, was the house in bad shape. There was water damage, carpenter ants, drug paraphernalia, bags of trash under the house, and a dog had even chewed a hole through the floor (probably to get to the trash!). The realtor wouldn't even go with us to the lower level when she was showing it.

We had a budget for remodeling, and we did a lot of work ourselves, but making the unit a *legal* duplex proved to be much more costly and take much longer than we anticipated. But we were committed to do everything "by the book", as Sara Absher can probably attest.

We were relieved when we started renting to vacationers to help offset our costs. But what we definitely did not anticipate was how much joy and satisfaction it would bring us to *share* our place. Seeing people rediscover what we discovered 20+ years ago reminded us of the fact that many of the historic coastal towns in Tillamook County were *not intended* for long-term housing, they were intended for vacationers. We even learned that most of the sites in Oceanside were designated as tent sites!

I think it's great that people can afford to have their private residence on the coast and even live there full-time. But I'm worried some people want to close the door to those that cannot afford to live and work full-time at the coast and depend on short-term rental income and long-term property values.

I think it's well known that the recent surge in short-term rental permits is just an echo of the pandemic. And we have seen our bookings go down considerably over the last 12 months. The financial reality of the pandemic pull-back and the gravity of affluent buyers will curtail this surge.

But really - who really wants to live in a coastal town of absentee owners, devoid of visitors and vacationers? I encourage you to visit Gearhart if you want to see what that looks like. The candy store and restaurants are gone. The McMenamin's is struggling. And there are almost no people - especially children - to be seen. It's a ghost town even in the summer.

It's fine if a town is formed with a set of rules that people and government agree to during formation. But changing the rules - and changing the complete *spirit* of how these towns were formed - is unfair and unhealthy.
Please let the market do its thing and don't allow the temporary short-term rental trends to be used to advance the agendas of those who want to make the Oregon coast "theirs" instead of "our's".

And please use short-term rental fees to enforce the rules, deal with bad guests, owners, and managers, and make Tillamook County better for *everyone.*

Thank you for your time and attention. And feel free to reach out if you have any questions or discussion.

Craig Pratt and the Pratt Family

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR's

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, March 13, 2023 10:07 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR's

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

As a resident of Neahkahnie, I would like to say that I agree with Mark Roberts and his comments from March 8th. He covered many issues clearly and succinctly. No one is trying to shut down the coast, we are all here because of our love of the *place*. STR numbers in our area should be limited in a way similar to Manzanita's. We need a **reasonable cap** on the percentage of houses permitted to this ***commercial*** use in our neighborhoods. 10% max. Controlling this **before** our neighborhoods become wall-to-wall rentals is preferable. Think livability. Streets around here could not handle much more. Our sewers are designed for single family use. Water is an issue during high season when it's dry. Emergency services are supported by dedicated volunteers -- who *live* here, support the community and show up when needed. It all goes back to livability. Livability vs overwhelm.

Barbara Rippey
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short-term Rental Policy Public Comment

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From: Phil Marshall <phil@drphilmarshall.com>
Sent: Monday, March 13, 2023 9:57 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short-term Rental Policy Public Comment

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

From: Philip Marshall, homeowner and resident of Oceanside
Thank you to the Commissioners, Sarah and Lynn and the STR Advisory Committee for your hard work in helping us to forge a safe, livable and vibrant future for our coast.
I am a half-time resident of Oceanside, and I rent out my home through Vacasa for the other half of the year. My STR income is my only income, and while I'm obviously motivated to encourage us to continue to support STRs, I believe my hopes for the community are very similar to those who are looking to cap or even reduce the number of STRs in the area. It is my strong belief that by enforcing strong standards in safety and livability, while also being supportive of our local businesses who rely upon STR guests, we build the future that we all want.

Safety: There are real issues of access on our roads in Oceanside due to cars parked partly on the streets. I support strong enforcement in requiring that all properties have adequate parking.

Livability: I want my community to be vibrant, but like most people I want there to be a shared respect for noise ordinances, nighttime lighting ordinances, occupancy caps, and garbage management. I rely upon Vacasa to help enforce these expectations (and in my experience they do an excellent job). If homeowners or services like Vacasa are given the opportunity to quickly remedy situations without being penalized, I'm in favor of a well managed central hotline for compaints.

Businesses: We have to think about how much our local businesses, and independent contractors, rely upon the STRs for their income. I know here in Oceanside that our cafes and stores rely heavily on the STR guests. One case in point: I bought my home a few years ago, and there were several appliances and furnishings that came along with the home. This included the usual kitchen appliances, but also the beds and dining room table and chairs. In order to make the STR as attractive as possible, and partly because I also live here for half the year, I have invested heavily in the home. All new appliances, all new beds, all new furnishings ... these all came from local businesses.

In my experience, just as I have invested heavily in my home, STRs are many of the nicest homes, their owners have invested heavily in them, and they add to the attractiveness and value of the community. Yes, it does draw more people, but trying to deny others the opportunity to fall in love with our community would seem to be unrealistic. Instead, let's create the standards that, if properly enforced, will create the vibrant communities that we desire.

Phil Marshall
Oceanside

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Advisory Committee

-----Original Message-----
From: Lyn Frisch <whoagirl5@comcast.net>
Sent: Monday, March 13, 2023 8:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Advisory Committee

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

I am a home owner in the Neahkahnie neighborhood of Tillamook county. I also rent this home out as a STR that is managed by VACASA. After reviewing the latest draft I believe more work is needed to be fair and just to all home owners, whether STR or full time residents. The current ordinance seems to be working well, it's not clear to me that the whole ordinance needs to be rewritten. I appreciate the time and effort you are taking to review and maintain short term rentals in the county. I also support having short term rentals in Neahkahnie.

Sincerely,
Lyn Frisch

March 13, 2023
RE: March 14th STR Advisory Committee Meeting

I want to thank the committee for their work on this issue. It is a challenging and a complicated. High on the list are livability and economics, and the questions surrounding their resolution. We purchased a house in 1998, which was built in 1960 and had one owner before us. The properties on either side of us have sold in the last 3 years. Times are definitely changing. We have never rented our house. It is critical the livability of Neahkahnie not be lost.

I am proposing that the committee consider a category for limited Owner Short Term Rental properties. This would encourage long term generational family ownership and maximum generational livability.

The livability issue seems easy. Short Term Rentals do not generally add to the quality of a residential neighborhood. They are a business. The transient condition makes it harder to create a sense of place. That needs to be addressed.

I assume some issues are straightforward such as one entity owning a line of houses is bad for livability. Having a house be worth twice as much as a similar house next door because it can be rented seems off. I assume the committee is getting those types of items sorted out and I agree the time is now to do that.

So yes, the STR needs to be managed. I trust the committee will solve that. My request is that there are considerations for modest number of days an owner could rent. These would be a number of days that an investor would not consider, thus, it would not be an investment property, helping to maintain the current character of private ownership.

Our property costs from $30,000 to $40,000 per year, all in. We are retired and spend approximately 60% time here and the reminder near our grandchildren. All is fine, but if our cash flow became a problem, we might need to rent it out to help with costs. Lets say 6 weeks at $4,000 per week and some of our costs would be covered and we would not be forced to sell.

Another example is that we are now in our 70's and the property is to be passed to our children. This comes with all sorts of financial complications, but the 6 weeks of rental income could be the difference to them not having to sell. I hope they do not have to rent, we have never rented, but financial disparities are increasing.

The key to this is Limited Days. You could add caveats to this, and make it complicated or not. Say, the first 3 years of ownership no rentals are allowed, and then one week of rental is allowed for each year of ownership to a maximum of 10 weeks. In 10 years, an owner would be allowed 7 weeks. Maybe with a change of ownership the property starts over again. This might be the OSTR "Owner Short Term Rental" program. This should be regulated very differently than a property primarily for investment and might rent out for extensive days in a year.

It would be beneficial to the community to have an option other than all or nothing.

I would offer my help to the committee for additional input on this item and broader solicitation of neighbors input.

Much Appreciated,
James Meyer

Lynn Tone

From: Public Comments
Sent: Tuesday, March 14, 2023 10:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR in Tillamook county

-----Original Message-----
From: Michael Maginnis <mmaginnis007@gmail.com>
Sent: Monday, March 13, 2023 5:06 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR in Tillamook county

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

Hello, we are registering our concerns about short term rentals in our neighborhood. They can be so disruptive to those of us who value community. We are hoping for a hard cap on the number of STR properties in the county.

In Neahkahnie we are also concerned about the excessive water usage in STR properties. When you have up to 12 or more people occupying a property, there is more pressure on our limited water resources.

Sincerely,

Michael Maginnis
Tela Skinner
8055 Kahnie Trail Loop
Neakahnie

Lynn Tone

From: Public Comments
Sent: Monday, March 13, 2023 2:54 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR

From: *Adam* <gomads@gmail.com>
Sent: Monday, March 13, 2023 2:50 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR

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

Hi,

I just want to make a public comment on recent proposals that suggest the limiting of STR licenses and advocate for arbitrary regulations aimed at solving problems related to tourism and bad-faith actors.

My home is in Neskowin and, as far as I know, has never been used for anything else than a short term rental.

I bought this home 7 years ago hoping to one day retire in Neskowin. Right now, I am still of working age and require the income of the STR to help me achieve my retirement goals. I am also unable to attend the morning meetings about this controversy due to my employment.

I adore the solitude of Neskowin and I know that many people crave that and it is something wonderful to be able to offer to this neurotic world. Our renters are wonderful people but there have been a minority of bad actors whose behavior characterizes what is terrible about all rental situations- yes, even LTRs. I feel that targeting people like me, who is trying to offer the service promoting solitude and respite, is not the answer.

Additionally, I have always had great communication with my Vacasa representatives, and have made myself available to my neighbors. I have expressed to them our shared values that are in line with the aforementioned solitude of Neskowin. Many of us regard the peace there as sacred.

Right now I am kind of scared about what is being said about the business I am engaged in. I know there is hostility toward STRs by some. I do not have the luxury of living in my Neskowin home full-time as of yet and the threat of me losing my license to run my STR makes my retirement plans uncertain. Again, I am not already retired and do not have the luxury of merely discontinuing my operation. I started this business following all of the rules, and confirming to all the safety standards. I am now worried that the county will revoke my license and that I am in some sort of culture war with certain members of my community whom are themselves full-time residents and cannot appreciate my situation and merely see me as some disembodied capital investment entity.

I just want to let the community know that I run a legitimate business and I believe very strongly in the community. I know that recently there's been all this "good neighbor" sentiment going around but I can't help thinking that it sometimes sounds cynical, having to have a deliberate communication about what that means and why we should do it.

It sounds labored. I want to actually BE a good neighbor. It would be great to keep running this mellow business and ultimately retire in Neskowin.

thank you for reading,

Adam

March 7, 2023

To Important Tillamook County Stakeholders and Erin Skaar, David Yamamoto, Mary Faith Bell, and Sarah Absher,

I am writing on behalf of two families who LOVE the coast and Pacific City. We had dreamed for years of owning our own house together at the beach, and after saving for years, hunting for a while, and some agonizing back and forth, we finally were able to close on a lot in March 2022 with the intention of building a single-family home that we would be ecstatic to use. We explored several areas that allowed short-term rentals, including Manzanita, Seaside, and Lincoln City, but ultimately chose to purchase in Pacific City because we just adored the area so much. While we wish we didn't have to, we knew we would need to rent the home out on a short-term rental occasionally at least in the early years of ownership to help supplement the high costs of ownership (as you know, building a home in the current inflationary market along with the current state of interest rates is extremely costly).

We spent money on designers, architects, dune studies, inspections, and additional due diligence related to the construction well before the board order passing. We broke ground clearing the property and readying it on May 31, 2022. You can imagine our horror when we heard about the pause, but when we watched the video of the pause passing that is linked to from the County website, we were relieved to hear Commissioner Yamamoto say in regards to people building a home that it seemed likely a permit would be possible by July 1, 2023 if not in only 6 months from May – here is his statement on that video:

> "Well I would hope we could get a permit out the door by July 1, 2023, so yes that would alleviate the concerns… July 1, 2023 date is the last day that this pause can or should be in effect but it is our intent working through the STR Committee that… our intent is to get this done **in the next 6 months or so**" (1:37:34, 5.25.2022, Commissioner Yamamoto).

We were relieved to read the actual verbiage in the pause, however, as it seemed to take into account people in our position with Item #11 - when we read the actual ordinance, it felt clear that you were worried about protecting those who might be in a situation like ours. You specifically included verbiage in the ordinance to help out those people who might have bought properties with these intentions before the pause.

Per the following: **Board Order 22-033:** Temporarily Suspending the Processing and Issuance of New Short Term Rental Permits in Unincorporated Tillamook

County. Item #11 on this page https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/74096/22-033_ocr_order.pdf details: ***"This temporary suspension does not apply to real properties that are pending sale and in escrow on July 1, 2022. For said properties, once the buyer has become the legal owner, they may file an application for a new short-term rental permit and Tillamook County Department of Community Development may process said application in the normal course of business.***

We purchased our lot in March 2022, our Dune Hazard report was submitted on March 29, 2022 and approved on May 16, 2022, and our building permit was submitted on June 14, 2022; all of these items well prior to the July 1 deadline for properties in escrow. On December 16, 2022, our final building inspection (certificate of occupancy) was approved. **Functionally, there is no difference between our situation and a purchase that was in escrow prior to July 1, 2022.** Our escrow was just particularly lengthy due to construction. The decision and financial commitments were made prior to the board decision.

So excited about our certificate of occupancy we finally received in December, **we excitedly submitted our STR application to Tillamook County on January 6, 2023**. We then received a phone call declaring our denial of the application, and that "if we wanted to appeal it would cost $1,500 and would just be denied" (though I could not find this cost publicly listed anywhere nor have we been informed of this choice since).

Despite this, we asked for our application to be formally processed, for which the county took our $350 fee, set up an inspection, and carried out the inspection (which was approved), all which got our hopes up that they were following through our their previous claims to protect those in these situations, however the county then later denied the permit again.

Even more upsetting than that denial, as they say we can apply July 2, 2023, is that the draft of the new ordinance revealed at the January, 2023 meeting makes it seem very unlikely we will be able to obtain a STR permit at the conclusion of the "pause" – as the current state of the use of tools like density caps and 250 feet requirements indicate we would likely be placed on a waiting list literally decades long (or at least the 5 year period currently stated). If we aren't allowed to apply for one now, it appears we will not be granted a STR permit in Tillamook County in the foreseeable future. Had we known this was going to occur, we certainly would have pursued some of the lots we looked at in Seaside, Manzanita, and Lincoln City, where waiting lists were manageable.

Given all of this information, we respectfully and kindly ask that you review our permit application in the same manner as you would for a property that had been in escrow prior to July 1, 2022, given the similarities of the circumstances, and/or consider making allowances for those in this situation in the new draft of Ordinace 84. There are just a few of us in this horrible situation – why not apply the same land use laws to our situation? How is owning land a different situation than owning a home on the land? We still owned the land prior to the pause, having purchased it with this use in mind, and deserve the same "grandfathered laws" issued to others. The number of permits that would be granted due to lots being built on prior to the pause would be only 1%-2% of the overall number of permits in the county – a very small number increase to do the right thing. If what Sarah Absher said at the February STR Advisory meeting was true: "I want to be clear that at this point the point of this work is not to reduce short-term rentals," then please allow us to be a part of the larger group.

As Erin Skaar so kindly worried about at the May 25, 2022 meeting: "How do we protect people that knowingly in good faith and good intention involved in a real estate sale that could put them in jeopardy?" (Erin Skaar 1:41:35). **Please consider revisiting this question given the new, current state of affairs.**

Thank you for reading and considering including the small number of those in our situation as members of the group,

Nicole Ralston

Nicole Ralston

Lynn Tone

From: Public Comments
Sent: Friday, March 10, 2023 8:04 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs in Tillamook County

From: Carrie Koepke <ckoepke06@yahoo.com>
Sent: Thursday, March 9, 2023 9:54 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs in Tillamook County

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

Hello,
My husband, Paul, and I are both native Oregonians and have loved visiting our beautiful coastline since early childhood. Paul's great-grandmother was a Tillamook 'Indian' (Native American), so his roots run deep in the County. We started visiting Pacific City when our two children were very young and dreamed of owning our own home there to use as a family retreat. During the pandemic we were able to purchase a lot in Pacific City at a reasonable price for two hard working individuals with no university degrees. Our hope was to be able to build a vacation home for us, our children, our two grandchildren and extended family to enjoy together. Two years ago, I converted my retirement account into a "corporation" so that we could build our dream vacation home and enjoy it with our family while we are still able. With the proceeds of my retirement money we applied for permits to build our home in Pacific City in December of 2021 and began construction in February of 2022. In order for this venture to be possible, we would have to rent our home out when we weren't using it to help cover the costs of owning a home near the beach. Because we are not full time residents of Tillamook County we were not aware of, nor did we receive any notices from the County of the proposed "Pause" of STR permit processing (land use change) and of the changes to the STR ordinance. Five months and several hundred thousand dollars into our build I received an email from a PC neighbor sharing the information regarding the "Pause". This information was financially devasting for us and mentally crippling for me. After 30+ years of dreaming, and then realization (almost) of our dream, our dream was being destroyed. The County stated that properties that were in escrow at the time the "Pause" went into effect were exempt, but properties that were under construction were not. While a buyer can back out of a property sale mostly unscathed financially, a property owner with a home under construction does not have that luxury. The money we had spent for the construction of our home at that point was unrecoverable. Our home had exterior walls, a roof, windows, doors. Cabinets, appliances, the furnace, plumbing fixtures had been ordered and paid for. We had no option but to finish the construction and hope the County would reconsider with our situation in mind. Our

Certificate of Occupancy was issued on October 4th. Our property has passed all building inspections. We comply with parking requirements. The home is furnished and set up to sleep only the number of persons allowed per the number of legal bedrooms, or sleeping spaces, as the County states. We have garbage removal set up and a receptacle onsite; a local contact person, signage ready to be installed, and will not allow events/parties that exceed the maximum number of "day time guests". We had hoped to rent mostly to family and friends to reduce excessive wear and tear to our brand new home. Our property is located on a very busy thoroughfare in PC and we looked forward to sitting on our front porch and watching people walking and biking past, getting to know our neighbors and the local workforce, meeting visitors and full time residents alike.

Our dream home is very quickly slipping away. Every month that we are unable to rent it out on a short term basis is digging a deeper hole in our retirement and financial stability. The value of our home has already dropped due to the location and lack of STR revenue. We had hoped our beach home would be passed down to our children and grandchildren for their future enjoyment. I pray for my family and other families who are affected that Tillamook County will take a pause on the "Pause" to consider the implications and impact of the "Pause" and proposed ordinance changes on families like ours and the County as a whole.

Carrie Koepke
Cascadia Investment Properties, Inc.
541.419.1575
ckoepke06@yahoo.com

Lynn Tone

From: Sarah Absher
Sent: Monday, March 6, 2023 3:19 PM
To: Lynn Tone
Cc: mjmurray206@gmail.com
Subject: Short Term Rental Advisory Commmittee

Good Afternoon Lynn,

Please include the comments below in the upcoming STR packet.

Thank You,

Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3412
sabsher@co.tillamook.or.us

From: Mark Murray <mjmurray206@gmail.com>
Sent: Monday, March 6, 2023 3:15 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rental Advisory Commmittee

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

Dear Ms. Absher and the Short Term Rental Advisory Committee,

First of all, I would like to thank you for all of your efforts and the very thorough, transparent and considered work you have been doing on this very important issue.

My wife and I are Neahkahnie homeowners and part time residents. Eventually, we plan to become full time residents. Our parents, grandparents and ourselves have owned homes in Neahkahnie spanning over 80 years. We know the area very well, love its neighborhood character and want to see it preserved.

In the late '90s the Neahkahnie residents developed a Community Plan and in 2015 Tillamook County established Neahkahnie as an Urban Residential Zone as reflected in a Tillamook County Land Use Ordinance. This history clearly established that the Neahkahnie residents have expressed their desire to maintain the area as residential neighborhood without any commercial activity.

We understand that some Neahkahnie homeowners may want to rent their homes, part of the time, and we don't object to that. These homes are not primarily used for commercial purposes. The owners generally use them part of the time, are known to their neighbors and are still invested in the neighborhood and maintaining its character. This use is consistent with a residential area.

On the other hand, owning and operating a house solely for short term rental purposes is a commercial use and not consistent with the intended and desired residential nature of Neahkahnie. Owning and operating multiple houses, solely for (commercial) STR purposes, is essentially operating a hotel, a very clear commercial activity. This should not be permitted in Neahkahnie and never should have been.

Currently the number of STRs in Neahkahnie even exceeds (as a percentage of residences) that found in neighboring Manzanita which accepts commercial use. And there is at least one situation where a single owner operates 6-7 STRs (a small 'hotel') and does not live in any of them.

We support amendments to the current draft ordinance 84 governing STRs which will eventually reduce the number of commercial STR's (e.g., no transfers or grandfathering) and eliminate the STR 'hotels' immediately and return the neighborhood to its intended character.

Regards,

Mark and Joan Murray

Lynn Tone

From: Public Comments
Sent: Monday, March 13, 2023 2:40 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rentals

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, March 13, 2023 2:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short term rentals

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

I have been impressed by the general tone and scope of the committee in balancing the rental industry's interests with the needs of our local community. Balance is key.
Neah-kah-nie has seen a dramatic rise in short term rentals and the impacts from this industry. It is also wonderful that visitors can enjoy this place too. We are a small community with a limited population to serve the community needs. A limited number of us serve as volunteers. Absentee owners don't contribute to these community efforts. Our institutions are small too, and vulnerable. Our water district is stressed to provide water at current levels of usage, and vacation rentals use more than residents during the crucial late summer dry period. There doesn't appear to be additional water available. Our roads are barely adequate for current use. Police and fire protection are quite limited.
We will continue to see new homes here. We need limits on vacation rentals, by percentage of the housing stock, somewhere below current levels, without taking away any existing permitted use. It should happen via attrition, however slow. The resources don't exist here to service this expanding industry in our residential neighborhoods. Livability suffers.

I hope you can find a solution that fairly represents all of our interests in this place we call home.

Barry Marshall

A Consideration of the Legality of Requiring Private Citizens to Enforce County Noise or Parking Rules.

March 21, 2023

SUMMARY - A review of relevant short-term rental laws in 8 jurisdictions (5 County, 3 City) within Oregon was undertaken to determine whether there was precedent for several specific provisions related to noise, parking and enforcement included in the draft Short-Term Rental Ordinance commissioned by the Tillamook County Board of County Commissioners and drafted by attorney Dan Kearns and the Tillamook Community Development department. Precedent was found for making the contact info of the owner or agent of a short-term rental (STR) available by posting or other means in all 8 jurisdictions. Precedent for neighbors to make initial complaints to an owner/agent using that contact info and to require a timely response was found in all 8 jurisdictions. Precedent for requiring an owner or agent to respond in person to a complaint was found in 1 jurisdiction where it was to be within 24 hours for parking. Precedent for not allowing short-term renters to park legally in the public right of way was found in no jurisdictions. Precedent for creating noise laws specific only to short-term renters was found in one jurisdiction. Precedent for noise laws to be enforced by anyone other than a peace officer was found in no jurisdictions. Precedent for using "alleged violations" or "unresolved complaints" as a basis for citing or otherwise penalizing an owner was found in no jurisdictions.

1. BACKGROUND

In 2018 The Tillamook County Board of County Commissioners (BOCC) commissioned the Short-Term Rental (STR) Committee to "*to advise and recommend solutions to issues related to short-term rental properties in the unincorporated communities of Tillamook County.*" After months of community meetings and other input from local communities Sarah Absher, building official for Tillamook County tasked with administration of the County short-term rental program as part of the Community Development Department, summarized their work by saying "*The overwhelming conclusion and consensus by the committee and community members is that the Department must engage in active enforcement of Ordinance #84*" Tillamook Headlight Herald, Jan 2, 2019. Parking and Noise nuisances were two of the main enforcement issues identified by the committee as affecting livability for local residents.

Shortly after, in April, 2019, the BOCC passed Ordinance 84 amendment 1 which strengthened existing parking and noise rules by reinforcing the threat of citation and fines for renters violating those rules (Ordinance 84, 6(a)) and clarifying who was responsible for enforcement (Ordinance 84, 13(a)). The BOCC has had 4 years to implement enforcement of those rules yet lack of enforcement of them remains a primary concern expressed in 2022 surveys of unincorporated communities.

There has been much discussion by the STR committee around how to increase enforcement for renters regarding these issues. The Sheriff's department remains understaffed, not because of lack of funding, but because of a lack of available candidates. The deputy assigned to the Development Department for code enforcement retired in 2019 but has been retained on a part-time basis to serve in that capacity. Discussions around reallocating TLT funds or STR license revenue to create additional public or private enforcement have met dead ends.

The draft Short-Term Rental Ordinance (STRO) commissioned by the BOCC and being debated right now removes all references to County enforcement against renters for violating parking or noise rules that are contained in Tillamook County Ordinance 84 (Ordinance 84 sections 6(a), 6(a)(T), 6(a)(U), 13(a). Instead, real time enforcement of parking and noise rules is effectively left entirely to property

owners in the draft STRO, which is in practice what has been happening and is currently happening under Ordinance 84.

2. ASSUMPTION OF LEGALITY. It has already been shown in the document submitted for Public Comment titled "Relevant State Law and State Building Code Pertaining to the Tillamook County Draft Short-Term Rental Ordinance" that just because something is in the draft ordinance and under the watchful eye of the local building official and council retained by the county, it doesn't mean that it has been sufficiently vetted as legal under state law. Due diligence must be exercised by the committee rather than assuming the legality of the new ordinance as drafted.

3. PRECEDENT AS AN INDICATOR OF LEGALITY. Precedent is a tool that a legal lay person can use as one indicator of the legality of an ordinance. Can those suggesting a particular provision in an ordinance provide evidence of precedent for that provision in any other jurisdiction in the State? If not is that because the approach is legal but novel or untried, or is it because it is commonly understood to be illegal, impractical, dangerous or unwise?

4. CONSEQUENCES OF CREATING LAW WITHOUT PRECEDENT. Using novel, untried legal approaches to solve problems opens the County up to legal challenges in the form of lawsuits or judicial review that can result in legal fees, fines and even nullification of part or all of the ordinance. If established precedent exists for a provision the likelihood of those kinds of legal challenges and costs is reduced dramatically.

5. SPECIFIC PARKING, NOISE AND ENFORCEMENT PROVISIONS IN THE DRAFT ORDINANCE AND THEIR PRECEDENT IN THE STATE OF OREGON

A. Data Set Used For Review. Short-term rental laws in *10 Oregon jurisdictions were reviewed for precedent regarding relevant provisions in the draft STRO. One (Deschutes County) had no laws specific to short-term rentals. One (Astoria City) doesn't allow short-term rentals other than owner occupied home stays and has no provisions related to complaints and enforcement that are specific to Home Stays. Eight jurisdictions had comparable laws. No other jurisdictions were reviewed. It should also be pointed out that one of the jurisdictions reviewed is Tillamook County itself, as Ordinance 84 has been in effect since 2017 and is an indicator of precedent.

B. Provision in Question: Requiring private citizens (owners, agents, representatives, contact person) to provide a contact number and respond to complaints "immediately" (Tillamook draft STRO 080.J)

(1) In all 5 county jurisdictions the name and number of a contact person was required to be posted outside. In Lincoln City and Hood River city neighbors within 250' are to be notified of the contact name and number and in Bend city the contact was either to be posted and/or neighbors notified.

(2) In 6 jurisdictions the first part of the complaint process was to use the contact number to complain, Lincoln City and Bend city provided for the complaint to be made to the contact person or to the City.

(3) Required responses to a complaint made to the contact person:

Hood River County: "contact person shall respond promptly to the complaint, regardless of the time of day & make reasonable efforts to remedy any situation that is out of compliance".

Lincoln County: complaint response "within a reasonable period of time which shall normally be within one hour unless circumstances would require a lesser or greater time".

Tillamook County: 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"

Clatsop County: "The contact person shall respond to all complaints via phone, email, text and/or other method within 20 minutes."

Clatsop County Arch Cape: "The contact person shall promptly respond to the complaint"

Hood River City: response to complaints in "a reasonably timely manner depending on circumstances" and general response not specified in the code as complaint related required within 30 minutes.
Bend City: response to "complaints in a reasonably timely manner"
Lincoln City: "in a timely manner as may be considered reasonable depending on the circumstances" and elsewhere "timely means 1 hour", or for any complaint other than noise after 9pm but before 7 am timely means by 8 am.

B. Provision in Question: Requiring private citizens to respond in person to complaints if a complaint is not resolved (Tillamook draft STRO 080.J, 100.B)

(1) Seven of eight jurisdictions had no requirement for in person response. Below find where one jurisdiction required in person response for certain violations and one jurisdiction provided a caution around in person response.

Clatsop County: In person response required within 60 minutes to complaints regarding septic violations, operation without a permit, and over-occupancy. In person response required within 24 hrs for parking violations, lighting violations, garbage complaints, and outdated contact info. No in person response required for trespassing, animal complaints, illegal fires, and noise.
Bend City: No requirement for in person response. Bend clarifies the contact person's required initial response to a complaint by saying "It is not intended that the owner, agent or representative act as a peace officer or code enforcement officer or put themselves in an at-risk situation."

(2) Prescribed action for complaints unresolved by initial contact with contact person.

Hood River County: complainant files written complaint with County
Lincoln County: complainant files written complaint with County
Tillamook County: complainant files written complaint with County
Clatsop County: complainant files written complaint with County
Clatsop County Arch Cape: complainant files written complaint with County
Hood River City: none specified other than owner keeping a record of the complaint for City investigation of it.
Bend City: complainant files written complaint with City
Lincoln City: if complaint was made to the City and the City contacted the contact person then the contact person files a record of the complaint with the City within 20 days.

(3). Notes - Oregon law makes no provision that I can find, nor is there precedent in the State anywhere I can find, for requiring a private citizen to in person attempt to enforce a parking or noise law in real time (while the violation is occurring), or for penalizing them for not doing so. Clatsop County may be the one exception by requiring the contact person to show up within 24 hours to deal with an unresolved parking complaint in their law passed April of 2022. On the contrary, ORS 203.065 makes it clear that only a peace officer can enforce a county ordinance. The draft STRO requires a contact person to show up for a complaint which may or may not be a violation of the ordinance and confront renters who, by draft STRO requirement, 1) have already been informed of the County rules in writing, 2) have been reminded by the contact person to follow them after a complaint was lodged and 3) will not be cited by law enforcement for breaking them (as language providing for citation of renters has been removed in the draft STRO and the Sheriff's department has not committed to enforcing STRO ordinance rules on renters). It is unspecified in the draft STRO what the contact person is supposed to do on sight to enforce the rules. Furthermore, this requirement is 24/7 and with a 30 minute response time in a County that takes 80 minutes to drive across when there is no traffic. This appears to be a significant stretch in creating law that is without precedent on multiple fronts.

C. Provision in Question: Prohibiting short-term renters from using available parking in the public right of way in a legal manner, for example: not blocking driveways or hindering emergency vehicle access (Tillamook Draft STRO 070.D.4-5, 080.D)

(1) No jurisdictions, including Tillamook County, prohibit renters from using available parking in the public right of way in a legal manner.

(2) Some jurisdictions required owners to require renters to use all of the off street parking associated with the permit before parking in the public right of way.

(3) All jurisdictions had requirements for an available number of off street parking sites on the property being rented and these were tied to occupancy.

(4) Notes - I cannot find precedent for prohibiting legal parking in the public right of way by a particular subset of the public. For example, a business may be required to provide a certain amount of off street parking, but I can't find requirements or signage indicating that a person visiting that business may not use legal parking that is available to the general public. The closest precedent I can come up with is public streets with signage that says "local residents only" or localities with parking permits. Perhaps the BOCC has the authority and administrative tools to create these in problem areas.

D. Provision in Question: Creating a noise disturbance/control law that is exclusive to short-term renters and not subject to county enforcement against those violating it (draft STRO .080.E,

(1) 7 jurisdictions reviewed had noise control laws separate from the Short-Term laws. Only Tillamook County had no noise control law for unincorporated areas, but did contain a noise control law exclusive to renters in Ordinance 84.

(2) Noise control laws in the 7 jurisdictions with generalized noise laws provided objective standards for determining whether a violation had occurred (generally 50-60 db at the property line between 10pm-7am). The Tillamook county noise control law exclusive to renters contained no objective standard for determination.

(3) Noise control laws in all 8 jurisdictions (including Tillamook County) had provisions for enforcement by a peace officer as provided for in ORS 203.065.

(4) Note: The "Good Neighbor Policy" required by the draft STRO says "The neighborhood general quiet hours are from 10 pm to 7 am". In unincorporated Tillamook County alone this is not true because noise control laws only apply to renters, not to any other person. To be accurate, it should say "for renters".

E. Provision in Question: Using "unresolved complaints" or "alleged violations" as a basis for revoking an STR license (Tillamook County STRO 100.B.2, 130.C.2)

(1) No jurisdiction, including Tillamook County ordinance 84, uses this kind of language.

(2) On the contrary, Clatsop County includes in their code section 5.12.110.G which states

"If the alleged complaint is not observed by the Code Compliance Specialist; or is determined not to have occurred; or if the complaint has been resolved, the complaint shall be logged, the result noted, and the case file shall be closed. Notices of Warning or Violation shall not be issued for complaints that are not observed, are determined not to have occurred, or that have been resolved prior to the County Code Compliance Specialist visiting the property.

And also 5.12.110.H which states

"Unsubstantiated Complaints and False Reporting. The County may impose a fine for filing a false complaint regarding the condition, operation, or conduct of occupants of a short-term rental or their

guests. Per Section 1.11.010, Clatsop County Code, the submittal of a false complaint is a Class B violation and may be subject to fines as specified in Section 1.11.010(C). "

(3) Notes - Making laws that penalize the owner of a dwelling for the illegal behavior of guests appears to be done very carefully where it is tried, ensuring due process for the owner. The lack of due process contained in these terms seems self-evident, which may be why there is no precedent for them.

Drafted by

Steve Wecks
Barview

*The following data set of 10 jurisdictions was reviewed (6 counties & subdivisions, 4 cities) :

Deschutes County:	No regulation of STR's
Hood River County:	Hood River County Zoning Ordinance Article 53 - Home Occupations Hood River County Code 8.12 Noise Code
Lincoln County:	Lincoln County Code Chapter 4.405-4.460 Short-Term Rental of Dwelling Units Lincoln County Code 2.2 Noise
Tillamook County:	Tillamook County Ordinance 84 Short Term Rental Ordinance
Clatsop County:	Clatsop County Code 5.12 Short-Term Rentals (Excluding Arch Cape Zone) Clatsop County Code 8.12 Noise Control Standards
Clatsop County AC	Clatsop County Code 5.24 Short-Term Rentals (ARCH Cape Zone)
Hood River City:	Hood River Municipal Code 5.10 Short-Term Rental Operating License Hood River Municipal Code 8.12 Noise Control
Bend City:	Bend Development Code 3.6.500 Short-term Rentals and Bend Municipal Code 7.16 Short-term Rental Operating License Bend Municipal Code 5.50 Noise
Lincoln City:	Lincoln Municipal Code Chapter 5.14 Vacation Rental Dwelling License Lincoln Municipal Code Chapter 8.24 Noise Control Ordinance
Astoria City:	Astoria Development Code 3.100 Home Stay Lodging and Home Stay Lodging Permit Packet

March 18, 2023

Tillamook County Commissioners and STR Advisory Committee Members –

As eleven-year property owners in Pacific City, my family and I are in favor of establishing enhanced enforcement tools to "mitigate the livability impacts" of short-term rentals (STRs), which is the primary reason cited for the current moratorium on issuing new STR permits. We are opposed to caps on the number of STR permits, which would unnecessarily create winners and losers and weaken the economic vitality of Pacific City and Tillamook County.

To better understand the potential impact of the imposition of STR permit caps, I have analyzed Sections .040 and .110 of the draft STR Ordinance 84 revisions pertaining to the application of STR permit caps. The analysis is attached.

Last week, when seeing the STR permit cap language removed from the March 7 version of the draft STR Ordinance 84 revisions, I concluded that the County had decided not to proceed with the cap and, instead, would focus on establishing a functional program to reduce nuisance STRs. Sadly, my understanding was corrected by County staff at the beginning of the STR advisory committee meeting.

- The STR permit cap removal is only to signify that the issue of the caps is temporarily "tabled".
- The STR permit cap issue "is not open for discussion now".
- The committee will come back to the discussion of STR permit caps and other "growth management tools" at the end of the committee's process.

As I understand the schedule, the final meetings of the STR committee are scheduled for April 3, April 18, and May 9. The aim of the County staff is to complete the advisory committee's work on recommended STR Ordinance 84 revisions by the end of May. Two hearings of the Board of County Commissioners are planned to be held in June, with a vote of the Commissioners on the STR Ordinance 84 revisions by the end of June. The County's one-year moratorium on issuing new STR permits ends July 1.

Discussing the most important issue (STR caps) needs to occur sooner rather than later. The impact of STR caps could be significant to Pacific City's overall economy, in addition to a substantial financial hit to individual property owners in Pacific City. And as the discussion of the definition of "transfer" during the March 14 committee meeting indicated, the issues are complex and intense. Add in the idea that different caps could apply to different portions of Tillamook County, and I don't see how sufficient analysis and deliberations could occur within the publicized schedule, prior to this type of dramatic change to the regulatory landscape being authorized by the Tillamook Board of County Commissioners. Unless the Board of County Commissioners intends to drop the STR caps for now, there is a pressing need for more—not less—discussion of the design and ramifications of an STR permit cap.

To this end, and as mentioned above, I prepared an analysis of what appears to be a potential (and maybe likely) impact of imposing the STR permit caps as detailed in Sections .040-C and .110-B of the STR Ordinance 84 revisions (contained in the Jan 2023 version and deleted from the March 2023 version), which include a 5-year waiver of applying the STR permit caps to current STR permit holders.

Under the conservative assumptions applied (and are listed in the attached analysis), the impact on new homeowner applicants for the first 5 years of the draft Ordinance 84 revisions is pretty clear: *New* homeowner applicants—no matter how long they have lived or owned property in Tillamook County—are locked out of securing an STR permit for five (5) years.

There seems to be a general feeling that under the STR permit cap proposal *current* STR permit holders will be protected. Under the draft ordinance, this is not so. Not only will homeowners (again, some who have owned homes in Pacific City for decades) who do not currently have an STR permit be locked out for 5 years, the ability of *current* STR permit holders to continue to rent will also be impacted, beginning in Year 6.

- In Years 1-5, current permit holders will have to pay the $800+ in annual fees even if not intending to rent that year, in order to retain the STR permit for subsequent years. (They will also have to nominally "rent" their house.)[1]
- At the end of Year 5, current permit holders lose their special status, and they will be in the pool (and on the STR waiting list) along with all other applicants. *Current* permit holders would go on the waiting list behind those *"new"* applicants that have been on the waiting list from prior years. [2]
- Nearly half of the *current* permit holders will not be able to renew their STR permit in Year 6, as the permit cap enters into full effect and those at the top of the STR waiting list (who were blocked from getting an STR permit during Years 1 – 5) are the first in line to get permits. Only to the extent that there are permits remaining would some of the *current* permit holders receive a permit in Year 6.
- In Year 7, nearly half of the Year 6 permit holders will not be able to renew their permits; the "current" permit holders who were blocked from permits in Year 6 will get an STR permit in Year 7.
- In subsequent years, homeowners are expected to cycle off, and then back on, the STR program and the STR permit waiting list – roughly every other year – as the STR cap blocks renewal of current (and issuance of new) STR permits that exceed the cap on the total number of STR permits allowed in a given year.
- Property values of current permit holders (as well as other homeowners in Pacific City) are likely to decline as a result of adoption of the STR permit caps, because current permit holders will not be able to represent that their property has a permit beyond the initial 5-year period. And beyond Year 5, current permit holders (as well as any other homeowner) will not be able to represent with certainty that their property will be eligible for a permit for two or more consecutive years.

[1] These fees are in addition to the Transient Lodging Tax equal to 10% of STR revenues.

[2] Section .110 B. of the Jan-2023 draft STR Ordinance 84 revisions state that "The subarea cap limitations in Section .040(C) shall not apply to the first 5 registration renewals… Thereafter, all applicants for a new or renewed registration shall be subject to the applicable subarea caps." And in Section .040(C), it notes, "…the applicant will be placed on a waiting list in order of rejection / non-renewal."

Imagine the difficulty of either renting or selling a home under this scenario of constant permit turnover and continuous economic uncertainty. Who could plan to build or invest in a rentable area of the County?

We encourage the STR Advisory Committee to recommend, and the County Board of Commissioners to enact, enhanced enforcement tools to "mitigate livability concerns" associated with STRs and allow sufficient time for these enhanced tools to be operationalized before considering the imposition of STR permit caps. If it is felt that "growth management tools" might be needed in the future, we recommend that the County commission an analysis of the economic impact on Pacific City and the County as a whole from implementation of STR permit caps and similar measures. While an analysis of the impact of the imposition of STR permit caps on Transient Lodging Tax revenue and the uses of those revenues is useful, this analysis would not provide a sufficient understanding to policymakers and the public of the broader implications of these types of government actions. The analysis should consider impacts such as:

- The projected contraction in the tourism sector and the resulting decline in revenues to local businesses;
- The level of increased rents at the remaining STR properties from the artificial constraint of supply;
- Reduced new home construction and renovation activities;
- Declines in property taxes from reduced home construction and renovation; and
- Declines in property values for all Tillamook county residents with a potentially rentable property, whether they are a current STR permit holder or not.

Thank you for the opportunity to comment on the draft STR Ordinance 84 revisions. I am available to explain the analysis further if that would be helpful.

Doneg McDonough
Pacific City

Tillamook County Draft Ordinance 84 Revisions (Jan-2023)

Short-Term Rental (STR) Permit Caps (Ord. Section .040-C and Section .110-B)

ANALYSIS OF IMPACT ON PACIFIC CITY HOMEOWNERS

The draft Ordinance 84 revisions, as they apply to the number of allowable STR permits for Unincorporated Communities within City Urban Growth Boundaries of Tillamook County, propose to establish the following rules:

- A limit will be established on the number of STR permits that can be in effect for "defined residential subareas" within Tillamook County.
- If at the time of permit application (for a new or renewed permit), there is not room within the applicable subarea cap, the application will be denied and the applicant will be placed on the waiting list in order of rejection/non-renewal.
- The lead applicant on the waiting list will be contacted by the County when there is room under the cap.
- Homeowners holding an STR permit at the time of enactment of Ord. 84 revisions are given a 5-year waiver from the STR permit cap.[1]

The draft Ordinance 84 revisions do not indicate the specific limitation to be imposed on the number (# or %) of allowed STR permits.

- In Pacific City, 18% of dwellings are reported to currently have STR permits.
- In Kiwanda Shores, 40% of dwellings currently have STR permits.
- Two figures being analyzed by the County of the maximum number of STR permits allowed are a cap of 14% and a cap of 18%.

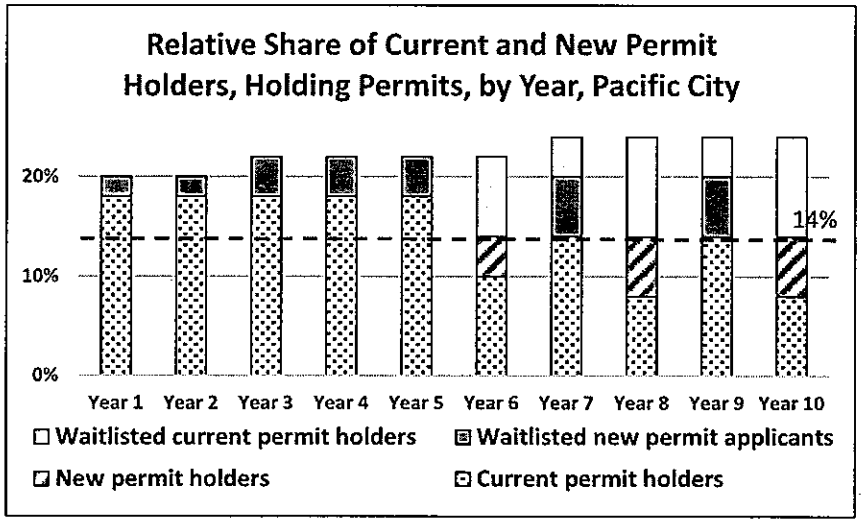
Based on an analysis of the STR permit cap in the draft Ordinance 84 revisions, the following is anticipated to occur:

- **For 5 years, new STR permit applicants are expected to be locked-out of securing an STR permit for their homes in Pacific City.**
- **Current STR permit holders will lose their STR permits if their home is not rented during a given year or if annual STR permit fees are not paid.**
- **After Year 5, *current and new* STR permit holders are expected to cycle off, and then back on, the STR program and the STR permit waiting list – roughly every other year – as the STR cap blocks renewal of current (and issuance of new) STR permits that exceed the cap on the number of STR permits allowed in a given year.**

[1] Under the current STR rules, all current STR permit holders – including those not renting their home as an STR in a given year – are required to pay the following fees: (a) Transient Lodging Tax registration fee of $250 annually; (b) inspection fee ($100) every three years; and (c) an annual Operators License Fee of $75 multiplied by the maximum permitted occupancy. For example, for a home with a maximum occupancy of 7 persons, the cost to maintain the STR permit (whether the home is rented as an STR in a given year or not) is $808. In contrast, prior to the current moratorium on issuing new STR permits, homeowners were not required to pay these annual fees to maintain the right to have an STR permit in subsequent years.

In analyzing the STR permit cap in the draft Ordinance 84 revisions (Jan-2023 version), **the following conservative assumptions were applied:**

- A cap of 14% of homes allowed to have an STR permit will go into effect on enactment of the revisions to Ordinance 84.
- Currently, 18% of Pacific City homeowners hold an STR permit, and an additional 2% of Pacific City homeowners want to (and will apply to) secure an STR permit if the moratorium on issuing STR permits is lifted.
- Over the next ten years, an additional 4% of Pacific City homeowners will apply to secure an STR permit.



Cycling of Permit Holders On and Off STR Program: Pacific City

Tracking Eligibility for STR Permit for Current STR Permit Holder, under Draft STR Ordinance 84 Revisions (January 2023), by Program Year

(% indicates number of STR applicants with, wanting, or allowed STR permits)

	Year 1	Year 2	Year 3 (+2%)	Year 4	Year 5	Year 6	Year 7 (+2%)	Year 8	Year 9	Year 10
Total % wanting STRs	20%	20%	22%	22%	22%	22%	24%	24%	24%	24%
Total allowable STR permits	18%	18%	18%	18%	18%	14%	14%	14%	14%	14%
Current holders: Permit Renewal Dates in Months 1-2	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3% - no	3%-yes	3%-some	3%-some	3%-yes
Current holders: Permit Renewal Dates in Months 3-4	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3% - no	3%-yes	3%-yes	3% - no	3%-yes
Current holders: Permit Renewal Dates in Months 5-6	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3%-some	3%-some	3%-yes	3% - no	3%-yes
Current holders: Permit Renewal Dates in Months 7-8	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3% - no	3%-yes	3%-some	3%-some
Current holders: Permit Renewal Dates in Months 9-10	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3% - no	3%-yes	3%-yes	3% - no
Current holders: Permit Renewal Dates in Months 11-12	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3%-yes	3%-some	3%-some	3%-yes	3% - no
Current excluded permit applicants: Years 1-5	2% - no	2% - no	2% - no	2% - no	2% - no	2%-yes	2%-yes	2% - no	2%-yes	2% - no
Additional excluded permit applicants			2% - no	2% - no	2% - no	2%-yes	4%-yes	4% - no	4%-yes	4%-yes
Total with STR permits	18%	18%	18%	18%	18%	14%	14%	14%	14%	14%

Yes, eligible for STR permit | No, not eligible for STR permit | Some in group eligible for STR permit

22 March 2023

Dear Tillamook County Commissioners and STR Advisory Committee Members –

My husband and I bought our second home in Kiwanda Shores in fall of 2001, just after 9/11. Over the decades since, we've seen a lot of changes both in Pacific City and Kiwanda Shores. While we do not rent our home nor intend to have an STR permit in the future, we oppose the proposal to institute caps on the number of STR permits issued. I think it will be a bureaucratic nightmare and have large unintended poor consequences that will create winners and losers all around. I'll try to explain why.

In 2001, many owners in Kiwanda Shores used their homes for themselves and family, primarily. Over time, the percentage of rentals increased. Given the high cost of purchase or construction, rental income has become necessary today for all but the wealthiest of owners and prospective buyers. We feel lucky that we personally haven't come to that, having bought a modest home at a market low. We live here 40% of the time.

During a number of these early years (and currently), I served on the board of the Kiwanda Shores Maintenance Association (KSMA). I was and am now the president and work on membership. I have access to information on who rents and have long-term knowledge of the issues the community faces (both Kiwanda Shores and Pacific City). For a number of years, we saw increased complaints from homeowners at the annual meeting about trash, on-street parking, noise and such. They believed it came from too many renters. Oddly, the year this came to a head (long before STR permits), an investigation showed that one particular homeowner with their friends and family gatherings was the biggest source of complaints.

How did we address this need for ongoing education about livability? Over time, we took some steps to drastically reduce the complaints and to increase the sense of peace and community:

- I wrote and distributed "Rules for Livability," which was laminated and had magnets for refrigerators. See attached. Periodically, we hand these out at annual meetings for new owners and occasionally go door-to-door to hand them out and talk about them.
- We created a standard for trash disposal and trash enclosures that is sent to new homeowners and is discussed at the annual meetings. There is a fine for noncompliance. This is a huge success. (Also, for a number of years, we hired an onsite owner to pick up trash scattered by animals.)
- We partnered with a tow company to allow for towing of vehicles that violate the no on-street parking rule. They installed signs throughout the community. This, too, has been a big success; no calls to date.
- We used to find dog waste on the streets regularly. Two owners made doggy bag dispensers posted throughout Kiwanda Shores and volunteers fill them with bags. I rarely see waste on the ground anymore.

In terms of noise, what has made the biggest difference?

- Your requirement to post the contact information on each rental home. I notify new members about your fine for noncompliance and we believe that 99%+ are in compliance.

Since we are here so much of the time, we have a good pulse on the noise issues. Only one time since the contact info has been posted (3-4 years?) have I called about noise issues. It was speedily addressed. Once I called about an owner's screen door that had blown off. Once I called about trash blowing down the street. My perception in talking with owners is that the rental agencies (the bulk of STR managers) have been very responsive to issues. They were to my calls. Even the owners not using agencies seem to have hired local on-call property managers.

There is legitimate debate that can be had about the changing nature of communities due to STRs. In the early years, we got to know almost all the neighbors on our block, had block parties on the big holidays, etc. Now, half are rentals. I empathize with those who feel a loss of community. We do, in a way. But life across America has gotten harder for the middle class for many reasons, particularly with respect to housing affordability. The wealth gap is real. As long as people want to enjoy our extraordinary Oregon beaches, people will try to find a way to come here, either as renters or owners or owners who rent.

In Kiwanda Shores we have addressed pain points in what we see as narrow ways, ones that impact only the offenders, who we work with to educate. It's an ongoing process not solved by punishing all our homeowners with onerous regulations but with providing them materials to education or remediate, backed up with fines when absolutely necessary.

I've seen reports of schools where drugs or weapons were found in lockers. One school's answer was to remove all the lockers. This, in effect, punished all the students, making them carry all their books to all their classes. That's the extreme of trying to address issues with "solutions" that punish all.

I am not opposed to having a system for regulating short-term rentals. It clearly creates large income for the county, which returns to the communities. The requirement for posting of contact information has really helped in our community. However, the *downsides of a cap* already seem evident:

- Owners who thought they might sell in the near future rushed last year to beat the "pause."
    - Even if they didn't rent, they began to incur somewhat large costs immediately in the form of fees and increased water/sewer bills as "businesses."
- The differential between home value for a "permitted" home versus not has been pegged at $75-100K. (Per owner without a permit who just put their house up for sale.)
    - Declines in property values for all Tillamook County residents with a potentially rentable property, whether they are a current STR permit holder or not, seem inevitable.
- Your chart of the 5-year cap seems like a nightmare to administer, let alone communicate continually about.
- There must have been and will be an ongoing cost to the county for reduced income from permits as well as from the Transient Lodging Tax.
- Business owners who rely on tourism in areas or subareas with restricted permits will lose out on the opportunity for income.
- Current permit holders will experience uncertainty about their status starting in year 6 of your proposed cap, as will any whose circumstances change and have to pause rentals.
- Unfair penalizing of people who bought lots or began construction before the pause.
- Reduced new home construction and renovation.
    - Overall decline in property taxes from reduced home construction and renovation.

Beware the rush to solve specific problems with "global" solutions.

Have you identified the livability issues properly? The proportion of them? Other possible solutions? Regulation has its place but beware thinking more administration is the answer to all the issues.

I appreciate your consideration of these comments. Let me know if you have further questions. (Note that I don't represent the views of all KSMA owners, just my own.)

Susan Caney-Peterson, KSMA President

KSMA

Kiwanda Shores Rules for Livability

Welcome!

The homeowners and guests of Kiwanda Shores together create a community, one that changes not only with the seasons but with the presence and actions of each individual. We've agreed on basic rules that help maintain our sense of serenity and quality of experience:

Park off the street in the driveway, garage or parking area provided for each home. Parking in the street is prohibited, and it is a hazard for emergency vehicles. If you plan a small gathering, notify KSMA in advance. For larger gatherings, contact the Kiawanda Community Center at (503) 965-7900 for overflow parking. Violators may be towed.

Do not walk between houses or otherwise trespass on private property when walking to and from the beach or anywhere else in Kiwanda Shores. There are three designated community beach access walkways on Ocean Drive, all marked by signs. Don't cut through other properties. From the beach, take note of landmarks so that you can recognize where to return.

Keep your dog(s) on leash. Dogs are allowed off-leash within their own property under owner supervision only, as they can present a hazard to leashed dogs and passers-by. Take a plastic bag with you on your walks to pick up after your dog. Bag dispensers are throughout the area.

Fires and fireworks are banned within Kiwanda Shores, whether on a private lot or in the common areas. This includes the elevated sand dune between and in front of the beachfront homes. The beach grass is extremely flammable and fire can spread uncontrollably within minutes. If you wish to use fireworks, please do so on the lower beach only. Open fires are banned within Kiwanda Shores.

Barking dogs, blaring music, and car alarms all create stress. Be considerate of your neighbors. Quiet hours: 10PM to 7AM.

Firearms, airguns, and slingshots are banned. The wildlife here is protected. Stay on the path when visiting the wetlands. Watch for the friendly local deer and rabbits.

Drive slowly within our community. The posted limit is 15 mph, which is hard to do unless you pay attention. Our children and animals thank you.

Leave the beach cleaner than you found it.

Lynn Tone

From: Erin Skaar
Sent: Thursday, January 12, 2023 9:21 AM
To: Lynn Tone
Subject: FW: EXTERNAL: [Erin Skaar] STR Comments

Erin D. Skaar (she/her) | Chair
TILLAMOOK COUNTY | Board of County Commissioners
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403
Mobile (503) 812-9877
eskaar@co.tillamook.or.us

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From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Monday, January 9, 2023 10:12 AM
To: Erin Skaar <eskaar@co.tillamook.or.us>
Subject: EXTERNAL: [Erin Skaar] STR Comments

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

Tom Gibson (tagibson67@outlook.com) sent a message using the contact form at https://www.co.tillamook.or.us/.

My wife and I have lived next door to a large (5BR/3BA, sleeps 12 per VRBO listing) in Netarts for over 3 years. We have had a few negative experiences, mostly with parking - either guests with more cars than the listing states are allowed or guests that park inefficiently/have huge vehicles. The owner and property manager have been good neighbors and nearly all of the guests have been good neighbors too. I fully understand permanent residents' frustrations with STRs.

My wife and I are also in the process of buying a new construction home (also in Netarts), with plans to STR our current home. We have our STR permit and shortly after the new house is finished we will begin renting the current house. This investment in real estate constitutes the bulk of our retirement plan. We will live where we can see our STR right out the living room windows, and plan to manage the property ourselves. We are long term residents that love Tillamook county. My wife was born here, we have lived here for nearly 18 years, raising a family along the way. Like many other STR owners, we live and work in Tillamook county.

The vast majority of STRs in Tillamook county are second homes owned by local or at least regional families that love and care for their Tillamook county property. They are not owned by faceless corporations that only care about profit.

From the discussions I've seen, the county is considering many options with regard to STRs. My thoughts on the issues being discussed:

Parking - I'm all for more stringent parking enforcement, but curious about what that looks like. When an irresponsible guest shows up with too many vehicles, what solutions are available? A fine is great for county coffers but will only be effective if it can be passed along to the guest. The host can only state parking capacity. The host cannot prevent a group of guests from exceeding that capacity. An ordinance/rental agreement that includes a $500/vehicle/night excess vehicle fee might make some guests reconsider their vehicle plans. If you're going to institute a parking fine, make it big and make the guest responsible.

Garbage - twice a week service is great for a large home with many guests. For a small STR that only sleeps a few people it's probably overkill. If there is to be a twice a week garbage mandate, it should only apply to homes over some threshold for guest capacity. For example, if guest sleeping capacity is 8 or more, twice weekly garbage service is required. Possibly even a guest nights/week threshold? A large home with few or no guests does not require twice a week garbage service. The STR next door, owned by a responsible family from Vancouver whose family has been visiting Netarts regularly for decades, does this of their own accord during the busy summer months.

Transferability/Renewal - STR permits should be transferrable through sale or inheritance, and permits should be reviewed/re-inspected periodically. Is that period 5 years? 10? 3? That's up to you but a 5-year permit review/re-inspection schedule seems reasonable.

Housing Shortage - STRs are not a significant source of stress on housing availability. The housing shortage in Tillamook county is primarily an affordable housing shortage and very few STRs would qualify as affordable by most definitions. Low income working people and families do struggle to find adequate housing, but by definition very few to none of those people would be looking for ocean view homes.

Summer Home Tradition - as with most coastal communities, there are many summer/vacation homes along the Tillamook coast. This is as normal and expected as rain in January. Neskowin, Oceanside, Manzanita - these places were built as vacation destinations and were never intended or planned with long term permanent residency in mind. To some extent, the permanent residents of these areas are the exception, not the rule. They have chosen to live in a vacation destination. How dare they cry foul when people continue to vacation in these areas? How many of them fell in love with their favorite vacation destination and bought property so they could retire at the beach? Now they complain about the vacationers? Pot, kettle. Kettle, pot.

Tourist economy - the downward pressure on traditional manufacturing and farming employment are real and not relenting any time soon. Tourism, on the other hand, is on the rise and long term trends are for more visitors not fewer. The tourists are coming. We can either make it easy for them to spend their money in Tillamook county or we can force them to stay in Lincoln or Clatsop county and hope they stop at the creamery on their way through our little crossroads by the sea. Maybe they'll buy gas at Fred Meyer if we're lucky. Limits on the number of nights an STR can be rented can only harm the tourism economy - and reduce county revenue from STR taxes.

In short, the county needs to adopt pro-STR policies that address neighborhood concerns over parking and garbage in a meaningful way but also encourage our growing tourist economy in an equally meaningful way. Limiting STR permits will not alleviate the affordable housing shortage. Limiting the number of nights an STR can operate only diminishes the economic opportunities from tourism and property values (and by extension, property taxes).

Thank you for your consideration,.

Tom Gibson
503-457-6333

Lynn Tone

From: Public Comments
Sent: Tuesday, March 28, 2023 10:03 AM
To: Lynn Tone; Sarah Absher; Joel Stevens; Bill Sargent - Personal
Subject: FW: EXTERNAL: Draft STR Ordinance

From: Andrew Crosby <andrewcrosby1@gmail.com>
Sent: Sunday, March 26, 2023 2:15 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Draft STR Ordinance

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

Dear Tillamook Board of County Commissioners and STR Advisory Committee:

We own a home in Neahkahnie that is managed as a very high quality STR for part of the year. We have commented previously on the Draft STR Ordinance and Committee process.

For the most part, we have been impressed with the scope and overall quality of deliberations among the STR Advisory Committee during its monthly meetings. We are generally in support of thoughtful and carefully crafted "regulatory" provisions that improve STR quality and protect residents and their neighborhoods from possible negative impacts of noise, trash, parking, partying, etc.

However, the proposed 5-year limit on "Renewal of Lawful Pre-existing STRs" (.110(B)(1)&(2)) is an entirely different matter. This provision lacks an identifiable regulatory purpose and instead seems aimed to stick an administrative thumb in the eye of STR owners who have invested significant time, energy and money in creating quality short term accommodations on the coast. The waste, disorder and unfairness that would be unleashed by this provision are hard to overstate. And what would be the benefit of causing owners to flush their invested efforts every five year; to be forced to abandon service agreements, dismantle marketing, and tell repeat guests they can't stay there anymore? Who gains from this? Any basis of support for this provision remains a mystery.

Yet, the 5-year cap provision has sneakily leaked its way into the current draft, courtesy of Staff and its "legal counsel", both of whom appear to have an agenda in this regard. Committee members did not request that this provision be included. Communities along the coast haven't made it a priority. The provision has subsequently been removed with a "strikethrough" note, yet it continues to resurface in successive drafts and discussion agendas. Why? Who is so adamant that this destructive and rather mean-spirited provision be included in an otherwise thoughtful and collaborative ordinance?

As a supporter of the Board of County Commissioners and its efforts to intelligently regulate the STR market, this is where you lose me. I just get mad because this particular provision feels spiteful and designed by someone who holds personal resentment against STRs. It carries the disrespect of someone who has never

created a successful business, and would derive pleasure from undermining the sincere efforts of someone who has. It's just too much!

Please, continue making this a thoughtful regulatory ordinance that all sides of the debate can get behind. Make it a win-win for the County and drop this divisive provision that adds no discernible benefit to the plan.

Sincerely,

Andrew Crosby
8455 San Dune Rd.
Nehalem, OR 97131
(541) 419-0876

Lynn Tone

From: Public Comments
Sent: Tuesday, March 28, 2023 2:11 PM
To: Lynn Tone; Sarah Absher; Joel Stevens; Bill Sargent - Personal
Subject: FW: EXTERNAL: Fwd: Public Comment - The "Pause" is Causing Financial Hardship

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From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Tuesday, March 28, 2023 10:26 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Fwd: Public Comment - The "Pause" is Causing Financial Hardship

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

To Tillamook County & the Board of County Commissioners,

Please be aware that your "pause" is causing financial hardship of some of your property owners who you seek to protect.

As you are well aware, about 10 of us had purchased property in Tillamook County and had begun building properties before July 1 - before May 22, before anyone had ever heard of a possible pause on STRs. I'm sure most of us would not have purchased these lots had we known you intended to purposefully harm those in that exact position.

At this point, as density caps and distance limits continue to be on the agenda, please reconsider and allow the 10-ish of us to be granted permits. We have tried posting our home on the 30+ day market as you recommended with no luck. With expenses piling up and property taxes to Tillamook County coming due and the high interest rates that also skyrocketed after we began building, we are enduring financial hardship due to your decisions. We are not a business, we are merely a family hoping to share our home with a few other families once in a while to help pay the rent until we can afford the expenses on our own (and hopefully retire in the community one day).

Please solve the problems that exist - which from listening to every meeting and reading public comments seems like parking, garbage, and some homes with occupancies of 30. We want to be stewards of the community and excellent hosts and neighbors. But please know how these decisions seek to negatively impact us and our ability to own this home, which we started building before you enacted this pause. You are quite literally running us out of town.

Thank you for listening and your consideration,
Nicole Ralston
Pacific City Property Owner Since March, 2022

Lynn Tone

From: Public Comments
Sent: Wednesday, March 29, 2023 12:44 PM
To: Lynn Tone; Sarah Absher; Joel Stevens; Bill Sargent - Personal
Subject: FW: EXTERNAL: Support for STRs in Tillamook County

From: Pete Stone <psphoto@comcast.net>
Sent: Wednesday, March 29, 2023 12:26 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs in Tillamook County

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

Regarding the following rule in the proposed draft revision of Ordinance #84:

"No more than one (1) vehicle per bedroom shall be allowed for each STR."
"Two (2) additional parking spaces may be allowed for daytime guests. On-street parking is prohibited."

The first restriction seems nonsensical, since it is in no way linked to what capacity a particular property might have!

In my case, we have a fully enclosed 2 car garage, as well as a 100 foot off-street driveway that can easily accommodate

more than 3 vehicles (including boat trailers) at any time. We often have guests arriving at different times driving separately, which means that

our guest limit of 8 people often arrive in 4-5 vehicles, without any parking issues.

If the County is trying to reduce traffic, this proposed rule also makes no sense, since most guests stay put after

dark (3 vehicle limit period), and travel to shop, eat out, or see the sights in the daytime (5 vehicle limit period),

so the day/night limits as presently proposed wouldn't solve any increased traffic issues (which are generally minor to
begin with in the residential neighborhoods most STR's exist in).

A more reasonable approach would consider how much off-street available parking a particular STR property had, and use that to determine

a rational vehicle limit. This is what other municipalities have done, without having a completely arbitrary limit. If the County is

worried about over occupancy, there are already measures in the draft establishing reasonable occupancy limits that can be enforced without

trying to limit vehicle numbers as some form of crude method of enforcement. The current proposed limit won't do that anyway, since

if there is a 5 vehicle daytime limit on a 3 bedroom STR, there would still be the possibility of over occupancy if 4 people arrived in each vehicle.

The other issue is prohibiting off-street parking for guests. The owners/managers are not enforcement officers, and are limited in our powers to

only establish rules and policies for our properties.....NOT areas of the County where we simply have no authority. We can request

guests only park on the property in the available designated parking areas, but once off property, we are no longer responsible

for any guests actions, and frankly can hardly ask guests to do something that both local citizens and other tourists freely do!

I urge the County to reconsider these parking limits as both ineffective and misguided.

Thanks,
Pete Stone
Nedonna Beach, Or.

tel: 503-740-6170
email: psphoto@comcast.net

Lynn Tone

From: Public Comments
Sent: Wednesday, April 19, 2023 8:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Vacation Rental Ordinance

From: Dan Houf <Dan@hhpr.com>
Sent: Tuesday, April 18, 2023 4:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Vacation Rental Ordinance

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

Good Afternoon. We would like to offer comments on the Proposed Short Term Rental Ordinance.

We own 5775 Barefoot Lane, Pacific City, OR 97086. We are located in Shorepine Village and we were the 2nd house constructed. We built in 1996 and have rented our house as a Short Term Vacation Rental since that time and also used our house as well as a 2nd home. The ability to rent the house as a Short Term Vacation Rental was the only reason we would have been able to purchase the home at the time with our four children and keep it updated and in nice condition. We have run a successful rental for almost 27 years, and the quality of renters has been great. Many homes in the area are rented as well, and we have not seen any issues with the rental of the home. Our neighborhood remains quiet and professional.

When you restrict a use of the property as by this ordinance, you will reduce property values and hurt the overall economy as well. The use of short term vacation rentals brings customers to the area and is good for the economy and region. We feel Tillamook County has established a good vacation rental policy over the years, and feel that the restriction to rent our home in any manner could be considered a "taking" of use that has been established.

If you enact an ordinance that does not allow some income from a property, you will see less ownership from the families who enjoy the coast and who are from Oregon. I have my doubts that you will see less 2nd home ownership or an increase in affordable housing. (Many people have vacation homes at the Coast) but you will see less use of the area. If the intent of the ordinance is the drive down property values, and take away the value of the property owners and Citizens of Tillamook County, than this ordinance will do it.

Related to the Purpose and Scope Section of the Ordinance there is a statement that reads under Section B: "the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they situated and to have damaging impact on the livability of those neighborhoods". What facts support this statement? This seems subjective, and we would make the argument that the use of the property as a Short Term Vacation Rental actually increases the livability of the neighborhood if done correctly. It allows the property owner funds to make improvements and upgrades to the property. Have there been any specific studies that substantiate the language and premise of this code section? For example ...from a traffic standpoint, a STVR rented for 110 days of the year, and used by the owner for 30 days would have an equivalent Vehicle Trips per year of 1400 if you assume 10 trips per day. However, a full time resident would have vehicle trips estimated at 3,650 which has a much higher impact. Full time residential use can have the same impacts on neighboring

properties as a vacation rental such as noise, speeding, pollution, etc. therefore the statement seems to be incorrect unless there is some specific information provided to substantiate the section as written.

We appreciate the work that the committee is doing. We do think short term rental properties should be registered and safe. However, we do not support limiting short term vacation rentals based on proximity to others or even limiting those in total numbers. We respectfully provide our comments for consideration.

Dan and Kathy Houf

Dan Houf, P.E.
Senior Principal

HARPER HOUF PETERSON RIGHELLIS INC.
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CIVIL ENGINEERS :: STRUCTURAL ENGINEERS :: PLANNERS :: LANDSCAPE ARCHITECTS :: SURVEYORS

Lynn Tone

From: Public Comments
Sent: Wednesday, April 19, 2023 8:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance Comments

From: Alan McRobert <Almcrob@msn.com>
Sent: Tuesday, April 18, 2023 4:16 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Ordinance Comments

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

My wife and I own two LLCs, each LLC holds title to a condominium on Happy Camp Rd., Netarts. The condos are side by side, attached together via elevator lobby consisting of one stand alone building. Each condo has a STR permit since permitting has been required. The Home Owners Association consists of only the two Condos and the recorded bylaws allow for short term rental.

I have been coming to Netarts and Happy Camp to vacation for sixty years, my wife for forty years and our children since they were ten years old. When the opportunity presented it's self to have ownership of a place at Happy Camp we made the financial stretch and made the purchase.

We must have short term rental income for each condo to pay sewer, water, property taxes, county rental permits and county STR fees and taxes and property insurance. We purchased the building and two condos with the understanding and need to operate as a short term rental. My wife and I stay and greatly enjoy Happy Camp beach approximately 10 weeks out of the year. Our son's, wives and children come several weeks during the year. If the new ordinance eliminates our ability to rent as a short term rental, continued ownership would financially difficult. Forcing a property owner to sell a property is a hardship the county should not strive to occur thru excessive changes to the existing STR ordinance.

There needs to be greater accommodation for homes and condos that the country approved the design, construction and separation (set backs) required by the county and presently has a STR permit.

Issues:
My understanding, there is a proposal that the parking with for two cars be 18 feet.
The condos are on concrete piling to be above the flood plane. The building design provides a width of 16 feet for two car side by side parking. The width can not be enlarged due to the pilings. The build design was approved by the county, inspected during and after construction and approved. STR parking width must be based on the required building code width at the date of county approval of plans.

Distance between Short Term Rentals. There has to be consideration for condominiums that are adjacent to each other if the HOA and recorded bylaws allow short term rental.

Has to be consideration for property owner's that have STR permits and are adjacent to each other per the county set back requirement. On Happy Camp Rd. our two condo building is adjacent to a condo building on each side, separated

per the county code at the date of approval and construction. I'm not positive what the setback from the property line requirements were, I'm certain it is WAY LESS than 250 feet. Both buildings are permitted short term rentals. **Which property owner is the county going to take away the STR permit from?**

Off street parking is outside the road right-of-way, not where pavement ends or any other indicator of being inside the right-of-way.

Notices are mailed to person of entity named on public accessible County records.

Insurance requirement must accommodate for condominiums, and similar forms of ownership, where a building structure and liability is insured by the Home Owners Association. Also, the use of business insurance to provide necessary insurance coverage.

Thank you.

Alan McRobert

Sent from Mail for Windows

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 1:26 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL:

From: nate Castillo <natecastillo101@gmail.com>
Sent: Tuesday, April 18, 2023 1:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL:

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

To whom it may concern,

We are property owners and residents of Tillamook County for more than 20 years and would like to provide feedback on the proposal of the 250 ft distance buffer between properties and adjustments to parking dimensions. We are not in favor of these new proposals and find these new proposals to be unrealistic and cumbersome. Many of the properties have been vacation rentals for many years and these proposals makes it difficult to meet the new proposed regulations. These ongoing new proposals appear to be creating barriers for property owners in Tillamook County.

Thank you!

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 1:26 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Rental Permit Pause

From: Brett Butcher <brett@passion4people.org>
Sent: Tuesday, April 18, 2023 12:57 PM
To: Public Comments <Publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rental Permit Pause

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

Dear commissioners,

As I review your many revisions to the new Short Term Rental policy it has become apparent these policies will not affect any of the current rentals from which the complaints are based. Instead the county has chosen to penalize future and pending applications for actions attributed to existing rentals. How do you think a new policy that does not affect the current rentals will solve the issues caused by them?

Secondly, you decided to allow properties in escrow as of June 30, 2022 to apply for permits however home builders who obtained building permits much earlier in 2021 were not allowed to apply even though they were told their property was eligible for a short term rental permit. It now appears some of these homes will not be able to be rented out at all despite promises this pause was only temporary.

It seems a just solution would to focus on existing rentals which are causing the issues.

Thank you,

Brett Butcher

Date: April 17, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee - Attn: Economic Representative

Re: Public Comment - OCH Tourism Business Survey Responses

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

In the absence of a current study by Tillamook County on the economic impact of STRs, Oregon Coast Hosts conducted a survey among local businesses to better understand the economic impacts of STRs, although it was limited in size and scope. This informal survey was distributed by community members and provided to local chambers of commerce. Though somewhat narrow in that it was geared towards businesses who are patronized by either homeowners with STR permits or guests, it may offer some insight to be considered as STR regulations are updated. A future analysis by the county should expand beyond TLT and include the impact of dollars spent locally by homeowners with STR permits, and by STR guests, and it should include both tourist and non-tourist based businesses.

In jurisdictions around the US, it is best practice to have an economic impact study before updating regulations. The book titled, "Regulation & Taxation of STRs" by Badgett & McLaughlin states that, "Before sitting down to draft an STR ordinance, it is recommended that a local government first engage in a research and data-gathering phase to better understand the local STR market. During the research and data-gathering phase, a local government should compile both quantitative and qualitative data related to the tourist economy."

Framing regulatory tools as "growth management" does not account for various changes in multiple sections of the draft ordinance which could result in the elimination of an unknown number of STR permits: square footage requirements, parking space size requirements, current building code requirements, septic requirements, and requirement to actively rent annually. More data is needed on the impact of these proposed changes.

Thank you,
Shelia Clark
Board Member
Oregon Coast Hosts

TOURISM BUSINESS SURVEY

1. **TOP 4 BUSINESS CATEGORIES**
    a. Food & Beverage Sales -25%
    b. Retail & Shopping - 22%
    c. Real Estate Buying & Selling - 22%
    d. Lodging - 20%

    The remaining business categories with more than one response were a mix of construction, property management, sporting activity, landscaping, household services & home maintenance, restaurants, fishing, tours & expeditions, and healthcare.

2. **PERCENTAGE OF ESTIMATED BUSINESS REVENUE RELATED TO TOURISM AND/OR STRs:**
    a. **29% = 100% tourism revenue**
    b. 8% = 90% tourism revenue
    c. 6% = 80% tourism revenue
    d. 18% = 70% tourism revenue
    e. 0% = 60% tourism revenue
    f. 6% = 50% tourism revenue
    g. 0% = 40% tourism revenue
    h. 6% = 30% tourism revenue
    i. 10% = 20% tourism revenue
    j. 6% = 10% tourism revenue
    k. 10% = 0% tourism revenue

3. **HOW LONG HAVE YOU BEEN IN BUSINESS IN TILLAMOOK COUNTY?**
    a. 4% = less than a year
    b. 31% = 1-5 years
    c. 18% = 6-10 years
    d. 16% = 11-20 years
    e. 31% = 20+ years

4. **WHICH CATEGORY BEST MATCHES YOUR ROLE?**
    a. 45% = solo business owner
    b. 12% = employee
    c. 14% = business employs 1-5 full or part time employees
    d. 10% = business employs 6-10 full or part time employees
    e. 6% = business employs 11-20 full or part time employees
    f. 12% = business employs 21+ full or part time employees

5. **DO YOU HAVE CONCERNS THAT A POSSIBLE REDUCTION IN STRs TO ACCOMMODATE VISITORS MAY HAVE A NEGATIVE IMPACT ON YOUR BUSINESS?**

a. 20% = No concerns
b. 8% = Yes, some concerns
c. 71% = Yes, strong concerns

6. **IF THERE WERE A SIZEABLE REDUCTION IN TOURISM REVENUE AS A RESULT OF REDUCTION OF STRs, HOW WOULD THAT IMPACT YOUR BUSINESS?** Multiple options could be selected:
   a. 60% = Seasonal operations may be more limited
   b. 54% = Staffing needs may decrease
   c. 50% = Business hours may be reduced
   d. 27% = Benefits for employees may need to be reduced
   e. 21% = No changes predicted

7. **WHAT WOULD AN ACCEPTABLE PERCENTAGE OF BUSINESS LOSS BE TO CONTINUE CURRENT BUSINESS OPERATIONS WITH NO CHANGES?**
   a. 66% = 0% loss
   b. 19% = 10% loss
   c. 9% = 20% loss
   d. 2% = 30% loss
   e. 0% = 40% loss
   f. 2% = 50% loss
   g. 0% = 60% loss
   h. 0% = 70% loss
   i. 2% = 80% loss
   j. 0% = 90% loss
   k. 0% = 100% loss

The survey did not provide an option for respondents to report a potential increase in business due to STR reduction, but it did provide an option for "No changes predicted from possible reduction in tourism revenue" and respondents could provide additional text feedback at the conclusion of the survey.

8. **HAS YOUR BUSINESS RECOVERED FROM PANDEMIC CLOSURES & STAFFING CHALLENGES?**
   a. 39% = Yes, we have fully recovered
   b. 37% = No, we have not yet fully recovered
   c. 25% = We had no closures or staffing challenges

Despite best efforts, STRs can be a divisive topic and **55% of the respondents requested anonymity**, but the results are clear that businesses which are patronized by homeowners with STR permits & their guests have serious concerns about reductions in STRs. Additionally, based on public comment, some businesses may not even be aware that their customers have been homeowners with STR permits. A more detailed economic impact study by the county would be a very helpful tool in this process.

SURVEY FEEDBACK

I would really rather the county focus on how to incentivize long term rentals rather than penalize short term rental owners.

I feel STR's are at the max for restrictions and guidelines for now.

Tillamook county will be responsible for many families financial destruction.

I do not believe that eliminating STRs will help solve our housing crisis. It will only serve to harm the local businesses that thrive on tourism, of which there are MANY.

We are a coastal area. Tourism is our survival.

County is headed for a large lawsuit.

This will absolutely put people out of business…

While STRs are generally positive with regard to the local economy, they are absolutely impacting housing prices and, to some extent, the availability of long-term rentals.

Tourism is a significant drain on Law Enforcement but also provides substantial and critical business for our county.

There should be a mechanism to have tourists pay their fair share of incurred costs to the county, such as sanitation, garbage, law enforcement, and fire responses.

Tillamook was a tourist town as well as Rockaway when founded and it created and still creates a revenue and business for many people.

If str are greatly limited in Neskowin we will have to take our tour business and investment elsewhere.

My business would benefit from the reduction in STRs. Making note of this here since it was not an option in your survey question about how my business would be impacted.

Your businesses (STRs) are parasites on our community. That you fancy yourselves to be part of us, is delusional.

Your thinly veiled greed isn't fooling anyone around here. Whatever the result of the STR ordinance, you lose at life, you lose at being decent humans.

Unrelated to this survey, below is a list of local businesses in Tillamook County which have been listed as being patronized by homeowners with STR permits & guests. This list is not an endorsement of these businesses, nor an endorsement of OCH by these businesses:

BUSINESSES PATRONIZED BY HOMEOWNERS WITH STR PERMITS & STR GUESTS

A
All Star Appliance - Tillamook
Alice's Country House
Alderbrook Golf Course
Angus Electric - Tillamook
A Mighty Thai - Manzanita
Ace Hardware - Pacific City
Ace Hardware- Seaside
A+ Plumbing

B
Bahama Mama's Bikes and Boards - Manzanita
Bare Moon Farm - Cloverdale
Bayside Market - Netarts
Bayside Surveying - Tillamook
Beachwood Bar&Grill - Pacific City
Beach Walk - Pacific City
Bell Bouy Seafood market and Restaurant-Seaside
Bear Creek Artichokes - Cloverdale
Ben and Jeff's Burgers and Tacos - Pacific City
Berkshire Hathaway Home Services Real Estate - Netarts
Big Wave Cafe - Manzanita
Bob McEwan Construction, Inc
Brighton Marina-Rockaway Beach
Bros & Hoes Landscaping - Beaver
Blue Agate Cafe - Oceanside
Blue Heron Wine and cheese
Builders First Source
Bunkhouse - Manzanita
Buttercup Ice Cream & Chowders - Nehalem
By the Sea Grocery & Deli - Netarts
Bob Johnson flooring

C
Cape Kiwanda Marketplace - Pacific City
Camp 18 Restaurant - Seaside
Chester's Thriftway - Pacific City
Chimcare

Citi-Zen Dispensary - Pacific City
Cold Water Coffee - Pacific City
Coastway Construction - Pacific City
Coliseum Theater - Tillamook
Comco Carpet Cleaning
Coyote Gardens - Neskowin
Crab Rock Pizza - Garibaldi
Critter Getter
CMP - Plumbing contractor
Cloud & Leaf - Manzanita
Current Cafe - Oceanside
Curious Plants & Treasures - Cloverdale

D
Dale Stewart Construction and Design - Tillamook
deGarde Brewing - Tillamook
Doryland Pizza - Pacific City
Dixie's Vino - Manzanita

E
El Trio Loco - various locations
Eagle Landscape - Manzanita
Ed's Septic
Enrique's Authentic Mexican Food

F
5 Star Electric Inc - Pacific City
Fish Peddler - Bay City
Four Paws on the Beach - Manzanita
Fred Meyer - Tillamook
Full Spectrum Window Cleaning
Finnestere - Manzanita
Four Paws on the beach - Manzanita
Fern - Tillamook
Flamingo Jims - Rockaway

G
G3 Electric - Cloverdale
Gage Construction - Cloverdale
Grateful Bread - Pacific City
Grey Fox Rentals - Neskowin
Grumpys Cafe - Rockaway

H
Haltiner Heating - Tillamook
Hawk Creek Cafe - Neskowin
Hawk Creek Gallery - Neskowin
Hoffman Center for the Arts - Manzanita
Howells Floor Covering - Manzanita
Handy Creek Bakery - Wheeler

J
JAndy Oyster Co - Tillamook
JJ Electric - Seaside
J's Fish and Chips - Lincoln City
Jacobsen Salt Co - Netarts Bay
Jetty Fishery - Wheeler
JMarie Salon - Nehalem

K
King Lawn Care - Otis
Kayak Tillamook
Killers Pest Control
Kiwanda Coastal Properties - Pacific City
Kellys Brighton Marina - Wheeler
Kittys Cafe - Tillamook
Kephart Flooring

L
Left Coast Siesta - Manzanita
Les Schwab
Library Thrift Shop - Pacific City
The Little Apple Grocery - Manzanita
Lin's Chinese Restaurant - Tillamook
Los Corporales Restaurant - Pacific City
Lucky Beach Boutique- Pacific City
Lighthouse painting

M
MacGregors Bar - Manzanita
Madeline's - Tillamook
Mainstreet pizza
Manzanita Fresh Foods
Manzanita Golf Course
Manzanita Grocery and Deli
Manzanita Lumber
Manzanita News & Espresso

Manzanita Coffee Co.
Manzanita Lighthouse
Manzanita Links
Marzano's - Manzanita
Manzanita Farmers Market
Manzanita Sweets
Meridian Restaurant & Bar - Pacific City
Miami Cove Electric
Mo's Restaurant - Cannon Beach
Moment Surf Company - Pacific City
Moxie Fair Trade - Manzanita
Momma's Beach Bike Rentals - Neskowin

N
Nehalem Food Mart - Nehalem
Nehalem Bay Lumber - Nehalem
Nehalem Bay Winery - Nehalem
Neskowin Beach Golf Course
Neskowin Farmers Market
Neskowin Trading Company
Nestucca Adventures - Pacific City
Nevor Oysters - Netarts
NCRD - Nehalem
Neahkahnie Bistro - Manzanita
North Coast Watchman - Manzanita
North Coast Pinball - Nehalem

O
Oar House Bar & Grill - Pacific City
Oceanside Surf Co. - Oceanside
Offshore Grill & Coffee House - Manzanita
Oregon Coast Bank
Oregon Coast Homewatch & Maintenance
Oregon Coast Cannabis - Manzanita
Old Oregon Smokehouse - Tillamook and Rockaway

P
Pacific Coast Candy
Pacific City Hardware & Lumber
Pacific Lawn Service - Tillamook
Pacific Roots Donuts - Nehalem
Pacific Seafood - Bay City
Pacific House - Tillamook
Papa Murphys Pizza - Tillamook

Pebbles Plumbing & Mechanical
Pelican Brewing Company - Pacific City, Tillamook
Pelican & Piper - Wheeler
Pig N Pancake
Pizza Garden - Nehalem
Portside Garibaldi

Q
Quality Home Maintenance

R
Roseanna's Cafe - Oceanside
Rosenburg's Lumber - Tillamook
Rusty Cow - Cloverdale
Riverhouse Nestucca Restaurant - Pacific City
Riverside Fish & Chips - Nehalem
Roby's Furniture and Appl. - Tillamook
Roost - Wheeler
Rice & Shine - Wheeler
Rieger Electric

S
Safeway - Tillamook
Salty Raven - Tillamook
Sand Dune Pub - Manzanita
Schooner Restaurant - Netarts
Sea Clean - Seaside
Seaworthy Coffee & Gifts - Netarts
Shell Gas Station- Manzanita
Siggi G Charters - Garibaldi
Sister & Petes - Manzanita
Sitka Center for Art & Ecology - Otis
Sportsman's Pub & Grub - Pacific City
Stimulus Coffee & Bakery - Pacific City
The Schooner - Netarts
Sunflower Flats - Tillamook
Spa at Manzanita
Syzygy - Manzanita
Sisters & Pete Coffee & Tea - Manzanita
Schwieterts (Rockaway & Manzanita)
Salmonberry - Wheeler

T
20/20 Window Cleaning
Tacos la Providencia - Tillamook
Ticor Title - Tillamook
Tidepools Spa & Wellness - Pacific City
Twist Wine Company - Pacific City
Tillamook County FBO TMK
Tillamook Sporting Goods
Tillamook Cheese Factory - Tillamook
Tillamook Country Smoker
Toylandia - Manzanita
T-Spot - Manzanita
Tillamook Farmers Market
Trillium - Wheeler
Trillium - Lincoln City
Twins Ranch Rail Riders - Wheeler

U
Unfurl - Manzanita
Upstairs Bar and Grill - Netarts

V
Village Scoop - Neskowin
Vice Construction Co.

W
Wanda's Cafe - Nehalem
Wild Coast Goods
Wild Grocery - Manzanita
Wisteria Chic - Manzanita
Willamette Coast Ride - Neskowin
The Winery at Manzanita
Wolfmoon Bakery - Nehalem
Wooster Photography
Woodpecker Roofing - Tillamook
Warehouse 10 - Rockaway

Y
Yolk - Manzanita

Z
Zeurcher Plumbing

CHARITABLE CONTRIBUTIONS BY HOMEOWNERS WITH STR PERMITS:

CARDM - Wheeler
CARE Tillamook
Food Roots
Friends of Netarts Bay Watershed WEBS
Manzanita Mudd Dog Foundation
Nehalem Bay Fire District
Neskowin Beach Golf Course
Neskowin Valley School
NCRD - Nehalem
Oceanside-Netarts Fire District
Tillamook Estuary Partnership

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment inputs for "Tillamook County BOCC & STR Advisory Committee"

From: Nick Argenti <netartssandcastle@gmail.com>
Sent: Monday, April 17, 2023 11:22 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment inputs for "Tillamook County BOCC & STR Advisory Committee"

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

Dear BOCC & STR Advisory Committee,

We hope you and your families are doing well. We wanted to reach back out and provide some inputs for the public comments for the upcoming Tillamook County BOCC & STR Advisory Committee to include who we are and thoughts about the opportunity we all have to make Tillamook and the surrounding area an even better place to call home and further enable benefits enabled by STR's/tourism.

- Who we are: We are a solar/sustainability engineer and a nurse/nursing educator/department chair who have dedicated their careers to helping people, creating innovations that help the world and share our vacation rental with guests that further enhances the community and make the Tillamook area an even better place for everyone to enjoy! We are caring individuals who own, use/enjoy and rent our properties. We are not commercial real estate people but individuals who are a part of the community and give back to the community. We take great care in making our vacation property a place for travelers to create memories that will last a lifetime.

We also have strict rules in place so travelers do not negatively impact the community but truly bring an abundance of benefits to the community, such as the local/state revenue through lodging taxes/fees, supporting a variety of local businesses such as restaurants, stores, gas stations and so many more resulting in the employment and financial benefits to these businesses, cleaners, maintenance personnel, contractors/builders, Tillamook County employees and so much more which in turn enhances the community. Imagine a scenario with no STR's or substantially reduced STR's and what Tillamook's tax revenue would be and how it would negatively impact the spectrum of local jobs, the economic impact on the community and local residents.

There are also other upcoming challenges that the county and community are faced with such as the FEMA national flood insurance plan that could result in financial headwinds to the county itself and the entire community (reference https://www.tillamookheadlightherald.com/news/proposed-fema-flood-insurance-updates-met-with-harsh-criticism/article_e1ca1c5e-d55f-11ed-a6b2-b393536ada70.html). The financial benefits enabled by STR's can help weather unique opportunities like the FEMA activity but equally important enable continuous improvement in the quality of life for the entire community.

- Similar to what other STR owners have shared, we are in favor of enhanced enforcement, permit transferability and no arbitrary limits. Also, being able to transfer the STR permit should not be restricted in any way as it is tied to land use rights. In addition there should be no limit on the number of nights rented, no proximity/distance limits, no percentage caps and no change in occupancy limits. Additionally, while noise, parking and other rules for STR certainly make sense, it also seems to make sense that everyone within the community should comply with similar rules and be held accountable. After all, we want everyone to be able to peaceably and safely enjoy where they are staying, whether they are a resident or visitor. With this in mind, it seems like equitable rules need to be applied.

- For our STR, we hire local (not commercial out of area) people to do maintenance, cleaning, landscaping, a variety of subs and contractors for electrical/plumbing/HVAC, appliances, furniture and so much more. Hiring local individuals is instrumental in benefiting their families and directly enhances the community.

- We ensure guests do not negatively impact the area, comply with local ordinances and in fact they enhance the community with their presence, bringing a variety of cultures, supporting local businesses and tax revenue and are a joy to be with! What we do to ensure no negative impact to nearby neighbors and the community:
    - We have clearly defined rental agreements that ensure guests knows and comply with the rules
    - We post clear rules within the house
    - We send an email and communicate with the guests just prior to check-in to ensure compliance
    - We also are able to monitor the number of vehicles parked at the property
    - We also have a security deposit that also reinforces following the rules, including if the guests were to disturb neighbors or have more than the allowed number of vehicles
    - We are available if there's ever a situation where we need to contact the guest

- Instead of deterring or limiting STRs, it is our belief that Tillamook County should take on an even more supportive role for STR's and see how they can help out the property owners with advertising and coming up with creative ways to enable even higher occupancy rates as this directly feeds back into Tillamook's economy/revenue stream and positively impacts the community. This is already happening to an extent but we believe there are even more ways where we can collaboratively work together to further enhance this vital asset for Tillamook's growth and community improvements, ultimately benefiting everyone who lives full time or visits the area. This is also consistent with what Tillamook published in https://tillamookcoast.com/wp-content/uploads/2016/03/Tillamook-County-Tourism-2025-Plan-Sept-2014-1.pdf stating "Tourism has the potential to further diversify the Tillamook County economy and provide important benefits for residents, businesses and visitors. It aims to establish a high quality visitor economy that results in maximum benefits to residents, the environment and visitors. Tourism 2025 draws on months of consultation with hundreds of residents, partners and stakeholders."

On a closing note, if you drive or walk through downtown Tillamook and other towns within Tillamook County, you can visually see how many vacant/distressed buildings/businesses there are, how long they have been on the market/vacant and that we have a long way to go to get our community and downtown where it needs to be. We have the basic building blocks and are making progress but we need to encourage and support STR's to help enable a community where businesses and local residents can thrive. Remember, we are all a team with the same mission to make our community and world an even better place!

We sincerely appreciate all you and the team do and look forward to making Tillamook and surrounding areas an even better place to call home and for everyone to enjoy!
Thank you,
Nick & Lynn

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR public comments

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, April 17, 2023 10:39 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR public comments

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

Director Absher, Commissioner Skaar, and Members STR Advisory Committee,

I am writing to urge you to re-read David Boone's comment letter of 4/14/23. It's worth a re-read as it details how this small community is impacted by STR's in the realm of water usage.
These are my personal comments as a Neahkahnie community member.

Barbara Rippey
Full time resident of Neahkahnie
Commissioner on the Neahkahnie Water District Board

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Comments

From: Amy Bell <amyfbell@comcast.net>
Sent: Monday, April 17, 2023 9:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mike Woodin <woodinm@comcast.net>
Subject: EXTERNAL: STR Comments

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

Commissioner Skaar, Director Absher and Members of the STR Advisory Committee

To preserve livability, many jurisdictions throughout Oregon and the nation are managing STR concentrations and occupancy levels in residential areas. We appreciate the efforts of all of you in Tillamook County to address these challenges. Your work is much more helpful than those who act like everything is fine or even go as far as to threaten litigation and liability.

Looking over some of the other comments, we have found the STR Permit Holder Survey submitted to you to be particularly insightful. To highlight just a few:

. STR permit holders acknowledge significant shortages of onsite parking;
. STR permit holders oppose building code changes, bedroom closet requirements and occupancy limits, even as high as 16;
. STR permit holders show a surprising indifference to noise.

These are a just some of the clues to the livability concerns confronting us. There is some hope though, 49% of STR permit holders surveyed already support some level of STR percentage cap.

Thank you for considering these comments.

Sincerely,

Mike Woodin and Amy Bell
37635 Beulah Reed Rd

I own an STR near Oceanside. My comments below are in response to the STR Cap and Density language that was included as crossed out text in the latest Ordinance 84 draft. It isn't clear to me if these changes are being publicly discussed or if they will be proposed or adopted at some point. If they are, I believe there will be legal challenges. I won't speak to that. From a process perspective, however, the language needs some significant changes. Please do not adopt these rules as written.

Having said that, **I AM EITHER 100% OPPOSED TO THEM, OR 100% IN FAVOR OF THEM.**

SOUND CONFUSING? I'LL EXPLAIN.

I believe my STR neighborhood would be affected by the Caps rule (section .040 C). I don't believe the limits for each area have been set yet, so it isn't clear if my neighborhood would lose any STRs or not.

If instead, my neighborhood was affected by the Density rule (section .040 D), there would be a definite reduction in the number of STRs. There are 2 streets with 29 houses and 17 empty lots. Four of the houses are currently STRs, or about 9% of the total properties. Based on initial measurements, I believe the boundaries of the four STRs are all within 250 feet of each other, so only 1 STR permit would be allowed in the neighborhood (about 2% of all the properties in the neighborhood).

No matter which rule my neighborhood would be affected by, after the 5 year phase in period, starting in the 6th year:

- When the first STR permits expire and come up for renewal, they would either be denied because there is another STR permit within 250 feet, or they may be denied if they are above the Cap for the neighborhood.
- Each denied STR would go on a waiting list in the order their permit was denied.
- When the final active STR permits in the neighborhood come up for renewal, they could be renewed because: A) they are below the Cap for the neighborhood, or B) no other STR exists with 250 feet.
- **Those final STR permits could then be renewed for as many years as the owner wants to, with no opportunity for STRs on the waiting list to become active.** This is because at the time those STRs come up for renewal in the 7th and subsequent years, either: A) the neighborhood would be below the Cap, or B) there would be no other active STR within 250 feet.
- Whenever those STR owners finally sell their property, or cancel or don't renew their permit, probably many years in the future, then the first STRs that were put on the waiting list would be given an opportunity to renew their permit, and the cycle would repeat.

To summarize:

In the case of the Cap rule, after the Cap is reached, the still active STR permits coming up for renewal could be renewed as many times as desired, because the area would now be under the STR cap.

In the case of the Density rule, only 1 STR permit would be allowed in my neighborhood. That STR would have a stranglehold on the single permit allowed in the neighborhood, being able to renew it as many years as they desire, because no other STR would exist within 250 feet.

The language doesn't say that at the time of renewal, the permit will become inactive and go onto the end of the waiting list and the first STR owner on the waiting list will get a chance to activate their permit. The permits on the waiting list would never get to be considered until one of the active permits is canceled or not renewed.

If the proposed rules are implemented just after my permit expires, then I'm completely in favor of them, because my STR would be one of the lucky permit lottery winners (the last permits to expire in my neighborhood), which means my STR will have less competition. I would be able to raise my rental rates, and my neighbors would probably see my current 50% occupancy rate climb substantially. I would renew my permit for as many years as I desired.

If on the other hand, the rules are implemented just before my permit expires, then I am completely opposed to it, because I will become one of the STR losers, put onto a waiting list that rarely changes. It would likely take many years before I could get an active permit and rent out my STR again.

WHAT IS THE PLANNED IMPLEMENTATION DATE OF THESE PROPOSED RULES, SO I CAN KNOW IF I AM 100% IN FAVOR OR 100% OPPOSED TO THEM?

As I said at the beginning, aside from any legality issues, these rules are not well thought out and should not be implemented.

Thank you for your consideration,

Royce Trammell

For reference, the Cap rule: " [.040. C.] *Cap on Number of STR Registration Certificates In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries. The County has established a limit on the number of STR Registration Certificates that can be in effect at any one time for defined residential subareas within Tillamook County. If at the time of registration application for a new or renewed STR registration certificate, there is not room within the applicable subarea cap to accommodate the new or renewed STR registration certificate, the application will be denied, but the applicant will be placed on a waiting list in order of rejection/non-renewal and will be contacted by the STR Administrator as soon as there is room within (under) the applicable subarea cap to accommodate the new/renewed STR registration certificate."*

For reference, the Density rule: "[.040. D.] *Density Limitation on STR Registration Certificates In Locations Outside Unincorporated Community Boundaries and City Urban Growth Boundaries. The County will not issue or renew a STR registration certificate if, at the time of application, there is a valid and registered STR operating on a property within 250 feet (closest property boundary to closest property boundary) of the applicant's property. Any applicant for a new or renewed STR registration certificate that is barred due to this provision will be placed on a waiting list in order of rejection/non-renewal and will be contacted as soon as the property is no longer within 250 feet of another active STR registered property."*

Public comment posted on Short Term Rental Advisory Committee | Tillamook County OR website, regarding the proposed STR regulations that replace Ordinance 84

NESTUCCA RURAL FIRE PROTECTION DISTRICT

30710 Highway 101 South
Cloverdale, Oregon 97112

Fire District Review & Approval Form

This form must be completed and signed by the local Fire Protection District prior to applying for a Building Permit or Manufactured Dwelling Placement Permit.

Proposed Development/Construction/Location 3S 09W 26 1805

Water Source: [] Water District Beaver
X Well * [ ] Creek * [ ] Spring *

* You will need to provide documentation from the Water Resources Department showing the gallons per minute (GPM) available to your property and a copy of your Well Report or Residential Water Right to your water source. **No hydrant GPM information provided**

********** **Fire District to complete information below** **********

1. Review of road access for fire district use to the property resulted in the following:

[x] The road access is passable for Emergency Vehicles
[ ] Road Gradient is less than 10% [ ] Road width clearance of 20'
[ ] Road Gradient is between 10-15% [ ] Road height clearance of 13'6"

[ ] The road access is not passable for Emergency Vehicles
[ ] Road Gradient is greater than 15% [ ] Private Bridge does not meet GVW
[ ] Road does not have required turnarounds or pullouts

Recommendations: **Community Development will determine needs**

---

2. Review of water supply for fire district use to the property resulted in the following:

[x] There is adequate water available to the property for Fire Suppression
[ ] Residence is within 1,000' of hydrant [] Available water per NFPA 1142
[] Sprinkler system installation [ ] Fire wall installation to reduce size

[ ] There is not adequate water available to the property for Fire Suppression
[ ] Square footage of residence exceeds available water for both NFPA 1142 and/or 2004 OFC, Appendix B

Recommendations: **Follow All IBC & OFC Codes as determined by TCCD**

3. Action Taken:

[X] I have reviewed the information regarding the property listed above.

*****Failure to follow codes may inhibit the ability to provide suppression*****

Printed Name: James Oeder Title: Chief
Signature *James Oeder* Date: 04/17/2023

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Recommendations: **Community Development will determine needs**

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[ ] Square footage of residence exceeds available water for both NFPA 1142 and/or 2004 OFC, Appendix B

Recommendations: **Follow All IBC & OFC Codes as determined by TCCD**

3. Action Taken:

[X] I have reviewed the information regarding the property listed above.

*****Failure to follow codes may inhibit the ability to provide suppression*****

Printed Name: James Oeder Title: Chief

Signature *James Oeder* Date: 04/17/2023

April 17, 2023

Re: Public Comment on Draft STR Ordinance

Dear County Commissioners,

If you listen to the community input, the core issue driving the activity and angst around the county's draft STR ordinance is an extremely small minority of STR operators who have refused to abide by or enforce the county's rules. This is the problem, so let's respond to it directly. We can update the rules on occupancy, noise, and parking and create real enforcement. Refusing to issue new STR permits is a defeatist response that basically gives up on enforcement. I don't accept that enforcement is impossible. This county does great things every day, and there is plenty of money being generated from STRs to create an enforcement regime with teeth.

Refusing to issue new STR permits is like responding to the issue of reckless driving by refusing to license more drivers. We don't do that for driving, and we don't need to do that for short-term rentals. We can punish and strip the licenses from reckless drivers without preventing other people from commuting to work, and we can put bad STR operators out of business without distorting the local property market and damaging the economy that it supports.

Speaking of the economy, any economic impact analysis that stops at the effect on Transient Lodging Tax receipts will be grossly inadequate and misleading. Think of the local businesses you see every day, particularly in places where STRs are clustered: restaurants, realtors, property managers, construction companies, art galleries, and excursion operators. They are a large proportion of county businesses, and they (and their employees) will face significant negative consequences from a regime that restricts vacation rentals. And that's before you even get to the profoundly negative effect on property values and county property tax revenues in general. All of these effects should be fully analyzed and modeled; acting to cap permits without such an analysis would be negligent and reckless. And let's be honest: you don't need a Nobel Prize to understand that stripping economic rights from a piece of property will reduce its value, or that our county needs more income and more tax revenue, not less.

I appreciate the effort that the County and the STR Advisory Committee have taken thus far to build consensus on the smaller aspects of the draft ordinance like required signage and prohibitions on specific events. But this is a bit like trying to build consensus on a car by focusing on its rear-view mirrors and its taillights. We urgently need to talk about the engine of the car – aka, the permitting regime. Current STR permit holders should not be comforted by the 5-year "Deferred Compliance" period in the draft text under consideration, after which the current draft envisions their entering a rotating waiting list that *might* enable them to rent their properties one year out of every 2 or 3. That's not a set-up conducive to mortgage payments, and it would clearly restrict the pool of future buyers of currently permitted properties – and also of those properties that don't currently have an STR permit.

I understand that the "Deferred Compliance" period and Permit Transferability rules are designed to reduce harm to current STR holders. I don't think that current STR holders should be harmed either, but the effect of these provisions would be to harm others via a County-Commissioner

created two-class system of Permit Haves, on the one hand, and Permit Have-Nots, on the other. And ironically, that system would also allow any out-of-state buyer of an existing permitted property to acquire an STR permit via transfer, while it would deny someone like me, who has been a county tax payer for 12 years, the possibility of obtaining an STR permit for a new house that is currently under development and in which I have already made a significant local investment. The same would apply to any other county resident who might want an STR permit in the future, perhaps because they are downsizing, or for any other reason. They will have to wait years to exercise that right, because the County will have allocated special property rights to some, while denying them to everyone else.

I am for strong enforcement, which would eliminate the need for any system of caps. But if a cap must be adopted, the only type of cap system that could be implemented without discrimination would be a system in which STR permits were available to any property owner who wanted one, and all were restricted to a certain number of rental nights per year. All the other cap systems currently under consideration would be costly and ultimately futile for the county to try to defend. Simply stating that an ordinance doesn't create a property right or a land use does not make it so.

Sincerely,

Zan Northrip
Pacific City

Lynn Tone

From:	Public Comments
Sent:	Monday, April 17, 2023 7:37 AM
To:	Lynn Tone; Sarah Absher; County Counsel
Subject:	FW: EXTERNAL: Public Comments To STR Advisory Committee
Attachments:	Chart, line chart Description automatically generated.jpeg

From: David Boone <daveboone01@gmail.com>
Sent: Friday, April 14, 2023 2:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comments To STR Advisory Committee

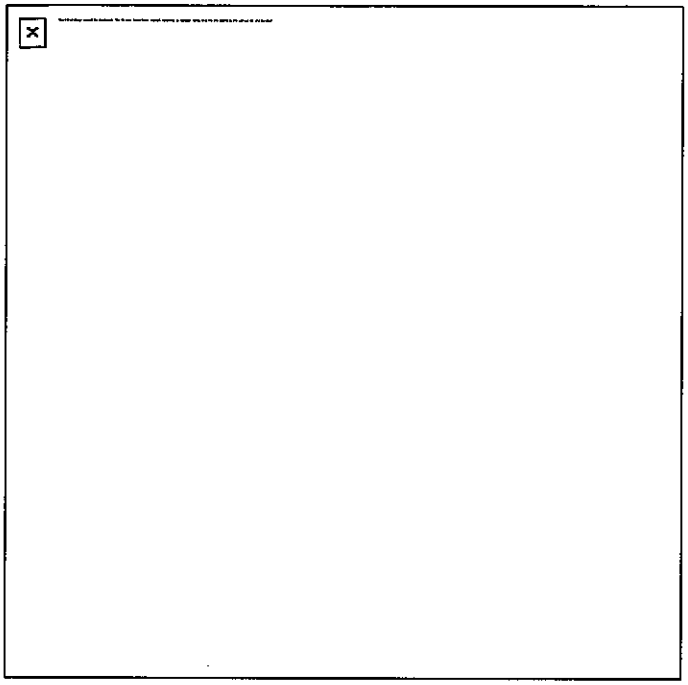
[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Director Absher, Commissioner Skaar, and Members STR Advisory Committee,

I wish to specifically respond to the comments submitted to the STR Advisory Committee by Kelley Gannon on water use by STRs in Neahkahnie. Gannon maintains that a slide showing the effect of a proposed water usage rate increase on various users demonstrates that STRs do not use more water than other users. That is a misinterpretation of the meaning of the slide and is incorrect.

The slide referred to in Gannon's comments was part of a presentation made in a public meeting held by the Neahkahnie Water District Board of Commissioners to discuss a proposed water rate increase. That slide was used to show how the new 4-tier water use rate structure would impact certain full-time and part-time residents and Short-Term Rental permit holders based on water used during the July/August 2022 billing period.

Earlier in the presentation the following slide was presented showing water use for each billing period from late 2018 up to the present. This slide compares the average use per water connection during the year by type of user, i.e., full-time resident, part-time resident and permitted STR. The primary purpose of this slide was to show the variation in water usage during the year and was followed by a slide showing water output of our springs during the year. However, this slide also shows that during each summer, STRs used significantly more water on average than either full-time or part-time residents. In fact, during the July/August billing period of 2021, the average STR used 50% more water than the average full-time resident. Excluding the highest STR user, the next 8 high use STRs on average used 310% more water than the average full-time resident.



In the slide the top line in the 9/01/2019, 8/31/2020, 9/1/2021 and 9/6/2022 periods is STRs, the middle line is full-time residents and the bottom line is part-time residents

Water use during the July/August periods is particularly important in Neahkahnie since that is the time in which our water source (4 springs) is at its lowest production. Water production of those springs in December of 2021 was almost 5 times higher than in August of 2022.

It is certainly the case that not all STRs are the same when it comes to annual water use. The so-called "mom & pop" STRs used by the owners periodically during the year may not use excessive amounts of water on an annual basis. However, even those STRs typically rent during the peak tourist times of the year which corresponds to the low water production of the Neahkahnie water source. Consequently, these STRs present the same issue for our water district when it comes to water use at low production times as STRs renting all year.

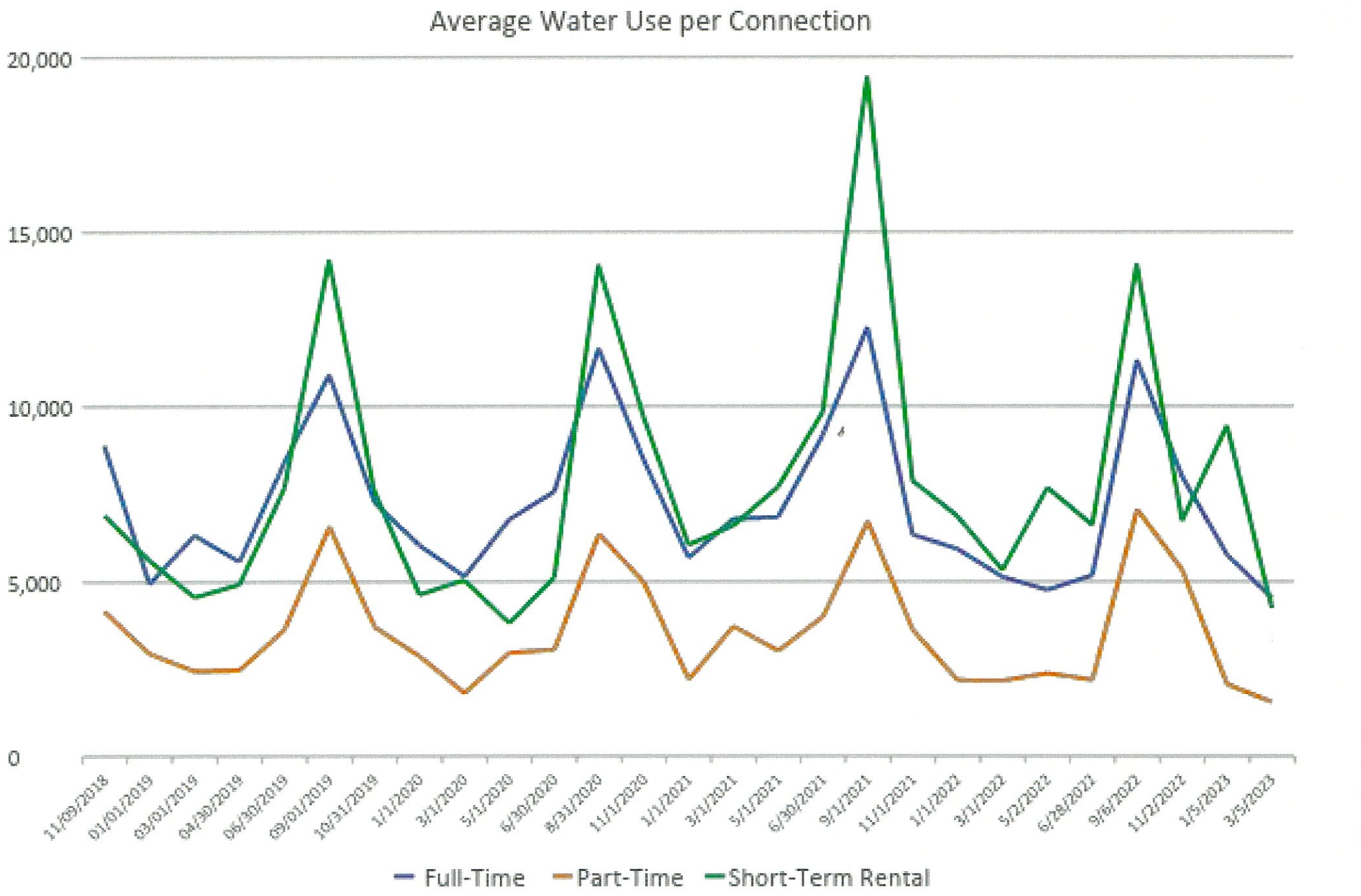
There are some full-time and part-time residents using excessive amounts of water. The new water usage rates adopted by the Neahkahnie water district should encourage these users to cut back. However, there is a significant difference between STRs and other customers of the water district. Full-time and part-time residents directly feel the impact of higher water use rates in their budgets. STR users on the other hand are operating a business in which the increased costs can either be passed directly to their renters or written off as a business expense. Tourists renting the STRs are understandably visiting our area to have a good time and most give little thought to the impact of their water use. That is not the case with actual residents.

In conclusion, there has been more than a 50% increase in permitted STRs (from 54 to 83) in Neahkahnie from 2018 to the "pause" in 2022. Currently permitted STRs constitute more than

21% of the water connections in Neahkahnie. As Mr. Stone a board member of the Oregon Coast Hosts STR advocacy group stated: "the range [of STRs] in historical resort areas where there's a high percentage of vacation homes is roughly 20%-25%". Neahkahnie's water district was designed for a residential community comprising primarily part-time and full-time residents with a limited number of STRs not a high turnover tourist "resort". The current level of permitted STRs presents a significant challenge to the Neahkahnie water district.

Anyone interested in viewing all the slides presented at the public hearing on April 6, 2023, can view them on the Neahkahnie Water District website (nknwd.org). The views and comments provided here are mine alone and do not represent the Board of Commissioners for the Neahkahnie Water District.

David Boone
Full time resident of Neahkahnie
Commissioner on the Neahkahnie Water District Board


Average Water Use per Connection
20,000
15,000
10,000
5,000
0
11/09/2018
01/01/2019
03/01/2019
04/30/2019
06/30/2019
09/01/2019
10/31/2019
1/1/2020
3/1/2020
5/1/2020
6/30/2020
8/31/2020
11/1/2020
1/1/2021
3/1/2021
5/1/2021
6/30/2021
9/1/2021
11/1/2021
1/1/2022
3/1/2022
5/2/2022
6/28/2022
9/6/2022
11/2/2022
1/5/2023
3/5/2023
Full-Time
Part-Time
Short-Term Rental

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: BOCC & STR Advisory Committee

From: Brenda Kevin <huffingertrentals@gmail.com>
Sent: Sunday, April 16, 2023 8:29 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: BOCC & STR Advisory Committee

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

To whom it may concern:

We are a husband-and-wife team who own an STR in Happy Camp, a place that has been a vacation rental spot on the Oregon Coast for more than 100 years. While the term STR may be a recent trend, the function of an STR has long existed in the fabric and economic engine of Tillamook County.

We want to share with the committee that we became interested in an STR in no small part from having a child with significant sensory issues. While we love to travel and vacation and have done so for many years, our daughter's challenges made that impractical for us. Through a trip to Rockaway Beach, we discovered her love of the ocean and its transformative effects on her. We spent nearly a year finding and securing an STR in a great community for us - Netarts - that gave us that coastal experience while not being too far away.

We have equipped our home to be friendly for families, recognizing that our challenges are not necessarily unique to us.

To date the listed complaints against STRs have only been subjective. There is no clear data or analytics that have been developed to accurately account for complaints. Issues are being legislated without having actual data to confirm whether they are a real and tangible problem for the entire county.

Street parking being one such issue. A practical solution could be the county creating a tag for residents, while visitors would not have such a tag. In areas where it is unsafe for parking or a potential life-safety access issue for emergency vehicles, then there should be no parking signs already in place regardless of the presence of STRs or not.

To try and have 250 feet between houses - that's 83.33 yards - almost the length of a football field. Going along beachfront properties, no one has that much space between houses - be it in Netarts, Lincoln City, Rockaway, Oceanside. These places don't have a football field between them. These places have historically been rental cottages and rental properties.

There has also been considerable discussion of bedrooms and potential connection to parking. To try and tie a bedroom - when the size and arrangement can vary significantly between properties - is not tenable. You already have limitations in place for the number of potential short-term residents for each STR. To try and then create an additional regulatory burden on both renters and owners by creating an arbitrary connection to parking is draconian. We could fit our entire family of eight - six adults and two children - in a single vehicle. But practically speaking, our grown children if they're

visiting us would likely prefer to drive their own vehicles - which we currently have enough space for in our driveway. Why create this onerous and unnecessary rule?

In conclusion, both myself and my partner work in policy and program development. Something that we always look for is unintended consequences in policy. Many of these measures will ultimately result in the elimination of established STRs, whether in the immediate or through attrition, that have been in the community for a long time. What will Tillamook County be left with? Day trippers coming into the community. We've been those day trippers. We drive in, we pack a cooler full of food, spend time at the ocean and then leave. We may stop at a McDonald's on Highway 26 on our way back, but no money is spent in any of the communities of Tillamook County.

We've also been STR renters and now an STR owner. We stop at the local market or grocer. We get dinners from the local restaurants. We buy knickknacks from the shops and get to spend quality time in the community and not just the beach. As an STR owner, we hire local contractors and purchase furniture and other goods for our rental. Tillamook needs short-term renters instead of day trippers. The hotels on 101 are mostly people passing through. Those people staying at STRs on the coast are putting money back into Tillamook County through local purchases, the TLT and other STR-related fees and taxes.

Very Respectfully,

Brenda Huffstutler and Kevin Wingert

To: STR advisory Committee and BOCC
Re: Comments re: Ordinance 84
Date: April 16, 2023

Dear BOCC and STR advisory committee,

I am an Augusta Rule[1] short term rental permit holder in Oceanside and would like to address the issue of STR permit management that has been tabled for discussion up until now. It is my understanding that the concepts of distance limitations and permit caps have been proposed but not debated. While I am not opposed to some regulation of STRs, I disfavor the distance limitations because some communities have historically had concentrations of short term rentals, particularly in our beach communities like Oceanside village that may have small lots. The 250 foot policy would disproportionately impact those communities. I also think that percentage caps on available permits could produce inequitable outcomes for current and prospective permit holders in Tillamook County.

I propose that the county consider creating tiered permits for different rental periods as a means of regulating the number of occupancy days rather than the total number of short term rental permits. For example one short term rental permit type would be eligible for 365 rental days/year, other permits for 30 days per year, and importantly there would be a class of permits for 14 days or less per year consistent with Federal IRS "Augusta rule" vacation home rentals. If lawful, the permit and operator fees should correspond to the eligible occupancy days. It has been inequitable to charge the homeowner who rents out her home 5 days per year the same amount as a homeowner who rent out her home 120 days per year. This approach would not necessarily limit the number of permits, but it would limit the total number of occupancy days.

I have not rented my home since 2019 however I maintain the permit and pay the permit and operator fees annually at great expense and in the spirit of complying with the STR regulations in the event I choose to rent out my home again. In the past I have operated under the Augusta rule. I have never rented more than 14 days per year. My permit should not be functionally equivalent and

[1] The Augusta rule is known to the IRS as Section 280A, and allows homeowners to rent out their home for up to 14 days per year without needing to report the rental income on their individual tax return. Correspondingly, no deductions for business expenses are permitted

importantly not cost the same as an active STR permit holder who rents most days of the year.

Thank you for your consideration of my perspective as an Augusta Rule permit holder.

/signed/

Leslie Kay
PO Box 253
Oceanside, Oregon 97134
leskayvida@gmail.com

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: 250 foot rule / STRCaps

-----Original Message-----
From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Sunday, April 16, 2023 5:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 250 foot rule / STRCaps

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

Hello. My husband and I are both voters in Tillamook county. We also own a 2 bedroom cottage we rent out as a short term rental. No issues, no complaints and yet I understand there is a 250 ft rule restriction being written in to the new ordinance. Our home is the 2nd home in a row of 4 STR's. So, please tell me which one of these homes gets to continue to rent and which ones don't??
I'm sure you're aware there is a large group of owners, me being one, called Oregon Coast Hosts. Each time we ask for any information on the 250 ft rule or on the new Caps rule we are put off by the county stating it'll be brought up next time, etc. and then it isn't . Sure feels as though we're being steamrolled. Lawyers have been hired only to be rejected a seat at the table. We need information. We need it now. Stop putting this off until it's too late. The county will end up with an expensive lawsuit.
Tired of being nice,
Janell & Doug Dixon

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Analysis of 250' minimums on existing STR licensing
Attachments: Analysis of proposed 250' minimums for STR licensees.pdf

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From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Friday, April 14, 2023 12:27 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Erin Skaar <eskaar@co.tillamook.or.us>; oregoncoasthosts@gmail.com; jerrykeene@aol.com
Subject: EXTERNAL: Analysis of 250' minimums on existing STR licensing

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

I am an STR owner in Avalon West. The proposed 250' minimums between STR licensees will be devastating to existing STR license holders. I have attached an analysis I performed using the County's STR licensee data for your review.

I sincerely urge that the County not adopt minimum distances.

Thank you,

Lloyd Hayne
Lloyd@LloydHayne.com| 503-975-2768

April 14, 2023

To: Tillamook County STR Advisory Committee
Tillamook County Commissioners
Oregon Coast Hosts
Jerry Keene - Central County STR Advisory Committee Representative

From: Lloyd Hayne, STR permit holder, 250 Reeder ST, Oceanside

RE: Potential impact of a 250' minimum distance between STR properties.

Objective:

To understand the potential impact of a 250' minimum distance, property line to property line, on the ability of existing STR permit holders to maintain their STR permits by evaluating the impact of this requirement on a few selected properties.

This tool shows a strikethrough on the draft, but has only been "tabled" and remains for upcoming discussion.

> **.040 Annual Short-Term Rental Registration Certificate Required, Basic Requirements for Registration, No Nonconforming Use Status Conferred.**
>
> D. *Density Limitation on STR Registration Certificates In Locations Outside Unincorporated Community Boundaries and City Urban Growth Boundaries.* The County will not issue or renew a STR registration certificate if, at the time of application, there is a valid and registered STR operating on property within 250 feet (closest property boundary to closest property boundary) of the applicant's property...

Methodology:

Using the address import function inherent with google maps, I imported all STR permits by address[1] from the "FULL ACTIVE STR LIST AS OF 2.21.23.XLSX" data file provided by Tillamook County's Permit Technician. Of the 1209 addresses in the file, 124 addresses were not imported due to address formatting errors or the inability of Google

[1] I initially I prepped the STR permit file by concatenating the following four address fields to create a full address which Google Maps could interpret: Number, Dir, Street Name, Street Type, and Post Dir.

to identify the address on their mapping system. The resulting import mapped of 1085 STR properties on Google Maps.

To analyze the impact of a 250' minimum distance between STR properties, I selected three properties at random in areas of mid to high STR permit concentrations. I selected Oceanside, Cape Kiwanda, and Avalon West.

I first marked each selected property with a green pin. I then used the Google "Measure" tool to identify all STR properties within 275 feet. I used 275' instead of 250' because this measurement was from the approximate center of the property to the center of the second property, not the property line itself as is anticipated in the proposed ordinance. Because the center of a property to the property line is likely greater than 25', this is a conservative measurement.

I marked each property within 275 feet of the selected property with a red pin. All properties beyond 275' are marked with a blue pin.

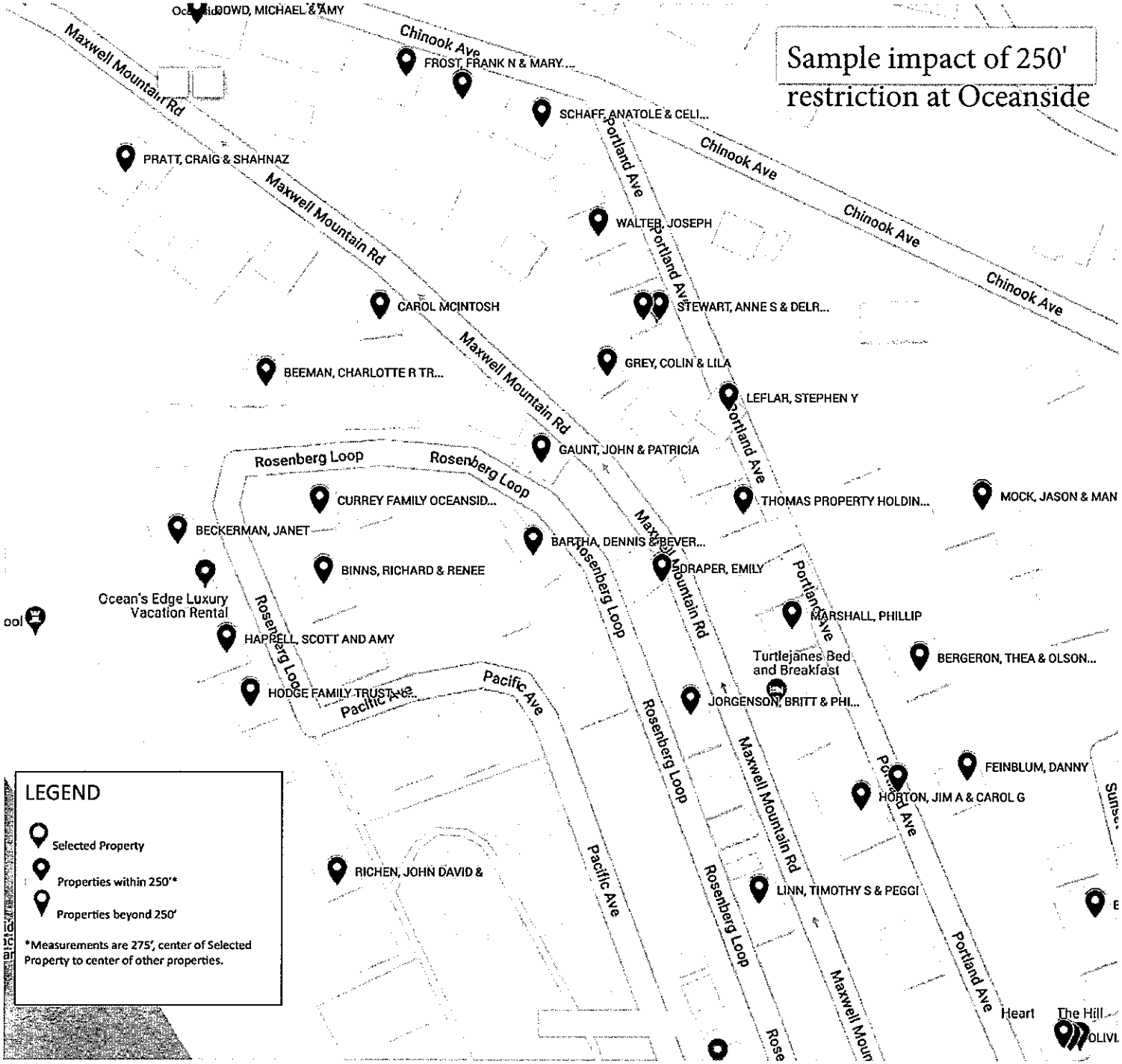
Conclusion:

For only the three properties reviewed, the 250' minimum distance would eliminate

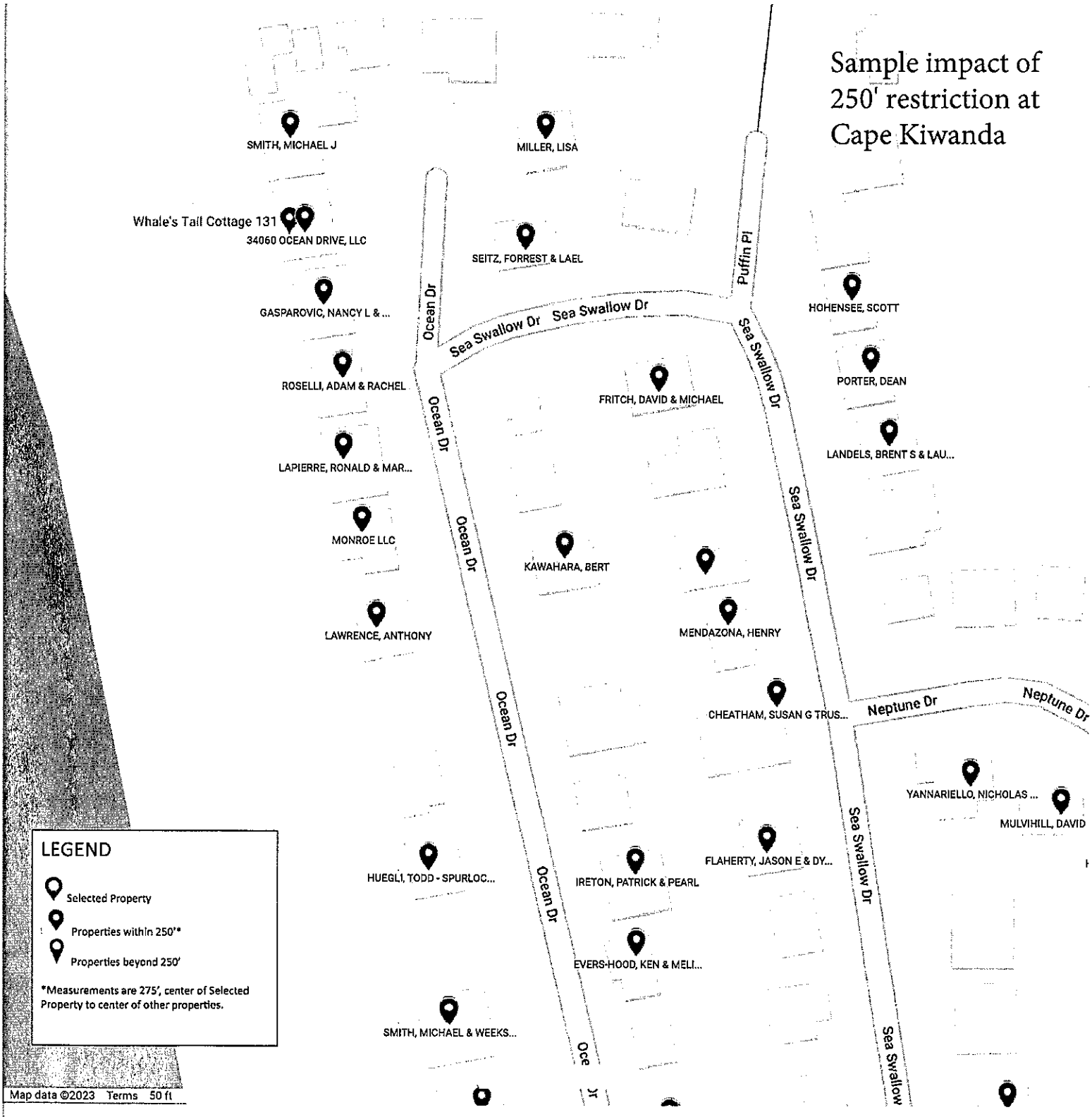
Oceanside: 17 permits

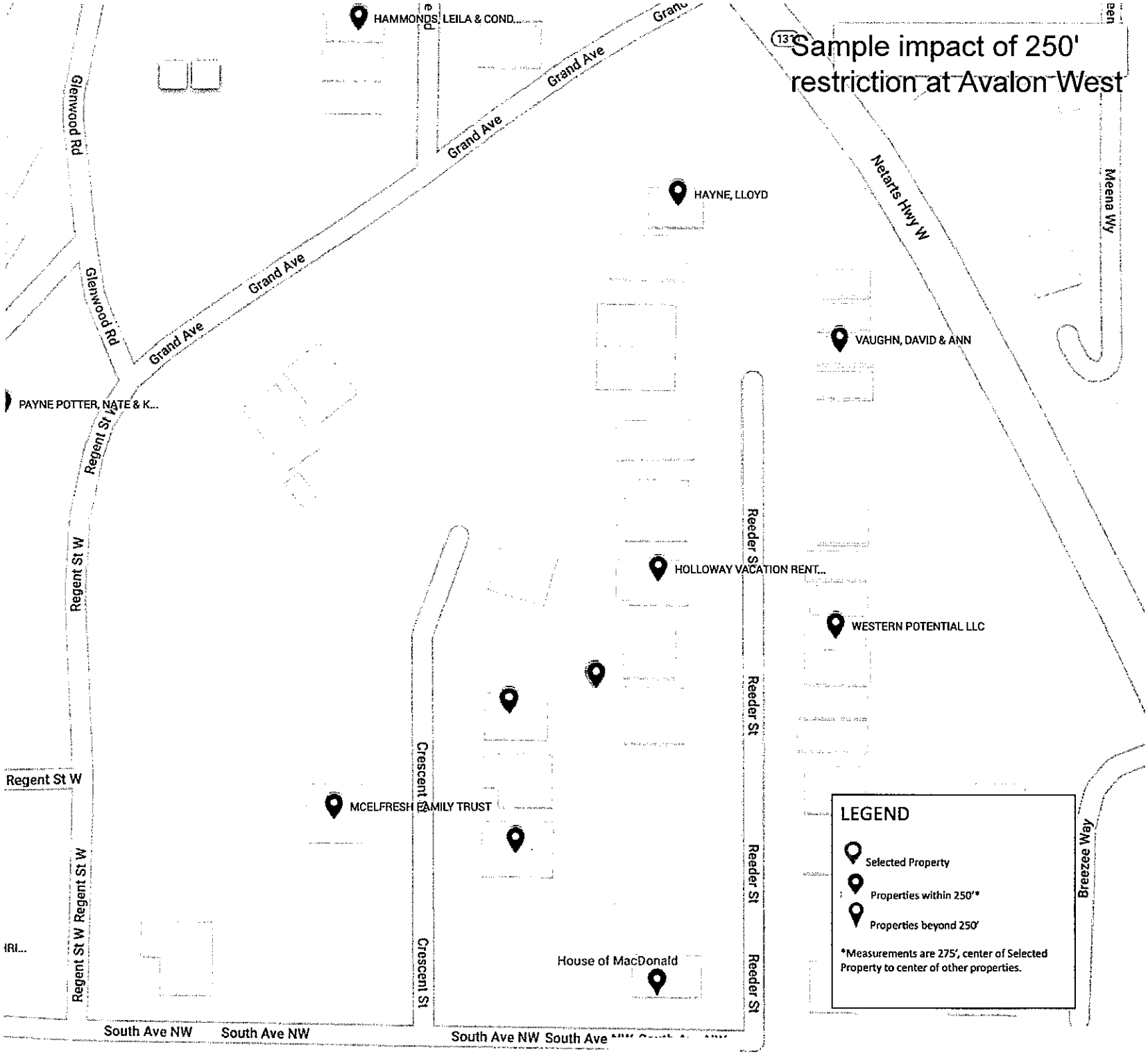
Cape Kiwanda: 15 permits

Avalon West: 5 permits


Sample impact of 250' restriction at Oceanside
BOWD, MICHAEL & AMY
FROST, FRANK N & MARY...
SCHAFF, ANATOLE & CELI...
PRATT, CRAIG & SHAHNAZ
WALTER, JOSEPH
CAROL MCINTOSH
STEWART, ANNE S & DELR...
BEEMAN, CHARLOTTE R TR...
GREY, COLIN & LILA
LEFLAR, STEPHEN Y
GAUNT, JOHN & PATRICIA
CURREY FAMILY OCEANSID...
THOMAS PROPERTY HOLDIN...
MOCK, JASON & MAN
BECKERMAN, JANET
BARTHA, DENNIS & BEVER...
BINNS, RICHARD & RENEE
DRAPER, EMILY
Ocean's Edge Luxury Vacation Rental
MARSHALL, PHILLIP
HAPPELL, SCOTT AND AMY
Turtlejanes Bed and Breakfast
BERGERON, THEA & OLSON...
HODGE FAMILY TRUST &...
JORGENSON, BRITT & PHI...
FEINBLUM, DANNY
HORTON, JIM A & CAROL G
RICHEN, JOHN DAVID &
LINN, TIMOTHY S & PEGGI
Chinook Ave
Maxwell Mountain Rd
Portland Ave
Rosenberg Loop
Pacific Ave
LEGEND
Selected Property
Properties within 250'*
Properties beyond 250'
*Measurements are 275', center of Selected Property to center of other properties.

Sample impact of 250' restriction at Cape Kiwanda




Sample impact of 250' restriction at Avalon West
HAMMONDS, LEILA & COND...
HAYNE, LLOYD
VAUGHN, DAVID & ANN
PAYNE POTTER, NATE & K...
HOLLOWAY VACATION RENT...
WESTERN POTENTIAL LLC
MCELFRESH FAMILY TRUST
House of MacDonald
Grand Ave
Glenwood Rd
Regent St W
Netarts Hwy W
Meena Wy
Reeder St
Crescent St
Breezee Way
South Ave NW
LEGEND
Selected Property
Properties within 250'*
Properties beyond 250'
*Measurements are 275', center of Selected Property to center of other properties.

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 9:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public comment for Ordinance 84

From: Rachael Winters <rdwinters22@gmail.com>
Sent: Monday, April 17, 2023 9:42 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public comment for Ordinance 84

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

Dear Tillamook county and Board of County Commissioners,
We are currently in the minority group who are in great need and waiting for our permits. We started building our home before the pause, and we're not grandfathered in. We are urgently waiting for a permit, but are very fearful of the density caps and limits included in the amended ordinance. We are humbly asking to obtain a permit so that we are not forced to sell our home after pouring a great deal of time, money and heart into our home.
We love the community in Pacific city. We have felt nothing but warmth from the community and have been so welcomed by other residents and businesses alike.
The current pause has brought on much anxiety and financial hardship for our family. We have been waiting and waiting very patiently. When will we be able to obtain a permit? Please consider our position along with a handful of others in our same situation.

Sincerely,

Rachael Winters

Date: April 14, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee

Re: Public Comment - STR Permit Holder Survey

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

Oregon Coast Hosts conducted a survey among homeowners with active STR permits in Unincorporated Tillamook County. The purpose was to gain a better understanding of how various proposed changes in rules and regulations may directly impact homeowners with STR permits. Our goal is to collaborate with the county and provide valuable feedback as the process of refining the ordinance draft continues.

TOP 5 DRAFT ORDINANCE CONCERNS FOR HOMEOWNERS WITH STR PERMITS

1. Grandfathering
2. Transferability
3. Property Rights
4. Distance Limits
5. Percentage Caps

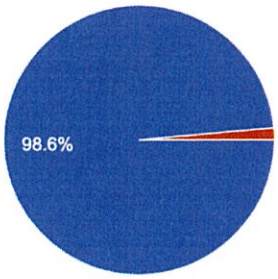
Detailed survey response results are below. Oregon Coast Hosts is looking forward to working with our community to find equitable solutions to achieve a balance of regulations, livability, and property rights.

Thank you,
Rob Govender - Towle
Board Member
Oregon Coast Hosts

STR PERMIT HOLDER SURVEY

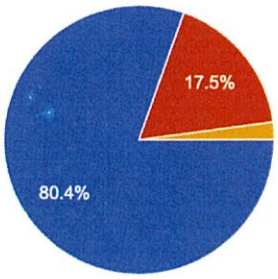
1. **GRANDFATHERING** of current STR permits:

99% support grandfathering current permits to continue to allow existing STRs to keep permits and operate as long as updated fire and life safety requirements are met.



2. **TRANSFERABILITY** of STR permits

98% support some type of continued transferability
80% support transferability in all cases
18% support transferability only for inheritance
2% do not support permit transferability

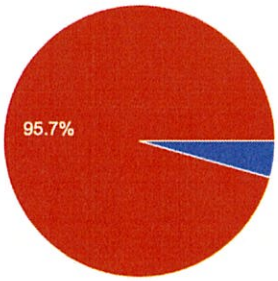


3. **PROPERTY RIGHTS**

The fundamental right to utilize one's home as an STR is supported for all homeowners in Tillamook County, whether or not they currently hold an STR permit [This was the #3 most important topic for homeowners with STR permits & not a specific question with pie chart].

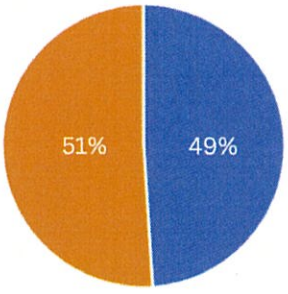
4. **DISTANCE LIMITS**

96% do not support the proposed 250 ft distance limit between STR property lines.



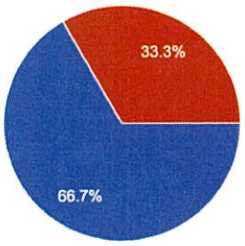
5. **PERCENTAGE CAPS**

51% do not support any level of STR percentage cap.
49% support some varying level of STR percentage cap.

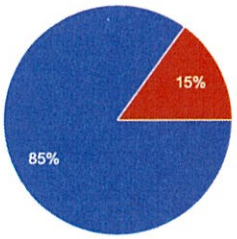


ADDITIONAL SURVEY DATA

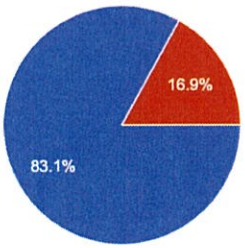
PARKING
33% of owners with STR permits report their parking spots are smaller than the originally proposed new minimum size requirement of 8 feet x 20 feet long.



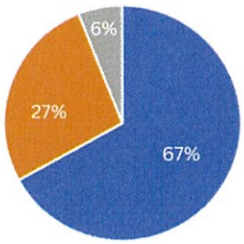
PARKING
15% report their homes do NOT have enough off-street parking to meet the originally proposed requirement of one off-street parking spot per bedroom.



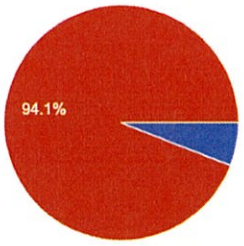
BUILDING CODES
83% of owners with STR permits have serious concerns about the proposed requirement for all STRs to meet current building codes, instead of the current requirement to meet building codes at the time a home was built or significantly updated.



ESTATE HOMES (5+ bedrooms)
Owners whose homes fall into the newly proposed Estate Home category with proposed occupancy limit of 14 adults + 2 children age 12 or under:
67% do not support this maximum occupancy limit
27% do support this maximum occupancy limit
6% no answer

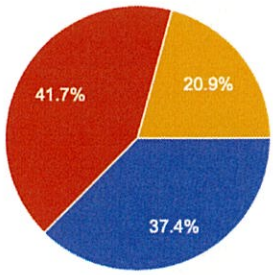


5 YEAR DEFERRED COMPLIANCE (AMORTIZATION PERIOD)
94% of owners with STR permits indicated that 5 years of deferred compliance from percentage cap or distance limit is not adequate compensation for elimination of their home's STR permit.



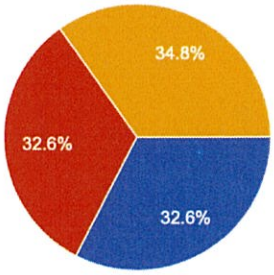
NOISE

42% support a decibel limit for daytime (90db) and quiet hours (50db).
37% support the draft ordinance's rule for no speakers allowed outside, nor audible noise beyond property lines during quiet hours (10pm-7am).
21% do not support either option.



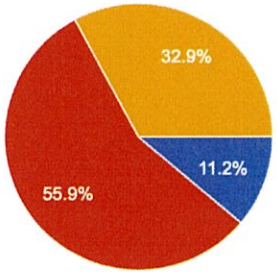
CONTACT INFO

35% support BOTH exterior posting at STR & online database
33% support online database
33% support exterior signage



CLOSETS

56% do not support a requirement for a bedroom to have a closet.
33% support an option to require a dresser or armoire in a bedroom without a closet so that the room may count as a bedroom to be used in maximum occupancy calculations.
11% support requiring a bedroom to have a closet.



Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance Draft - Emergency Preparedness Perspective

---

From: Michael Cook <mikerusts@gmail.com>
Sent: Monday, April 17, 2023 12:34 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Randy B. Thorpe <rthorpe@co.tillamook.or.us>; Linda Cook <lindaphoto43@gmail.com>
Subject: EXTERNAL: STR Ordinance Draft - Emergency Preparedness Perspective

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

Director Abasher and STR Advisory Committee Members,

As a community, we have been working the last 15 years to bring attention to the realities of a pending Cascadia earthquake and tsunami and of other emerging storm, fire, and landslide emergencies. We have been preparing and educating these years for evacuation, food and water supplies, sanitation, first aide, shelter radio communications, traffic management largely with our own time and dollars. We anticipate potential months of isolation from outside support.

We cannot, alone, also prepare for a growing influx of the unprepared. The STR industry and County need to recognize their responsibility here and do their part in this ordinance, along with needed funding and public information strategies.

The now deleted cap could have at least stemmed the growth of these unprepared. Providing the DOGAMI brochure for those in the tsunami zone is one step, but should be required for all STR's, all of which will be impacted by the earthquake itself and the flood of tsunami zone refugees.

But, beyond the ordinance itself, we, the County and the STR industry have the responsibility, a caring, to alert our visitors of the risks here. Simple awareness is key, from common sneaker waves and cliff dangers to Cascadia. Today, people are more aware of the increasing risks of travel from severe fire and storm. Emergency information could be easily included in promotional and rental unit materials. The industry could even promote rentals under the theme "***Prepare*** for the breath-taking wild of our North Coast".

Respectfully,

Mike&Linda Cook
37335 1st St., Nehalem/Neahkahnie

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Draft Tillamook County - Important issues for Agenda
Attachments: tonkon ltr 4.14.23 to Till Cty counsel.pdf

From: John Meyer <jkm@caretrust.us>
Sent: Monday, April 17, 2023 11:16 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Jacki Hinton <hintonjacki56@gmail.com>; Karen Babbitt <wcgarden@gmail.com>; Hillary Gibson <hillary.gibson@me.com>
Subject: EXTERNAL: STR Draft Tillamook County - Important issues for Agenda

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

My wife and I have owned a vacation rental in Neahkahnie since 2017. I was born in Oregon and our family has been coming to the Oregon Coast since the 1940s. We love our home in Neahkahnie, as do our children and grandchildren, and the many guests we return year after year to enjoy the beauty of Neahkahnie.

We are writing to express our appreciation for the many constructive and positive recommendations our neighbors and the STR Advisory committee have made to promote livability for all in our communities. We also want to express our support for the concerns identified by Tonkon Torp in their April 14 letter to the County attorney. This committee has worked diligently to address and improve vacation rental conditions in the County; it would be unfortunate should it fail to address the key common-sense concerns Tonkon Torp has identified in its letter. Here's a quick summary:

1. Current permit holders must be grandfathered in to whatever scheme the County adopts next.
2. Permits must, per statute, remain transferable.
3. The County needs to recognize that STR regulation has been, and will continue to be, a land use decision.
4. The new ordinance cannot subject STR operators to different building code standards than the state building code, unless expressly authorized by the State.
5. STR owners should not be required to indemnify the County.

We respectfully request these issues be put on tomorrow's agenda and addressed by the Advisory Committee. They should seek to form a consensus to include them in the joint position taken by the Committee that will go forward. The recommendations are reasonable and have a sound basis in well tested LUBA and Oregon statutes. They do not stop the Advisory committee from adopting sensible regulations (we favor night sky restrictions for example) and they will avoid countless litigation and community disharmony.

Sincerely,

John and Maria Meyer
Neahkahnie
jkm@caretrust.us

TONKON TORP

David J. Petersen
david.petersen@tonkon.com
Admitted in Oregon and California

503.802.2054 direct
503.221.1440 main

Danny Newman
danny.newman@tonkon.com
Admitted in Oregon and Texas

503.802.2089 direct
503.221.1440 main

April 14, 2023

VIA FAX (503.842.1384), EMAIL, AND FIRST CLASS MAIL

William K. Sargent
Tillamook County Counsel
Tillamook County Courthouse
201 Laurel Avenue
Tillamook OR 97141
Email: bill@williamksargent.com

Re: Tillamook County Short-Term Rentals

Dear Mr. Sargent:

We last wrote to you on behalf of our client Oregon Coast Hosts on February 17, 2023 with concerns about the proposed revisions to Ordinance 84. Since that time, the County has done little to respond to those concerns and in some cases has specifically tabled issues until after the STR advisory committee disbands. Since these issues seem destined for your desk in any event, we write again to highlight several legal issues that continue to threaten Tillamook County's current effort to address and bring balance to its STR landscape. By doing so, we do not mean to exhaustively recite all of our client's concerns, both legal and practical, with the draft ordinances it has seen so far.

First, as discussed in our prior letter, current permit holders must be grandfathered into whatever scheme the County adopts next. ORS 215.130(5); *see also Briggs v. Lincoln County*, LUBA No. 2022-030 (August 8, 2022). And they must be able to maintain that permit so long as they continue the use. ORS 215.130(5). Any outcome that does not recognize and codify these requirements will result in litigation and substantial liability for the County. Also, at least one draft of the new ordinance has proposed a five-year phase out for existing permits. This is insufficient and illegal—the use must be allowed to continue indefinitely. *Briggs* at 20 (five-year phase out violated ORS 215.130(5)). Frankly, we think the County is receiving poor analysis of the *Briggs* case from counsel for those who supported the invalidated Lincoln County ballot measure. We are confident that following your own review of *Briggs* you will advise the County and the advisory committee accordingly and suggest that the next draft ordinance leave no doubt about these outcomes.

Second, comments on the most recent draft ordinance make clear the question of transferability has not yet been definitively resolved. As you know, LUBA directly addressed this issue in *Briggs* and held that counties cannot impinge on the transfer of an STR permit to a new owner of the subject property. *Briggs* at 19. The threat to transferability has already chilled sales of some homes in Tillamook County—Measure 49 liability is ripening before our eyes. The longer the issue remains open, the more likely litigation will commence. We request that you advise the County and the advisory committee that they must maintain full transferability, at least for current permit holders.

Third, whether or not the new STR ordinance characterizes the regulation of STRs as "land use"—or even attempts to specifically disavow that it is land use—is irrelevant. Much time and energy has been spent in advisory committee meetings on this red herring issue, and the current draft ordinance is part of the problem. The County is not going to strip LUBA of jurisdiction or somehow trick a tribunal simply with some post-hoc statement in an updated code. The County needs to recognize that STR regulation has been, and will continue to be, a land use decision. And, as a land use decision, the County needs to comply with the notice requirements of ORS 215.503 and County LUO Section 10.090 before enacting any new ordinance, but there has been no indication so far that the County intends to do so. We request that you advise the County and the advisory committee of their obligations in making land use decisions and that they should not engage in such gamesmanship.

Fourth, the new ordinance cannot subject STR operators to different building code standards than the state building code, unless expressly authorized by the state. ORS 445.040(1). The state building code bars local government from requiring upgrades to existing structures to meet code changes just because the code has changed (*see, e.g.*, 2021 Oregon Residential Specialty Code (ORSC), Section R102.7). Language in the draft ordinance requiring automatic periodic upgrades to meet new building code standards, even in the absence of a proposed alteration of the structure, would not be enforceable. We request that you advise the County and the advisory committee of these plain legal facts so that, again, no additional energy need be wasted on these legal issues.

Fifth, the language in the draft ordinance requiring STR owners to indemnify the County is overbroad and is preempted by the state Tort Claims Act. ORS 30.260 *et seq.*

We had hoped—based on earlier representations from the County advisory committee leadership—that these (and other) issues would be rectified through the advisory committee process. In addition to the issues discussed above, our clients

remain strongly invested in the (apparently tabled) issues of distance limitations and caps on the number of permits, and would like to see a plan and timetable for meaningful discussion of those issues by the advisory committee before it adjourns. Unfortunately, it is becoming increasingly clear that the County is reticent to address even the relatively straightforward issues discussed above, and it seems to be a foregone conclusion that many aspects of the draft ordinance will not be discussed by the STR advisory committee.

Thus, we believe it is time for the County to clarify its position on these issues. We would welcome a formal response from you or a meeting to discuss. We know these issues are tricky politically, but there are clear legal answers on all of them and ignoring those answers only hinders the County's overall goal to reform the STR permitting process. Our client remains interested in a collaborative solution, but collaboration requires both sides to be engaged and if that is not the case, then OCH will consider other options.

Thank you for your time and attention.

Sincerely,

David J. Petersen

Danny Newman

DN/DJP/m_h

Cc: OCH Board of Directors

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TONKON TORP

David J. Petersen
david.petersen@tonkon.com
Admitted in Oregon and California

503.802.2054 direct
503.221.1440 main

Danny Newman
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April 14, 2023

VIA FAX (503.842.1384), EMAIL, AND FIRST CLASS MAIL

William K. Sargent
Tillamook County Counsel
Tillamook County Courthouse
201 Laurel Avenue
Tillamook OR 97141
Email: bill@williamksargent.com

Re: Tillamook County Short-Term Rentals

Dear Mr. Sargent:

We last wrote to you on behalf of our client Oregon Coast Hosts on February 17, 2023 with concerns about the proposed revisions to Ordinance 84. Since that time, the County has done little to respond to those concerns and in some cases has specifically tabled issues until after the STR advisory committee disbands. Since these issues seem destined for your desk in any event, we write again to highlight several legal issues that continue to threaten Tillamook County's current effort to address and bring balance to its STR landscape. By doing so, we do not mean to exhaustively recite all of our client's concerns, both legal and practical, with the draft ordinances it has seen so far.

First, as discussed in our prior letter, current permit holders must be grandfathered into whatever scheme the County adopts next. ORS 215.130(5); *see also Briggs v. Lincoln County*, LUBA No. 2022-030 (August 8, 2022). And they must be able to maintain that permit so long as they continue the use. ORS 215.130(5). Any outcome that does not recognize and codify these requirements will result in litigation and substantial liability for the County. Also, at least one draft of the new ordinance has proposed a five-year phase out for existing permits. This is insufficient and illegal—the use must be allowed to continue indefinitely. *Briggs* at 20 (five-year phase out violated ORS 215.130(5)). Frankly, we think the County is receiving poor analysis of the *Briggs* case from counsel for those who supported the invalidated Lincoln County ballot measure. We are confident that following your own review of *Briggs* you will advise the County and the advisory committee accordingly and suggest that the next draft ordinance leave no doubt about these outcomes.

Second, comments on the most recent draft ordinance make clear the question of transferability has not yet been definitively resolved. As you know, LUBA directly addressed this issue in *Briggs* and held that counties cannot impinge on the transfer of an STR permit to a new owner of the subject property. *Briggs* at 19. The threat to transferability has already chilled sales of some homes in Tillamook County—Measure 49 liability is ripening before our eyes. The longer the issue remains open, the more likely litigation will commence. We request that you advise the County and the advisory committee that they must maintain full transferability, at least for current permit holders.

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Fourth, the new ordinance cannot subject STR operators to different building code standards than the state building code, unless expressly authorized by the state. ORS 445.040(1). The state building code bars local government from requiring upgrades to existing structures to meet code changes just because the code has changed (*see, e.g.*, 2021 Oregon Residential Specialty Code (ORSC), Section R102.7). Language in the draft ordinance requiring automatic periodic upgrades to meet new building code standards, even in the absence of a proposed alteration of the structure, would not be enforceable. We request that you advise the County and the advisory committee of these plain legal facts so that, again, no additional energy need be wasted on these legal issues.

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remain strongly invested in the (apparently tabled) issues of distance limitations and caps on the number of permits, and would like to see a plan and timetable for meaningful discussion of those issues by the advisory committee before it adjourns. Unfortunately, it is becoming increasingly clear that the County is reticent to address even the relatively straightforward issues discussed above, and it seems to be a foregone conclusion that many aspects of the draft ordinance will not be discussed by the STR advisory committee.

Thus, we believe it is time for the County to clarify its position on these issues. We would welcome a formal response from you or a meeting to discuss. We know these issues are tricky politically, but there are clear legal answers on all of them and ignoring those answers only hinders the County's overall goal to reform the STR permitting process. Our client remains interested in a collaborative solution, but collaboration requires both sides to be engaged and if that is not the case, then OCH will consider other options.

Thank you for your time and attention.

Sincerely,

David J. Petersen

Danny Newman

DN/DJP/m_h

Cc: OCH Board of Directors

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Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: short term rentals

From: jfazio@turbonet.com <jfazio@turbonet.com>
Sent: Monday, April 17, 2023 10:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: short term rentals

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

My wife and I are owners of a 5-bedroom vacation rental located on 14 acres outside Netarts, Oregon. Primary goals of entrepreneurship are being one's own boss and achieving a profit after all reasonable expenses. The proposed STR ordinance runs counter to both goals and the values that have made our country great. Up until now my wife and I have enjoyed a reasonably prosperous business in Tillamook County that is appreciated by our guests (we have a 4.9- out of 5-star rating on VRBO with 108 reviews).
Unfortunately, the conditions imposed by this ordinance make the future of our endeavor in Tillamook County very doubtful. And if your goal is to reduce the number of STRs in order to provide more housing for resident workers, I don't see how your draconian ordinance will achieve this. Instead, it will put more places on the market that will be purchased as second, seasonal homes. This will reduce tourists and local income.
We urge you to reduce the number of requirements in this ordinance if passed and to provide more flexibility for responsible STR owners. Proposed conditions that I find particularly objectionable:
.040 C & D
Although this does not affect me directly, I find it concerning that a government entity can dictate the number of businesses allowed in a community. Might this be extended to the number of restaurants, barber shops, gas stations, etc.?
.050 A-3 & 6
Providing floor and site plans, and proof of access are burdensome and seem entirely unnecessary.
A-11
To most entrepreneurs, unchecked discretion given to any county administrator is frightening!
D-5
We have abundant parking space on our concrete driveway and circle, as well as an area I maintain for 'overflow' parking if necessary. This condition should not be applied to estate rentals, if at all.
.080 D
Eliminating or making it difficult to host small events is an unnecessary problem for us. We often attract guests that hold weddings, receptions, reunions, retreats or other small, day-only events on our spacious lawns. There have been no problems, no need for yet another permit, and this is important to us for financing the high costs of maintaining our beautiful landscaping. It is also an important factor in being competitive in the STR business.
N
The sign requirements are the worst proposals, in my opinion. We strongly object to posting of any information at the roadside. Inside the house, we minimize signs so we can provide a home-like atmosphere for our guests.

Outside, we do not place road signs because we do not want to alert passersby that our remote property is a rental – thereby attracting vandalism when not occupied. This entire section of the proposed ordinance is major over-kill!

O

Prohibiting RV's, tents, etc. should be at the discretion of the owner. In our case, we sometimes have a guest who for one reason or another wants to have a member of the party stay in their RV, or kids that want to use a tent. We see no harm in this as long as it does not exceed the limit of allowable over-nighters or impinge on neighbors.

Q

Again, cluttering our property with postings is contrary to our providing the quality experience our guests expect and appreciate. We provide necessary information in our contract before guests arrive and in a loose-leaf notebook in the residence. That is where we would choose to display the Good Neighbor Policy but what information is provided should be left to the discretion of the owner.

.090

C-1

Regarding septic systems, I believe the county already has this information. That was the case a couple years ago when we were notified that we had to reduce the number of guests to 11 based on the size of our septic tank. [I appealed based on the intermittent use of our house, the size of the tank, cleaning it out regularly, having no water source near the drain field, and having no problems whatsoever. My appeal was denied and we have lost some revenue from groups of 12 – 14.]

.100 A

What purpose can possibly be served by placing one's registration number on advertising?!

Thank you for this opportunity to comment.

-- James R. Fazio
1049 Colt Rd.
Moscow, ID 83843
Phone: 208/882-0965
(C) 208/874-3084
jfazio@turbonet.com

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Advisory Board

From: Jordan Winters <winters@santepartners.com>
Sent: Monday, April 17, 2023 10:10 AM
To: Public Comments <Publiccomments@co.Tillamook.or.us>
Subject: EXTERNAL: STR Advisory Board

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

To the board of commissioners, Sarah Absher, and those sitting on the advisory board,

I implore you to consider the overwhelming outpouring of support in favor of keeping STR's and not further capping or restricting this viable means of lodging. Most reasonable people will tell you that we recognize challenges with parking and noise, and to that end, work should be done to alleviate those concerns. However, there still appears consideration for limiting the number of STR's, reducing occupancy and creating unreasonable distancing rules. Please use common sense when reviewing these provisions; I implore you to not let the voice of a very few minority become the driving factor in all of these decisions.

Sincerely,

SANTÉ

Jordan Winters
Director of Development, Finance Strategist
M: 503.209.6034
winters@santepartners.com
www.santedevelopment.com

NOTICE: This message, including all attachments transmitted with it, is for the use of the addressee only. It may contain proprietary, confidential and/or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you are not the intended recipient, you must not, directly or indirectly, use, disclose, distribute, print or copy any part of this message. If you believe you have received this message in error, please delete it and all copies of it from your system and notify the sender immediately by reply e-mail. Thank you.

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 3:49 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: 250 ft distance STR's

-----Original Message-----
From: Allie kato <alliekato@hotmail.com>
Sent: Monday, April 17, 2023 2:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 250 ft distance STR's

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

To whom it may concern;

I understand one of the proposals is to limit STR's to a 250 foot buffer zone between properties. As most of these properties are already owned and one cannot move their property to another location nor can they swap their property with a neighbors that seems like an unreasonable Limitation for existing STR's. I know we rent our property out approximately 50% of the time and next-door to us is a property that rents out 100% of the time. However, on our block of approximately 12 homes we are the only two, it seems like it would be more reasonable to limit the percentage within the entire neskowin village, rather than the arrangement of which houses happen to already be next-door to each other , otherwise how do you determine which existing STR's are allowed to keep their permits?

Allie

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 3:49 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Support for STRs in Tillamook County

---

From: Pete Stone <psphoto@comcast.net>
Sent: Monday, April 17, 2023 3:22 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Re: Support for STRs in Tillamook County

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

To the County,

In it's attempt to find an equitable balance between Short Term Rentals and long term residents in the region, I would hope the County would make any corrections, adjustments or additions to the current governing Ordinance #84 based on
real data, and reasonable solutions. What shouldn't occur, unfortunately, is exactly what we are seeing occur. We have proposed "solutions' in search of problems, fixes for issues that haven't been found to exist, and arbitrary punishment
for owners and/or managers despite any real control they have concerning a particular violation.

Here are some specific examples:

Many of the proposed measures such as noise limits, septic inspections, and building code rules would ONLY apply to STRs,
NOT to other types of dwellings and occupancies, despite essentially being the same residential activity. Except for specific signage
required, no distinction can be made or found between Short Term, Long Term, or Permanent residency. The occupants are all doing the exact same things, i.e. eating, sleeping, reading, cooking, watching tv, enjoying a sunset, etc. Yet somehow, a new set of far more restrictive rules is needed that can only be described as punitive.
These new rules are not "corrective", in the sense that significant past activity has forced the County to reign in out of control STRs. In fact, as the County's own data has shown, complaints against the more than 1200 permitted STRs for Code Enforcement action have been minimal. Last reports showed a total of 8 Code Enforcement Notifications in 2020, and 13 in 2021. This shows a complaint level hovering around 1% or less……a rate hardly requiring much corrective action.

For example, we have the County proposing a Noise Rule that would consider a guest quietly playing an acoustic guitar in the middle of the day on an STR property deck to be in violation of the proposed Draft, if such music could be heard next door. If that next door neighbor was a full or long term resident, they could be doing the exact same thing without any legal repercussions.
The County would be advised to look at Marion County's Noise Ordinance that provides a far better framework for finding a happy medium regarding residential noise:
https://www.co.marion.or.us/SO/Operations/CodeEnforcement/Documents/noise1.pdf

STRs are also being required to comply with building codes that didn't exist when construction permits were first issued, which is a violation of State law
ORS 445.040 (1). The state building code bars local government from requiring upgrades to existing structures to meet code changes just because the code has changed (see, e.g., 2021 Oregon Residential Specialty Code (ORSC), Section R102.7).

Then we have new septic system Inspection requirements.
The County is asking to re-inspect all septic systems that haven't had an ESER (Existing System Evaluation Report) done within the last 3 years, and require that an inspection is being done annually (i.e. before every STR certificate renewal).
This is ignoring the fact that an original DEQ Septic Permit, along with Tillamook County's Waste Management Program Permit, authorizes, and verifies size and type of tank, number of bedrooms, map of drain field, location of dwelling, etc. when a Septic System is first installed.
So the question is.....WHY is any re-inspection, outside of a standard scheduled review by an authorized DEQ pumping contractor, needed? The existing systems have been approved at the time of construction, and unless they can be shown to be failing, should be allowed to continue operating under their original permits, with no County mandated re-inspection (at significant cost to owners) required.
Is this being required of any other Residential property owners?
An ESER (Existing System Evaluation Report) has ONLY been previously required, to quote the County's own ESER document: "for a proposed change in sewage flows, change in use, or to verify that the system is functioning properly as a basis for a lender approving a loan on the parcel."

Essentially, standard STR use IS NO CHANGE IN USE, since the dwelling hasn't changed in terms of allowed occupancy, or number of bedrooms, or any other factor that would impact an installed septic system. It's still remaining in standard "Residential Use"....no different than any other approved septic permitted property used as a dwelling.

In fact, looking at all the DEQ Onsite Wastewater Management Forms and Guidelines, there is NO situation where they mention the need for a re-inspection of an installed and functioning Septic System, except at the time of pumping: https://www.oregon.gov/deq/Residential/Pages/Onsite-Forms.aspx?wp113=l:25

More here from DEQ:
" In Oregon, a 1,000 gallon septic tank is required for homes with up to four bedrooms. If four people live in a 4-bedroom house with a 1,000 gallon septic tank, the pumping frequency is on the order of every three years. If the same system serves two people, the frequency would be on the order of every six years. Septic tanks installed before 1979 could be smaller and require a higher pumping frequency."
See: https://www.co.marion.or.us/PW/BuildingInspection/Documents/septictankmaint.pdf

Tillamook County's own documents regarding pumping state the following: " Septic tanks should be pumped at intervals of approximately every 4 years"
See:
https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/3191/septic_system_owners_manual.pdf

These previous examples are just a few of the areas of concern where the County seems to be attempting some rule making without either determining if a proposed rule is even legal, or is based on any real data. I would hope going forward, the County chooses a more responsible path both to avoid costly litigation, and to avoid having to deal with angry residents and unintended consequences.

Please note: The views expressed herein are strictly my own, and are not representative of any other group or organization.

Thanks,
Pete Stone

Pete Stone
Rockaway Beach
Oregon.

tel: 503-740-6170
email: psphoto@comcast.net

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 11:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: John Leigh <leighj2717@gmail.com>
Sent: Tuesday, April 25, 2023 8:50 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Hello. I would like to reiterate my concern about the square footage requirement for bedrooms. Presumably the requirement is to prevent small spaces in large houses from being used as bedrooms to increase the occupancy. However, in a small house, bedrooms may be small and none of the bedrooms might fulfill the square footage minimum stipulated. It seems to me there should be some accommodation for small houses with limited bedroom space. For example, houses with only one or two bedrooms could be exempt. Thank you.

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Comment: What is the NET economic benefit of STRs?
Attachments: Graphical user interface, chart Description automatically generated.png

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From: Mark Roberts <mandm-roberts@comcast.net>
Sent: Monday, April 24, 2023 1:49 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Cc: Babbitt Karen <wcgarden@gmail.com>; Jacki Hinton <hintonjacki56@gmail.com>; JERRY KEENE <jerrykeene@aol.com>; Bruce Bishop <babishopdx@me.com>; Amy Bell <amyfbell@comcast.net>
Subject: EXTERNAL: STR Comment: What is the NET economic benefit of STRs?

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

Director Sarah Absher,
Commissioner David Yamamoto
Commissioner Mary Faith Bell
Commissioner Erin Skaar
Short-Term Rental Committee

What is the NET economic benefit of STRs?

There is the suggestion that Short-Term Rentals benefit Tillamook County's economy. I haven't seen any plan or support for this notion.

Yes, those who wish to finance a second home via renting, benefit.

Yes, those who invest in real estate which pays for itself, benefit.

Yes, tourist-oriented businesses want and benefit from more tourists.

No, Tillamook County, on balance, may not be well served by increasing STRs to further the tourism industry.

At least I haven't seen this 'net' economic analysis to Tillamook County.

Sure, STR owners benefit. Yes, the County receives TLT monies.

But what about the rest of Tillamook's economy?

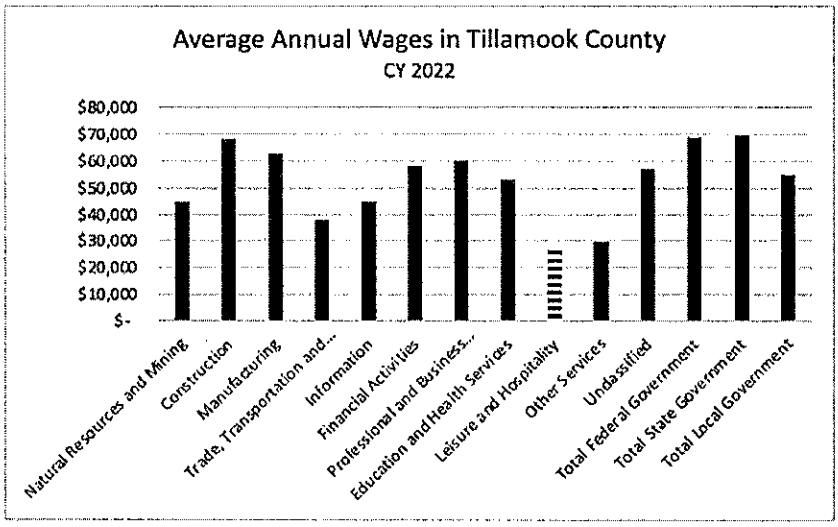
The "Tourism Industry" *(Leisure and Hospitality)* in Tillamook County reports $40.8 million in total wages in 2022 ... but that is only 8% of Tillamook's total wages. *(Oh, and to be inclusive, the Real Estate and Rental Industry, which has better than average wages, encompasses 0.6% of the County's total wages.)*

What are the impacts of STRs on the rest of Tillamook County's economy? How does the remaining 91.4% of Tillamook County benefit? Do these tourism benefits out way increased housing costs, tourist season peak demands on parking, water, and other aspects of the community?

Many Tillamook businesses are unable to hire employees already – nurses, managers, technicians, restaurant servers, etc – because they can't find or afford to live in many Tillamook communities.

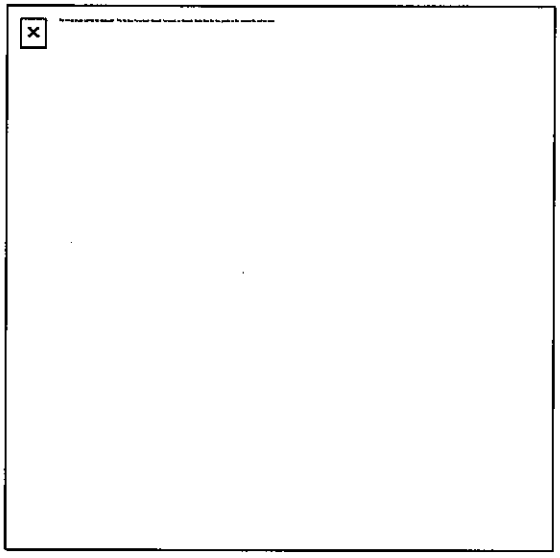
Is increasing tourism jobs a smart economic move? Tourism jobs are the lowest paying jobs in Tillamook County and are highly seasonal. Are higher wage, less 'seasonal' employers advantaged by more STRs? What do other employers say? Do these other Tillamook economy participants say – yes, more STRs benefit my business?

Again, I haven't seen the analysis which demonstrates that promoting more of the lowest paying jobs in the County's economy is a smart move. Most working people are already priced out of 'tourist' oriented communities. Do we need to make this even worse?



Source: https://www.qualityinfo.org/ewind?rt=1&qcewOwnership=00&qcewIndustrySuperSector=0000&qcewIndustrySector=&qcewIndustrLvl=0&qcewIndustry=00000&qcewPeriodyear=2022&qcewPeriod=00&qcewArea=41040000057&toggleState=e0010~e5010~e9010~e0010~e5010~e9010

Further, tourism jobs come and go with the tourism season. Likewise, STRs are largely vacant in the 'off-season'.



I'm skeptical that, on balance, the net benefits are worth the costs. Tillamook County Commissioners need further evidence of net economic benefits before permitting even more of this known cause of increasing housing costs.

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rental

-----Original Message-----
From: Kristie <kristie.carter.m@gmail.com>
Sent: Monday, April 24, 2023 11:39 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: jerrykeene@aol.com; twestover@mac.com
Subject: EXTERNAL: Short term rental

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

Good afternoon,

I wanted to share a few thoughts I had on the short term rental pause. We purchased raw land in Oceanside in summer of 2021 with the hopes of building a place for ourselves and family, while also short terming to make the process more affordable + giving others a place to enjoy the house, community and beach. We started our planning with this in mind and then July 2022 the pause happened, but we were already underway and had invested too much to turnaround.

I grew up spending a lot of time in Manzanita where my grandparents lived. When they past away and the decision was for the family to sell the land, we were devastated. The beach and my time with family helped shaped who I am and brought be so much joy.

I'd ask that you consider enforcing current rules before capping additional permits. We understand the rules and respect the community. We've spent so much time in Oceanside (also have family here) and absolutely love the town, people and quiet/cleanliness of the town and beach that we plan to contribute to and continue to uphold. We would expect the same for our guests.

Having a place to stay at the coast is truly special and we want to share our home with others. We know it's a privilege to own a vacation home and would treat it as such.

A few additional thoughts: location matters for short term and understand the impact it has on neighbors. Could petitions be signed in order for a new permit to be given, without adding a % cap on new permits? Could a new construction be allowed a permit since it's not impacting the current housing numbers and ratios? Could fireworks be banned for all of our sanity at the coast, therefore decreasing some of the complaints I heard mentioned? Can permits not be transferred with a house sale as it's not fair to those who have an existing home/land not be given the same opportunities? Can there be rules focused on revoking permits who break the rules versus capping them?

Appreciate your time,

Kristie

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

From: beach walker <oregonbeachwalker1973@gmail.com>
Sent: Monday, April 24, 2023 11:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

I am a homeowner in Neskowin with a current STR. I want to be heard on the subject of the 1% increase. Also the subject of minimum occupancy standards. And the standard of CURRENT building codes. I oppose these for the following reasons:
1. The limit of 1% increase for "registrations" removes owners property rights. It also limits growth and removes revenue. Does the county really wish to restrict visitors who utilize local business services? That is what it looks like to "shoot yourself in the foot." Take a look at what has happened to small businesses who rely on tourism in our county. Please do not create Ghost towns. Instead, the permit process should be qualitative--for instance--3 STRs within 500 foot radius.

2. Minimum occupancy. I oppose this. Currently, I have a long term guest. This is good for the nieghborhood. It also provides needed housing, which is in short supply. Please do not make occupancy a contingency on being permitted. It is my choice how I use my property, as long as everything is legal and respectful.

3. The requirement of having 50-70 year old cottages meet current building codes is ludicrous. Are you really proposing people tear down and rebuild? Instead, a safety inspection should suffice. Things like stairways, outlets, set-backs, and others that were common practices in the the 1960's should not make a dwelling unqualified to be a short-term rental. And I want to mention, that I have been a STR owner since the first inception of the first permitting process. I have rented my Neskowin beach house to many people over the last 16 years. I have not had a single complaint. I have made friends. These guests return year after year.
The requirements above are over-reaching and infringe on Property rights. Please revise or delete them.
Nancy (Kat) Nordland
49795 Proposal Rock Loop
Neskowin, OR
oregonbeachwalker1973@gmail.com

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: Thomas Pak <typak@icloud.com>
Sent: Sunday, April 23, 2023 9:04 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

To whom it may concern

As a property owner in Manzanita I am deeply concerned about the current efforts to 'manage' STR activity along the Oregon coast. As a resident of Oregon since 2011, I have come to appreciate the beauty and grandeur of the coastal landscape and we are fortunate enough to own what my friends call 'a slice of heaven.' My experience is that Oregon coast can go toe to toe with just about any natural landmark in the WORLD in terms of beauty and charm. I met a couple from France at Short Sands a short while ago who was just in awe, and rightfully so.

The Oregon coast is a marvelous wonder and that means that by order of human nature, it is and will continue to be a place and an economy driven by sustainable tourism. Necessary growth of coastal communities must then be mirrored by simultaneous growth in tourism.

I understand that uncontrolled transformation of a community into a mish mesh of transient short term housing is not only unsustainable but undesirable for both long term residents and property owners at large. It changes the culture and 'feel' of the community and I can relate to how living next to a constantly revolving door shuttling unfamiliar faces through it every few days can be unnerving.

But unfairly limiting STRs or worse yet stripping property owners of their rights is to prevent growth of the communities and businesses that reside within them, and is simply put un-American.

The decisions made by the governing bodies of the communities must be data driven and not by isolated incidences or one person's opinion that 'it's not the same anymore'. For example, of all the airbnbs that we've stayed at along the Oregon coast and central Oregon, I have found the number of times there was enough noise for me to file a complaint identical among all communities (zero). But don't take my word for it. Let's see the numbers. Decisions made by anecdotes and 'feels' are destined to cause harm.

Second, data must support that limiting STRs cause a corresponding reduction in the number of noise complaints. Is this truly a causal relationship? Are there other tourist destinations similar to Oregon coastal communities (Whitefish, Vail, Bar Harbor, Islamorada, Destin, Homer etc) that have seen a reduction of noise complaints after limiting STRs? Again, numbers.

I use noise complaints as an example but I feel that ALL decisions, especially those whose implications will have an absolutely HUGE impact on the general well being of our coastal communities, must be based on data and deliberation of that data.

Instead of a shotgun knee jerk let's limit STRs reaction, I would propose the following:

1) consider requiring a local vacation rental manager if the owner does not reside within a certain radius. This works in other communities, and may result in not only better vetting of guests but also JOBS!

2) affordable housing. This is critical for the vibrancy of our communities along the coast. Businesses are suffering because there is no affordable housing. Zoning is necessary and city must use revenue from vacation rentals to build affordable housing.

3) hire more police and bolster law enforcement : speeders, noise makers, disruptors, and criminals are the ones who must answer for their misbehaviors, not the property owners.

In conclusion, decisions must be data driven. And please remember that property owners care about the community just as much as long term residents. We want to keep Oregon coast a beautiful, charming, clean, place to enjoy. We care about the long term health and growth of our cities along the coast. We All have a vested interest in seeing communities thrive.

Tom Pak
Property owner in Manzanita

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comment from Oceanside STR

From: Katie LaRosa <katie.nordt@gmail.com>
Sent: Sunday, April 23, 2023 7:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comment from Oceanside STR

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

Hello,

Just writing to express concerns about our STR. The new occupancy rules would significantly reduce the number of people who can rent our spacious 2200 sq ft home. We are concerned that will affect the success of our STR. We bought this home just over a year ago. It used to sit empty most of the time with owners who lived 5 hours away. Now we are a part of the community, employing builders, cleaners, and supporting local businesses. This feels like intrusive big government. It's disheartening to see. Our home has only helped the local community compared to how the house was used before.

Katie LaRosa

Lynn Tone

From: Steve Stewart <drdemento.stew@gmail.com>
Sent: Tuesday, April 25, 2023 9:11 AM
To: Lynn Tone
Cc: Tom Prehoditch
Subject: Re: EXTERNAL: STR Ordinance proposal

Dear sirs,
As the process and documentation of the proposed revision of the Tillamook County STR Ordinance begins to crystalize I wanted to make additional comments.
Firstly, it has become obvious this tedious process will forever require a nuanced balance of the opposing and at times contentious interests of neighborhood and commercial factions. A tough ask with kudos to the County for their diligence in digesting and administering that balance.
As previously stated, I remain in favor of implementing both density and percentage of dwelling caps. In my neighborhood there are currently 3 surrounding and 2 more within 250' STR's. On any given weekend the potential for the usual spate of parking, noise, traffic and garbage problems is a constant. Allowing more permits can only exacerbate this condition. Further consideration on this issue is certainly warranted.
I would also reiterate the absolute necessity for a better enforcement mechanism not relying on homeowners or their agents, but rather a County Enforcement Officer to fairly and firmly ensure compliance with the ordinance.
As is evident from the discussions and revisions to the parking requirements, this issue is a critical and formidable one to resolve. Neskowin town proper in particular has almost no available on street parking. This is at least in part due to historic homes having not been required to observe current accepted setbacks, then allowing new construction to match up with the old(double secret exemption). As such, even most driveways encroach on the public right of way, leaving very restricted qualifying off street spaces. No on street parking is safe for emergencies.
Lastly, I would again request addition of a mechanism for appeal of county decisions affecting occupancy numbers including parking and safety exits. Many of the grandfathered permits were lax with respect to compliance on these issues, in effect allowing more occupancy than is safe or would otherwise be allowed under current or proposed modified ordinance requirements. The Appeal of County Decisions as proposed would appear to only allow homeowners or their agents to challenge county compliance and, therefore, rejection decisions. There should also be a prescribed mechanism for community challenge of county decisions in a similar manner.
Thank you for your work and consideration.
S.R. StewartMD

Sent from my iPad

> On Feb 2, 2023, at 1:55 PM, Lynn Tone <ltone@co.tillamook.or.us> wrote:
>
> Your comments have been received, thank you.
>
> -----Original Message-----
> From: Steve Stewart <drdemento.stew@gmail.com>
> Sent: Wednesday, January 11, 2023 8:40 AM
> To: Lynn Tone <ltone@co.tillamook.or.us>
> Cc: Tom Prehoditch <tom@kpp-law.com>
> Subject: EXTERNAL: STR Ordinance proposal
>

> [NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]
>
> Dear Sirs,
> I have reviewed the proposed revisions to the Tillamook County STR ordinance and would like to offer comment.
> Firstly, I view this as a major step forward in addressing the myriad of problems associated with the proliferation of STR's in my community of Neskowin. Most importantly, limits on the number and density of rentals insures less encroachment on neighborhoods not able to accommodate the traffic, parking and noise issues. It seems as though the indemnity provisions make it fair to those ultimately excluded via the new provisions.
> Secondly, I would suggest adding provisions for local homeowners to appeal specific aspects of the permit process. This applies to allowable occupancy as related to two limiting requirements including parking and emergency exits for bedrooms. Scrutinizing these requirements finds the county allowing non compliant parking(inadequate space, no qualifying ingress/egress) and inadequate upper level bedroom exits(not open to accessible through ways). There is no current effective way to question or challenge the allowances.
> Lastly, none of this matters without additional provisions for compliance enforcement. Leaving that in the hands of homeowners or their agents and the understaffed Sheriffs Department is a recipe for neglect. A dedicated Compliance Officer with a paid commitment to ensuring fair and equal application of the requirements of the Ordinance is critical to effective management of the provisions.
> Thank you for your consideration,
> S. R. StewartMD
> 4405 Sheridan Ave.
> Neskowin,OR 97149
>
> Sent from my iPad

Lynn Tone

From: Public Comments
Sent: Friday, April 28, 2023 2:09 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Proposed revisions to STR ordinance, 30 day rental requirements

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From: Maureen Bradley <bradleym04@gmail.com>
Sent: Friday, April 28, 2023 11:57 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Proposed revisions to STR ordinance, 30 day rental requirements

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

Dear Tillamook County

I am an STR permit holder who purchased a "fixer-upper" in Pacific City and spent the majority of last year doing a major remodel. After using local contractors and landscapers, I now have a beautiful home that adds immensely to the neighborhood. I went through this remodel because I wanted to have an attractive STR and because I also enjoy my time at the coast. Many of my neighbors (who are permanent residents) have expressed gratitude for the improvement because it has added to the value of their homes.

The proposed revisions to the STR ordinance are frankly too restrictive. In particular, I am against the 30 day rental requirement as it will inhibit owners' abilities to make improvements. As I'm sure you are aware, the coastal environment can be rough on homes and requires a lot of upkeep.

As a general comment, I remain unclear as to what problem we are trying to solve by restricting STRs. Is the county basing these decisions on a few isolated complaints? Why is it so hard to find data on the number of complaints being received regarding STRs? Conversely, there is solid data that shows the positive economic impact from STRs.

Lastly, given the high likelihood of lawsuits and the subsequent costs, are these restrictions really worth pursuing?

Thank you for the work you do. My hope is that the county will take a reasonable approach to this issue. It will be a sad day to see our coastal environment lose the local economic benefits of STRs, should the ordinance pass with its current restrictions.

Best,

Maureen Bradley

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: T H <toddhuegli@gmail.com>
Sent: Monday, May 1, 2023 2:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I'm writing in support of STR permits for Pacific City. I own a house in Kiwanda Shores, which has a very high percentage of short term rentals. My family spends a significant amount of time in Pacific City year round. We believe short term rentals provide a necessary and vital service for the community and the home owners. The rentals are small businesses that the owners often rely upon to support their families. Small businesses are vital to our economy. The rentals also provide significant revenue to our local businesses in Pacific City.

I'm not aware of any complaints within Kiwanda Shores and its a vibrant community of year round residents and short term rentals.

Any caps on STR permits will likely hurt small businesses and be harmful to the community.

Additionally, if permits are not transferable, the value of the properties will drop dramatically and many owners would be forced to sell the homes.

Sincerely,
Todd Huegli

--
Todd J. Huegli
ToddHuegli@gmail.com

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: janetanddennis@gmail.com <janetanddennis@gmail.com>
Sent: Monday, May 1, 2023 2:43 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To whom it may concern,

We are relatively new to Oregon and to the Oregon coastal communities but have quickly fallen in love with the coast and the joy it brings our families to have rental units available to visit and spend a few days at the Tillamook coast. Because we enjoy the coast so much, we feel we have contributed to the economy of the Tillamook coastal communities, have found the rental neighborhoods peaceful, and inviting. We have enjoyed the restaurants, the parks and trails, and found the shopping most enjoyable. We strongly encourage you to support healthy short-term rental relationships that make them affordable, safe, and plentiful.

Also, as an STR owner, we have made sure we used local craftsmen to put our home in top condition and keep it there. We have hired roofers, painters, carpet layers, furnace maintenance firms, propane suppliers, and visited furniture stores to furnish our home. We hope that any actions you take to regulate STRs will recognize their value to the communities and keep this part of your local economy healthy and welcome.

We would be happy to speak with anyone on the county board of commissioners about the value of STRs to our relationship to the Tillamook coastal community.

Sincerely,
Dennis & Janet Broderick
Nedonna Beach
925-831-8516

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:21 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: thomas cooper <tommycooper@me.com>
Sent: Monday, May 1, 2023 3:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I'm writing to suggest moderation with the proposed STR amendments. I have concerns with regards to existing permit holders being forced to modify their homes to comply. I've had no complaints after being in business for 15 years and use all local businesses to service my rental properties. If particular concern are the updated potential requirements for room size, sleeping areas, ceiling heights, and off street parking. My places aren't fancy, they're quirky old beach houses in Rockaway a mere block out of city limits. To comply with parking for one I'd have to rip out a fence when there's ample parking on the side of the house. The lot's narrow and the parking is partly on my property and partly on the side of the street and there's never been an issue with parking in the past. I'm not that close to the beach and I'm respectful of my neighbors. I also have some smaller rooms with ceilings that are not to current building code regulations. I've invested a lot in the community and I understand the need to regulate moving forward for new permits. I feel like this is a place where families gather and frequent the local businesses. It would be a shame to jeopardize this with excessive regulations. Despite the fact that I contribute a significant amount of STR and tax revenue I don't even have a paved street in front of any of my houses. I feel like now I'm paying the price for complaints from Neahkanie

Thank you for your consideration

Sent from my iPhone

Tom Cooper
Tommycooper@me.com
503-317-9101

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs in Tillamook County

-----Original Message-----
From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Monday, May 1, 2023 3:21 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs in Tillamook County

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

I'm a resident and voter in Tillamook County. I live on a quiet neighborhood in South Unincorporated Rockaway Beach. We have several STR's here and absolutely no problems with visitors. The tourists who come are very glad and happy to be here. It makes every day feel like a holiday. With good instruction from STR hosts all of our guests know where to put garbage, where to park and what quiet hours are. With a detailed map they know how to reach the beach without trespassing.
Unfortunately I can't say the same about a few of the full time residents here. Lol. Funny isn't it? The residents feel entitled, trespassing through lots owned by others and over dune reparations disturbing newly planted beach grasses that cost a fortune to build.
Don't assume that all neighborhood issues are caused by guests from out of town.

Janell Dixon

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Brian Johnson <bjadman@gmail.com>
Sent: Monday, May 1, 2023 4:45 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To whom it may concern,

Without having a rental permit at our home in Rockaway Beach we would simply have to sell the home. We love our place at the beach and rely on partial income by having VACASA manage our rentals for us. We have ample parking and have never had a complaint from our neighbors. Please consider us homeowners who play by the rules, keep our home in excellent condition, and bring so much business to the area over the years. We want to continue to enjoy our wonderful home for years to come.

Sincerely,

Brian C Johnson
5523 N Atlantic Ave
Portland, OR 97217
personal: bjadman@gmail.com
business: brian@bcjohnsonhomes.com
503-957-5587
www.bcjohnsonhomes.com

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment - Short term rentals in Unincorporated Tillamook County

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From: Dave Vandehey <dvandehey@tbcorp.net>
Sent: Monday, May 1, 2023 4:48 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment - Short term rentals in Unincorporated Tillamook County

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

We purchased a vacant lot in Neskowin a couple of years ago with plans to construct a beautiful home overlooking the ocean that we could share with others via a Short-Term Rental Permit. Thankfully, we have not started construction, or we would find ourselves in a serious financial debacle, knowing that we can't afford the property as a personal vacation home only, with no rental income. Now, we may never build because either the proposed changes will not allow more rentals, or by having a cap at all it will put us in a risky position of starting to build not knowing if we'll be able to get a STR permit. It's a terrible and unfair position to be in.

These areas are vacation/tourist destinations, and if the full-time residents don't like that, then they have chosen the wrong place to live. The Oregon coast is beautiful and should not only be reserved for those that can afford a place of their own. Depending on the outcome, we may sell our lot, probably at a loss, because its not worth as much given the new STR restrictions or hold onto it long-term hoping the rules will change, and as a vacant lot, the county will receive significantly less property tax revenue, not mention the loss rental tax revenue and loss of revenue for local businesses. Don't let a few complainers ruin it for the rest us. Put your focus on better enforcement of current regulations, not adding new, not well thought out new restrictions.

Dave Vandehey
Neskowin Lot Owner

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: Gabi Schuster <pdxgabi@gmail.com>
Sent: Monday, May 1, 2023 5:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I have a 350sf small house between Manzanita and Nehalem. I'm planning on retiring there in 4 years. In the meantime I rent it out to vacationers and I only allow 2 people in the house. My guests are quiet and contribute to the local economy by eating out in local restaurants and shopping at local businesses. The new STR rules are too restrictive for a small house like mine. One size fits all does not work. My house can't house enough people to make that much noise. In fact, my guests have complained about a full time-resident who plays loud music outside and burns his garbage in the backyard. Are we also going to extend the noise-, parking-, and other annoyance regulations to full-time residents? That is actually what we struggle with. Our guests are very quiet but the full-time residents aren't and they have more cars in front of their property than my little rental.

If these new rules go into effect I will shut down my rental with the result of not promoting tourism at the coast. Local businesses will suffer from these newly proposed restrictions.

Gabriele Schuster

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Dan Myers <danmyers42@gmail.com>
Sent: Monday, May 1, 2023 9:28 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I appreciate Tillamook County's interest in making sure reasonable regulations are in place for short-term rentals. I used to have a home in another area that went through the same process. There, they determined that the number of complaints was actually quite small given the number of rentals that existed in that community, and that concerns could be handled with less than a handful of simple new rules.

I have a few requests / questions / concerns about the current proposed regulations:

1. I don't feel like Tillamook County has been transparent (or I haven't been able to find the information) on how many complaints have actually been received from residents in different areas, and are these regulations actually solving a meaningful problem? In my community (Pacific City), we've had great relationships with neighbors, and permanent and part-time residents I know have not had concerns about STRs. I'm concerned Tillamook County is taking a one-size fits all approach to all communities in the county.

2. I'm concerned the county may be creating a nightmare for the county and current STR owners. I'm concerned that a new regime of rules and regulations, and the staff and overhead to enforce it are just going to bulk up costs and burden the country without making a meaningful difference for residents, homeowners, or visitors.

3. I support payment of fees to support the county and others - but from what I've seen, it seems the county over the past few years has added new fees to small short-term rentals, but not to large hotels and commercial properties that are owned by large companies. Why is the country singling out homeowners for new fees? Why are permits potentially being given a new name (registration certificates)? It feels a bit like the county is creating a whole new structure to solve a problem that doesn't exist in most communities in our county ... let's target places where there is actually a problem to solve with targeted fixes (again, I haven't seen the county share data on where this is a problem, and how much of a problem it is - more transparency would be welcome).

4. In our community, Pacific City, STRs create so many opportunities to visitors to walk to the beach and enjoy the beauty of the Oregon coast. Reducing and overly restricting STRs, I fear, is going to make traffic and other headaches from visitors worse because visitors won't have good options to stay locally, they'll just pop in for a day, park all over the city, leave bigger messes (without a home to bring garbage to, etc), and our local community will miss out on more economic activity (restaurants, shops, services like surf lessons, gas stations, etc.) as visitors have shorter visits and spend less money per visit. Less revenue, more headaches, along with more regulations, makes me worried for our community.

Thanks for all the services the county provides. Please, let's keep things simple!

Thanks,
Dan Myers

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Concerns of STR review & outcome

From: Bob Taylor <bob@materialcg.com>
Sent: Monday, May 1, 2023 10:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Concerns of STR review & outcome

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

Thanks for allowing to express my appreciation for the bigger picture questions related to STR regulations in the County and concerns from what appears to be differing viewpoints.

My family is 5th generation of living full time or part time in Pacific City and I commercial fished out of Pacific City and Garibaldi in the 70's & 80's – so I am very familiar with how the area has dramatically changed over this time.

It's my hope that decisions which are made consider that STR owners in general have a vested interest to be good neighbors & generally make serious efforts to ensure their neighbors are not disturbed. Furthermore, that the County deeply considers the benefits to small businesses in the area & the effects to employment of the community.

I believe many of the so called concerns or "livability" stem much more from so called "day trippers" in the summer, and only on rare exceptions, are short term renters creating any problems. That said, beyond having a call center to enable complaints to be recorded – I am sure STR owners would fully support the idea of a nominated private security company to monitor STR units in the area & enforce the guidelines and rules which renters must abide to, and to act immediately on any legitimate complaints or incidents (just as Lincoln City has done).

Whatever changes may be implemented, I hope the County can see it as fair and reasonable to grandfather in the relatively very few denial cases of applications submitted prior to the pause, of owners whom were well into the process of building when the pause was implemented.

Collectively such cases would have negligible impact on the overall rental percentages. Barring such allowance, many persons (myself included) will face serious financial hardships and may be forced to sell the home when completed, at a time in which it's next to impossible to sell (risk losing significant personal savings & investment).

Thanks for your consideration,

Arthur Taylor
6075 Coates Ave, Tierra Del Mar Beach

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: Paula O'Gorman <paula.pogo0111@gmail.com>
Sent: Monday, May 1, 2023 11:14 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

We have owned a home in Tierra Del Mar for the last 20 years and have been renting it to guests since we bought it. We have not had any problems with the rental or neighbors complaining about our guests. We would not have been able to purchase the home without the promise of rental income. Our guests love to come and enjoy the beach and they spend money at the local restaurants and shops.
Please do not pass any restrictions on our ability to rent our home.
Thank you, Paula O'Gorman

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Cathi Harwood <peaceseagetaway@gmail.com>
Sent: Tuesday, May 2, 2023 8:20 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Hello, My name is Cathleen Harwood. I am the 4th generation in my family to live and work in Pacific City. I bought my parents home "7350 Summit rd" in 2015, they had owned it since 1986. I have had my STR permit since 2016.This is a family home, and we encourage Families to share. We have never had 1 complaint. I Am Concerned about my current permit being replaced with a " Registration Certificate?" thanks

Lynn Tone

From: Michael R. Rice
Sent: Tuesday, May 2, 2023 9:07 AM
To: Lynn Tone
Subject: FW: EXTERNAL: Registration Confirmed - OACES 2023 Spring Conference

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From: Joann Hendrix <jhendrix@oregoncounties.org>
Sent: Tuesday, April 25, 2023 9:57 AM
To: Michael R. Rice <mrice@co.tillamook.or.us>
Subject: EXTERNAL: Registration Confirmed - OACES 2023 Spring Conference

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

Dear Michael,

Your registration has been confirmed. Please save this email for future reference.

Event: OACES 2023 Spring Conference

Attending: Michael Rice

Number in Party: 1

Time: 9:00 AM

Date: May 22, 2023

Confirmation Number: 3GN5R79G7HH

Registration Information

Michael Rice
OACES Members

View or modify your registration

We look forward to seeing you there.

Sincerely,

Joann Hendrix

jhendrix@oregoncounties.org

If you no longer want to receive emails from Joann Hendrix, please Opt-Out.

Your payment for the OACES 2023 Spring Conference event has been successfully processed. Please save this email for your records.

Transaction Information

Item	Transaction Information	Quantity	Amount
OACES Members	$250.00	1	$250.00
		Transaction Total	$250.00

Registration Confirmation Number: 3GN5R79G7HH
View your registration

If you have any questions about this transaction or email, please contact Joann Hendrix directly at jhendrix@oregoncounties.org.

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cvent

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 2:03 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR

From: Lindley Leahy <lindley@willamettecoastride.com>
Sent: Tuesday, May 2, 2023 12:34 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR

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

Hello

I am writing to the BOC to say we are against the 1% cap.

Our livelihood does depend on the STR in more ways than one. We bring our outdoor recreation tour company clients to Neskowin. My husband Justin and I own and operate the Willamette Coast Ride LLC. We stay in STRs from May to October, we often rent 5,6,7 condos at a time to house these clients. What we love about Neskowin is that it is small and quiet, it is generally safe and (with the exception of last year) also boasts a couple restaurants that we can easily walk to and have dinner and a drink. We also frequent the Neskowin Trading Post and send our clients there for breakfast and other necessary provisions. These conveniences in small towns like Neskowin would not be here year round if it weren't for the tourists that support them heavily in the high season. Many of these small towns in Tillamook County are definitely economically supported by tourism, it is easy to see why! The Oregon Coast is gorgeous and its people are friendly.

I do support responsible and common sense approach to regulations, parking, bedroom, septic requirements these do make sense to have the infrastructure to support the guests.

Short term rentals are important for accessibility to the beach, we get people from all over and many different economic backgrounds but the common theme is to see and experience the mighty Pacific and in an unspoiled and not overly commercial way, Tillamook County does this beautifully and can continue to offer this in a sustainable way! It is true that not everyone (now in the past two years, one may even argue most everyone) cannot afford to own a house at the beach, but we can (historically and hopefully still well into the future) rent one for a week on the magical Central Oregon Coast.

Thank you,

Lindley Leahy
Willamette Coast Ride
971-241-2684

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 2:03 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: No on proposed Ordinance 84 Revisions

From: Bill Ruecker <billr@baysingerpartners.com>
Sent: Tuesday, May 2, 2023 8:34 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: No on proposed Ordinance 84 Revisions

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

Dear Tillamook County Commissioners,

I am a frequent visitor to Tillamook County and prefer STRs to hotels or resorts as there is a better sense of community and amenities. I usually stay at the same location and love getting to see old friends and make new ones. We have never had issues with any of the neighbors. The proposed ordinance revisions will make STRs more difficult and expensive without any real benefits to community.

Please do not support the proposed revisions to Short Term Rental (Ordinance 84). The county will face real economic damages if passed.

Passing this ordinance will create huge liabilities and loss of tourist dollars if passed including attorney's fees required to fight the land use issue that was previously shown to be a losing issue in Lincoln County. The proposed damage clause for decreased value alone could require Tillamook County to pay millions in dollars for diminished values for houses that are no longer allowed as STRs. If tourist dollars stop coming to Tillamook County many stores and restaurants will suffer. So will the tax base.

No special rules beyond fees and licensing should be required for STRs. Complaints about parking and noise must be dealt with uniformly throughout Tillamook County via enforcement of existing ordinances, governing these offenses. The existing ordinance 84 is adequate to protect the property rights of everyone including the vocal few against STRs.

Please vote no on proposed STR revisions.

William M. Ruecker, AIA

William M. Ruecker | AIA, Sr. Principal
billr@baysingerpartners.com
(P) 503.546.1614 | (C) 503.349.2633
2410 N. Lombard St., Portland, OR 97217
www.baysingerpartners.com
Baysinger.

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 3:04 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: signage for short-term rentals

From: Carolyn Kinsley <kinsleyc@nehalemtel.net>
Sent: Tuesday, May 2, 2023 2:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: signage for short-term rentals

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

To the Short Term Rental Advisory Committee, Tillamook Board of County Commissioners, fellow STR owners, and Neahkahnie neighbours:

I am concerned about recommendations that will make residential areas look commercial. In Neahkahnie I do not want to see signs at the street indicating that a house is a short-term rental (or any other sort of business).

The address of each house of course should be clearly visible at the street, for emergency vehicles, guests, and renters. In Neahkahnie we have green signs, at the street, issued by the fire department. In addition I have the house number on the house itself. Perhaps an owner-occupied bed and breakfast could have a sign beside the driveway or on the front lawn, but in Neahkahnie that would be the exceptional exception (perhaps grandfathered if permitted in the past). We used to have our own regulations.

I do not object to having discreet but clearly visible information right at the entrance door with the name and number of an emergency contact (maximum 8.5 X 11 inches). (That might be advisable for any house when it is unoccupied, STR or not.) I do want to be able to remove the information without hassle when my family or I am in residence (which has been all the time since the summer of 2022).

Vacation rentals in Neahkahnie started out as second homes with the income to help pay the mortgage and keep the house from sitting vacant while the owners weren't using it. There were no rental agencies. The landscape has changed drastically in areas elsewhere that have been developed very densely. Neahkahnie, deliberately, however, has maintained its quiet residential appearance—larger lots, no street lights, no sidewalks, and no signs at the street indicating a STR. (One at the intersection of James Road and Beulah Reed Road should be removed and never have been permitted in the first place.)

Perhaps other unincorporated areas want to permit advertising (including STR signs) but my sense is that Neahkahnie wants to maintain its residential character. It may be a case that one brush stroke of regulations will not work for all areas.

Carolyn Kinsley
38145 Beulah Reed Road
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 3:05 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Roberta Lindenfelser <gmabertie@gmail.com>
Sent: Tuesday, May 2, 2023 3:02 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Hello
My sister and I own a studio condo in Neskowin that was passed to us by our parents. The condo has been in our family for many decades. We have been part time members of the Neskowin community for a very long time. We have enjoyed the amenities, beauty, walkability and peacefulness of the village and beach while paying our taxes and fees to Tillamook County. We do our part to provide income to those who live/work full time in the area. We began day-visiting Neskowin in 1979, the year my daughter was born. She is 43 years old now. We have seen first hand the changes that increased population, increased tourism, the pandemic and the march of time has brought to our special village and other coastal communities.

In the years that we have rented our condo, we have had only one problem that could have impacted our neighbors. Myself, our management company, our HOA, and the Sheriff's Office were very helpful. We all worked together to resolve the problem ASAP and made a plan so that the issue would not happen again. As STR owners, we are very committed to our property being of benefit to the community, not a problem in the community. Other STR owners feel this same way.

As you work to reconfigure STR permits, please consider our experiences, thoughts, and requests. Ours are as follows:
- Please make decisions based on significant data sets, analysing them to address the most important problems facing our county and communities. Responding to the loudest of "squeaky wheels" will likely create more problems than it relieves. Taking longer to understand and address base issues will save time, money, energy and resources in the long run. Making blanket rules based on complaints from a specific community (most from Neahkahnie) will cause widespread collateral negative effects in the rest of the County.
- Please, please, please enforce existing regulations. Many of the complaints seem to fall into categories that already have current guidelines. Adding more regulations without enforcement will only exacerbate problems and increase the number of complaints.
- STR/Registration Certificates should transfer with the transfer of ownership of the property without limit as long as requirements for original permitting are met.
- STR's are a longstanding and vital part of coastal economies. Local business is supported to one degree or another by those who visit our small coastal communities. Tourism has been promoted and supported over the years. Many businesses and workers rely on visitors to stay viable.

Overall population growth issues and shifts in leisure time choices in coastal communities brings with it changing challenges. Regulating STR's out of existence or severely limiting them is not "the" solution. I understand the desire to return to the peaceful little community village we all enjoyed in the last 40 years. I miss that village too.

Investment firms owning properties in Tillamook County generally are not responsive to community desires and needs. Is there a way to limit these? Currently, most STR owners are private citizens, invested in and responsive to their communities. We want our communities to continue to thrive and maintain their unique qualities. Let's work together for common solutions that work best for our villages and Tillamook County.

Thank you
Roberta Lindenfelser
-

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 11:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: John Leigh <leighj2717@gmail.com>
Sent: Tuesday, April 25, 2023 8:50 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Hello. I would like to reiterate my concern about the square footage requirement for bedrooms. Presumably the requirement is to prevent small spaces in large houses from being used as bedrooms to increase the occupancy. However, in a small house, bedrooms may be small and none of the bedrooms might fulfill the square footage minimum stipulated. It seems to me there should be some accommodation for small houses with limited bedroom space. For example, houses with only one or two bedrooms could be exempt. Thank you.

Date: April 19, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee - Attn: Economic Representative

Re: Public Comment - Updated OCH Tourism Business Survey Responses

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

In the absence of a current study by Tillamook County on the economic impact of STRs, Oregon Coast Hosts conducted a survey among local businesses to better understand the economic impacts of STRs. This informal survey was distributed by community members and provided to local chambers of commerce, and 51 survey responses were received. Though somewhat narrow in that it was geared towards businesses who are patronized by either homeowners with STR permits or guests, it may offer some insight to be considered as STR regulations are updated. A future analysis by the county should expand beyond TLT and include the impact of dollars spent locally by homeowners with STR permits, and by STR guests, and it should include both tourist and non-tourist based businesses.

In jurisdictions around the US, it is best practice to have an economic impact study before updating regulations. The book titled, "Regulation & Taxation of STRs" by Badgett & McLaughlin states that, "Before sitting down to draft an STR ordinance, it is recommended that a local government first engage in a research and data-gathering phase to better understand the local STR market. During the research and data-gathering phase, a local government should compile both quantitative and qualitative data related to the tourist economy."

Framing regulatory tools as "growth management" does not account for various changes in multiple sections of the draft ordinance which could result in the elimination of an unknown number of STR permits: square footage requirements, parking space size requirements, current building code requirements, septic requirements, and requirement to actively rent annually. More data is needed on the impact of these proposed changes.

Thank you,
Shelia Clark
Board Member
Oregon Coast Hosts

TOURISM BUSINESS SURVEY

1. **TOP 4 BUSINESS CATEGORIES** (multiple options could be selected)
    a. Food & Beverage Sales -26%
    b. Retail & Shopping - 22%
    c. Real Estate Buying & Selling - 22%
    d. Lodging - 22%

    The remaining business categories with more than one response were a mix of construction, property management, sporting activity, landscaping, household services & home maintenance, restaurants, fishing, tours & expeditions, and healthcare.
    Please see slide on final page for more information on categories.
    All percentages have been rounded to the nearest whole percentage.

2. **PERCENTAGE OF ESTIMATED BUSINESS REVENUE RELATED TO TOURISM AND/OR STRs:**

    a. 29% = 100% tourism revenue
    b. 8% = 90% tourism revenue
    c. 6% = 80% tourism revenue
    d. 20% = 70% tourism revenue
    e. 0% = 60% tourism revenue
    f. 6% = 50% tourism revenue
    g. 0% = 40% tourism revenue
    h. 6% = 30% tourism revenue
    i. 10% = 20% tourism revenue
    j. 6% = 10% tourism revenue
    k. 10% = 0% tourism revenue

3. **HOW LONG HAVE YOU BEEN IN BUSINESS IN TILLAMOOK COUNTY?**

    a. 4% = less than a year
    b. 29% = 1-5 years
    c. 22% = 6-10 years
    d. 16% = 11-20 years
    e. 29% = 20+ years

4. **WHICH CATEGORY BEST MATCHES YOUR ROLE?**

    a. 43% = solo business owner
    b. 12% = employee
    c. 16% = business employs 1-5 full or part time employees
    d. 10% = business employs 6-10 full or part time employees
    e. 8% = business employs 11-20 full or part time employees
    f. 12% = business employs 21+ full or part time employees

5. **DO YOU HAVE CONCERNS THAT A POSSIBLE REDUCTION IN STRs TO ACCOMMODATE VISITORS MAY HAVE A NEGATIVE IMPACT ON YOUR BUSINESS?**
    a. 20% = No concerns
    b. 8% = Yes, some concerns
    c. 73% = Yes, strong concerns

6. **IF THERE WERE A SIZEABLE REDUCTION IN TOURISM REVENUE AS A RESULT OF REDUCTION OF STRs, HOW WOULD THAT IMPACT YOUR BUSINESS?** Multiple options could be selected:
    a. 60% = Seasonal operations may be more limited
    b. 56% = Staffing needs may decrease
    c. 50% = Business hours may be reduced
    d. 28% = Benefits for employees may need to be reduced
    e. 20% = No changes predicted

7. **WHAT WOULD AN ACCEPTABLE PERCENTAGE OF BUSINESS LOSS BE TO CONTINUE CURRENT BUSINESS OPERATIONS WITH NO CHANGES?**
    a. 67% = 0% loss
    b. 18% = 10% loss
    c. 8% = 20% loss
    d. 2% = 30% loss
    e. 0% = 40% loss
    f. 2% = 50% loss
    g. 0% = 60% loss
    h. 0% = 70% loss
    i. 2% = 80% loss
    j. 0% = 90% loss
    k. 0% = 100% loss

The survey did not provide an option for respondents to report a potential increase in business due to STR reduction, but it did provide an option for "No changes predicted from possible reduction in tourism revenue" and respondents could provide additional text feedback at the conclusion of the survey.

8. **HAS YOUR BUSINESS RECOVERED FROM PANDEMIC CLOSURES & STAFFING CHALLENGES?**
    a. 39% = Yes, we have fully recovered
    b. 37% = No, we have not yet fully recovered
    c. 24% = We had no closures or staffing challenges

Despite best efforts, STRs can be a divisive topic and **57% of the respondents requested anonymity**, but the results are clear that businesses which are patronized by homeowners with STR permits & their guests have serious concerns about reductions in STRs. Additionally, based on public comment, some businesses may not even be aware that their customers have been homeowners with STR permits. A more detailed economic impact study by the county would be a very helpful tool in this process.

SURVEY FEEDBACK

I would really rather the county focus on how to incentivize long term rentals rather than penalize short term rental owners.

I feel STR's are at the max for restrictions and guidelines for now.

Tillamook county will be responsible for many families financial destruction.

I do not believe that eliminating STRs will help solve our housing crisis. It will only serve to harm the local businesses that thrive on tourism, of which there are MANY.

We are a coastal area. Tourism is our survival.

County is headed for a large lawsuit.

This will absolutely put people out of business…

While STRs are generally positive with regard to the local economy, they are absolutely impacting housing prices and, to some extent, the availability of long-term rentals.

Tourism is a significant drain on Law Enforcement but also provides substantial and critical business for our county.

There should be a mechanism to have tourists pay their fair share of incurred costs to the county, such as sanitation, garbage, law enforcement, and fire responses.

Tillamook was a tourist town as well as Rockaway when founded and it created and still creates a revenue and business for many people.

If str are greatly limited in Neskowin we will have to take our tour business and investment elsewhere.

My business would benefit from the reduction in STRs. Making note of this here since it was not an option in your survey question about how my business would be impacted.

Your businesses (STRs) are parasites on our community. That you fancy yourselves to be part of us, is delusional.

Your thinly veiled greed isn't fooling anyone around here. Whatever the result of the STR ordinance, you lose at life, you lose at being decent humans.

Unrelated to this survey, below is a list of local businesses in Tillamook County which have been listed as being patronized by homeowners with STR permits & guests. This list is not an endorsement of these businesses, nor an endorsement of OCH by these businesses:

BUSINESSES PATRONIZED BY HOMEOWNERS WITH STR PERMITS & STR GUESTS

A
All Star Appliance - Tillamook
Alice's Country House
Alderbrook Golf Course
Angus Electric - Tillamook
A Mighty Thai - Manzanita
Ace Hardware - Pacific City
Ace Hardware- Seaside
A+ Plumbing

B
Bahama Mama's Bikes and Boards - Manzanita
Bare Moon Farm - Cloverdale
Bayside Market - Netarts
Bayside Surveying - Tillamook
Beachwood Bar&Grill - Pacific City
Beach Walk - Pacific City
Bell Buoy Seafood Market and Restaurant-Seaside
Bear Creek Artichokes - Cloverdale
Ben and Jeff's Burgers and Tacos - Pacific City
Berkshire Hathaway Home Services Real Estate - Netarts
Big Wave Cafe - Manzanita
Bob McEwan Construction, Inc
Brighton Marina-Rockaway Beach
Bros & Hoes Landscaping - Beaver
Blue Agate Cafe - Oceanside
Blue Heron Wine and cheese
Builders First Source
Bunkhouse - Manzanita
Buttercup Ice Cream & Chowders - Nehalem
By the Sea Grocery & Deli - Netarts
Bob Johnson flooring

C
Cape Kiwanda Marketplace - Pacific City
Camp 18 Restaurant - Seaside
Chester's Thriftway - Pacific City
Chimcare

Citi-Zen Dispensary - Pacific City
Cold Water Coffee - Pacific City
Coastway Construction - Pacific City
Coliseum Theater - Tillamook
Comco Carpet Cleaning
Coyote Gardens - Neskowin
Crab Rock Pizza - Garibaldi
Critter Getter
CMP - Plumbing contractor
Cloud & Leaf - Manzanita
Current Cafe - Oceanside
Curious Plants & Treasures - Cloverdale

D
Dale Stewart Construction and Design - Tillamook
deGarde Brewing - Tillamook
Doryland Pizza - Pacific City
Dixie's Vino - Manzanita

E
El Trio Loco - various locations
Eagle Landscape - Manzanita
Ed's Septic
Enrique's Authentic Mexican Food

F
5 Star Electric Inc - Pacific City
Fish Peddler - Bay City
Four Paws on the Beach - Manzanita
Fred Meyer - Tillamook
Full Spectrum Window Cleaning
Finnestere - Manzanita
Four Paws on the beach - Manzanita
Fern - Tillamook
Flamingo Jims - Rockaway

G
G3 Electric - Cloverdale
Gage Construction - Cloverdale
Grateful Bread - Pacific City
Grey Fox Rentals - Neskowin
Grumpys Cafe - Rockaway

H
Haltiner Heating - Tillamook
Hawk Creek Cafe - Neskowin
Hawk Creek Gallery - Neskowin
Hoffman Center for the Arts - Manzanita
Howells Floor Covering - Manzanita
Handy Creek Bakery - Wheeler

J
JAndy Oyster Co - Tillamook
JJ Electric - Seaside
J's Fish and Chips - Lincoln City
Jacobsen Salt Co - Netarts Bay
Jetty Fishery - Wheeler
JMarie Salon - Nehalem

K
King Lawn Care - Otis
Kayak Tillamook
Killers Pest Control
Kiwanda Coastal Properties - Pacific City
Kellys Brighton Marina - Wheeler
Kittys Cafe - Tillamook
Kephart Flooring

L
Left Coast Siesta - Manzanita
Les Schwab
Library Thrift Shop - Pacific City
The Little Apple Grocery - Manzanita
Lin's Chinese Restaurant - Tillamook
Los Corporales Restaurant - Pacific City
Lucky Beach Boutique- Pacific City
Lighthouse painting

M
MacGregors Bar - Manzanita
Madeline's - Tillamook
Mainstreet pizza
Manzanita Fresh Foods
Manzanita Golf Course
Manzanita Grocery and Deli
Manzanita Lumber
Manzanita News & Espresso

Manzanita Coffee Co.
Manzanita Lighthouse
Manzanita Links
Marzano's - Manzanita
Manzanita Farmers Market
Manzanita Sweets
Meridian Restaurant & Bar - Pacific City
Miami Cove Electric
Mo's Restaurant - Cannon Beach
Moment Surf Company - Pacific City
Moxie Fair Trade - Manzanita
Momma's Beach Bike Rentals - Neskowin

N
Nehalem Food Mart - Nehalem
Nehalem Bay Lumber - Nehalem
Nehalem Bay Winery - Nehalem
Neskowin Beach Golf Course
Neskowin Farmers Market
Neskowin Trading Company
Nestucca Adventures - Pacific City
Nevor Oysters - Netarts
NCRD - Nehalem
Neahkahnie Bistro - Manzanita
North Coast Watchman - Manzanita
North Coast Pinball - Nehalem

O
Oar House Bar & Grill - Pacific City
Oceanside Surf Co. - Oceanside
Offshore Grill & Coffee House - Manzanita
Oregon Coast Bank
Oregon Coast Homewatch & Maintenance
Oregon Coast Cannabis - Manzanita
Old Oregon Smokehouse - Tillamook and Rockaway

P
Pacific Coast Candy
Pacific City Hardware & Lumber
Pacific Lawn Service - Tillamook
Pacific Roots Donuts - Nehalem
Pacific Seafood - Bay City
Pacific House - Tillamook
Papa Murphys Pizza - Tillamook

Pebbles Plumbing & Mechanical
Pelican Brewing Company - Pacific City, Tillamook
Pelican & Piper - Wheeler
Pfeifer Roofing
Pig N Pancake
Pizza Garden - Nehalem
Portside Garibaldi

Q
Quality Home Maintenance

R
Roseanna's Cafe - Oceanside
Rosenburg's Lumber - Tillamook
Rusty Cow - Cloverdale
Riverhouse Nestucca Restaurant - Pacific City
Riverside Fish & Chips - Nehalem
Roby's Furniture and Appl. - Tillamook
Roost - Wheeler
Rice & Shine - Wheeler
Rieger Electric

S
Safeway - Tillamook
Salty Raven - Tillamook
Sand Dune Pub - Manzanita
Schooner Restaurant - Netarts
Sea Clean - Seaside
Seaworthy Coffee & Gifts - Netarts
Shell Gas Station- Manzanita
Siggi G Charters - Garibaldi
Sister & Petes - Manzanita
Sitka Center for Art & Ecology - Otis
Sportsman's Pub & Grub - Pacific City
Stimulus Coffee & Bakery - Pacific City
The Schooner - Netarts
Sunflower Flats - Tillamook
Spa at Manzanita
Syzygy - Manzanita
Sisters & Pete Coffee & Tea - Manzanita
Schwieterts (Rockaway & Manzanita)
Salmonberry - Wheeler

T
20/20 Window Cleaning
Tacos la Providencia - Tillamook
Ticor Title - Tillamook
Tidepools Spa & Wellness - Pacific City
Twist Wine Company - Pacific City
Tillamook County FBO TMK
Tillamook Sporting Goods
Tillamook Cheese Factory - Tillamook
Tillamook Country Smoker
Toylandia - Manzanita
T-Spot - Manzanita
Tillamook Farmers Market
Trillium - Wheeler
Trillium - Lincoln City
Twins Ranch Rail Riders - Wheeler

U
Unfurl - Manzanita
Upstairs Bar and Grill - Netarts

V
Village Scoop - Neskowin
Vice Construction Co.

W
Wanda's Cafe - Nehalem
Wild Coast Goods
Wild Grocery - Manzanita
Wisteria Chic - Manzanita
Willamette Coast Ride - Neskowin
The Winery at Manzanita
Wolfmoon Bakery - Nehalem
Wooster Photography
Woodpecker Roofing - Tillamook
Warehouse 10 - Rockaway

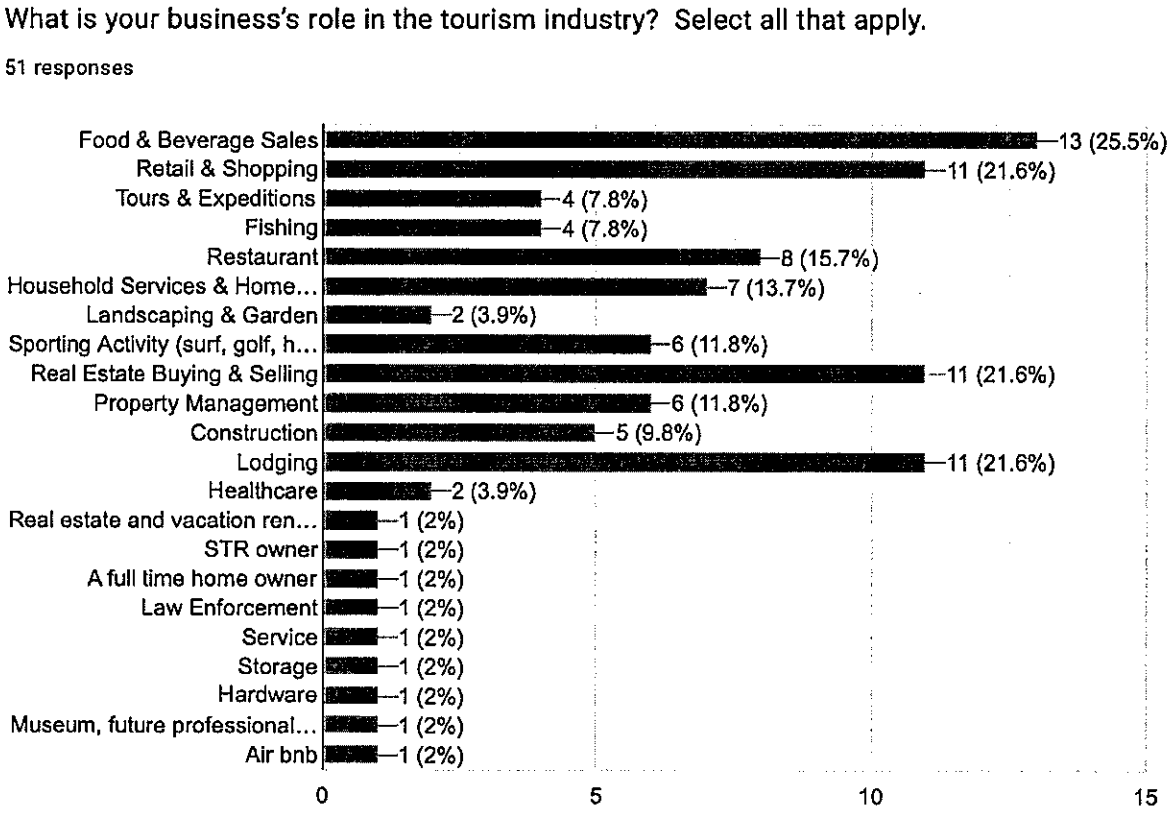
Y
Yolk - Manzanita

Z
Zeurcher Plumbing

CHARITABLE CONTRIBUTIONS BY HOMEOWNERS WITH STR PERMITS:

CARDM - Wheeler
CARE Tillamook
Food Roots
Friends of Netarts Bay Watershed WEBS
Manzanita Mudd Dog Foundation
Nehalem Bay Fire District
Neskowin Beach Golf Course
Neskowin Valley School
NCRD - Nehalem
Oceanside-Netarts Fire District
Tillamook Estuary Partnership

Slide showing total number of responses & industries of the respondents:



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CHAMBER
of commerce

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Ashley Christensen
Special Events Coordinator

Holly Prince
Office Assistant

building community.

May 3, 2023

RE: Tillamook County Ordinance #84 Public Comment

Dear Ms. Absher & Tillamook Board of County Commissioners,

The Tillamook Area Chamber of Commerce is in support of Tillamook County Department of Community Development's recommendation to remove long-term cap and density restrictions of short-term rentals (STR) in Ordinance 84. We believe that this will allow for proper assessment of the new regulatory and enforcement measures being imposed and the economic impact to be adequately assessed while ensuring the enhanced livability for Tillamook County residents.

Discussion took place at the April 18th STR Advisory Committee that upon the lift of the current STR permit pause, there would be a cap enacted of 1% above current permitted STRs, until a second phase was completed. This proposal allows for extremely limited growth as it does not keep up with economic factors that drive costs up. It is in fact so limiting that in many parts of our County it will establish a stagnant economy that will damage the quality of life for visitors and residents. The proposed 1% increase will choke out many small businesses that rely on tourism to sustain their businesses and employees through the off-season.

Due to the severity of this decision, the Tillamook Area Chamber of Commerce urges the STR Committee and County Commission to consider the following recommendations:

- **Increase allowance to 2%** - Increase the recommended 1% STR permit increase to 2%. This allows for more reasonable growth yet ensures that our neighborhoods are not overrun by STR permits being issued upon the lift of the pause. This addresses economic vitality while ensuring enhanced livability for Tillamook County residents.
- **Establish as an annual increase** – Include language that establishes the 2% increase as an annual increase each July. Collecting adequate data and working with each community on individualized plans will take a significant amount of time. Establishing an annual increase will allow for controlled economic growth during this period of time.
- **3-Year Sunset Clause** – Establish a 3-year sunset on the 2% cap language. This acts as an important protection for our economic growth and allows for business planning. Also ensuring that the next phase is done timely, and that the intent of a temporary restriction does not become institutionalized in policy.

Tillamook County is coming out of an unprecedented, pandemic induced, flood of visitation that is bound to level out due to the economic downturn we are seeing nationwide. Implementing overly restrictive policy at this time without a proper economic evaluation is poor policy making and inevitably will be fraught with unintended consequences.

Tillamook
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of commerce

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building community.

We believe this approach is a fair and equitable balance to the residents and business communities of Tillamook (which are truly one and the same) and encourage you to take your time as you make decisions that can impact the lively hood of Tillamook County residents.

Sincerely,

Justin Aufdermauer
Executive Director

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 9:44 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Justin Leahy <justinleahy828@gmail.com>
Sent: Wednesday, May 3, 2023 9:46 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Dear Sir/Madame

Please support SRT Permits for Tillamook County. Tillamook County is an excellent area for tourists and it needs every tax dollar it can get.

Thank you

Justin Leahy

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Fwd: 5510 Wee Willie Lane, Netarts - 2S1017A000400

From: Lindsey Boccia <lindsey.boccia@gmail.com>
Sent: Wednesday, May 3, 2023 1:41 AM
To: Lindsey Boccia <lindsey.boccia@gmail.com>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>; Public Comments <Publiccomments@co.tillamook.or.us>
Subject: Re: EXTERNAL: Fwd: 5510 Wee Willie Lane, Netarts - 2S1017A000400

Hello Sarah and Public comment readers,

Thank you for including my commentary below in the last edition.

When we purchased our property at 5510 Wee Willie Lane and paid the $30k+ In additional costs necessary to obtain all of our permits, we did so with the expressed capability at the time to apply for and obtain an STR liscense on our finished home.

We've already reduced our plans to a 14x40 modular unit to offset some of the rising costs of construction.

My ask and need is that our home when complete be one of the 1% increase allowed to apply for an STR permit. There is no other way to recoup all of our costs otherwise that were spent with the understanding that we would be allowed to rent the future home on our lot.

I have close to a thousand pages of the Tillamook comprehensive plan printed out in my home. I read it front to back before purchasing our lot. Part of the plan regarding the Netarts Bay is to Increase access for people to enjoy its natural value.

Also if the committee decides to put all of the drafted rules on STR owners, they should also be applied to non STR owners properties equally.

Thank you,
Lindsey

> On Feb 15, 2023, at 8:19 PM, Lindsey Boccia <lindsey.boccia@gmail.com> wrote:
>
> Hello Sarah and Public Comment inbox for the STR committee.
>
> My comments below so far have not been included on the public comment PDFs that have been distributed.

I'm feeling very upset right now, as my family has been incredibly financially impacted directly by this committee and our specific voice is not being heard. Prior to the halt on short term rentals, my family spent an entire year and $34k out of pocket for things the county needed us to do prior to building ($6k on Geohazard, $5k on home design, $5k on land clearing, $8k on land clearing, $10k on county permit cost to finally getting the permit approved) all for a home that is now too expensive to build and that we have no short term rental option to help fund as planned.

Our permit is sitting on your desk and has since expired while all of this unfolds.

My family had a dream to build a cabin, but modern families cannot afford second homes without renting them. It really must be nice for the generation that was able to purchase houses at the beach for a fraction of their income during a time when both parents didn't have to work to afford their regular mortgage and child care.

Real people that own single-family homes should be able to rent them. Giant companies and corporations that own multiple homes should probably be the first ones to get cut. During the pandemic companies bought up the housing stock which drives our prices and hurts regular families even more affordability wise.

Personally we've had no choice but to go seek alternative Cabin styles that are no greater than 500 square feet to even consider affording it at the insane $500 per square foot prices that multiple builders in the area give. We will need a no cost adjustment to our permit given the impact this has already had on us.

Please just make a decision and end this soon. If the new policy is too restrictive it will create a loss in property value if we are forced to sell because of it.

Lindsey Boccia
Netarts Bay, Whiskey Creek

On Jan 16, 2023, at 3:47 PM, Lindsey Boccia <lindsey.boccia@gmail.com> wrote:

Hi Sarah,
I was hoping to add my comment in a public comment process for the committee that is overseeing the short term rental decisions.
Can you please let me know who to send this to for them to consider?

My experience that I hope they take into consideration: A family that saves up for a dream of building a small rustic cabin on Netarts Bay, faces an extra-ordinary cost of building even for a small utility cabin. Families can't afford that dream unless they rent it out when they are not staying there.

If The county must limit at all, I am in favor of the best choice that I see, which is limiting the amount of licenses that one owner can hold, which ideally wouldn't affect families like mine.

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR pause

From: Sharon Babkes <sharon@babkes.com>
Sent: Tuesday, May 2, 2023 11:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR pause

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

To whom it may concern,
If and when the pause is lifted and STR permits are available to be issued, I hope the County can see it as fair and reasonable to grant any new STR permits based on the order of COI receipt in the period leading up to the pause. Given construction takes well over a year to complete and the STR pause had only a few months public notice from March to May 2022, this has caused serious financial and personal hardships on those caught in the year in between. I've now had occupancy since August 2022 and have struggled to finance this home. It has put a strain on my family and to make matters worse, when we do come to Pacific City we cannot even enjoy it with the stress it causes. What once was a wonderful destination and memory maker for our family has now turned into a nightmare, one which we had about 2 1/2 months notice and nothing which we could have prevented. I really wanted to be able to share my home and Pacific City with other families to make memories and now it's impossible.

Sharon Babkes

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: public comment: continued concern no one is listening

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From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Tuesday, May 2, 2023 9:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: public comment: continued concern no one is listening

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

Dear Tillamook County & Board of Commissioners,

We continue to post these public comments, without it seeming that anyone is reading them. It's clear that our voices are not being heard, or that you strictly do not care about your property owners. It is clear you are specifically harming one small group of people for some reason, with the reason being unclear.

When undergoing the "pause" of STR permits, you specifically thought about and cared for several groups of people:
1) People with homes who had not obtained a permit yet but might want one - they were allowed a "grace period" from May 25 to July 1 and in the last meeting it was mentioned that "hundreds" of permits were given during this time to anyone and everyone who wanted one, even many who are not using them. This seemed to be a big point of contention at the meeting.

2) People who were currently in the process of buying a home - you did not want them to be "blindsided" or to have "the rug pulled out from under them" so you allowed them to later obtain an STR permit if their home closed after July 1.

3) People who purchased a home that had an STR permit - they were allowed to "transfer" the permit to their name during the "pause".

Basically the only group that is being intentionally harmed remains people who were building new homes in unincorporated Tillamook County BEFORE the pause was enacted. Why are they being intentionally harmed and the only ones you are allowing to be "blindsided"? You have already allowed "hundreds" of "exceptions" to your "pause". Why purposefully exclude 15 more? It seems intentional.

We have participated fully in this STR Advisory process, have submitted many comments, etc., but our voices don't seem to be heard or no one seems to think about our specific predicament. At the last meeting, there were many arguments that a "grace period had already happened" and everyone had a chance to get a permit that wanted one. That is simply not true.

The current plan of a 1% increase in allowance of permits in each area is also worrisome. That leaves somewhere between 8 and 20 more permits to be allowed in Pacific City, for example, at least per the discussions at the last meeting. However, there are 9 of us in the group of 15 who were in process of building at the time of the pause in

Pacific City alone, plus I'm sure others who have bought homes or simply missed out the first time. So are we all going to be fighting for a lottery spot or first come first serve on July 3, as it was mentioned, and then some of us will likely still be excluded from obtaining a permit after waiting a year already? It seems like we will be permanently shut out of ever obtaining a permit, especially as it seems likely a long waiting list is to form.

Please, PLEASE, AGAIN, consider our small group and the harm you are doing. We took land that was sitting vacant and made it beautiful. We are now paying thousands of dollars in property taxes on that land and literally cannot afford our mortgages without renting it out at least part-time, which was what we intended to do when we bought the land in March, 2022 and started building in April, 2022. We are no different from someone in escrow by July 1. Please grant us STR permits with that same exception clause, or write into the new ordinance that we are prioritized in line and not make us fight it out for the few that will come available July 3.

Thank you again, for your consideration,
Nicole Ralston

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:51 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Gina Burton <banzetah@gmail.com>
Sent: Tuesday, May 2, 2023 8:40 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To Whom it May Concern,
Before imposing more restrictions and rules on all us friendly, responsible STR owners that have wonderful respectful renters, PLEASE, do your research to determine how effective your decisions will be to our community, quality of renters, our tourism, and the economics of the area. Please don't wait you time and our taxes on something that is not well researched.

Sincerely,
Gina Burton

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:51 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs - latest draft

From: Florin Dragu <fdragu@gmail.com>
Sent: Tuesday, May 2, 2023 8:18 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs - latest draft

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

Dear STR Committee,
While I'm happy to see that the latest draft removed limitations based on proximity or number of years a property is allowed to function as an STR, I'm still concerned with this being just phase one and by proposing to limit the cap to current + 1% is basically stopping any property from getting an STR permit unless another STR doesn't renew theirs.
Unincorporated beach as well as other tourism based (mountain, close to state and national parks) communities have been historically 2nd homes or vacation homes for many years, not just recently and for a few rich people who don't even live there all the time, but still want to have those communities mostly to themselves seems very selfish.
Traffic, noise and number of people is increasing everywhere regardless of STRs and people travel more both for day trips and multiple days. I'd argue that day trippers create more traffic, noise and park on streets than multi day trippers who will spend a good amount of their time in the house they rented.
While I understand the desire to create some rules that limit the explosion of STRs there are other ways to do that by limiting the number of STRs a single owner or owner of multiple LLCs can have in one county or ensuring the properties follow the current building code and are safe for STRs (that would limit also the number of guests some houses can have) or other more sensible rules that create some limits without basically stopping any new STRs and that's just phase one with phase two potentially making a lot of existing STRs lose their license either right away or when their current permit expires.

Best Regards,
Florin

To: Tillamook County Short Term Rental Committee
05/02/23
From: Jim Bartels
503.314.6557
bartels.jim@gmail.com

This follows up on my previous comments, and is based on the version of the draft STR ordinance circulated for the April 18, 2023 meeting. My wife own a house on Saghalie Lane in Pacific City. We have owned it for over 21 years.

First, I offer some perspective. Based on the most recent information I received, in the 2022/23 tax year for Tillamook County, residential property owners paid $53,699,710, or 77.72%, of property taxes collected by the county. In 2021 (the most recent information I found), single family short term rentals-the type at issue-paid $5,299,507 to the County in transient lodging taxes. Not insubstantial, but less than 10% of the residential homeowners' tax burden. I point this out because residential homeowners bear the burden and negative impacts on livability caused by STRs placed in their neighborhoods, yet receive none of the income and profits enjoyed by the STR industry. The committee should, in my view, pay more than mere lip service to those homeowners impacted by the STR industry. After all, in taxes, degradation of residential quality, and negative impacts on neighborhood livability, we are in fact paying the costs of the STR industry.

I also urge more transparency by the committee. The committee has 15 members (and 3 vacancies). It seems apparent to me, from the meetings I attended, that at least 5 members (and perhaps more) have direct financial interests in the STR industry as STR owners, STR rental managers, realtors who market homes as STRs, or a combination of those. Yet only two are clearly identified on the committee's website as representing the industry.. The members should state, at the beginning of meetings, if they have financial ties to the STR industry. I also note the STR industry seems over-represented, with at least 5 of the 11 non-agencies members.

As to the draft ordinance presented for the April 18, 2023 meeting:

1. Definition of "estate home" (pg 4) and the special treatment of such houses (pg 12, para C) should be eliminated. Defining an "estate home" by the number of bedrooms that are crammed into a house without regard to the lot size, then using that to flood a neighborhood with up to 17 people (yes, children really are persons, despite the draft not counting them) is a bad and nonsensical idea. Perhaps the exemption may make some sense if "estate" requires, e.g. a minimum lot size of an acre, with on site parking for all renters. Defining one by the number of bedrooms is arbitrary and contrary to common sense.
2. There should be a serious cap on the number of STRs allowed in a neighborhood, or confine them to non-residential neighborhoods. The current situation is placing mini-motels into residential neighborhoods where the neighbors had every right to expect they wouldn't be allowed, and degrading those neighborhoods.

3. As to the provisions for a STR Application and permit, the current draft seems to only provide for notices to neighbors after the permit is granted. That is wholly inadequate. As I requested in earlier comments, the applicant should be required, as part of the application process, to provide the neighbors within 250 ft of the property with notice of the application and a complete copy of the entire application package at least 20 days before the permit may be issued. This would allow neighbors the chance to provide input and to point out any misrepresentations or deficiencies in the application that the County may not be aware of, and head off later problems. For example, in our small (5 house) cul-de-sac in Pacific City, the application for a STR permit contained serious misrepresentations about available parking, included a "site plan" purporting to show the parking spots which was not the site of their property, and spaces that did not exist, and certified the truthfulness of the application. The permit was granted in reliance on the misrepresentations, and months of conflict and confrontation followed. All this could have been prevented if the neighbors had notice of the application as we would have been able to bring the misrepresentations to the county's attention. Pre-permit notice is important.
4. Parking. The Committee should delete the para.D. 1. a. exception in its entirety. To allow a STR investor or owner to turn other property in the neighborhood into a parking lot for their STR in incompatible with the purported goals of protecting neighborhood livability and protecting the residential character of established neighborhoods. The only purpose I can see in this exception is to assist the STR owner/manager to increase their income/profits to the detriment of neighbors, and to the degradation of the neighborhoods. It is contrary to the stated goals of the committee, and to the intent and letter of single family residential zoning which homeowners relied on in deciding where to buy or build their homes. If a STR investor/owner has a house with e.g. 2 parking spaces then they have a house with 2 parking spaces. It is not the Committee's or County's job to give them more, to the detriment of neighbors.
5. The Appeal process (pgs 23-24 of the draft ordinance) should be modified to allow appeals by complaining persons whose complaints about an STR were denied or not acted upon in a timely manner, AND to give complaining persons notice of and the right to participate in any appeal by a STR property owner and/or manager. This is basic due process for those who may be affected by any appeals.
6. Finally, though not addressed in the draft ordinance, I urge the Committee to recommend, and the County to require, that the handling, recording, and resolving complaints about STRs, communications about them, and the outcomes of the complaints, be transparent and accessible to all on the Department of Community Development website.

To: Tillamook County Short Term Rental Committee
05/02/23
From: Jim Bartels
503.314.6557
bartels.jim@gmail.com

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3. As to the provisions for a STR Application and permit, the current draft seems to only provide for notices to neighbors after the permit is granted. That is wholly inadequate. As I requested in earlier comments, the applicant should be required, as part of the application process, to provide the neighbors within 250 ft of the property with notice of the application and a complete copy of the entire application package at least 20 days before the permit may be issued. This would allow neighbors the chance to provide input and to point out any misrepresentations or deficiencies in the application that the County may not be aware of, and head off later problems. For example, in our small (5 house) cul-de-sac in Pacific City, the application for a STR permit contained serious misrepresentations about available parking, included a "site plan" purporting to show the parking spots which was not the site of their property, and spaces that did not exist, and certified the truthfulness of the application. The permit was granted in reliance on the misrepresentations, and months of conflict and confrontation followed. All this could have been prevented if the neighbors had notice of the application as we would have been able to bring the misrepresentations to the county's attention. Pre-permit notice is important.
4. Parking. The Committee should delete the para.D. 1. a. exception in its entirety, and the part of .080 E. that would allow additional parking within 500 ft of an STR if there is an agreement with another property owner. To allow a STR investor or owner to turn other property in the neighborhood into a parking lot for their STR is incompatible with the purported goals of protecting neighborhood livability and protecting the residential character of established neighborhoods. The only purpose I can see in this exception is to assist the STR owner/manager to increase their income/profits to the detriment of neighbors, and to the degradation of the neighborhoods. It is contrary to the stated goals of the committee, and to the intent and letter of single family residential zoning which homeowners relied on in deciding where to buy or build their homes. If a STR investor/owner has a house with e.g. 2 parking spaces then they have a house with 2 parking spaces. It is not the Committee's or County's job to give them more, to the detriment of neighbors.
5. The Appeal process (pgs 23-24 of the draft ordinance) should be modified to allow appeals by complaining persons whose complaints about an STR were denied or not acted upon in a timely manner, AND to give complaining persons notice of and the right to participate in any appeal by a STR property owner and/or manager. This is basic fairness and due process for those who may be affected by any appeals.
6. Add to .100 D., Specific Prohibitions, -Parking. Parking of vehicles that is not specifically allowed by the Registration Certificate or that obstructs access to neighboring driveways or property.
7. The penalties for violations should be mandatory, not "up to", and increased. As drafted, they do not provide incentive to STR owners and managers , who may be charging renters over $800/day, to enforce the rules. Better to risk letting renters get away with violations, and if caught pay (maybe) a de minimis penalty. The penalties should also be mandatory, not 'up to' which sounds discretionary and can lead to no penalties for even egregious violations. For example, over about a 6 month period after the wrongfully obtained permit was issued for the STR in our neighborhood, the neighbors in our cul de

sac reported to Community Development many parking violations which obstructed access to our homes, and documented about a dozen violations with photographs of the illegal parking. To my knowledge-and I asked the Community Development department-not a single fine or penalty was levied on the STR owners or manager. Whatever the reason, that does not give incentive to the owners or managers to enforce the rules. Raise the penalties and make them mandatory.

8. Finally, though not addressed in the draft ordinance, I urge the Committee to recommend, and the County to require, that the handling, recording, and resolving complaints about STRs, communications about them, and the outcomes of the complaints, be transparent and accessible to all on the Department of Community Development website.

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 1:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Public Comments

From: vendor_spikier_0x@icloud.com <vendor_spikier_0x@icloud.com>
Sent: Thursday, May 4, 2023 12:02 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Public Comments

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

My husband and I have owned & operated our short term rental for over 5 years now. We've managed to jump through all of the hoops, red tape, and hurdles that have been put in place by the county and followed everything accordingly. We've rolled with new fees being pushed upon us. We have hired local contractors and landscapers to help us maintain our property throughout the years. We pay all of our taxes, processing fees etc.

What irks us is that owning our STR has somehow become such an issue, per the county and the additional rules being proposed. It's wildly one-sided.

We purchased our beach home, largely, because it's a place we love. We know it's a tourist place to go. In fact, husband and I grew up going to Rockaway, visiting our relatives beach homes with our cousins. I visited mt Aunt Mary's beach home off of 21st st. since I was born. I participated in the mop/pony broom races in the sand. There's even an article from the local paper with me in it. I believe I won a bag of tootsie rolls. :)

Some of our favorite memories were made in the sweet beach town. We knew we wanted to own a beach home one day and share it with our kids. So, we did just that.

We opted to become a STR, so that we could #1 afford to have our second home and #2 so we could SHARE our home with other families—just as we used to do through family/friends growing up. I, myself, manage & clean our beach property in between guests. It's become my job while being a SAHM, staying busy through Covid, etc. We have invested a lot into our property and much of that goes directly into the county. I loathe that owning a STR has become so stigmatized. It's completely unfair that we're being demonized by (what appears to be) disgruntled locals, who don't even practice what they're trying to establish for us STRs. It does feel like folks are more concerned with having "short-term neighbors" and they aren't looking at how we're all contributing to the local economy.

Before any changes are enforced, I suggest we see concrete data of the legitimate complaints. Someone needs to provide the facts as to where the complaints are coming from (city, etc.), but most importantly, I would like to see the comparisons between full-time resident complaints & long-term rental complaints v. short term owner complaints. Let's refocus and come at this objectively. It can't be one-sided.

Parking—I'm not sure why STR have to have these restrictions when locals don't even park in their own designated driveways (see attached photo). We have 2 neighbors that park on property that isn't even theirs. Instead they intrude on our narrow road to our beach cottage. Do we complain? No. This is incredibly hypocritical to say "do as we say... but not as we do." Our guests have never disobeyed our rules in regards to parking. They are always parked in our driveway. [Solution: we have installed a security camera that can monitor our guests parking and/or noise issues—FACT: in 5 years we have had ZERO complaints or issues.]

Attached you will find a photo from Google maps that shows how one of our neighbors—full time Nedonna beach resident consistently chooses to park on areas not designated for parking or their property.

Another view

As far as privacy is concerned, we are very confused as to why it is necessary for our names / phone numbers need to be posted and visible from 10 ft. away? If it is for emergency purposes (as it was explained to me by TC), then I propose ALL-homeowners (short term/long term/full-time residents) post this information. Again, I'd love to know what occurred in order for this to be included in the ordinance? As a homeowner and just as a citizen of the United States, it feels like an infringement of privacy. There's far too much identity theft, phishing, etc. This rule opens us up for not only home theft, but also identity. It announces that our home is a STR and therefore passerby's would know when it was occupied or not. We would love to find a compromise. All of our nearby neighbors have our contact information in the event of an emergency or issue with a guest. All of our neighbors were made aware that our beach cottage would be a STR. Zero issues. We have never received a call for any issue in 5 years! Perhaps the rule could be more realistic and safe, like having 2 to 3 neighbors sign off on having shared contact info? I digress. It's distressing, nonetheless.

Any noise issue in our quiet neighborhood has come from long-time renters, who routinely air out their dirty laundry by having domestic disputes after over-serving themselves in the middle of the night. Why they're still allowed to live there is beyond me!?! Local authorities have been called on them at least 5x in the past few years. Are these disputes being looped into STRs? I sure hope not. Again, where is the concrete data?

FACT: Many full-time properties (who do no rent out) are often left & not maintained. Their yards are overgrown, paint chipping, roofs leaking, etc. By having our STR, we maintain our property probably even more than our own full-time residence. It's spotless! Because we all want 5 star reviews. Cleaner properties make the area cleaner, safer and more

STR's deserve far more credit than we're being given. Tillamook County has made far more money through the STR revenue we bring. Punish those who don't obey. Not all of us who are law abiding and rule abiding citizens.

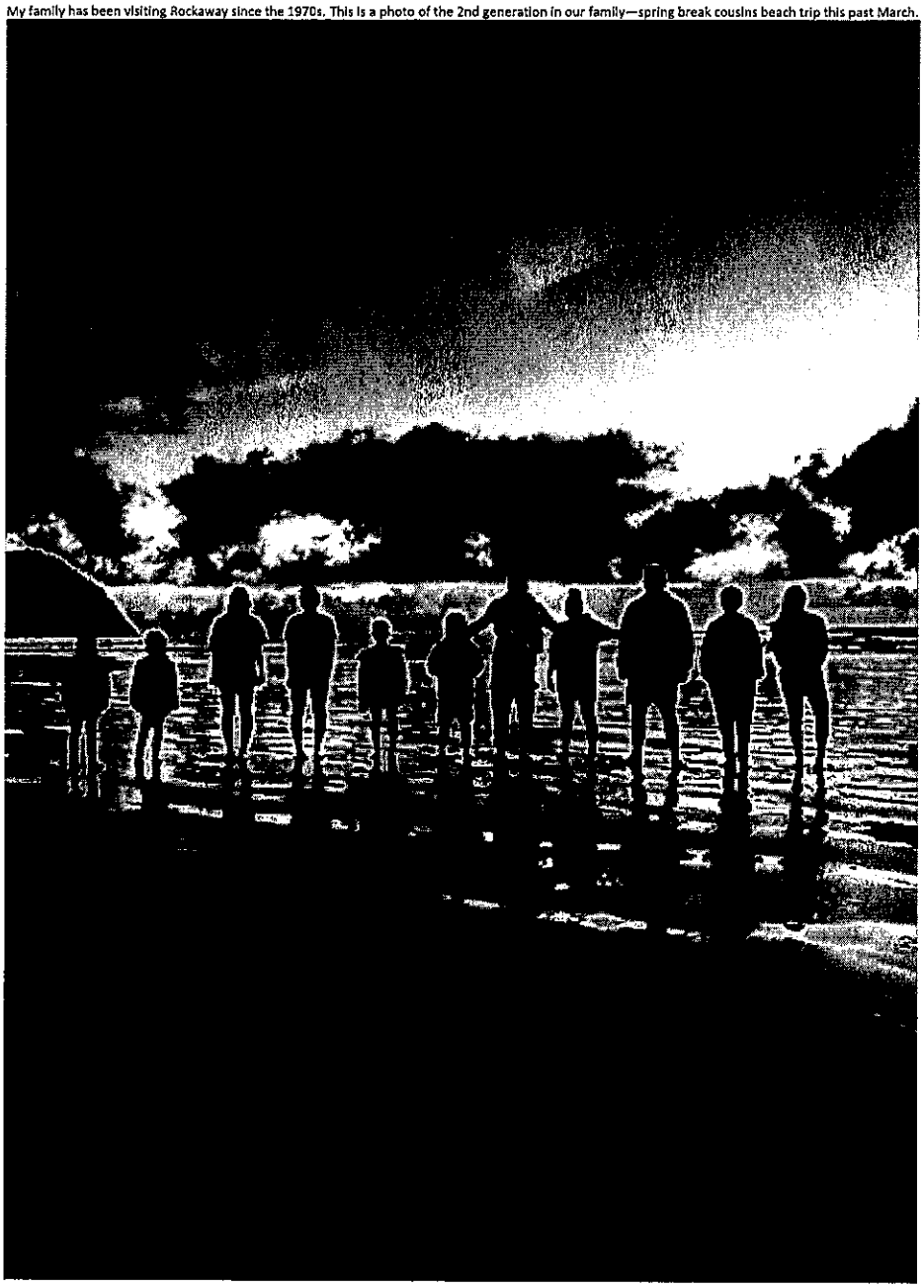
Please provide concrete data being proposed to those of us that work our tails off to share our beach properties with folks (who spend their money in Tillamook County) from all over the world!

One of the biggest rewards of owning & operating our STR is the feedback we receive from our guests. We have so many repeat guests, because as they share:

"Your beach home feels like home. It's loved & cared for, and you can feel how much TLC and thought you've put into it. There's no where else we would rather stay on the oregon coast."

Attached you will also see our family and how RB has been in our lives as one of our favorite places to make memories—just like our renters!

My family has been visiting Rockaway since the 1970s. This is a photo of the 2nd generation in our family—spring break cousins beach trip this past March.



Engaged in Rockaway in September 2010

Married in Rockaway in September 2012

Maternity Photos August 2013

Our girls' first beach trip 2015

Clamming with our girls in 2021

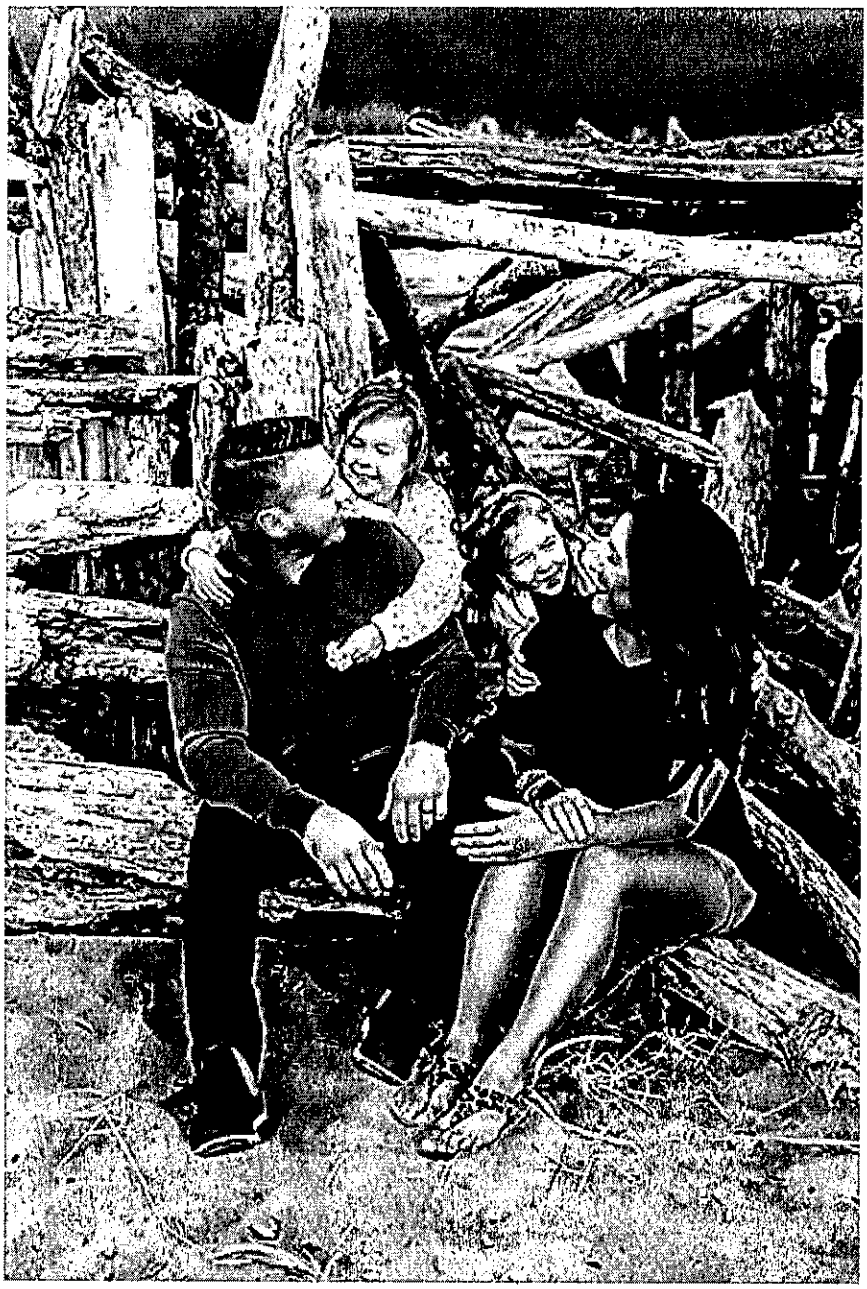
Crabbing with "Papa", dad, & girls.

We even fly kites we find broken on the beach and take them home to be repaired. Our girls and I have even helped to rescue birds that are injured. Reporting them to to local organizations and/or volunteers within the community.

We go skim boarding and jump waves!

We celebrate the 4th of July in Rockaway every year with our family.

Every September we get our family photos taken in Rockaway by our friends/photographers Rebecca & Jerome Niko of Aniko Photography. They also were married in Rockaway. This past September we celebrated our 10th wedding anniversary!



So you see, we are a law & rule abiding family (just like most locals) trying to make memories and live a happy life. The only difference is, we share our beach home with others near & far. Please don't make it harder for us who have gone above & beyond to make our STR beneficial to Tillamook County tourism.

Sincerely,

Desirée Mac

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rental regulations

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Thursday, May 4, 2023 1:14 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short term rental regulations

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

Dear Tillamook County Commissioners:

I am writing to urge you to enact only reasonable changes in the current Ordinance 84 governing vacation rentals. It seems that many of the proposed rule changes are offered without good data regarding the need for these changes.

As an example, our home in Pacific City is located in a development called Pacific Seawatch. This area specifically allows/supports the use of homes as short-term rentals, but at the annual HOA meeting in 2021 there were some complaints voiced about them.
The HOA developed a complaint log so any reported problems related to short term rentals could be tracked and responded to. When the HOA Administrator reviewed the complaints, they were all regarding on-street parking, and after investigation it turned out the "offenders" were not renters at all, but homeowners within the neighborhood!

There is no need for Tillamook County to overreact by enacting numerous new regulations on short term rentals. The County will end up in expensive and protracted litigation, if you pass amendments which infringe on owners' property rights. The proposal to overhaul the licensing/permit procedure by calling it something else, then claiming "it's not land use" is a blatant attempt to camouflage an illegal taking
of property. A horse is a horse, even if you paint stripes on it and try to call it a zebra.

Sincerely,

Carol Herzog

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance Comments

From: Penny Erickson <penny_erickson@hotmail.com>
Sent: Wednesday, May 3, 2023 4:37 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Penny Erickson <penny_erickson@hotmail.com>
Subject: EXTERNAL: STR Ordinance Comments

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

Good Afternoon

My partner and I own a property in Pacific City and currently have an STR permit.

We have watched and listened to the committee working to come to resolution on the future of STRs in Tillamook County. I applaud the patience of the community members participating on the committee.

However, I feel that the process is flawed. Government has a terrible habit of over planning, over correcting by creating rules and broad processes that frankly in this situation are not substantiated by data or facts and likely to have unintended consequences (lawsuits, loss of home value, loss of tourism revenue, loss of income to local businesses that provide services to all of us).

I implore you to take the high road. Step back from this process and use the existing regulations/rules to document and manage the problems that actually occur. Use the TLT monies to hire a enforcement officer that monitors and follows up with verifiable problems. Fine and if appropriate revoke STR permits of those that break the existing rules rather than punish all STR owners through new requirements. At the same time, work with local law enforcement to ensure full time residents are good neighbor too.

STRs are an important part of the community providing positive economic benefits to the County. Don't be responsible for negatively impacting the overall community and its' visitors through this process.

Penny Erickson
Pacific City

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: For the Tillmook County STR Committee

From: James Hall <jim@irc-nw.com>
Sent: Wednesday, May 3, 2023 4:07 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: For the Tillmook County STR Committee

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5/3/2023

To whom it may concern:

We learned this morning that Tillamook County is considering the implementation of a 1% annual cap on Short Term Rentals in order to curtail the proliferation of the STR industry moving forward.

We own a home in Neskowin. We are also business owners in Neskowin.

As residents, we find it unreasonable that the County believes it is within its authority to limit how we may use our home. Though we're sure you have already heard this argument, and are choosing to ignore this, the County would be infringing on our property rights. This is illegal.

As business owners in Neskowin (Café on Hawk Creek), we are very concerned for the long-term health and viability of our business if the County limits STR growth as we anticipate this will have a serious negative impact on our ability to grow annual sales revenue.

As the saying goes, the Oregon Coast endures a recession every year, it's called WINTER.

Shoulder season sales revenues (January thru March & October thru December) are typically insufficient to cover operating expenses. We make up for these soft sales periods with a very strong summer season where revenues are typically three or more times the winter revenues.

This summer revenue is primarily the result of tourist activity. These tourism driven revenues are what allow us to operate year round. Further, they create the opportunity for us to offer our full time employees benefits (Medical, Dental, Vision and retirement). As we hope you can see, limiting the ability of tourists to access our community by limiting STR's will constrain our ability to maintain and to grow our business moving forward.

Though we keep our restaurant open and operating year round, we anticipate that we may need to shutter during some or all of the shoulder seasons in order to remain viable. This will have a negative impact on our employees, as they will lose the income opportunity. In addition, our community will suffer. As the only full service dining in Neskowin, our local residents will have to travel to either Pacific City or to Lincoln City in order to dine out.

The timing of these impending changes is also troubling. Coming off the last three years of COVID, we already anticipate a softening of tourist activity, on the Oregon Coast, as folks return to more dispersed vacation activities that were otherwise stymied during the Pandemic.

In short, we urge the County not to adopt heavy handed restrictions on STR's at this time.

Thank you for your time and consideration.

Respectfully,
Jim Hall
Co-Owner
The Café on Hawk Creek

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Think of those who were in the process of building

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From: Zachary Clement <zachclem42@gmail.com>
Sent: Wednesday, May 3, 2023 3:48 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Think of those who were in the process of building

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

I am part of the group that was in the process of building a home when the moratorium was forced on us.

I hope the board and committee can understand just how unfair it was for there to be an exception carved out for people in the process of buying and not for people in the process of building.

The lack of empathy the board has shown those in my situation has caused considerable harm and pain for myself and my family.

You all now have a chance to remedy the situation by granting some type of carve out for us in the upcoming regulations by allowing some amount of permit growth before new regs come into effect. Whatever is decided, this amount of growth should account for all of those who were in the process of building before the moratorium.

I hope you have the empathy, courage, and sense of justice to allow you to do the right thing.

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Proposed short term rental ordinance

From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Thursday, May 4, 2023 9:19 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Proposed short term rental ordinance

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

Dear Tillamook County Commissioners:

I am writing to ask the board to enact only reasonable changes to the current Ordinance 84 governing vacation rentals. I have been closely following the deliberations of the STR Advisory Committee and it appears clear that there is NO compelling data suggesting an overhaul of the ordinance is needed.

A number of the potential provisions, e.g. requiring STRs to meet current building codes, seem designed only to make it painful and expensive for owners like us to continue providing lodging. County wide management of STRs should not include a harassment component to discourage this legitimate use of our property.

In the 3 years we've owned our home in Avalon West, there has not been a single complaint by neighbors about our rental. My property manager says she received no complaints during the prior owner's operation as an STR. That is almost 10 years without a complaint. We understand the issue of neighborhood livability. When we are not renting, we live there too!

Tillamook County is a diversified environment. Some areas have parking issues, some don't. In some neighborhoods, homes are close to each other, in others, lots are described by acreage. Implementation of a one-size-fits all set of regulations as written will overly burden and penalize some STR owners while not actually resolving the issues.

Finally, I am appalled at efforts to twist the proposed ordinance into something it is not to skirt the protections afforded homeowners by state land use and constitutionally protected property rights.

- The clear effort to redefine STR licensing as "regulation and permits" to avoid land use protections won't work and will result in expensive and lengthy litigation.

- The notion that by postponing implementation of provisions resulting in terminating

licenses is somehow "compensation" for the taking of our property rights is ludicrous and will not stand up in court.

I respectfully urge the Board to reject these onerous provisions of the proposed ordinance and abandon any effort to redefine our property rights.

Sincerely,

Lloyd & Linda Hayne
lloyd@lloydhayne.com

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:15 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Jennifer Akiyama <akiyama.jennifer@gmail.com>
Sent: Thursday, May 4, 2023 7:09 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Dear Tillamook County Short-Term Rental Advisory Committee,

We are writing in support of retaining the current regulations, ordinance xxxx regarding Short Term Rentals in Tillamook County. We are not in favor of repealing this ordinance and replacing it with an overly restrictive ordinance that would place financial burdens on the property owners in unincorporated Tillamook County, including STRs and those who visit our beautiful Oregon Coast. Further restricting STRs would depress the overall economic growth of Tillamook County. We disagree with the County's attempt to remove STR from under current land use regulations. We support the collection of data before additional regulations are put on STR. We support the enforcement of current regulations before new ones are implemented. We support the transferability of STR permits. We support permits and do not support the change to certificates.

Our family has owned our home in Neahkahnie since 1957, over 65 years. Two of my sisters were born in Wheeler at the Rinehart Clinic. When our parents moved to Hood River, Oregon, they kept their house in Neahkahnie and have rented it out to friends since the 1970's. We know many of our neighbors and feel like we are part of the community. In the 1980's, My mom was a very active supporter within the community when our neighbors got together to save the beaver pond below us. Over the years we have watched the forest across the street be replaced with new homes. We have watched as more houses got built on the sand dunes. Over the 65 years, we have seen a lot of growth and it has been an adjustment but we understand that change happens. Neahkahnie is a beautiful place so people want to live here and visit.

Three years ago, we hired a local contractor to update the bathrooms- including the installation of low flow shower heads and low flow toilets. As a result, we have never paid more than $20.00 over the base Neahkahnie Water rate. We hired a local window company to replace all the windows. We work with a landscaper who also provides regular yard maintenance and lives in Tillamook County. We purchased our beds from Roby's and new appliances at All Star Appliance- both in Tillamook.

Our renters and we spend money at many local establishments such as The Little Apple, Manzanita Fresh Foods, Off Shore Grill, Marzano's,, Manzanita Lumber, Manzanita News and Espresso just to name a few. We and our renters regularly visit Kelly's Brighton Marina and Jandy's Oysters. We and our renters are supportive of the local businesses who provide us with that special touch of the Oregon Coast.

Three generations of our family have resided and stayed in our Oregon Coastal home. For over 40 years, we have offered our home for others to enjoy the splendors of Neahkahnie Beach and the beauty of Neahkahnie Mountain. There are very few hotels in the area but we offer an affordable and comfortable place for families who cannot find the space or the price to match their budget. Affordable accommodations are a very important part of keeping the Oregon Coast accessible.

Please retain the current ordinance and allow us and our guests to enjoy the beautiful Oregon coast.

Jennifer Akiyama
2nd St, Neahkahnie

Lynn Tone

From: Public Comments
Sent: Thursday, May 4, 2023 11:15 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: RE: Short term rental regulations

Looks duplicative, but sent at different times

From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Thursday, May 4, 2023 9:12 AM
To: Carol Herzog <herzogcarol@hotmail.com>; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: RE: Short term rental regulations

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

Here's mine....

Dear Tillamook County Commissioners:

I am writing to ask the board to enact only reasonable changes to the current Ordinance 84 governing vacation rentals. I have been closely following the deliberations of the STR Advisory Committee and it appears clear that there is NO compelling data suggesting an overhaul of the ordinance is needed.

A number of the potential provisions, e.g. requiring STRs to meet current building codes, seem designed only to make it painful and expensive for owners like us to continue providing lodging. County wide management of STRs should not include a harassment component to discourage this legitimate use of our property.

In the 3 years we've owned our home in Avalon West, there has not been a single complaint by neighbors about our rental. My property manager says she received no complaints during the prior owner's operation as an STR. That is almost 10 years without a complaint. We understand the issue of neighborhood livability. When we are not renting, we live there too!

Tillamook County is a diversified environment. Some areas have parking issues, some don't. In some neighborhoods, homes are close to each other, in others, lots are described by acreage. Implementation of a one-size-fits all set of regulations as written will overly burden and penalize some STR owners while not actually resolving the issues.

Finally, I am appalled at efforts to twist the proposed ordinance into something it is not to skirt the protections afforded homeowners by state land use and constitutionally protected property rights.

The clear effort to redefine STR licensing as "regulation and permits" to avoid land use protections won't work and will result in expensive and lengthy litigation.

The notion that by postponing implementation of provisions resulting in terminating licenses is somehow "compensation" for the taking of our property rights is ludicrous and will not stand up in court.

I respectfully urge the Board to reject these onerous provisions of the proposed ordinance and abandon any effort to redefine our property rights.

Sincerely,

Lloyd & Linda Hayne

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Thursday, May 4, 2023 1:14 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: Short term rental regulations

Dear Tillamook County Commissioners:

I am writing to urge you to enact only reasonable changes in the current Ordinance 84 governing vacation rentals. It seems that many of the proposed rule changes are offered without good data regarding the need for these changes.

As an example, our home in Pacific City is located in a development called Pacific Seawatch. This area specifically allows/supports the use of homes as short-term rentals, but at the annual HOA meeting in 2021 there were some complaints voiced about them.
The HOA developed a complaint log so any reported problems related to short term rentals could be tracked and responded to. When the HOA Administrator reviewed the complaints, they were all regarding on-street parking, and after investigation it turned out the "offenders" were not renters at all, but homeowners within the neighborhood!

There is no need for Tillamook County to overreact by enacting numerous new regulations on short term rentals. The County will end up in expensive and protracted litigation, if you pass amendments which infringe on owners' property rights. The proposal to overhaul the licensing/permit procedure by calling it something else, then claiming "it's not land use" is a blatant attempt to camouflage an illegal taking
of property. A horse is a horse, even if you paint stripes on it and try to call it a zebra.

Sincerely,

Carol Herzog

To: Tillamook County Short Term Rental Committee
05/02/23
From: Jim Bartels
503.314.6557
bartels.jim@gmail.com

This follows up on my previous comments, and is based on the version of the draft STR ordinance circulated for the April 18, 2023 meeting. My wife and I own a house on Saghalie Lane in Pacific City. We have owned it for over 21 years.

First, I offer some perspective. Based on the most recent information I received, in the 2022/23 tax year for Tillamook County, residential property owners paid $53,699,710, or 77.72%, of property taxes collected by the county. In 2021 (the most recent information I found), single family short term rentals-the type at issue-paid $5,299,507 to the County in transient lodging taxes. Not insubstantial, but less than 10% of the residential homeowners' tax burden. I point this out because residential homeowners bear the burden and negative impacts on livability caused by STRs placed in their neighborhoods, yet receive none of the income and profits enjoyed by the STR industry. The committee should, in my view, pay more than mere lip service to those homeowners impacted by the STR industry. After all, in taxes, degradation of residential quality, and negative impacts on neighborhood livability, we are in fact paying the costs of the STR industry.

I also urge more transparency by the committee. The committee has 15 members (and 3 vacancies). It seems apparent to me, from the meetings I attended, that at least 5 members (and perhaps more) have direct financial interests in the STR industry as STR owners, STR rental managers, realtors who market homes as STRs, or a combination of those. Yet only two are clearly identified on the committee's website as representing the industry.. The members should state, at the beginning of meetings, if they have financial ties to the STR industry. I also note the STR industry seems over-represented, with at least 5 of the 11 non-agencies members.

As to the draft ordinance presented for the April 18, 2023 meeting:

1. Definition of "estate home" (pg 4) and the special treatment of such houses (pg 12, para C) should be eliminated. Defining an "estate home" by the number of bedrooms that are crammed into a house without regard to the lot size, then using that to flood a neighborhood with up to 17 people (yes, children really are persons, despite the draft not counting them) is a bad and nonsensical idea. Perhaps the exemption may make some sense if "estate" requires, e.g. a minimum lot size of an acre, with on site parking for all renters. Defining one by the number of bedrooms is arbitrary and contrary to common sense.
2. There should be a serious cap on the number of STRs allowed in a neighborhood, or confine them to non-residential neighborhoods. The current situation is placing mini-motels into residential neighborhoods where the neighbors had every right to expect they wouldn't be allowed, and degrading those neighborhoods.

3. As to the provisions for a STR Application and permit, the current draft seems to only provide for notices to neighbors after the permit is granted. That is wholly inadequate. As I requested in earlier comments, the applicant should be required, as part of the application process, to provide the neighbors within 250 ft of the property with notice of the application and a complete copy of the entire application package at least 20 days before the permit may be issued. This would allow neighbors the chance to provide input and to point out any misrepresentations or deficiencies in the application that the County may not be aware of, and head off later problems. For example, in our small (5 house) cul-de-sac in Pacific City, the application for a STR permit contained serious misrepresentations about available parking, included a "site plan" purporting to show the parking spots which was not the site of their property, and spaces that did not exist, and certified the truthfulness of the application. The permit was granted in reliance on the misrepresentations, and months of conflict and confrontation followed. All this could have been prevented if the neighbors had notice of the application as we would have been able to bring the misrepresentations to the county's attention. Pre-permit notice is important.
4. Parking. The Committee should delete the para.D. 1. a. exception in its entirety, and the part of .080 E. that would allow additional parking within 500 ft of an STR if there is an agreement with another property owner. To allow a STR investor or owner to turn other property in the neighborhood into a parking lot for their STR is incompatible with the purported goals of protecting neighborhood livability and protecting the residential character of established neighborhoods. The only purpose I can see in this exception is to assist the STR owner/manager to increase their income/profits to the detriment of neighbors, and to the degradation of the neighborhoods. It is contrary to the stated goals of the committee, and to the intent and letter of single family residential zoning which homeowners relied on in deciding where to buy or build their homes. If a STR investor/owner has a house with e.g. 2 parking spaces then they have a house with 2 parking spaces. It is not the Committee's or County's job to give them more, to the detriment of neighbors.
5. The Appeal process (pgs 23-24 of the draft ordinance) should be modified to allow appeals by complaining persons whose complaints about an STR were denied or not acted upon in a timely manner, AND to give complaining persons notice of and the right to participate in any appeal by a STR property owner and/or manager. This is basic fairness and due process for those who may be affected by any appeals.
6. Add to .100 D., Specific Prohibitions, -Parking. Parking of vehicles that is not specifically allowed by the Registration Certificate or that obstructs access to neighboring driveways or property.
7. The penalties for violations should be mandatory, not "up to", and increased. As drafted, they do not provide incentive to STR owners and managers , who may be charging renters over $800/day, to enforce the rules. Better to risk letting renters get away with violations, and if caught pay (maybe) a de minimis penalty. The penalties should also be mandatory, not 'up to' which sounds discretionary and can lead to no penalties for even egregious violations. For example, over about a 6 month period after the wrongfully obtained permit was issued for the STR in our neighborhood, the neighbors in our cul de

sac reported to Community Development many parking violations which obstructed access to our homes, and documented about a dozen violations with photographs of the illegal parking. To my knowledge-and I asked the Community Development department-not a single fine or penalty was levied on the STR owners or manager. Whatever the reason, that does not give incentive to the owners or managers to enforce the rules. Raise the penalties and make them mandatory.

8. Finally, though not addressed in the draft ordinance, I urge the Committee to recommend, and the County to require, that the handling, recording, and resolving complaints about STRs, communications about them, and the outcomes of the complaints, be transparent and accessible to all on the Department of Community Development website.

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 3:29 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: STR Advisory Committee Public Comment

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From: Pete Stone <psphoto@comcast.net>
Sent: Wednesday, May 3, 2023 12:50 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Re: STR Advisory Committee Public Comment

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

Please add the following addendum to my public comments:

"These comments are mine alone, and don't represent any other Group or Organization"

Thanks,
Pete Stone

Pete Stone
psphoto@comcast.net
503-740-6170

> On May 3, 2023, at 9:33 AM, Pete Stone <psphoto@comcast.net> wrote:
>
> STR Advisory Committee,
>
> My comments regarding the Draft proposal are only going to touch on two issues at this point that I think need attention.
>
> First, here is the proposed language for noise rules regarding STRs:
>
> *"Noise. Any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any machine or device for the producing or reproducing of any sound shall be conducted within a fully enclosed short-term rental dwelling unit and shall not be audible beyond the property lines of the subject property where the short-term rental is located."*

The proposed language here would mean that a guest softly playing an acoustic guitar or a small radio with classical music on in the middle of the day on my 40 ft deck, could be called in as a noise violation of Ordinance #84. This, quite simply, is absurd!
If the County thinks this sort of over the top rule making is a good idea, it just shows how little real thought has gone into the proposed language here.
It's especially absurd since my part time or full time neighbors (non STR) right next door to me is under NO obligation to keep noise levels down.

The County has claimed that it would be impossible to have a County wide Noise Ordinance due to logging, farming, and other operations here in Tillamook.

I guess they didn't look very hard at neighboring Counties, since Marion County has a well thought out Noise Ordinance that accommodates these very sorts of operations.
See: https://www.co.marion.or.us/SO/Operations/CodeEnforcement/Documents/noise1.pdf
A reasonable County wide Noise Ordinance is needed, NOT an unreasonable one only applying to STR guests that does nothing but alienate visiting tourists.

As far as the idea that the Sheriff's Dep't not being able to handle the additional workload, Here are few stats :

Population of Unincorporated Marion County: 36,900 est. 2020
Population of Unincorporated Tillamook County: 17,104 est. 2020
Marion County size: 1194 square miles
Tillamook County size: 1,333 square miles

Marion County has had a noise ordinance since 2008
Tillamook County has none.
Total number of calls to the Sheriff in Marion County mentioning noise in 2022: 665

Marion County is providing me data on how many calls added a citation referencing their noise ordinance (#1273) in a few days.
I suspect it's a fraction of the actual call volume.

Even if we extrapolate on the 665 number.....based on population size, that would put Tillamook's expected call volume mentioning noise to be
about 320 calls per year, WITH A NOISE ORDINANCE in place.

In fact, from the call logs I obtained from the Tillamook Co. Sheriff's office for July 2022....there were 29 calls specifically for "Noise".....even without any ordinance in place! An average on 1 per day high season.

That's 348 calls per year (probably a little less than that due to Summers being busier)
So what does this show?

It shows that the Sheriff would hardly be overwhelmed with the increased work load created by a County wide Noise Ordinance.....it would be minimal.

Now on to the new Septic Inspection rules:

Here's the proposed language:

"On-site Septic System Inspection. Unless the dwelling unit is served by a public or community sanitary sewer system, the existing on-site wastewater treatment system (system) must be capable of handling the wastewater flows expected to be generated based on the allowed number of bedrooms in the dwelling unit and the maximum number of occupants.

1. The property owner shall obtain an Authorization Notice (AN) from the Department Onsite Wastewater Division. Included in the authorization must be information to allow a calculation of the number of allowed bedrooms based on the capacity of the septic system. Final determination of the capacity and suitability of the septic system shall be made by the Onsite Environmental Program Manager (or their designee) and will share the determination with the County STR Administrator. An ESER (Existing System Evaluation Report) meeting these standards and conducted within 3 years of the date of the registration application or renewal may be submitted to fulfill this requirement.
2. If the Onsite Environmental Program Manager identifies any deficiencies in the system, the property owner shall cure/correct the deficiencies within 60 days of the date of the ESER or within the specified timeframe for completion of the reinspection as specified in subsection B above, whichever occurs first. Registration certification shall not be issued or renewed under this section until after repairs are made and approved by the County. If the owner fails to cure the deficiencies within the time required, registration certification shall be revoked.
3. The initial AN or ESER for an existing short-term rental is required in accordance with a phasing plan adopted by the County, but no later than December 31, 2023. After an initial AN or ESER is obtained, the property owner shall thereafter be required to conduct periodic maintenance of the system, undertaken by a DEQ authorized contractor, which at a minimum shall include inspection of the system (and as needed, pumping or repairs) prior to renewal of the Short-Term Rental Registration Certificate. The Onsite Wastewater Division is the delegated authority to adopt the periodic maintenance requirements specific to the types of systems in use, including the intervals at which the maintenance will be required. These requirements shall be made available to the public, registrants/property owners and DEQ authorized contractors. The required report on maintenance shall be provided to the Onsite Waste Division for review in a format as developed by the Division. The report shall be required before the owner can renew certification of the dwelling unit. "

We are told this is part of some new "master plan", but no other information is provided.
It apparently requires an on-site inspection of any and all existing septic systems at STRs THAT HAVE ALREADY BEEN PERMITTED FOR SEPTIC SYSTEMS.
This comes at a significant cost (over $500), on top of the annual Permit (Certificate?) fee, and annual occupancy fees.
No indication is given whether or not this new master plan rule will apply to all residences in the County, or only STRs, despite the fact that
STR usage is exactly the same as any other dwelling with an existing septic system.
Additionally, it states that a DEQ authorized contractor would have to do an inspection EVERY YEAR, since it states that "prior to renewal of the Short Term Rental Certificate", said inspection was required. This annual inspection requirement is excessive.

Here's what the State of Oregon's DEQ says:

" You can avoid costly repairs by having your septic tank inspected on a regular basis (approximately 5 to 7 years) for solids accumulation. "

And this:

"In Oregon, a 1,000-gallon septic tank is required for homes with up to four bedrooms. If four people live in a four- bedroom house with a 1,000-gallon septic tank, the pumping frequency is on the order of

every three years. If the same system serves two people, the frequency would be on the order of every six years."

Considering the fact that STRs aren't even occupied full time.....requiring an annual inspection is simply punitive, and flies in the face of what the State's own DEQ says is needed.

Please reconsider the punitive language in the current proposed Draft of Ordinance 84 to make it reasonable and equitable for all.

Thanks,
Pete Stone
Nedonna Beach,
Oregon.

Pete Stone
psphoto@comcast.net
503-740-6170

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 3:29 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: STR Advisory Committee Public Comment

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From: Pete Stone <psphoto@comcast.net>
Sent: Wednesday, May 3, 2023 12:33 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Re: STR Advisory Committee Public Comment

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

STR Advisory Committee,

My comments regarding the Draft proposal are only going to touch on two issues at this point that I think need attention.

First, here is the proposed language for noise rules regarding STRs:

"Noise. Any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any machine or device for the producing or reproducing of any sound shall be conducted within a fully enclosed short-term rental dwelling unit and shall not be audible beyond the property lines of the subject property where the short-term rental is located."

The proposed language here would mean that a guest softly playing an acoustic guitar or a small radio with classical music on in the middle of the day on my 40 ft deck, could be called in as a noise violation of Ordinance #84. This, quite simply, is absurd!
If the County thinks this sort of over the top rule making is a good idea, it just shows how little real thought has gone into the proposed language here.
It's especially absurd since my part time or full time neighbors (non STR) right next door to me is under NO obligation to keep noise levels down.

The County has claimed that it would be impossible to have a County wide Noise Ordinance due to logging, farming, and other operations here in Tillamook.

I guess they didn't look very hard at neighboring Counties, since Marion County has a well thought out Noise Ordinance that accommodates these very sorts of operations.
See: https://www.co.marion.or.us/SO/Operations/CodeEnforcement/Documents/noise1.pdf
A reasonable County wide Noise Ordinance is needed, NOT an unreasonable one only applying to STR guests that does nothing but alienate visiting tourists.

As far as the idea that the Sheriff's Dep't not being able to handle the additional workload,
Here are few stats :

Population of Unincorporated Marion County: 36,900 est. 2020
Population of Unincorporated Tillamook County: 17,104 est. 2020
Marion County size: 1194 square miles
Tillamook County size: 1,333 square miles

Marion County has had a noise ordinance since 2008
Tillamook County has none.
Total number of calls to the Sheriff in Marion County mentioning noise in 2022: 665

Marion County is providing me data on how many calls added a citation referencing their noise ordinance (#1273) in a few days.
I suspect it's a fraction of the actual call volume.

Even if we extrapolate on the 665 number.....based on population size, that would put Tillamook's expected call volume mentioning noise to be
about 320 calls per year, WITH A NOISE ORDINANCE in place.

In fact, from the call logs I obtained from the Tillamook Co. Sheriff's office for July 2022....there were 29 calls specifically for "Noise".....even without any ordinance in place! An average on 1 per day high season.

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Thanks,
Pete Stone
Nedonna Beach,
Oregon.

Pete Stone
psphoto@comcast.net
503-740-6170

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 3:34 PM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: STR comments-exemption for NESK C commercial zone

Forwarding a public comment relating to STRs.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: Justin Jones <goodsax02@yahoo.com>
Sent: Monday, May 8, 2023 2:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: hillary.gibson@me.com; juli.sagar@vacasa.com
Subject: EXTERNAL: STR comments-exemption for NESK C commercial zone

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

I am requesting to the Commissioners and the Advisory Committee that the Neskowin C commercial district is deemed EXEMPT from any density restrictions or STR license caps. This zone is commercial and has always been intended for STR.

My wife and I purchased a condo unit in the Proposal Rock Inn (PRI) in the spring of 2018. It was our intention to use the condo with our family and enjoy Neskowin as much as we could. We originally fell in love with Neskowin after using the RV park many times. We live in unincorporated Washington County and as our children have gotten older and busier, we haven't been using the condo as much. We decided to inquire with Vacasa about getting a STR license and professional management, only to find out that STR permits weren't available at the current time.

The Proposal Rock Inn is located in the Neskowin C (NESK-C) commercial district and was always intended to be a Hotel/Condo allowing STR.

For the sake of my property and the businesses in Neskowin please ensure that we are not damaged by restrictive permitting for an area best suited for STR.

Justin Jones
Unit Owner - Proposal Rock Inn
Neskowin

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 3:35 PM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: Comments regarding the STR issue

Another public comment received today.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: jadams503 <jadams503@frontier.com>
Sent: Monday, May 8, 2023 3:21 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comments regarding the STR issue

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There seem to be two main arguments against the efforts to try to control the proliferation of Short Term Rental Businesses:

- Home owners should not be restricted from renting their own homes from time to time, if they want to do so.

- Some individuals/families may not have enough financial resources to be able to buy a home, but would need to make it available as a Short Term Rental for some period of time to help finance the purchase.

And one or both of these seem to keep being used to sidetrack any possible limitation/regulation against the **real** problem.

And what is that?

- It is that ordinary homeowners – especially those who live in quiet areas – are tired of commercial entities operating **businesses** in their neighborhoods and inviting strangers into their neighborhoods on a regular basis.

So for the first argument: In my view, actual homeowners **should** be able to rent their homes from time to time. (By "actual homeowners" I mean individuals or families who **live** in their homes, at least part of each year, and **who did not purchase the home solely as an investment**.) Some of the homes in the Tillamook area are "beach homes", and it might be perfectly natural to allow friends and family to stay in the home from time to time. And if they have an opportunity to rent the home on occasion and are willing to take the chance of damage or deteoriation of the property, so be it. Let the homeowners do so.

And for the second argument, it seems rather specious to me.

First, the number one warning that is usually given in Business 101 is that one should always allow several years for the business to become successful. This means someone who expects that they will immediately have sufficient customers to stay in their home – to help pay for the mortgage – is taking a big risk.

Second, if the buyer of the home is currently renting or paying a mortgage, they are entering a possibly extended time of paying a rent plus a mortgage or two simultaneous mortgages. They are again taking a big risk.

Third, they are ignoring a very real risk: their property might **sustain significant damage** from the people they bring into their home. Some years ago we stayed in a vacation home (situated in an area devoted exclusively to that activity). The home was new when we stayed there the first time, and actually was very nice. The second year we noticed some misuse and deterioration. throughout the house. But by the third year we were shocked to find that the home had sustained thousands of dollars of damage. That is a very real risk.

So perhaps any limitation/regulation of the number of Short Term Rentals should be **concentrated on business entities and investors**.

Investors and business entities – often people who do not even live in Tillamook or even Oregon – are snapping up homes at an increasing pace, especially during the time of very low mortgage rates. This has the effect of removing available houses from the general market and making it much more difficult for ordinary folks to buy homes for that purpose that homes have been traditionally meant for – to **live in** and raise familes in. Prospective home buyers should not be in competition with deep-pocketed investors, a situation which creates prices that are harder and harder for average individuals to bear. So they are forced to rent (and even that is at a higher than normal price), and are locked out of the situation that all economic articles stress is necessary for financial success – home ownership.

And the other reason for restricting businesses and investors from taking over is quality of life in the neighborhoods in which they choose to operate businesses. (And Short Term Rental operation is a **business** – the offering of goods and services for profit. What, then, is the meaning of "Zoned Residential"??).

Yes, quality of life. Many of us live in quiet neighborhoods, especially those neighborhoods in scenic areas that the Tillamook area offers. Lately we are finding groups of people laughing and talking loudly on our formerly quiet streets in during summer evenings. Often there are groups of noisy and shouting children. Why? Because investors who may not even live anywhere near here are **inviting strangers into our neighborhoods on a regular basis**.

There has already been a lot of this sort of conversion of residential homes into mini-motels all along the Oregon coast. I suggest that it is time to cap this and bring it to a stop.

Jim Adams
1635 Sundown Dr
Tillamook, OR 97141

Lynn Tone

From: Public Comments
Sent: Friday, May 5, 2023 8:26 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits
Attachments: MCROBERT Tillamook STR Comments 05022023.docx

From: Alan McRobert <Almcrob@msn.com>
Sent: Thursday, May 4, 2023 6:19 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: brucelovelinoregon@gmail.com
Subject: EXTERNAL: Support for STR Permits

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

Below are comments regarding the new Ordinance related to Short Term Rentals. Please include these for presentation during the upcoming counsel meeting. A Word document of the below is attached.

Thank you.

Alan McRobert

May 4, 2023

Comments RE: Short-Term Rental Ordinance

.020 Purpose and Scope. A. This Ordinance provides reasonable and necessary regulations for the registration of short-term rental use of residential dwelling units, the purposes of which are to: 1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County. 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose. 3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options
Why is "long-term" in this section? The ordinance specifically states it doesn't apply to long-term rental.
.020 G. A multitude of rules could be made that significantly impact an owner's ability to comply. Owners, County, and Administrator benefit it owners are aware that new rules have been made. The Administrator could assist owners in staying current. Possibly owners voluntary submit email to an Administrator website for the use of automated generated email to owners advising that a new rule has been posted on the website.

.030 Definitions
Requirements in this section and elsewhere state a requirement to meet 2021 Residential Building Code. The 2021 (and other revisions) Residential Building Code Revisions specifically prohibited this!
2021 Residential Building Code R102.7 states "Legal occupancy of any structure on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code."
102.7.1 Additions and Alterations – If addition or alteration is made to a structure, this section specifically identifies what alterations and additions must be permitted and meet code.

102.7.2 Repairs – If a repair is made to a structure, this section specifically identifies repairs that require permits and must meet code.
This ordinance cannot make occupancy illegal or change the occupancy by requiring an existing structure, that the county permitted and met the residential code at the date of construction, now conform to the new residential code!

D. Bedroom requirement of a built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage unit. This requirement has no correlation to the Purpose and Scope. Where clothing is hung or stored has no impact on health, safety and welfare. How or where clothing storage in a STR has zero impact on a neighbor?

.040 Annual Short-Term Rental Registration Certificate Required, Basic Requirements for Registration, No Nonconforming Use Status Conferred.
B. No Nonconforming Status Conferred. The fact that an owner of property or other entity may hold a registration certificate on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid registration certificate.
This statement makes no sense and has no applicable use. It is impossible for an owner to hold a registration certificate on the date of adoption. When this ordinance is adopted "registration certificates" come into existence and not before adoption, reference definition Z. Per the existing STR Ordinance, current STR owners have County required and issued STR Permits.
Correct wording - The fact that an owner of a STR currently holds a County issued STR Permit, on the date of adoption of this Ordinance, does not confer a property right, land use permit . . . for short term rental use, in all cases, requires a valid registration certificate.
This ordinance invalidates the present STR Permit and replaces it with a registration certificate to operate a STR.

.050. Notice to Neighbors. The applicant shall provide an annual mailing or distribute by hand, a flier to owners and residents of neighboring properties within 250 feet of the perimeter of the rental property containing the registration certificate number, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental.
How does an owner of a STR know who a neighbor is? Is the neighbor a STR tenant on a specific day? A renter that will be gone in 45 days? It is distinctly possible that the owner of a STR has never met a neighbor that also is a STR owner. The obligation of the STR owner should be to give notice to the owners of residences within 250 feet of the STR. It is the property owner's responsibility to give notice to whomever is living in their property. An option to handing a flyer, the STR owner can mail a notice to the property owner of record in the tax rolls of the Auditors office.

.060 Limiting the transfer of STR certificates doesn't align with the Purpose and Scope of the ordinance stating a Balance of livability and property owner rights. Limiting the number of transfers unduly harms the property owner of an in compliance STR to the sole benefit of the residential neighbor. This is not Balance. This is simply a method for eliminating a STR regardless of if it is being operated in full compliance, being a good neighbor. The ordinance has a means for removing a non-compliant STR. Why should the ordinance unduly financially impact the owner? Unless a STR is in a high demand location, STR income allows medium incomes people to own a property in Tillamook. STR income pays property taxes, sewer fees, water fees, sustaining garbage services and other fixed costs of owning a home. STR income isn't making a high percentage of the owners rich! Without the ability to transfer a STR certificate, only individuals with wealth and high income that are capable of paying fixed expenses out of pocket will become homeowners. The purpose and scope doesn't include making home ownership more exclusive for the rich.
.070 2. Off street parking space size. What was the parking space size at the time of permit and construction? If the county approved 8 x 16 feet parking when permitted, then changing to 8 x 18 is retroactively imposing a requirement that is not legal to do so. The county approved and permitted the construction of our two-bedroom home with 8 x 16 parking for two vehicles. The design makes it impossible to widen the parking area to 18 feet.
.080 A Limit of 3 children under 12 is distinctly Anti-Family! This eliminates access to a beach vacation for families that choose to have more than three children, have younger twins and two older siblings, or have two children and want to bring two friends along for a family vacation. It is the parents' responsibility for the behavior of the children. If the

behavior is incompatible with the restrictions of the Ordinance, then there are means for reporting and addressing a problem. There is no Balance here. Is this providing visitors a reasonable opportunity for vacation?

.080 L. 1.j Define "yard" We don't have a back yard. Change yard to ground with access to a public way.
.080 L 2. Requirements to meet 2021 Oregon Residential Code can't be required. Sleeping area emergency exit permitted and inspected to meet the applicable code at time of permit.

.090 A. This section should state Owner **or Authorized Agent.** The Authorized Agent can act on the owner's behalf and better coordinate for an inspection than an out-of-town property owner. Requiring conformance to the current building code is not legal!
.090 B. Completion of a major repair in 60 days is in some cases impossible. Finding a general contractor, submitting, and receiving a permit for a non-safety issue and completing construction is almost impossible within 60 days. Also, this doesn't account for the dynamics of demand for contractor services. There needs to be more flexibility given the penalty of losing a STR certificate due to uncontrollable circumstances. Consider the requirement of communication from a licensed contractor as to the estimated completion date considering permitting and construction.
.110 A I'm confused. If qualify as Lawful Pre-existing Shot Term Rental, how does that relate to the Ordinance? Wait until the end of the existing permit to submit for a certificate?

Sent from Mail for Windows

May 4, 2023

Alan McRobert

Comments RE: Short-Term Rental Ordinance

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.060 Limiting the transfer of STR certificates doesn't align with the Purpose and Scope of the ordinance stating a Balance of livability and property owner rights. Limiting the number of transfers unduly harms the property owner of an in compliance STR to the sole benefit of the residential neighbor. This is not Balance. This is simply a method for eliminating a STR regardless of if it is being operated in full compliance, being a good neighbor. The ordinance has a means for removing a non-compliant STR. Why should the ordinance unduly financially impact the owner? Unless a STR is in a high demand location, STR income allows medium incomes people to own a property in Tillamook. STR income pays property taxes, sewer fees, water fees, sustaining garbage services and other fixed costs of owning a home. STR income isn't making a high percentage of the owners rich! Without the ability to transfer a STR

certificate, only individuals with wealth and high income that are capable of paying fixed expenses out of pocket will become homeowners. The purpose and scope doesn't include making home ownership more exclusive for the rich.

.070 2. Off street parking space size. What was the parking space size at the time of permit and construction? If the county approved 8 x 16 feet parking when permitted, then changing to 8 x 18 is retroactively imposing a requirement that is not legal to do so. The county approved and permitted the construction of our two-bedroom home with 8 x 16 parking for two vehicles. The design makes it impossible to widen the parking area to 18 feet.

.080 A Limit of 3 children under 12 is distinctly Anti-Family! This eliminates access to a beach vacation for families that choose to have more than three children, have younger twins and two older siblings, or have two children and want to bring two friends along for a family vacation. It is the parents' responsibility for the behavior of the children. If the behavior is incompatible with the restrictions of the Ordinance, then there are means for reporting and addressing a problem. There is no Balance here. Is this providing visitors a reasonable opportunity for vacation?

.080 L. 1.j Define "yard" We don't have a back yard. Change yard to ground with access to a public way.

.080 L 2. Requirements to meet 2021 Oregon Residential Code can't be required. Sleeping area emergency exit permitted and inspected to meet the applicable code at time of permit.

.090 A. This section should state Owner **or Authorized Agent**. The Authorized Agent can act on the owner's behalf and better coordinate for an inspection than an out-of-town property owner. Requiring conformance to the current building code is not legal!

.090 B. Completion of a major repair in 60 days is in some cases impossible. Finding a general contractor, submitting, and receiving a permit for a non-safety issue and completing construction is almost impossible within 60 days. Also, this doesn't account for the dynamics of demand for contractor services. There needs to be more flexibility given the penalty of losing a STR certificate due to uncontrollable circumstances. Consider the requirement of communication from a licensed contractor as to the estimated completion date considering permitting and construction.

.110 A I'm confused. If qualify as Lawful Pre-existing Shot Term Rental, how does that relate to the Ordinance? Wait until the end of the existing permit to submit for a certificate?

Lynn Tone

From: Public Comments
Sent: Friday, May 5, 2023 1:14 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comments for May 9th STR Advisory Committee Meeting

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From: Candice & Gregory Miller <gandcm@gmail.com>
Sent: Friday, May 5, 2023 11:23 AM
To: Lynn Tone <ltone@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comments for May 9th STR Advisory Committee Meeting

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

Dear Tillamook County STR Advisory Committee,

We want to again express our support to restrict and manage the growth of our community from short term rental properties. We also agree with the comments Jim Bartels submitted on 5/2/2023.

In addition, we think it's important that the commissioners and the committee be aware that any petitions or surveys put forward regarding STRs will have signatures from outsiders that only support their lodging business/income viewpoints. The reality is, many owners need to subsidize their income through renting, otherwise they would be unable to sustain the expenses of a second home.

Full-time residents and Tillamook County registered voters should have more input on how our neighborhoods should be developed and supported and not by people who live **outside** the county and rent their homes year-round or visit less than 30 days out of the year.

We want to urge this committee to focus on the following:

1. Restrict the amount of licenses by putting a cap limit of 18-20%. Placing a cap on licenses now will not impact current STR owners. However, allowing more would put added pressure on the county for regulation enforcement and create an unhealthy environment for full-time residents who have to put up with the added traffic, trash and unruly behavior of vacationers. We would think that current STR owners would welcome a cap limit, since allowing more vacation rentals would cut into their profits from the competition of additional rentals.
2. The Density Limits - A consideration of some form of a limit on any given street. On one street in Neskowin there are 4 homes, only one is not a vacation rental. The other 3 are owned by the same person.
3. Implement stricter occupancy limits. Two per bedroom, with a cap of 12.
4. Do not allow purpose built vacation homes with more than 4 bedrooms.
5. Do not allow garage conversions to bedrooms.
6. Place a cap on how many permits one person/group/company can own. Two seems reasonable and fair. Anything over two would constitute a lodging business.
7. Licenses should not be transferable in a property sale transaction. This would allow parties who are on a waiting list for a license to acquire one.
8. Daytime parking spaces should be the same as regular overnight parking. In our neighborhood there is no street parking. There should not be an allowance for daytime guest parking unless the owner can verify public street parking near their rental.

Sincerely,

Candice & Gregory Miller
Neskowin, OR

Lynn Tone

From: Sarah Absher
Sent: Thursday, May 4, 2023 9:17 PM
To: Terri Maragos
Cc: Lynn Tone
Subject: RE: STRs

Good Evening Terri,

Thank you for the email and for sharing your thoughts. Lynn and I will be sure to forward these comments onto the committee for their review.

Sincerely,
Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development 1510-B Third Street Tillamook, OR 97141 Phone (503) 842-3408 x3412 sabsher@co.tillamook.or.us

-----Original Message-----
From: Terri Maragos <helidoni@nehalemtel.net>
Sent: Thursday, May 4, 2023 7:35 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STRs

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

Hi Sarah - I have been to only one meeting of the Committee, but am very interested in the outcome of deliberations. I know the issue of noise has been covered, but what about the issue of outdoor light pollution? I live in Neahkahnie with 3 neighboring STRs whose lights pierce my bedroom. I have complained to 2 companies about this and they have kindly responded, but the clients seem to think it's alright to leave outside lights on all night. I know Manzanita is addressing this issue and I think the County should too.
Please keep this in mind when the ordinance(s) are to be finalized.
Thanks so very much for all you're doing!
Best regards -
Terri Maragos

Sent from my iPhone

Lynn Tone

From: David Boone <daveboone01@gmail.com>
Sent: Monday, May 8, 2023 2:32 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

Commissioner Skaar, Director Absher, Members Short Term Rental Advisory Committee,

As a full-time resident of Neahkahnie, I offer the following comments regarding the issues being considered by the Short Term Rental Advisory Committee (STRAC).

Transferability: There should be no transfers of STR permits to a buyer of the permitted property. Note that Lincoln County is apparently not permitting transfers as a means for attrition of existing STRS. Strange that they are not afraid of litigation on this matter. A future phantom buyer has no present expectation of receiving a STR permit with a particular property. There should certainly be no transferability of newly issued permits. If there is to be any hope of getting the level of permitted STRs down to a reasonable level in residential communities, transferability must be eliminated. Also, it is extremely unfair to property owners who may want to get an STR permit in the future for the County to create a monopoly for current STR permit holders who can pass the permit along in perpetuity. Any transfer through inheritance should be limited to immediate family, not a grandnephew, twice removed.

Definition of "Bedroom": The term "bedroom" should be the same as used in real estate listings. Allowing an STR owner to install a sleeper sofa or a cot with an open suitcase as a clothes storage device and declare a "bedroom" will distort occupancies.

Occupancy: This is a key item that affects neighborhoods. Allowing 20+ person mini-hotels does not fit with a residential neighborhood. Occupancy should be limited to 2 people per bedroom (see above definition) plus 2 with an overall cap of 12 people (regardless of age). The current proposal of excluding 3 children under the age of 12 in this count will in effect allow more adult occupants. Anyone over the age of 2 should count toward occupancy.

Ownership: Should be similar to Manzanita, i.e., one permit per individual regardless of the level of ownership. This should apply to all new permits and to transfers of existing permits. Also it should include Director Absher's proposed language: "'If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance."

Regulations: Worthless without enforcement. There should be dedicated enforcement "officers" (see what Manzanita is doing). I don't know how many STRs one such "enforcer" could cover, but they should be able to timely respond to complaints and be the "prosecuting" party in holding the permit holder accountable for violations. The STR permit holders should directly pay for these County employees. Taxpayers **should not have to subsidize** the STR industry in enforcing the regulations. The County currently relies on residents to be the "enforcers". The County has created this regulated industry so it should provide the means for enforcing those regulations.

Growth of Permitted STRs: I understand one of the reasons for forming the STRAC was to address neighborhood livability issues due to excessive STRs. Now the current proposal is not to limit the already excessive number of STRs but to increase them by at least 1%. Based on water hookups, Neahkahnie is already at 22% STRs. Based on the current proposal, the level of STRs in Neahkahnie would increase to 23% or 91. This would almost equal the number of residences occupied by full time residents! Without a means for attrition of existing STRs, increasing the already "resort" level in Neahkahnie is unacceptable.

Based on newspaper reports, Lincoln County has set a limit on permitted STRs in different zones. Their stated percentages are 1% & 2% depending on the zone with no new permits granted until the level reaches the cap for the zone. The target number of STRs is 181 for all unincorporated Lincoln County vs the current 505. A waiting list has been established for people wanting a permit with attrition achieved through property sales (no transfer of permit), people no longer wanting an STR, or enforcement actions.

Public Safety: According to a recent statement by the County Sheriff, public safety is one of the highest budget priorities of the Commissioners. Since the County is encouraging tourists to visit our area, the Commissioners have a responsibility for providing for their safety in the event of an emergency, e.g. a wildfire or an earthquake with accompanying tsunami. Since a large percentage of STRs are in the inundation zone, STR permit holders should be required to provide emergency supplies for their transient lodgers. At the minimum this should include a standardized "go-bag" for each guest with clear instructions. There should be a dedicated fee for each "guest" that will go toward a fund to provide supplies to support visitors when the foreseeable earthquake occurs. The continued reliance on residents to care for visitors is totally irresponsible on the part of the County and the STR industry.

General Comments:

I have sympathy for the County Commissioners in dealing with the budget for the County. There are currently limited sources of revenue available to the County and the transient lodging tax paid by the STR industry is important. That said, becoming dependent on an industry that has the lowest annual wages in the County (see Mark Roberts' April 24, 2023 comments) does not speak well for the long-term viability of the County economy. Past and current Commissioners have relied on the natural resources of Tillamook County (fishing, timber, and now natural beauty for

tourism—of course ignoring the clear cuts) for revenue. This shows a serious lack of long -term economic planning on the part of past and current Commissioners.

It was my understanding that a primary purpose in the County's forming the STRAC was to get advice on how to reasonably control the explosive growth in STR's over the last decade (up over 50% in Neahkahnie since 2018). The negative impact on livability in our communities is well documented. That said, STRs provide a valuable way for visitors to stay in our area and enjoy the beautiful landscape that Tillamook County offers. Reasonable compromise balancing the level of STRs in the communities with STR availability is what most of us were looking for in this process. The present approach of expanding the level of STRs while ignoring the concerns of many of the voters seems as short sighted as the County's economic planning.

Lincoln County's reported process of capping the level of STRs by geographical area seems a reasonable approach. Their caps seem low (1-2% depending on zone--a level of 10% seems more reasonable) but they have a method of attrition—no transfer of permits. They don't seem concerned about litigation on the transfer issue perhaps because they are not terminating existing permits. Maybe the Tillamook Commissioners should check with Lincoln County before making final decisions.

It is unfortunate that the County has instituted a STR ordinance review process which appears unfair. The STRAC has apparently been charged with "drafting" the new STR governing ordinance that the County Commissioners will consider (and no doubt adopt) in a public meeting. As it now stands, the STRAC has a majority of its members who have a direct financial interest in the STR industry. Some of these individuals are part of a "dark money" advocacy group that has threatened the County with litigation if they don't get their way. The County blandly states that this presents "no legal conflict of interest". Perhaps there is technically no "legal" conflict, however, it certainly presents the clear appearance of one. There is enough cynicism concerning governmental activities in our current society without this type of action on the part of the County.

Respectfully submitted,
David Boone

Lynn Tone

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Monday, May 8, 2023 11:49 AM
To: Lynn Tone
Cc: hintonjacki56@gmail.com
Subject: EXTERNAL: STR recommendations

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

Hello, My name is Michael Booker and I am a registered voter in Tillamook Co and resident of Neahkahnie Beach. I would like to make several recommendations regarding the STR business as it is occurring in Neahkahnie Beach (NKN).

The Neahkahnie Water District which supplies our water relies on spring water that has run low in the summer due to high use. The District has data that show STRs use much more water than full time residents. Given our water is a LIMITED resource the assumption that users who use more would just pay more doesn't hold water (pun intended) given when we run low or out of water, we all run out equally.
We are zoned residential and do not have the infrastructure to support STR/motel business more than exists now. The essential needs of residents should trump needs of someone wanting to run a business in a residential zone. I therefore feel that the cap for permits should be equal to neighboring Manzanita at 17%. The 22% or higher will effect any new home development in NKN going forward. And again, the essential needs of residents take precedence over business interests in a residential neighborhood.

The permit should be transferrable on sale one time for those residences who have permit.

Licenses should be to one owner or corporation. Family homes should have to opportunity to supplement the cost of owning a property. But allowing business interests to have multiple licenses in a residential neighborhood should not be permitted.

Bedroom should meet the standard definition of "bedroom" as it is defined in real estate terminology. The gymnastics in definition otherwise show the bias the business interests have when promoting their business interests over resident's in a residential neighborhood.

Inheritance of a license should be limited to an individual as owner not any other legal entity.

Enforcement of rules for STRs should be paid for by a percentage of income generated by STRs themselves. Both the County and business owners need to pay for enforcement and fees and penalties should automatically be adjusted to cover costs and more importantly unintended consequences of the STR industry.

Sincerely,

Michael Booker

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 12:13 PM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: STR Pause- It is over yet?

Hi Lynn,
Another public comment received.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: Rachael Winters <rdwinters22@gmail.com>
Sent: Monday, May 8, 2023 11:25 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Pause- It is over yet?

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

Dear Tillamook County & Board of Commissioners,
I have written in several public comments by now and am so incredibly discouraged, to put it politely. We have explained our situation several times, we bought our land in March of 2022, started building in April of 2022 and received our CofO in December of 2022. Our lovely home is now sitting vacant while we pay literally thousands of dollars property taxes and a mortgage, all because we have not been allowed a grace period to apply for a license. Several other groups were granted their STR licenses during the grace period, while we and a few others have been excluded for almost a year now. We are concerned with how the 1% increase in STR licenses will be distributed. How can we guarantee a license? We have been waiting and waiting so patiently. Please, please consider our situation. It is nearly June, will we be excluded again?
Best regards, Rachael Winters

Lynn Tone

From: Raleighworld <raleighworld@earthlink.net>
Sent: Monday, May 8, 2023 1:01 PM
To: Lynn Tone
Cc: Jackie Hinton
Subject: EXTERNAL: Tillamook County STR Comments

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

Members of the Tillamook County STR Committee and Tillamook County Commissioners,

My name is Jeff Welty and my spouse and I own a single family home which we built at Neahkahnie Beach. I am writing in support of an attempt to regulate short term rentals in unincorporated Tillamook county. I believe that without the reasonable regulation of these business properties which are located in a residential area with very limited access and infrastructure we will see a further erosion of the very things that make this neighborhood unique.

We do not have the road access, parking, police and fire protection, or water resources to accommodate the continued explosive growth of this business. I would suggest that we look no further than to the city of Manzanita and their regulation of STR to test the proposed regulations for the unincorporated county. Apparently Manzanita, which has greater resources to regulate STR does well with a cap below the 22-23% proposed. I also feel that the STR license should not be transferable on sale of a property. Not only does this give a break to those who currently live next a STR from the constant turnover of occupants, but allows for someone who wants to rent their property a chance at a limited permit. In addition, there should be a limit of one STR per owner, whether an individual or corporate entity to prevent what has happened on Beulah Reed Rd where a single owner has multiple properties effectively creating a "mini resort" with a high volume of guests and all that that entails...in a residential area.

The definition of "bedroom" is a major driver of the occupancy of these STR and needs to honor the tradition definition of a bedroom. Sleeper sofas placed in common living areas are not what could be described as "bedrooms" in any stretch of the imagination. In a private home, even if you had a sleeper couch in common living space for an occasional personal guest visit, you would not call that a bedroom. A single family home that "sleeps 20" in this area isn't plausible.

The definition of "owner" should include the original statement of proposed regulations that closes potential loopholes that might not extend to business entities when it comes to rule enforcement and transfer of and holding of licenses. Further, the definition of property transfer should be limited to inheritance by family members.

There must be a strong mechanism of county wide enforcement for STR regulations, administered by the county and funded by STR license fees paid by those who operate STR, and not from the general fund.

I believe that the bulk of the original draft proposal for STR regulation should be honored to help preserve the quality of the neighborhoods that we live in.

Thank you for the opportunity to weigh in on the STR matter.

Jeff Welty,

Neahkahnie Beach Resident

Lynn Tone

From: judith jones <judithcj1@gmail.com>
Sent: Monday, May 8, 2023 11:21 AM
To: Lynn Tone
Subject: EXTERNAL: STR

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

I agree with the fabulous letter written by Jacki Hinton. She said it all very very well and included what needs to be addressed. I support and agree with everything in her letter. And I am so thankful that she took the time and effect to address all of you !! Please listen to her. She is wise, thought and knows the area well.

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 11:12 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: Public Comment on STR - Neahkahnie landowner

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: William J <williamjasonhib@gmail.com>
Sent: Monday, May 8, 2023 10:15 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment on STR - Neahkahnie landowner

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

To Whom It May Concern;

In August of 2019 I purchased a parcel of land at 8485 Treasure Rock Rd, Nehalem-Neahkahnie. This was a huge financial purchase for me and my family. We don't come from money and have worked for every penny that we have. We love the ocean and the Oregon coast but needed to be duly reassured that we could short-term rent whatever we built on the land as we don't have enough money to build a second home that just sits empty when we're not enjoying it.

Before purchasing it I was going back and forth with various planners at Tillamook county to discuss the building process, the regulations and how they applied to different parcels of land that I was considering. One planner in particular was very helpful and graciously spent a lot of time answering my emails and phone calls. I asked her if there was any way that Tillamook county would ever change its rules regarding STR and she said 'No way! The county makes too much money on short-term rentals to do away with the program.'

I had developed a good rapport with this planner and so trusted her word on this matter and went forward to purchase the property. I do feel as though I was greatly misled, which has in turn made this hopefully investment in Tillamook county into a financial burden and loss.

I understand the need for housing for middle and lower income earners, but 1) will these local residents be renting million dollar houses on the coast? Or are those neighborhoods, such as Neahkanie, better used for attracting vacationers from Portland and elsewhere so that there is a thriving local economy that has workers that need houses. Or is it just back to beaver trapping and overfishing the ocean and chopping down any trees over 30 feet high - what is the sustainability model?

2) If I build a house with a long-term rental unit along with a short-term rental unit, will that be permitted?

3) I remember returning to the coast after the height of Covid and talking to local small business owners who thanked us profusely for bringing business back. Apparently the local population was not sustaining the local businesses, at all.

Tillamook county, you can only eat the golden goose once - then it is gone.

Sincerely,

William Hibbitts

Lynn Tone

From: Chip Long <jvlong3@gmail.com>
Sent: Monday, May 8, 2023 10:20 AM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

To Whom It May Concern:

I have been a homeowner in Neahkahnie for twenty years. I wish that the board exhibited as much concern for those of us who have been invested in the neighborhood for decades. Instead, the focus appears to be on those who want to invest now and possibly introduce very unwelcome disruptions.

I am particularly concerned about the strain on the available water resources since we are so dependent on the supply monitored and managed by the Neahkahnie Water District.

I endorse the following points, also raised by other neighbors, as well:

- I am worried that board is considering setting a limit (23%) that is so much higher than it is in Manzanita.

- Licenses should not be transferrable with the sale of a home.

- No person or corporation should have more than one license.

- The definition of "owner" must include the following statement as originally presented by Sarah Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals.

- County resources need to be put towards enforcement of complaints. Otherwise, complaints will not be addressed.

With respect to the last point, it seems to indicate that the board expects that there will be unacceptable outcomes from the proposed emendations. This is not an encouraging sign to those of us who have already committed to the quality of life in the neighborhood.

Thank you for your attention.

Yours sincerely,

Joseph V. Long
8250 Hillcrest Rd.
Neahkahnie, OR 97131

Lynn Tone

From: LAURIE KOVACK <lkovack@mac.com>
Sent: Friday, May 5, 2023 11:47 AM
To: Lynn Tone; Sarah Absher; Erin Skaar
Subject: EXTERNAL: parking landscaping density

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

I am concerned about the unintended impact the draft short term rental parking regulations will have on landscaping in some neighborhoods. The parking requirements may result in established landscaping being removed in order to accommodate the required designated parking spots to allow maximum occupancy. This will impact the neighboring properties if as a result of this ordinance a residential home is suddenly surrounded by short term rentals with up to six parking spaces and minimal landscaping.

This is a livability issue and reinforces the need for a density limit. If one house on a street is a short term rental and they remove all their landscaping it will have a negative impact. If a residential home is surrounded by six short term rentals which all remove their landscaping to create designated parking areas, the impact would be substantial for the neighboring residents, and change the character of the community.

As part of the ordinance I request that the county create a minimum landscaping standard to prevent homes being surrounded by designated parking areas.

I agree with the need to plan for the increased parking demand caused by short term rentals. Regardless of what instructions a short term rental owner may give guests regarding how many cars they are allowed, my observation is that most rental parties will bring the number of cars needed to accommodate the schedules of the participants. I often observe guests arrive at short term rentals in a staggered succession. It sometimes appears that every licensed driver, including teens, arrives in their own car. On occasion resulting in 2 to 3 cars for every designated bedroom. Even responsible guests seem to justify the excess cars with the refrain that the street is public and they will just park any extra cars where they find a spot on the street.

The impact of the increased parking needs of short term rental visitors, with or without the proposed parking requirements, justifies the establishment of a density limit as part of achieving the livability goals of the short term rental ordinance.

Laurie Kovack

Lynn Tone

From: Candice & Gregory Miller <gandcm@gmail.com>
Sent: Friday, May 5, 2023 11:23 AM
To: Lynn Tone; Sarah Absher; Public Comments
Subject: EXTERNAL: Comments for May 9th STR Advisory Committee Meeting

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

Dear Tillamook County STR Advisory Committee,

We want to again express our support to restrict and manage the growth of our community from short term rental properties. We also agree with the comments Jim Bartels submitted on 5/2/2023.

In addition, we think it's important that the commissioners and the committee be aware that any petitions or surveys put forward regarding STRs will have signatures from outsiders that only support their lodging business/income viewpoints. The reality is, many owners need to subsidize their income through renting, otherwise they would be unable to sustain the expenses of a second home.

Full-time residents and Tillamook County registered voters should have more input on how our neighborhoods should be developed and supported and not by people who live **outside** the county and rent their homes year-round or visit less than 30 days out of the year.

We want to urge this committee to focus on the following:

1. Restrict the amount of licenses by putting a cap limit of 18-20%. Placing a cap on licenses now will not impact current STR owners. However, allowing more would put added pressure on the county for regulation enforcement and create an unhealthy environment for full-time residents who have to put up with the added traffic, trash and unruly behavior of vacationers. We would think that current STR owners would welcome a cap limit, since allowing more vacation rentals would cut into their profits from the competition of additional rentals.
2. The Density Limits - A consideration of some form of a limit on any given street. On one street in Neskowin there are 4 homes, only one is not a vacation rental. The other 3 are owned by the same person.
3. Implement stricter occupancy limits. Two per bedroom, with a cap of 12.
4. Do not allow purpose built vacation homes with more than 4 bedrooms.
5. Do not allow garage conversions to bedrooms.
6. Place a cap on how many permits one person/group/company can own. Two seems reasonable and fair. Anything over two would constitute a lodging business.
7. Licenses should not be transferable in a property sale transaction. This would allow parties who are on a waiting list for a license to acquire one.
8. Daytime parking spaces should be the same as regular overnight parking. In our neighborhood there is no street parking. There should not be an allowance for daytime guest parking unless the owner can verify public street parking near their rental.

Sincerely,

Candice & Gregory Miller
Neskowin, OR

Memorandum

To: STR Advisory Committee
Fm: John & Maria Meyer
Date: May 5, 2023
Re: Recommendations re revisions to Vacation Rental Ordinance

As we enter this final phase of the STR Advisory Committee's expansive review of vacation rentals, we wish to express our deepest appreciation for the volunteer efforts of the committee members participating in this effort.

We also think it important to express **several key principles** that we feel are needed for a successful and balanced outcome:

1. **Complete data is needed to ensure recommendations are fully and properly vetted.** This is especially important in the Neahkahnie community, where we have a vocal and spirited group with legitimate complaints and concerns that is opposed to vacation rentals. But this group's complaints far outweigh the public complaints from the rest of the country, distorting the real picture and the source of many problems. To offset this, we need complete data, to include the specific number of actual "complaints" about nuisances or code violations that have occurred in this community. Many vacation rentals have operated for years in Neahkahnie without incident, so it is very important to understand real data. Our vacation rental has been operating since 2017, and we have two VR neighbors within 50 feet of our property. We've not had a single complaint from any of these homes during this period. Indeed, we and our oft returning guests had developed excellent friends and neighbors and valued relationships in the community. To the extent the county has any of this data, it should be provided to the STR Advisory Committee asap!

2. **The historical role of vacation rentals in our many and varied coastal communities needs to be recognized – this principle, for legal and social reasons, favors a) grandfathering in existing STR permit holders, and b) establishing caps that protect existing permits. The same principle applies to permit transferability.**

3. **Prioritize better enforcement of current regulations before adding new!** In other words, the standard should be to keep changes to a minimum, and only those absolutely necessary.

4. **Concern about current "permits" being replaced with "Registration Certificates."** What does that accomplish, if not to somehow undermine the legal protections and rights of current vacation rental owners?

5. The majority of complaints and requests for new regulations is from a single community (Neahkahnie) – we understand this is 75% of complaints, but apparently less than 10% of the county wide vacation rental permits. See Data #1 comment above, and California Coastal Commission recommendations below.

6. Tourism has an important economic role in Tillamook County.

7. Vacation rentals provide vital accommodations that provide for public beach access. There should be balance in regulations compatible with community character (see also California Coastal Commission).

We agree with the principles enumerated by the California Coastal Commission in its 2016 Letter regarding vacation rentals on the California coast, copy attached. We find this source informative because California shares the same beauty and respect for its coast, environmental concerns, and public access as we do.

> *"Others argue that vacation rentals should be encouraged because they often provide more affordable options for families and other coastal visitors of a wide range of economic backgrounds to enjoy the California coastline. In addition, vacation rentals allow property owners an avenue to use their residence as a source of supplemental income... There are no easy answers to the vexing issues and questions of how best to regulate short-term/vacation rentals.*
>
> *In such cases the Commission has found that vacation rental prohibitions unduly limit public recreational access opportunities inconsistent with the Coastal Act. However, in situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate.*
>
> ***In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws. We believe that appropriate rules and regulations can address issues and avoid potential problems, and that the end result can be an appropriate balancing of various viewpoints and interests."***
>
> *Steve Kinsey, Chair*
> *California Coast Commission*
> *Short Term/Vacation Rentals in the California Coastal Zone*

Consistent with this guidance, we support vacation rental regulations that are tailored to our coastal communities in Tillamook County. We support regulations that are enforced at the local level and that year-round neighbors should have confidence complaints are quickly resolved. Of the various regulations discussed, we support the following:

- Caps at 1% above current levels, with room for growth if it is balanced and promotes the community as a whole.
- Permit transferability for existing permit holders.
- Existing permit holders right to operate vacation rentals are grandfathered in.
- All communities should adopt good neighbor policies, including night sky regulations.
- Reasonable distance guidelines should apply to new permits.
- Limits on maximum occupancies, depending on the character of the surrounding neighborhood.

- Building Codes are standardized and apply to all housing, regardless of whether full time residents or vacation rental properties.
- Balance in regulations to be compatible with community character.

We also feel the recent issues in Clatsop County have some lessons for us. A small group of anti-vacation rental full time residents launched a ballot referendum to overturn the County Commissioners' unanimous decision to approve vacation rentals in unincorporated Clatsop County. Despite the unanimous approval, and several years of public input and permit moratoriums, a small group chose to overturn this effort and ask the voters to repeal the measure, which if successful could lead to a morass of legal actions. Here's what the Daily Astorian Editorial Board had to say about the referendum:

Daily Astorian Editorial Board
April 30, 2023
Excerpts

"Our view: KEEP THE COUNTY'S VACATION RENTAL ORDINANCE

"The campaign for the referendum (to cancel vacation rental permits in unincorporated Clatsop County) has drawn support from (affordable) housing advocates and Clatsop County Democrats. While this may be a well-meaning response to the spread of vacation rentals, we disagree with their contention that nurses, teachers, firefighters and others who are struggling to find housing share common cause with people fortunate enough to live in comfort by the beach.

For voters who have not been paying close attention as this issue played out at the Judge Guy Boyington Building over the past five years, we sympathize. We understand that people may read a few newspaper articles and consult the county voters' pamphlet, figure out which side is against vacation rentals, and vote to repeal the county's ordinance.

Just know what you are voting for.
You are not striking a meaningful blow against the vacation rental industry.
You are not preserving the county's housing stock for more affordable or workforce projects.
You are helping a small cluster of people with money and means keep their beachfront neighborhoods a bit more exclusive, their gates a little higher."

****

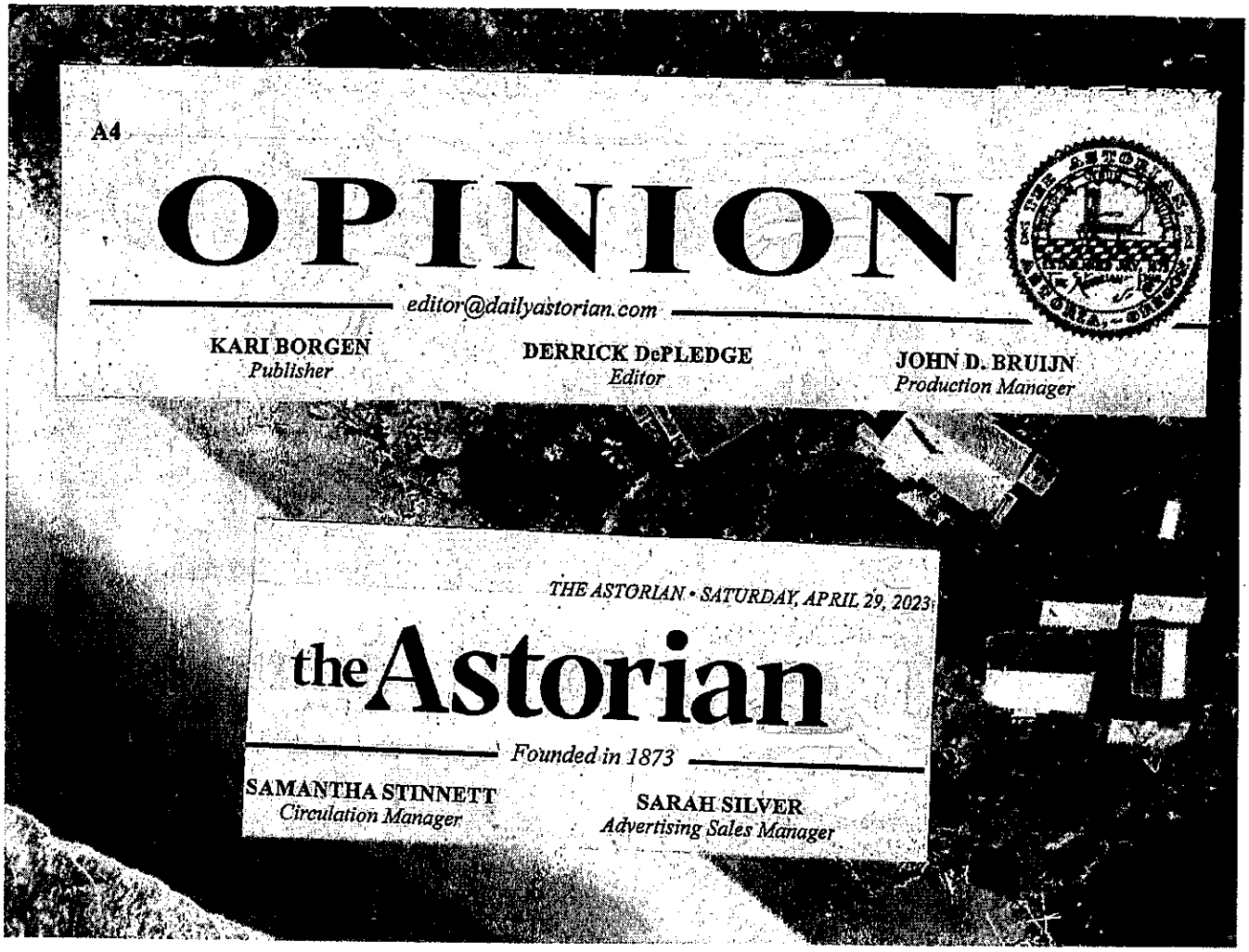
Attachments:

a. Editorial Opinion, The Astorian – **"Keep the County's Vacation Rental Ordinance"** – April 29, 2023
b. Letter, California Coastal Commission, Re vacation rentals in the California Coastal Zone December 16, 2016

https://www.dailyastorian.com/opinion/editorials/our-view-keep-the-countys-vacation-rental-ordinance/article_cf73fea8-e13f-11ed-a8a7-afb388422dfb.html

Our View: Keep the county's vacation rental ordinance

Apr 29, 2023



Residents of Cove Beach are among the driving forces behind a ballot measure to repeal a county vacation rental ordinance.

Lydia Ely/The Astorian

The Clatsop County housing study in 2019 was striking in its simplicity.

There is sufficient supply of land and housing units to meet current and future needs, the report found. But too much of the supply serves the second home and vacation rental markets, leaving insufficient supply for year-round residents to purchase or rent.

Privacy - Terms

This reality is at the core of our housing crisis. As the North Coast evolves into an attractive destination, more people want to visit, invest in property, wind down their careers while working remotely or retire in the region.

The financial rewards in real estate are to cater to this class, not to people who are just starting out or who are trying to build their careers or raise families.

This gap — between people who can easily afford to visit or live here, and people struggling with the cost of living — increasingly defines our political and public policy debates.

In our view, the county and cities should craft reasonable regulations and incentives to help close the gap, such as the recommendations in the housing study for more home-buying opportunities at affordable price points and more multifamily rental housing.

Ordinance

Our cities long ago realized the potential for vacation rentals to cause instability, particularly in residential neighborhoods, and adopted restrictions. Over the past several years, the county has sought to apply restrictions in unincorporated areas outside the cities.

Unfortunately, the county Board of Commissioners fumbled this task. Since 2018, they have turned a relatively straightforward policy question into an incoherent mess. Unable to find clarity, commissioners imposed a moratorium on new vacation rental permits in 2021 and extended the pause four times.

The silver lining to this protracted debate was it gave everyone interested an opportunity to weigh in over a series of town hall meetings and public hearings.

In defense of county commissioners, they did eventually arrive at reasonable regulations.

In April 2022, the Board of Commissioners approved new operating standards to help address nuisances such as noise, litter and parking and required vacation rental owners to post good-neighbor flyers that explain rules. The length of permits was shortened to two years, instead of five years.

Last June, commissioners voted unanimously to recognize vacation rentals as permitted uses in 16 zones — four commercial and 12 residential. The ordinance essentially tries to repair an earlier mistake, where the county issued permits even though vacation rentals were not recognized in the development code except in Arch Cape.

There are roughly 100 vacation rental permits in unincorporated areas outside of Arch Cape.

Now that these vacation rentals are recognized, the next step for county commissioners is to consider placing caps on the number of permits. In neighborhoods, especially along the coast, where vacation rentals already can alter the character of the community, we envision caps that would closely mirror the permits already issued.

County commissioners indicated last June that they would consider caps, and if they go back on their word, voters should hold them accountable at election time.

But we do not favor Measure 4-221 in the May election. The referendum would repeal the county's ordinance and throw the roughly 100 vacation rental permits — and an estimated $700,000 in lodging tax revenue — back into limbo.

Our view is not influenced by the vacation rental industry or property rights or lodging tax money. It's about fairness.

The referendum is mostly driven by homeowners in Cove Beach, a wealthy enclave at the southern tip of the county, and Surf Pines, a gated community near Gearhart. Residents from these communities, which include many second-home owners, remote workers and retirees, were fully heard by county commissioners at town hall meetings and public hearings.

After they did not prevail, they launched the referendum to blow up the process and are asking voters in Astoria, Warrenton, Gearhart, Seaside and Cannon Beach — who are not subject to the county ordinance — to help them get their way.

Over the years, many of the same residents in Cove Beach have tried to use the levers of the local water district and the county's comprehensive plan update to control growth. More recently, residents have tried to undermine county changes to the development code to

expand access to child care.

Surf Pines is in an even more distinct category. The community has a homeowners association. Residents unhappy with the pace of regulation at the county on vacation rentals could try to convince their neighbors to take action.

Common cause

The campaign for the referendum has drawn support from housing advocates and Clatsop County Democrats. While this may be a well-meaning response to the spread of vacation rentals, we disagree with their contention that nurses, teachers, firefighters and others who are struggling to find housing share common cause with people fortunate enough to live in comfort by the beach.

For voters who have not been paying close attention as this issue played out at the Judge Guy Boyington Building over the past five years, we sympathize. We understand that people may read a few newspaper articles and consult the county voters' pamphlet, figure out which side is against vacation rentals, and vote to repeal the county's ordinance.

Just know what you are voting for.

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You are helping a small cluster of people with money and means keep their beachfront neighborhoods a bit more exclusive, their gates a little higher.

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., GOVERNOR

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885

December 6, 2016

TO: Coastal Planning/Community Development Directors

SUBJECT: Short-Term/Vacation Rentals in the California Coastal Zone

Dear Planning/Community Development Director:

Your community and others state and nationwide are grappling with the use of private residential areas for short-term overnight accommodations. This practice, commonly referred to as vacation rentals (or short-term rentals), has recently elicited significant controversy over the proper use of private residential stock within residential areas. Although vacation rentals have historically been part of our beach communities for many decades, the more recent introduction of online booking sites has resulted in a surge of vacation rental activity, and has led to an increased focus on how best to regulate these rentals.

The Commission has heard a variety of viewpoints on this topic. Some argue that private residences should remain solely for the exclusive use of those who reside there in order to foster neighborhood stability and residential character, as well as to ensure adequate housing stock in the community. Others argue that vacation rentals should be encouraged because they often provide more affordable options for families and other coastal visitors of a wide range of economic backgrounds to enjoy the California coastline. In addition, vacation rentals allow property owners an avenue to use their residence as a source of supplemental income. There are no easy answers to the vexing issues and questions of how best to regulate short-term/vacation rentals. The purpose of this letter is to provide guidance and direction on the appropriate regulatory approach to vacation rentals in your coastal zone areas moving forward.

First, please note that vacation rental regulation in the coastal zone must occur within the context of your local coastal program (LCP) and/or be authorized pursuant to a coastal development permit (CDP). The regulation of short-term/vacation rentals represents a change in the intensity of use and of access to the shoreline, and thus constitutes development to which the Coastal Act and LCPs must apply. We do not believe that regulation outside of that LCP/CDP context (e.g., outright vacation rental bans through other local processes) is legally enforceable in the coastal zone, and we strongly encourage your community to pursue vacation rental regulation through your LCP.

The Commission has experience in this arena, and has helped several communities develop successful LCP vacation rental rules and programs (e.g., certified programs in San Luis Obispo and Santa Cruz Counties going back over a decade; see a summary of such LCP ordinances on our website at:
https://documents.coastal.ca.gov/assets/la/Sample_of_Commission_Actions_on_Short_Term_Rentals

.pdf). We suggest that you pay particular attention to the extent to which any such regulations are susceptible to monitoring and enforcement since these programs present some challenges in those regards. I encourage you to contact your local district Coastal Commission office for help in such efforts.

Second, the Commission has not historically supported blanket vacation rental bans under the Coastal Act, and has found such programs in the past not to be consistent with the Coastal Act. In such cases the Commission has found that vacation rental prohibitions unduly limit public recreational access opportunities inconsistent with the Coastal Act. However, in situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws. We believe that appropriate rules and regulations can address issues and avoid potential problems, and that the end result can be an appropriate balancing of various viewpoints and interests. For example, the Commission has historically supported vacation rental regulations that provide for all of the following:

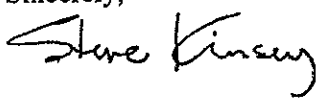
- Limits on the total number of vacation rentals allowed within certain areas (e.g., by neighborhood, by communitywide ratio, etc.).
- Limits on the types of housing that can be used as a vacation rental (e.g., disallowing vacation rentals in affordable housing contexts, etc.).
- Limits on maximum vacation rental occupancies.
- Limits on the amount of time a residential unit can be used as a vacation rental during a given time period.
- Requirements for 24-hour management and/or response, whether onsite or within a certain distance of the vacation rental.
- Requirements regarding onsite parking, garbage, and noise.
- Signage requirements, including posting 24-hour contact information, posting requirements and restrictions within units, and incorporating operational requirements and violation consequences (e.g., forfeit of deposits, etc.) in rental agreements.
- Payment of transient occupancy tax (TOT).
- Enforcement protocols, including requirements for responding to complaints and enforcing against violations of vacation rental requirements, including providing for revocation of vacation rental permits in certain circumstances.

These and/or other provisions may be applicable in your community. We believe that vacation rentals provide an important source of visitor accommodations in the coastal zone, especially for larger families and groups and for people of a wide range of economic backgrounds. At the same time we also recognize and understand legitimate community concerns associated with the potential adverse impacts associated with vacation rentals, including with respect to community character and noise

and traffic impacts. We also recognize concerns regarding the impact of vacation rentals on local housing stock and affordability. Thus, in our view it is not an 'all or none' proposition. Rather, the Commission's obligation is to work with local governments to accommodate vacation rentals in a way that respects local context. Through application of reasonable enforceable LCP regulations on such rentals, Coastal Act provisions requiring that public recreational access opportunities be maximized can be achieved while also addressing potential concerns and issues.

We look forward to working with you and your community to regulate vacation rentals through your LCP in a balanced way that allows for them in a manner that is compatible with community character, including to avoid oversaturation of vacation rentals in any one neighborhood or locale, and that provides these important overnight options for visitors to our coastal areas. These types of LCP programs have proven successful in other communities, and we would suggest that their approach can serve as a model and starting place for your community moving forward. Please contact your local district Coastal Commission office for help in such efforts.

Sincerely,



STEVE KINSEY, Chair
California Coastal Commission

Lynn Tone

From: Public Comments
Sent: Friday, May 5, 2023 8:27 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Review Public Comment

From: Shiara P <shiaralynn@gmail.com>
Sent: Thursday, May 4, 2023 11:10 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Review Public Comment

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

To whom it may concern,

Our family has been visiting Pacific City for many years making day trips over to visit the ocean and refuel. A couple years ago a vacant piece of land near our favorite park became available for purchase. We did our diligence: ran title reports, spoke with the county about building height restrictions, offsets, etc and ensured that the location we were purchasing was eligible for an STR, as some cities were banning them. We confirmed with the county that our property was eligible and that we could apply for an STR once we completed occupancy inspections. With this in mind, we took the plunge to invest in a second home with the expectations that we could make the home available for rent during the times we are not using it.

It was much to our surprise that the county put a freeze on new permits when we were in the middle of construction. What was more alarming is that any people in the process of purchasing a home in escrow were given a notice and grace period to apply for an STR, but that property owners in the middle of construction and financially vested in their properties were not allowed to apply, as we had not yet achieved occupancy. We were specifically excluded from any exceptions or grace periods.

By purchasing a vacant lot and building a home on it, we have improved the value of the property and our neighborhood. We have brought revenue and economic activity into the community and will be paying higher taxes as the property is now valued higher. What is discouraging is that the county is treating individuals, like our family, like faceless corporations with no regards to the economic hardships they may be inflicting on families that were relying on supplemental STR income to help make their dreams of owning a second home a reality.

In total, the number of property owners under construction at the time the county put in a freeze is a very small percentage of the community. Allowing us to apply will not change anything for the communities.

The people who benefit the most by restricting us from applying and restricting the number of future applications are people who already have STR properties in the area and will be able to charge more for their STR since there will be less competition, therefore making beach refuge trips less affordable for regular, working families with constrained budgets.

It is my hope that you will consider grandfathering in people who were financially invested in properties with intent of applying for an STR the opportunity to apply before new rules/restrictions are in place.

Thank you for your time to consider my comments.

Sincerely,

Shiara Powell
Pacific City, OR

Lynn Tone

From: Public Comments
Sent: Friday, May 5, 2023 8:26 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits
Attachments: MCROBERT Tillamook STR Comments 05022023.docx

From: Alan McRobert <Almcrob@msn.com>
Sent: Thursday, May 4, 2023 6:19 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: brucelovelinoregon@gmail.com
Subject: EXTERNAL: Support for STR Permits

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

Below are comments regarding the new Ordinance related to Short Term Rentals. Please include these for presentation during the upcoming counsel meeting. A Word document of the below is attached.

Thank you.

Alan McRobert

May 4, 2023

Comments RE: Short-Term Rental Ordinance

.020 Purpose and Scope. A. This Ordinance provides reasonable and necessary regulations for the registration of short-term rental use of residential dwelling units, the purposes of which are to: 1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County. 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose. 3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options
Why is "long-term" in this section? The ordinance specifically states it doesn't apply to long-term rental.
.020 G. A multitude of rules could be made that significantly impact an owner's ability to comply. Owners, County, and Administrator benefit it owners are aware that new rules have been made. The Administrator could assist owners in staying current. Possibly owners voluntary submit email to an Administrator website for the use of automated generated email to owners advising that a new rule has been posted on the website.

.030 Definitions
Requirements in this section and elsewhere state a requirement to meet 2021 Residential Building Code. The 2021 (and other revisions) Residential Building Code Revisions specifically prohibited this!
2021 Residential Building Code R102.7 states "Legal occupancy of any structure on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code."
102.7.1 Additions and Alterations – If addition or alteration is made to a structure, this section specifically identifies what alterations and additions must be permitted and meet code.

102.7.2 Repairs – If a repair is made to a structure, this section specifically identifies repairs that require permits and must meet code.
This ordinance cannot make occupancy illegal or change the occupancy by requiring an existing structure, that the county permitted and met the residential code at the date of construction, now conform to the new residential code!

D. Bedroom requirement of a built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage unit. This requirement has no correlation to the Purpose and Scope. Where clothing is hung or stored has no impact on health, safety and welfare. How or where clothing storage in a STR has zero impact on a neighbor?

.040 Annual Short-Term Rental Registration Certificate Required, Basic Requirements for Registration, No Nonconforming Use Status Conferred.
B. No Nonconforming Status Conferred. The fact that an owner of property or other entity may hold a registration certificate on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid registration certificate.
This statement makes no sense and has no applicable use. It is impossible for an owner to hold a registration certificate on the date of adoption. When this ordinance is adopted "registration certificates" come into existence and not before adoption, reference definition Z. Per the existing STR Ordinance, current STR owners have County required and issued STR Permits.
Correct wording - The fact that an owner of a STR currently holds a County issued STR Permit, on the date of adoption of this Ordinance, does not confer a property right, land use permit . . . for short term rental use, in all cases, requires a valid registration certificate.
This ordinance invalidates the present STR Permit and replaces it with a registration certificate to operate a STR.

.050. Notice to Neighbors. The applicant shall provide an annual mailing or distribute by hand, a flier to owners and residents of neighboring properties within 250 feet of the perimeter of the rental property containing the registration certificate number, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental.
How does an owner of a STR know who a neighbor is? Is the neighbor a STR tenant on a specific day? A renter that will be gone in 45 days? It is distinctly possible that the owner of a STR has never met a neighbor that also is a STR owner. The obligation of the STR owner should be to give notice to the owners of residences within 250 feet of the STR. It is the property owner's responsibility to give notice to whomever is living in their property. An option to handing a flyer, the STR owner can mail a notice to the property owner of record in the tax rolls of the Auditors office.

.060 Limiting the transfer of STR certificates doesn't align with the Purpose and Scope of the ordinance stating a Balance of livability and property owner rights. Limiting the number of transfers unduly harms the property owner of an in compliance STR to the sole benefit of the residential neighbor. This is not Balance. This is simply a method for eliminating a STR regardless of if it is being operated in full compliance, being a good neighbor. The ordinance has a means for removing a non-compliant STR. Why should the ordinance unduly financially impact the owner? Unless a STR is in a high demand location, STR income allows medium incomes people to own a property in Tillamook. STR income pays property taxes, sewer fees, water fees, sustaining garbage services and other fixed costs of owning a home. STR income isn't making a high percentage of the owners rich! Without the ability to transfer a STR certificate, only individuals with wealth and high income that are capable of paying fixed expenses out of pocket will become homeowners. The purpose and scope doesn't include making home ownership more exclusive for the rich.
.070 2. Off street parking space size. What was the parking space size at the time of permit and construction? If the county approved 8 x 16 feet parking when permitted, then changing to 8 x 18 is retroactively imposing a requirement that is not legal to do so. The county approved and permitted the construction of our two-bedroom home with 8 x 16 parking for two vehicles. The design makes it impossible to widen the parking area to 18 feet.
.080 A Limit of 3 children under 12 is distinctly Anti-Family! This eliminates access to a beach vacation for families that choose to have more than three children, have younger twins and two older siblings, or have two children and want to bring two friends along for a family vacation. It is the parents' responsibility for the behavior of the children. If the

behavior is incompatible with the restrictions of the Ordinance, then there are means for reporting and addressing a problem. There is no Balance here. Is this providing visitors a reasonable opportunity for vacation?

.080 L. 1.j Define "yard" We don't have a back yard. Change yard to ground with access to a public way.
.080 L 2. Requirements to meet 2021 Oregon Residential Code can't be required. Sleeping area emergency exit permitted and inspected to meet the applicable code at time of permit.

.090 A. This section should state Owner **or Authorized Agent**. The Authorized Agent can act on the owner's behalf and better coordinate for an inspection than an out-of-town property owner. Requiring conformance to the current building code is not legal!
.090 B. Completion of a major repair in 60 days is in some cases impossible. Finding a general contractor, submitting, and receiving a permit for a non-safety issue and completing construction is almost impossible within 60 days. Also, this doesn't account for the dynamics of demand for contractor services. There needs to be more flexibility given the penalty of losing a STR certificate due to uncontrollable circumstances. Consider the requirement of communication from a licensed contractor as to the estimated completion date considering permitting and construction.
.110 A I'm confused. If qualify as Lawful Pre-existing Shot Term Rental, how does that relate to the Ordinance? Wait until the end of the existing permit to submit for a certificate?

Sent from Mail for Windows

May 4, 2023

Alan McRobert

Comments RE: Short-Term Rental Ordinance

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This ordinance invalidates the present STR Permit and replaces it with a registration certificate to operate a STR.

.050. Notice to Neighbors. The applicant shall provide an annual mailing or distribute by hand, a flier to owners and residents of neighboring properties within 250 feet of the perimeter of the rental property containing the registration certificate number, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental.

How does an owner of a STR know who a neighbor is? Is the neighbor a STR tenant on a specific day? A renter that will be gone in 45 days? It is distinctly possible that the owner of a STR has never met a neighbor that also is a STR owner. The obligation of the STR owner should be to give notice to the owners of residences within 250 feet of the STR. It is the property owner's responsibility to give notice to whomever is living in their property. An option to handing a flyer, the STR owner can mail a notice to the property owner of record in the tax rolls of the Auditors office.

.060 Limiting the transfer of STR certificates doesn't align with the Purpose and Scope of the ordinance stating a Balance of livability and property owner rights. Limiting the number of transfers unduly harms the property owner of an in compliance STR to the sole benefit of the residential neighbor. This is not Balance. This is simply a method for eliminating a STR regardless of if it is being operated in full compliance, being a good neighbor. The ordinance has a means for removing a non-compliant STR. Why should the ordinance unduly financially impact the owner? Unless a STR is in a high demand location, STR income allows medium incomes people to own a property in Tillamook. STR income pays property taxes, sewer fees, water fees, sustaining garbage services and other fixed costs of owning a home. STR income isn't making a high percentage of the owners rich! Without the ability to transfer a STR

certificate, only individuals with wealth and high income that are capable of paying fixed expenses out of pocket will become homeowners. The purpose and scope doesn't include making home ownership more exclusive for the rich.

.070 2. Off street parking space size. What was the parking space size at the time of permit and construction? If the county approved 8 x 16 feet parking when permitted, then changing to 8 x 18 is retroactively imposing a requirement that is not legal to do so. The county approved and permitted the construction of our two-bedroom home with 8 x 16 parking for two vehicles. The design makes it impossible to widen the parking area to 18 feet.

.080 A Limit of 3 children under 12 is distinctly Anti-Family! This eliminates access to a beach vacation for families that choose to have more than three children, have younger twins and two older siblings, or have two children and want to bring two friends along for a family vacation. It is the parents' responsibility for the behavior of the children. If the behavior is incompatible with the restrictions of the Ordinance, then there are means for reporting and addressing a problem. There is no Balance here. Is this providing visitors a reasonable opportunity for vacation?

.080 L. 1.j Define "yard" We don't have a back yard. Change yard to ground with access to a public way.

.080 L 2. Requirements to meet 2021 Oregon Residential Code can't be required. Sleeping area emergency exit permitted and inspected to meet the applicable code at time of permit.

.090 A. This section should state Owner **or Authorized Agent**. The Authorized Agent can act on the owner's behalf and better coordinate for an inspection than an out-of-town property owner. Requiring conformance to the current building code is not legal!

.090 B. Completion of a major repair in 60 days is in some cases impossible. Finding a general contractor, submitting, and receiving a permit for a non-safety issue and completing construction is almost impossible within 60 days. Also, this doesn't account for the dynamics of demand for contractor services. There needs to be more flexibility given the penalty of losing a STR certificate due to uncontrollable circumstances. Consider the requirement of communication from a licensed contractor as to the estimated completion date considering permitting and construction.

.110 A I'm confused. If qualify as Lawful Pre-existing Shot Term Rental, how does that relate to the Ordinance? Wait until the end of the existing permit to submit for a certificate?

Lynn Tone

From: Chip Long <jvlong3@gmail.com>
Sent: Monday, May 8, 2023 10:20 AM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

To Whom It May Concern:

I have been a homeowner in Neahkahnie for twenty years. I wish that the board exhibited as much concern for those of us who have been invested in the neighborhood for decades. Instead, the focus appears to be on those who want to invest now and possibly introduce very unwelcome disruptions.

I am particularly concerned about the strain on the available water resources since we are so dependent on the supply monitored and managed by the Neahkahnie Water District.

I endorse the following points, also raised by other neighbors, as well:

- I am worried that board is considering setting a limit (23%) that is so much higher than it is in Manzanita.

- Licenses should not be transferrable with the sale of a home.

- No person or corporation should have more than one license.

- The definition of "owner" must include the following statement as originally presented by Sarah Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals.

- County resources need to be put towards enforcement of complaints. Otherwise, complaints will not be addressed.

With respect to the last point, it seems to indicate that the board expects that there will be unacceptable outcomes from the proposed emendations. This is not an encouraging sign to those of us who have already committed to the quality of life in the neighborhood.

Thank you for your attention.

Yours sincerely,

Joseph V. Long
8250 Hillcrest Rd.
Neahkahnie, OR 97131

Lynn Tone

From: kcj3pdx@gmail.com
Sent: Saturday, May 6, 2023 1:15 PM
To: Public Comments
Cc: Sarah Absher; Lynn Tone
Subject: EXTERNAL: comments on STR May 9 draft.

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

I have owned a home in Neahkahnie for over 40 years and have previously communicated numerous concerns and recommendations to the STR Committee. In reviewing the May 9 draft I have two additional comments.

1. The work of the Committee has resulted in an extremely complex list of requirements for STR owners and renters. If the resulting product is to be meaningful, each of the requirements must be enforced, otherwise the efforts of the Committee will have been pointless and counterproductive. Accordingly, I urge that the Committee and staff prepare a detailed staffing plan and budget for enforcement and that the County Commission adopt the budget concurrently with adoption of the revised ordinance.
2. Section .110.C.1 refers to a provision for "5 year deferred compliance" with the new regulations. I did not find any mention of such a deferral in the draft. Please clarify what provisions of the ordinance are proposed for deferral.

I also want to strongly endorse the recommendations in David Boone's letter of 4.14.23 and John Myer's letter of 4.17.23 and urge the Committee to review their communications.

Thank you.
Ken Jones
Beulah Reed Road
Neahkahnie

Lynn Tone

From: Candice & Gregory Miller <gandcm@gmail.com>
Sent: Saturday, May 6, 2023 5:22 PM
To: Lynn Tone; Sarah Absher; Public Comments
Subject: EXTERNAL: Additional comments for 5/9 STR Advisory meeting

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

Dear Tillamook County STR Advisory Committee,

We would like to include the following to our comments submitted on 5/5.

We oppose the proposal to add an additional 1% cap over the current STR percentage. Why is this necessary? In Neskowin, our neighborhood is already saturated with STRs.
We ask the County to NOT allow this proposal to go through. If Neskowin is maxed out at 20%, then it should remain at 20%. The current percentage is fair and reasonable.

Please do not acquiesce to STR owners, boutique lodging businesses, and vacationers who visit a few days out of the year.

Sincerely,

Candice & Gregory Miller
Neskowin, OR

Lynn Tone

From: Larry & Debbie Kiser <ladlsk@nehalemtel.net>
Sent: Saturday, May 6, 2023 7:15 PM
To: Lynn Tone
Subject: EXTERNAL: STR comments

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

As a long time resident of Neahkahnie I would like to comment on the str debate. I believe that Neahkahnie area should have the same limits on numbers of rentals as Manzanita. Also most of the rules proposed should share those of Manzanita since our boundaries attach and we attract similar renters. Multiple rentals in the same block should not be allowed since this makes the neighborhoods not desirable to full time residents. We bought our home to enjoy having regular neighbors and feel that adds to the desirable part of our life style. We are also concerned about parking and feel str parking should not permit on street parking and a limit placed on number of vehicles allowed.
Please consider these items as your committee establishes changes in the rules for our area.
Larry S. Kiser 8040 Kahnie Trail Loop

Lynn Tone

From: Colleen Schwindt <colleen.schwindt@gmail.com>
Sent: Sunday, May 7, 2023 12:55 AM
To: Lynn Tone
Cc: Jacki Hinton
Subject: EXTERNAL: Tillamook County STR

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

Dear Tillamook County Board of Commissioners, I am a full time resident of Neahkahnie in unincorporated Tillamook County.
I am in favor of capping the amount of short term rentals to 16-17% to be in the same range as the STR cap in nearby Manzanita. The suggested rate of 23% is too high due to our limited water supply and other infrastructure limitations and some non-existent ones.
I am also in favor of limiting the STR permit transfer to the sale of house once and opposed to making the STR permit transfer indefinite .
Please continue to take in consideration the needs of our small community to keep it a pleasant place to live for all of us.
Thank you,
Colleen Schwindt

Sent from my iPhone

Lynn Tone

From: Donald Truxillo <donald.truxillo@gmail.com>
Sent: Sunday, May 7, 2023 4:03 AM
To: Lynn Tone
Subject: EXTERNAL: STR Comments: Neahkahnie

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

Hello,

I am writing because I am very concerned about the idea of actually raising the limits and restrictions on STRs in Neahkahnie.

A number of points.

1. I am concerned that the board is considering setting a limit (23%) that is so much higher than it is in our neighbor, Manzanita. In other words, this sets us up to be the overflow town.

2. Licenses should not be transferable with the sale of a home.

3. No person or corporation should have more than one license.

4. The definition of "owner" should include a statement as originally presented by Sarah Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals.

5. County resources need to be put towards enforcement of complaints. Otherwise, complaints will not be addressed.

6. I am very, very concerned about the use of water resources. Water shortages in our area are becoming a frequent issue in recent summers. The freeze on STRs should be maintained until we address this water shortage.

Best regards,

Donald Truxillo

8250 Hillcrest Rd.,

Neahkahnie 97131

Lynn Tone

From: Elizabeth ARCH <elizabeth.arch@gmail.com>
Sent: Sunday, May 7, 2023 10:13 AM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

Commissioners - please respect the needs of the unincorporated communities in Tillamook county and protect them from being transformed into a source of revenue for a few rather than a home for long term residents. There should be reasonable limits on the numbers and restrictions on the licenses for STRs. These have been well formulated and justified in the information provided to the committee. Please take into account our concerns as you put in place reasonable controls on STRs.
Elizabeth Arch
37737 Treasure Hunters Lane
NeahKahNie

Lynn Tone

From: sjwolf <sjwolf@teleport.com>
Sent: Sunday, May 7, 2023 10:20 AM
To: Lynn Tone
Subject: EXTERNAL: Neahakahnie, Process Comments

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

Sent from my Galaxy

To:
STR Process and Call for comments

I believe short term rentals do nothing to add to our Neahakahnie community. Alternatively there is a serious lack of long term housing. Owners who do not use their homes or have bought them as investments, do not occupy them or use them rarely have other alternatives.

As a fullfull-time resident of Neahakahnie I agree with the comments below and believe that the current excessive level of STRs in NKN has and continues to erode the very fabric of our community. We are blessed to live in a location with some of the most beautiful scenery in the world. However, it isn't the scenery that makes this place my beloved home. It's the strong sense of community.

Thank you,

Sherrie Wolf
38470 Beulah Reed rd, 97131
971 4045581 cell contact

- NKN should have a STR cap which is in line with our neighbor Manzanita, not at level of 22 to 23%.
- STR licenses should not be transferable upon sale of the property. However, current STR owners who were licensed under the current ordinance should be permitted a one-time transfer of their STR license to the purchaser of the property. Prohibiting the transfer of STR licenses to subsequent owners is necessary for several reasons: (1) in fairness to other property owners who want to obtain one of the limited number of available STR licenses, (2) to allow residents currently living next to STRs to someday enjoy having a next-door neighbor again, and (3) to eliminate property value inflation for those holding one of the limited STR licenses. The STR program should not allow for enhanced marketability and property value inflation for a select few at the expense of the rest of the community.
- STR licenses should be limited to one per owner (whether an individual or a corporate entity) to dissuade investors and for fairness to others since the revised ordinance will likely include a cap on available licenses. This

restriction has worked well in managing STR growth in Manzanita. For example, the same owner who currently owns and operates 5 beach-front NKN STRs (with occupancies ranging from 4 to 20) has only one STR in Manzanita (here's her website https://www.vacationrentalsmanzanita.com/).

- The definition of "bedroom" should be consistent with a common sense understanding of the term bedroom, e.g., the definition applicable to residential real estate listings. The term bedroom should not be broadened, as the Committee recommends, to include any area with or without walls intended for sleeping purposes, e.g., a sleeper couch or futon in a living room or den. This is especially important because STR occupancy is set by the number of bedrooms. Expanding the definition permits STR owners to continue to excessively pack what are intended as single family homes, leading to more people, more cars and more issues. For example using the Committee's proposed definition of bedroom and occupancy limits, a STR with only one actual bedroom plus a sleeper couch and "clothing storage unit" in a 100 sq ft living room could be rented for occupancy by 6 adults and 3 twelve year olds. Community livability requires STR occupancies to be reasonable. This is not reasonable!
- The definition of "owner" must include the following statement as originally presented by Director Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals and to enforce rules such as a limit on license transfers or a limit on the number of licenses per owner.
- Commissioner Skaar's suggested exclusion of inheritance from the definition of "transfer" should be limited to inheritance by family members given that the stated purpose of this exclusion is to protect family ownership of vacation homes.
- The County has taken steps to improve the STR complaint system, but without a strong enforcement program it's just a stack of complaints. Enforcement requires proof of violation. In the past it's been left to community residents to try to prove violations resulting in a he said/she said standoff and no penalties. It is the County's responsibility, not ours, to enforce the STR program it created. The County needs to use TLT dollars or impose an enforcement fee on STR owners to employ enforcement officers to serve in each area with a significant number of STRs to respond quickly and serve as the County's witness for enforcement proceedings. Manzanita has budgeted for an enforcement officer.

Lynn Tone

From: Meadow Davis <meadow@homeandsea.com>
Sent: Sunday, May 7, 2023 12:32 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

Greetings commissioners,

I am the highest producing real estate broker for the Manzanita and Neahkahnie area. I also grew up in Neahkahnie, where my family continues to reside. I believe that gives me a unique perspective on the STR situation currently before you. I have both strong investment in Neahkahnie as a real estate market as well as an investment in Neahkahnie being a strong, neighborhood community.

Having worked in this market for 12 years, I am very familiar with both the county STR process and the City of Manzanita STR process. I firmly believe that a system like Manzanita's system is the most fair and equitable to both property owners wishing to short term rent and property owners around them who do not (whether full time residents or second home owners who do not rent their property). It protects people who rent their houses to offset their costs and be able to afford a place at the beach. It protects owner's investments. It does NOT allow for investors to purchase multiple houses which are run like a hotel business in a residential area.

Most of my clientele of buyers for Neahkahnie are looking for high end, view properties. They are looking for seclusion and peace and quiet. Having 20 people in house, along with their 8 or more cars lining the street is not the neighbor these buyers are looking for— this kind of rental hurts our property values for everyone around them except themselves. Conscientious property owners who enjoy their own property, have a stake in our community, and who hire professional, available rental managers are an asset to our economy. Renting their homes allows them to enjoy having a place at the beach, and they share it with others.

I support:
-Non-transferable licenses. Manzanita's system works great. Licenses are forfeited at point of sale, if the buyer wants to continue renting, they get in line for the next available license. No one ever has to wait very long— even at the longest wait list times, I don't believe anyone ever waited a full year, always less, and usually only a few months.
-Parking regulations. Renters' cars should all be off the street and on the property. This is a safety and emergency access issue.
-Common sense noise, lights, nuisance regulations. And, more importantly, someone to enforce them. We have very, very limited police presence in the unincorporated county areas. There needs to be a rental compliance officer/professional who is available all hours and is outside of our basic police coverage.
-One owner/one license. This would include LLCS, partnerships, corps, et al that have any parter who is involved with any other property in the same area. Anything beyond that is a business, operating akin to a hotel. These are residential neighborhoods. Again, Manzanita has done an admirable job with this.
-Maximum occupancy based on bedrooms, parking, bathrooms, etc. Neahkahnie in particular has a water shortage issue. Single Family Residences were never intended to have a constant flow (pun intended) of 20 people showering, flushing toilets, running dishes and laundry, along with hotel style turn overs when the water district allocated permits.
-A livable, fair percentage of homes as STRs. Again, Manzanita's 17.5% has allowed for everyone who has wanted a STR license to receive one, usually within only a few months of applying. By relinquishing licenses at point of sale, when there is non-use for 18 months or more, or when there are user violations, the flow of licenses remains viable for those wanting a new license. And, for responsible rental owners, they can continue renting for as long as they wish.

The Manzanita system is easy to explain to buyers/clients, it's easy for owners/sellers to understand. When there is a great example of a system that has worked for many years sitting right in front of us, why look any further? It especially makes sense for Neahkahnie to mirror Manzanita, as it is in practical terms a residential neighborhood of Manzanita that happens to not be part of the city (ditto areas south of the golf course, Pine Ridge and other UGB/unincorporated county areas immediately adjacent to Manzanita).

Thank you for your consideration,

Meadow

Meadow Davis

Founder | Principal Broker
Licensed in Oregon #201204903

Home + Sea Realty LIC#201251224

503-812-9543
meadow@homeandsea.com
www.homeandsea.com

HOME + Sea
REALTY

Lynn Tone

From: Michael Cook <mikerusts@gmail.com>
Sent: Sunday, May 7, 2023 12:56 PM
To: Lynn Tone
Cc: Neah Kahnie; Linda Cook
Subject: EXTERNAL: Testimony May 9 STR Committee meeting

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

To: Director Absher and the STR Advisory Committee.

Realizing this is likely the last meeting of the committee, we were disappointed in seeing so little response to the most serious concerns we've expressed in our written testimony these last months.

First I want to affirm that our Neahkahnie representatives on the committee who have been active in representing Neahkahnie have our full support and appreciation for their determined advocacy for our community. With the level of detail and lengthy meetings it has been daunting, hard work, but unfortunately not as fruitful as hoped - to date. But, there remains the May 9 meeting, public hearings and potential influence of new State housing provisions being considered.

What we have not seen in the assessment of the impacts has been the impact of escalating numbers of unprepared visitors in the event of emergencies, whether landslide, storm, fire, or Cascadia, all certain at some point. Your work has, however, shown us a number of ways those numbers can be mitigated - caps, rental day caps, bedroom definitions, density provisions, transfer limits. The county has an emergency management responsibility to address this certainty through these caps, visitor education and food/water supplies. The county has the funding resources to tap or expand to address them, along with costs of real ordinance enforcement and added policing. And, the STR's have the responsibility to pay for their own impacts.

We've lived here for over 20 years, now the only full-time residents in our inundation zone neighborhood, working to build community and emergency awareness, supporting community organizations, and backing up our emergency responders. We enjoy our neighborhood of visitors, it's dogs and families and stories and mutual support and support for preparedness efforts. In years past, when some owners advocated an end to short term rentals, we supported the STR's as critical to support of our local services and the energy they added. We supported the County's managed approach. We just never anticipated this overwhelming impact on emergency resources and community viability itself. We do appreciate the refinement of the ordinance and regulations on noise, parking, and hopefully night lights.

In this ordinance, though, the County has a real opportunity to make a dent in its responsibility by providing a meaningful cap, certainly tighter than the current 20% existing we have today.

Thank you to our NKN representatives and to the County committee, staff and Commissioners,

Respectfully,

Mike Cook
37335 First St., Nehalem/Neahkahnie
503-368-3048

Lynn Tone

From: Linda Cook <lindaphoto43@gmail.com>
Sent: Sunday, May 7, 2023 2:14 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

To Director Absher and the STR Advisory Committee,

My husband & I are residents of Neahkahnie here in Tillamook County. It has been a totally residential community except for the now burgeoning numbers of STRs which already exist and have a negative impact on livability.

I have some grave concerns about where the STRs are heading. We live in an unincorporated area and not in any city limits so we have no police department or city governance to help enforce the present STR regulations. However, it appears that the direction your are heading is trying to make one regulation even for unincorporated areas that you seen to think would appear fine for 2 different types of living situations/neighborhoods: **City dwellers** with City halls & staff, police, food banks, libraries, markets, schools and where they can actually enforce STR rules & concentration of those STRs in established neighborhood and **Residential community homes** where we must rely on far off State police who are not available to help enforce even the present STR rules. Additionally our area already has an extremely high rate of STRs 20%, which is much higher than the regulation limits from our neighbor, Manzanita.

It seems like those who will personally benefit financially from more STRs are the ones who seem to have too much influence on this decision making process impacting real, full time residential neighborhoods.

The direction you are heading, if you even increase STR permits 1% is turning us into something more like **apartment dwellers** where most inhabitants have no sense of community, you don't even know the people "down the hall" by name. That is what it is like w/ renters of STRs because they are here for a few days or a week, they are planning to vacation & they have no interest in our "community/neighborhood" and do not come prepared with supplies for the many types of emergencies we often have & even the big one with the major earthquake & tsunami. There is more noise, outdoor lights left on all night, extra cars, etc. We bought here 21 years ago to live full time in a neighborhood with people we could get to know, chat with when out working in our yard, borrow a cup of sugar, help get organized for emergencies, have over for coffee, meet their kids, look out for a UPS delivery if we are gone for the day & generally just be neighborly.

We do not need even more STRs. Even our Neahkahnie water district is being strained by demand for water from the additional STRs usage. And we need much stricter, enforceable rules. There needs to be clear language of how many real beds are advertised in true bedrooms, not some cubby hole with a mattress to have far more people in a rental than it is designed to hold. And another issue is how to define what is an "owner" so corporations are not buying up several homes just as STRs.

Thank you for reading my comments & taking these points into consideration before your May 9 meeting.

Linda Cook
37335 1ST ST.
Nehalem (actually in Neahkahnie)

Lynn Tone

From: Elaine <ejhanby@nehalemtel.net>
Sent: Sunday, May 7, 2023 5:10 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

To Erin Skaar, Tillamook County Commissioner
Sarah Absher.Tillamook County Director of Community Development
STR Advisory Committee

As a full-time resident/taxpayer in Neahkahnie, I am grateful for the work of the STR Advisory Committee examining the history and impacts of Short –Term Rental activity throughout Tillamook County. The work clearly illustrates how vitally important it is to balance the interests of county residents with accommodating visitors to our region. As the process evolves to the Board of Commissioners, however, I have deep concerns that voices of County residents are being overwhelmed by well organized influences (made up of STR owners, the management companies and tourism industry) who advocate operating in a business-as-usual manner.

At this crucial time, if STR decisions do nothing to curb the expansion of STR permitting, allowing hotel-like guest loads, lack of regulations and enforcement, our community of Neahkahnie will continue to be negatively impacted. Our infrastructure has long been strained for community safety, water supply, parking; we cannot endure those pressures indefinitely. Allowing unchecked growth of STR's to continue undermines Neahkahnie's quality of living for the tax-paying citizens who live and contribute to the community's well-being now and in the future.

I encourage the STR Advisory Board, and the Board of Commissioners as well, to not miss this opportunity to apply common-sense and fair management regarding STR rentals—to not allow outside economic interests overpower the already endangered quality of living in Tillamook County.

Please give priority to county residents in this matter. We need permitting limits, occupancy guidelines, parking and noise enforcement tools. All of these are doable, without severely hurting Short Term rental owners. Please do not lose the voices of the resident taxpayers/ community contributors as we work to maintain the livability of Tillamook County.

Thank you,
Elaine Hanby
7785 Twana Trace
Nehalem, OR 97131

Lynn Tone

From: ketzel.levine@gmail.com
Sent: Sunday, May 7, 2023 6:26 PM
To: Lynn Tone
Subject: EXTERNAL: STR comments

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

I am taking time out from an overseas vacation to write a letter I have every reason to believe will be read with disinterested since I'm not threatening a lawsuit.

From a very promising draft ordinance in January - which led me to think the County was truly invested in the future of our fragile NKN community - to the way things stand now smacks of betrayal.

A moneyed & lawyered-up minority - bolstered by a majority on the STR committee with economic ties to the industry - has intimidated the BOC and convinced its members to carelessly throw NKN residents under the bus.

Nice job Commissioners.

When the floodgates open to STR property grabs July 1, we could be looking at a whopping 23% or more of Neahkahnie neighborhoods becoming STRs. A giddy scenario! particularly in light of what we don't have to serve all these good people: INFRASTRUCTURE.

Certainly I appreciate the strengthened regs re: noise, trash, parking, occupancy & vehicle caps and the promised call center (assuming it is all that's promised). But come on, we all know this is low-hanging fruit.

To truly respect and protect NKN residents here's what will nourish us for decades to come:

*NKN-specific caps in line with our neighbor, Manzanita (which protects its community by holding the line at 17.5%)

* No transferability for new STR licenses

* Existing licensees limited to one transfer, not two.

Give us a fighting chance.

Lynn Tone

From: John Hanby <jhanby@nehalemtel.net>
Sent: Sunday, May 7, 2023 7:53 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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

Dear Director Sarah Absher and Commissioner Erin Skaar: May 7, 2023

First, thank you and the STR Advisory Committee for diligent work on the STR issue in Tillamook County. This is an emotionally charged issue; some aspects such as noise have reasonable consensus and others such as caps carry strongly diverse views. My hope is that participants will continue their mutual respect and genuinely seek what best serves Tillamook County, its residents and visitors. I'm confident that a "best" outcome will not fully suit any one individual.

These comments are from my perspective as a full-time resident of NKN since 2006.

If Elaine and I could go back, I expect that we would switch to Manzanita as our ownership choice when purchasing our property in 2078. The main driver would be STR's, which weren't even considered at that time. Manzanita has had a cap of 17.5% on its STR's for the most recent 20 years while STR's have been virtually unregulated in Tillamook County. My driver for change is the livability of NKN, and the adverse impacts of STR's on livability. I am not categorically opposed to STR's. STR's bring benefits such as income to merchants and workers and sharing of this magnificent location with those who happen not to live here. The problem in Tillamook County and NKN is the lack of suitable regulation; those of us who reside in NKN are dependent on the County for such regulation. We have no other option. I am glad that Tillamook County is finally taking a serious look at STR's

I do not plan to repeat in detail the livability detriments of STR's in NKN. These have been fully presented to the STR Advisory Committee. Livability and sustainability require an underlying fabric of citizens who are committed to community. These are the people who live and work here and the volunteers who strive for ongoing improvements. My wife and I are volunteers. Our compensation is our contribution to community livability. Occupants of STR's are not part of this underlying fabric. As STR's penetrate further, the fabric and livability of NKN erodes further and will eventually fall apart.

Following are suggestions for the path forward on STR's in NKN:

1. Close to one-quarter of NKN residences (about 22%) are STR's. That's too high! These should be brought down. The reduction need not be abrupt but should progress as opportunities arise. Manzanita's cap is 17.5%; NKN is even less well equipped for STR's (limited water supply, no local government for sustaining roads, facilities, trash and parking, no local police presence for enforcements).

2. Limit the number of occupants in STR's based on actual bedrooms, parking and safety.

3. Restrict transferability of STR licenses. I suggest that current owners can transfer the license in the first sale only but that the license cannot be transferred in subsequent sales. Transfers would not be allowed if the person or entity owns other STR properties in NKN.

4. Restrict STR ownership to one person or one owner entity.

5. Implement STR complaint response and resolution.

Thank you for your consideration and for your efforts with this crucial issue to NKN and Tillamook County.

Respectfully submitted,

John Hanby

Lynn Tone

From: Greg Gourde <helgregors@gmail.com>
Sent: Sunday, May 7, 2023 11:07 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments.

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As a resident of Neahkahnie and having a vested interest in the continuing liveability of the area I feel obligated to add my two

Lynn Tone

From: Greg Gourde <helgregors@gmail.com>
Sent: Sunday, May 7, 2023 11:52 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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I will try to keep my comments as brief as possible.

1. Although the question of zoning seems to have been taken off the table from the beginning of this process, I still have not seen a good reason why that occurred. If I decided that instead of just having friends and neighbors over to my home for meals and beverages occasionally I could take away some seating from my living room, add a few tables and have guests come daily for drinks and meals that they could pay me for. I'm guessing someone might interpret that as a commercial enterprise in a residentially zoned area. I also assume that in order to continue this enterprise I would have to go through the process of attempting to obtain a variance. I fail to see how the use of a residence for short term rental income does not put it in the category of a commercial enterprise and handled accordingly.

2.There seems to be evidence that the ease of obtaining STR permits in unincorporated Tillamook County has made properties in the area more desirable for investment firms and individuals for that purpose which has the effect of raising property values. While that may be a good thing for county property tax revenues in the short term, it has the long term effect of making affordable housing for people who work at jobs that help make this area livable for full-time county residents who do pay taxes virtually nonexistent.

05/05/2023

Tillamook County Short Term Rental Advisory Committee and County Commissioners
re: Draft Short Term Rental Ordinance

Dear Committee,

I appreciate the work you've done in listening to residents, short term rental owners and local businesses while trying to strike a balance with all. I have several concerns about the proposed changes to the STR program, which will create a large amount of additional work for the building inspector, planning and zoning staff and sheriff. Will new positions be hired in order to handle the increase in work load?

I would really prefer the county enforce the existing rules, and focus on the real issue at hand: a handful of problem STRs with too many guests and cars and noise after quiet hours.

I don't think any existing, lawful STR permit should be in jeopardy due to changes in the ordinance, caps or buffers. Existing, lawfully licensed STRs **should be grandfathered** per the requirements at the time of licensure. If some existing, lawful STRs lose their property rights to due to new requirements that can't be met, this will only result in legal battles, compensation claims, appeals and even measure 49 claims that the county will be weighed down with. I can't imagine the strain and expense this would put on the county and community as a whole.

While new STR applicants should absolutely meet the new requirements; existing, lawful STR owners should have more time and protection.

Recommended protections to existing, lawful STR owners:

- Existing, lawful STR's should have sufficient time for "major repairs" deemed necessary through inspection process. Along with supply chain issues in the construction industry, there is a major shortage of labor at the coast and it is difficult to schedule construction work. For instance if someone needed to replace a window for egress compliance, it might take 9 months to a year between procuring the window, scheduling the work and installing during favorable weather conditions that would not damage the structure. I recommend allowing at least 12 months for "major repairs" for existing, lawful STR owners.

- Similarly, if a property has a non-conforming land use status requiring a land use process, the STR owner should be given sufficient time for this process - at least 12 months for due process.

- Caps and buffers should not apply to existing, lawful STR. For example, someone loses the right to continue operating as an STR due to a complicated zoning or building code

issues. Over the course of 3 years they address the issues and make improvements. If the cap has been implemented and maxed out during that 3 years, the STR owner should be able to reinstate their right to operate again as an STR without the cap excluding them.

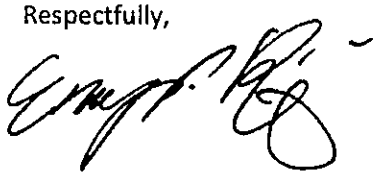
A few other observations:

Parking: Existing, lawful STRs that have slightly smaller parking stall dimensions should be grandfathered per the requirements at the time their STR permit was granted. New applicants should conform to the new dimensional requirements.

Music: I often play my guitar on the deck, or listen to music softly. It seems wrong that my guests would not be able to do the same. Please allow unamplified acoustic instruments, and/ or provide a decibel limit rather than requiring people to only play music indoors with closed doors and windows for those of us who are close to our neighbors.

Contact person: I think it is unreasonable for each of us to have a designated person on call 24 hours a day, 7 days a week, and available to be at the property in 30 minutes. As a single parent, that person cannot be me, and I can't imagine what it would cost to hire someone to be available every single day and night of their life in case a statistically highly unlikely situation arises. It seems that any emergencies requiring on-site intervention rather than a phone call (think domestic abuse, fire, burglary etc.) would be more appropriate for the sheriff to handle anyway. **Please, please, only apply this requirement to problem STRs that are having multiple complaints during a calendar year** rather than creating a financial and logistical obstacle for the rest of us doing the best we can to be good neighbors.

Respectfully,



Emily Draper, Oceanside

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 8:10 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: comments on STR May 9 draft.

STR public comment received.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: kcj3pdx@gmail.com <kcj3pdx@gmail.com>
Sent: Saturday, May 6, 2023 1:15 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>
Subject: EXTERNAL: comments on STR May 9 draft.

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I have owned a home in Neahkahnie for over 40 years and have previously communicated numerous concerns and recommendations to the STR Committee. In reviewing the May 9 draft I have two additional comments.

1. The work of the Committee has resulted in an extremely complex list of requirements for STR owners and renters. If the resulting product is to be meaningful, each of the requirements must be enforced, otherwise the efforts of the Committee will have been pointless and counterproductive. Accordingly, I urge that the Committee and staff prepare a detailed staffing plan and budget for enforcement and that the County Commission adopt the budget concurrently with adoption of the revised ordinance.
2. Section .110.C.1 refers to a provision for "5 year deferred compliance" with the new regulations. I did not find any mention of such a deferral in the draft. Please clarify what provisions of the ordinance are proposed for deferral.

I also want to strongly endorse the recommendations in David Boone's letter of 4.14.23 and John Myer's letter of 4.17.23 and urge the Committee to review their communications.

Thank you.

Ken Jones
Beulah Reed Road
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 8:12 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: STR
Attachments: NAR LUI Memo - Tillamook BOR 5-3-22.doc

STR public comment received.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
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From: Margaret Page <margaret@coast-pros.com>
Sent: Saturday, May 6, 2023 10:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR

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This comment is being submitted by Margaret Page. As President of the Tillamook County Board of Realtors this year, I'm reaching out to share information it seems to me to be important.

As you know, the Realtors want to see responsible use of Short Term Rentals by visitors, but do not want to see the use restricted or banned outright. We feel this would significantly harm our local economy. The "pause" has already lowered sales prices on homes in "beach communities" by as much 7% in the last 12 months. One of the tools the Realtors have available to them is the National Association of Realtors Initiatives Analysis, which allows us to present proposed ordinances to a national team of land use attorneys who then weigh in on legal issues surrounding them. We have received their analysis & would like to share it with all concerned. It cites several court cases around the country that have dealt with Short Term Rental restriction. Please feel free to reach out to me with questions.

Margaret Page
Principal Broker
COAST REAL ESTATE PROFESSIONALS

P.O. Box 1315
Manzanita, OR 97130
503-842-0101
503-400-6062 (fax)
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Margaret@coast-pros.com

"If I were asked the chief benefit of the house, I should say: The house shelters dreaming, the house protects the dreamer, the house allows one to dream in peace."
Gaston Bachelard

MEMORANDUM

Proposed Short-Term Rental Ordinance
Tillamook County, Oregon

April 14, 2023

SUMMARY OF REQUEST

The National Association of Realtors® ("NAR"), on behalf of the Tillamook County Board of Realtors® (the "Board"), has requested review of the "Tillamook County Short-Term Rental Ordinance" (the "STR Ordinance") proposed for Tillamook County, Oregon (the "County"). The STR Ordinance would repeal and replace the County's existing "Ordinance #84 Amendment #1 – Tillamook County Short Term Rental Ordinance."[1] Among other things, the STR Ordinance would require owners of property used for short-term rentals to register with the County and obtain a Short-Term Rental Registration Certificate before renting or advertising the property for short-term rental use.[2] It would also impose inspection requirements on short-term rentals and would establish certain operational restrictions for short-term rentals including maximum occupancy, noise, and parking restrictions and limitations on "events."[3]

The Board has expressed concern that the STR Ordinance would significantly restrict the property rights of owners who may want to use their property for short-term rentals. The Board has also voiced concern that the proposed restrictions would decrease revenues collected through the County's transient lodging tax and reduce the availability of lodging for people who vacation in the County. For the purpose of this memorandum, the Board provided, through NAR, the first draft of the STR Ordinance and a copy of a news article discussing the first draft of the proposal. It also provided a copy of public comment emails made to the County's Short-Term Rental Advisory Committee concerning the proposed STR Ordinance. This memorandum is based on the latest draft of the proposed STR Ordinance, dated April 3, 2023.[4]

In reviewing this memorandum, please note that we are not Oregon attorneys, and that our analysis reflects our review of the issues discussed from the perspective of our general experience with land use planning, policies, and techniques, along with their implementing laws and regulations. We do not purport to offer a legal opinion or legal advice with

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[1] The County's existing Ordinance 84, Amendment 1 (adopted April 19, 2019) is available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/ordinance/23255/ordinance_84_amd_1_2019_04-17.pdf.

[2] STR Ord. § .040.

[3] *See* STR Ord. §§ .050(B); .080; .090.

[4] The April 3, 2023 draft of the STR Ordinance is available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/70267/4-3_tillamook_co_ord_84_str_draft_amendments.pdf.

respect to the interpretation and effect of Oregon law. To the extent that you or the Board requires a legal opinion or advice on this issue, you should consult with Oregon counsel.

EXECUTIVE SUMMARY

The **Background** section of this memorandum summarizes key substantive provisions of the proposed STR Ordinance.

The **Analysis** section of this memorandum has two parts. Part I discusses general issues and concerns regarding the STR Ordinance. It begins by arguing that the STR Ordinance would impair the right of private property owners to rent out their property on a short-term basis. It then raises the concern that the mandatory inspection requirements may be vulnerable to challenge under the Fourth Amendment to the U.S. Constitution and Article I, Section 9 of the Oregon Constitution. Part I also argues that the STR Ordinance would unfairly impose more onerous occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are not used as short-term rentals. Part I also raises the concern that requiring a contact person to respond to complaints and issues regarding a STR property would unreasonably place them at risk of physical harm, and arguably requires private citizens to perform what should be a public policing function. Lastly, Part I comments that proposed Section .130(C) of the STR Ordinance could result in the forced eviction of short-term rental tenants, which would have a negative impact on tourism in the County.

Part II of the Analysis discusses issues raised by several specific provisions of the proposed STR Ordinance.

BACKGROUND

SUMMARY OF THE STR ORDINANCE

Key substantive provisions of the proposed STR Ordinance include the following:

- **Definition of "short-term rental" or "STR"**: The STR Ordinance defines "short-term rental" or "STR" as "the transient rental of a dwelling unit for a period of 30 or fewer nights per calendar year but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29...."[5]
- **Definition of "County STR Administrator"**: The STR Ordinance defines "County STR Administrator" as "the Director of the Department of Community Development vested with the authority to administer, interpret and enforce the provisions of this Ordinance."[6]
- **STR Registration Certificate Requirement**: The STR Ordinance would require that all STRs apply for and receive a "Short-Term Rental Registration Certificate" ("STR Certificate") before "a dwelling unit may be offered, advertised or used as a short-term

[5] STR Ord. § .030(Y).
[6] STR Ord. § .030(H).

rental."[7] STR Certificates would have to be renewed annually "on or before the anniversary date of each ensuing year."[8] STR Certificates would be transferrable "to another person or entity" so long as "notification of ownership change" is made to the Department of Community Development within 60 days of the ownership change.[9]

- **STR Certificate Application Requirements**: Applicants for initial and renewal STR Certificates would have to submit the following: (1) the STR owner/applicant's name, permanent residence address, telephone number, and the address and telephone number for the STR property; (2) the name, telephone number, and email of the STR's designated contact person; (3) a scale drawing site plan of the STR property that may be hand-drawn; (4) proof of liability insurance; (5) proof of garbage service; (6) proof of an approved road approach for the STR property from the local road authority; (7) written notice to the STR property's neighbors detailing the maximum occupancy, registration certificate number, and the name and telephone number of the contact person; (8) "documentation that the short-term rental meets the operational standards in Sections .080 and .100 of the STR Ordinance; (9) evidence of transient lodging tax registration with the County; (10) an agreement stating that the property owner agrees to indemnify the County from all demands and liabilities resulting from the owner's use and maintenance of the STR; and (11) all other information the Director of Community Development (the "Director") deems reasonably necessary.[10]

  STR Certificate applications and renewals would be subject to certain fees including a $400 application and inspection fee and a $300 renewal fee charged for each annual renewal.[11] Section .050(D) would also establish other fees for instances of failed building inspector inspections or for misrepresentations of the number of bedrooms on the STR Certificate application.

- **Director of Community Development Inspection Requirements**: In connection with an initial application for an STR Certificate or a renewal application, the Director would be authorized to conduct an inspection to "confirm the number of bedrooms stated on the application, the number, location, availability and usability of off-street parking spaces, and compliance with all other application and operational requirements of [the STR Ordinance]."[12] The STR Ordinance states that these inspections "will be coordinated with the applicant, conducted during the normal business hours, and with reasonable notice."[13] Follow-up inspections are required if the STR property fails the inspection.[14]

  Section .050(B)(2) reserves the County STR Administrator's right to conduct additional inspections of the STR "at any time during the operation of the short-term rental to ensure compliance with all applicable regulations, normal business hours, and with reasonable notice and other procedural safeguards as necessary."[15]

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[7] STR Ord. § .040(A).
[8] STR Ord. § .060(A).
[9] STR Ord. § .060(B).
[10] *See* STR Ord. § .050(A).
[11] STR Ord. §§ .050(D)(1)-(2).
[12] STR Ord. § .050(B)(1).
[13] STR Ord. § .050(B)(1).
[14] *See* STR Ord. § .050(D)(3).
[15] STR Ord. § .050(B)(2).

- **Building Inspector Inspection Requirements**: In addition, the STR Ordinance requires that all STRs be inspected by the "local building inspector" prior to the issuance of the STR Certificate and "for every renewal every third year thereafter."[16] This inspection requires the building inspector to "determine that the dwelling unit meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements."[17] The inspection will also "confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit" and will ensure "compliance with electrical, structural, and ventilation requirements."[18] If the STR fails the inspection by the local building inspector, the owner will have 30 days to address any minor repairs and 60 days to address any major repairs needed before scheduling a required re-inspection.[19] If the STR property fails the re-inspection, the STR Certificate application or renewal application will be "invalidated, and the property owner must reapply and pay the requisite application and inspection fees."[20]
- **Maximum Overnight Occupancy**: Section .080(A) would limit the overnight occupancy of short-term rentals to a maximum of two people per bedroom plus two additional people plus three children (defined as children 12 years of age or younger). Section .080(B) states that the overnight occupancy of a short-term rental may not exceed 10 people, plus up to two 'minors" aged 12 and under.[21] Section .080(C) states that an STR in an "Estate Home" (defined as a single family dwelling with five or more bedrooms)[22] is exempt from the 10 person cap on occupancy "to allow for up to two (2) additional bedrooms" with up to two people in each plus up to three children under age twelve.
- **Maximum Daytime Occupancy**: Section .080(D) would limit the daytime occupancy of short-term rentals to the maximum overnight occupancy for the short-term rental plus six additional people.
- **STR Parking Restrictions**: Proposed Sections .070(D)(4) and .080(E) would prohibit short-term rental tenants and guests from using on-street parking. Sections .070(D)(1), .070(D)(4), and .080(E) would require that all short-term rentals have at least one parking space for every bedroom in the dwelling unit, rounded up, and no more than one space per bedroom plus two additional spaces for guests. Off-site parking within 500 feet may be used to satisfy the minimum parking requirement if there is a shared parking agreement between the STR owner and the owner of the parking area.[23]
- **Noise Standards**: Section .080(F) would prohibit "any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any device for the producing or reproducing of any sound" from being used anywhere outside of the "fully enclosed short-term rental dwelling unit" or producing sound that is audible beyond the short-term rental's property

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[16] STR Ord. § .090(A).
[17] STR Ord. § .090(A).
[18] STR Ord. § .090(A).
[19] STR Ord. § .090(B).
[20] STR Ord. § .090(B).
[21] The limit to an additional two minors in .080(B) may be a drafting error, because in .080(A) and .080(C) the former reference to two additional minors under age twelve has been revised to say three additional "children" under age twelve. It seems likely that a corresponding change would be intended for subsection .080(B).
[22] STR Ord. § .030(M).
[23] STR Ord. § .080(E).

lines. Section .080(G) would designate "quiet hours" between 10:00 PM and 7:00 AM, during which any noise audible beyond the STR's property lines would be prohibited, including noise from amplified music, singing, and talking.

- **Ban on Using Later-Permitted ADUs for Short-Term Rentals**: Section .080(Q) states "no Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental."
- **Exterior Posting Requirements**: Section .080(O) would require all STR properties to install "exterior signage" on the outside of the dwelling unit that is "of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way": (1) the STR Certificate number, with the expiration date, (2) the non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental, (3) the STR property address, and (4) the name of the designated contact person (or entity) and a telephone number (optional).[24]
- **Contact Person Requirements**: Section .080(J) would require that all STR Certificate applicants designate a "contact person" who is "available to be contacted about the use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week)." The contact person would be required to "respond/answer immediately to a phone call complaint about operation of the [STR] and must be able to arrive on site at the [STR] within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems."[25] Failure of the contact person "to respond immediately to a telephone call complaint" or "to arrive at the property within [30] minutes of being summoned" is a violation of the STR Ordinance.[26]

  Separately, Section .100(B) requires that contact persons respond to "neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances" and "ensure to the best of their ability that the renters and guests … do not create unreasonable noise disturbances, engage in disorderly conduct, or violate the provisions of local ordinances or any state law."[27]

  Section .100(B)(2) of the STR Ordinance also separately states that contact persons are required to respond *by telephone call within 20 minutes* of receiving a complaint through the "STR Hotline" and that contact persons must "respond *in-person within thirty (30) minutes* to any additional or successive complain[ts] regarding the condition, operation, or conduct of occupants of the short-term rental."[28] Section .100(B)(2) states that any complaints not resolved by the contact person "shall result in an immediate violation" of the STR Ordinance.

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[24] STR Ord. § .080(O).
[25] STR Ord. § .080(J).
[26] Section .080 (J) of the April 3, 2023 draft STR Ordinance extended the required response time for a contact person from 20 minutes in an earlier draft to 30 minutes. However, it did not make the corresponding change in the last sentence of Section .080 (J), which still says that the failure to respond within 20 minutes is a violation. This is assumed to be a drafting error.
[27] STR Ord. § .100(B)(1).
[28] Emphasis added.

The STR Ordinance would also require contact persons to keep a record of all complaints and the actions taken to address the complaint "in an electronic or written manner" that must be "made available for County inspection upon request to investigate all complaints."[29]

- **Neighbor Notification Requirement**: Section .050(A)(6) of the proposed STR Ordinance requires that for both an initial STR Certificate and a subsequent renewal, the applicant provide:

  > an annual mailing or distribute by hand, a flier to owners and residents of neighboring properties within 250 feet of the perimeter of the rental property containing the registration certificate number, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental.

- **STR Ordinance Violations**: Proposed Section .120 outlines conduct and actions that amount to violations of the STR Ordinance including: (1) complaints related to nuisance and noise and other violations of ordinances of Tillamook County Code, (2) including material misstatements or false information in the STR Certificate application, (3) advertising a dwelling unit as available for occupancy or rent on a short-term basis without a valid STR Certificate, (4) advertising or renting an STR "in a manner that does not comply with the standards of" the STR Ordinance, and (5) failing to comply with the substantive or operational standards in Sections .080, .090, .100 or any conditions attached to a particular STR Certificate.[30]

- **Monetary Penalties**: Proposed Section .130(B)(1) states that the first occurrence of a violation of the STR Ordinance "will incur a warning with no monetary penalty." A second occurrence of one or more violation within a 12-month period is subject to a fine of up to $250 per violation.[31] A third occurrence and all subsequent occurrences of violations within a 12-month period will be subject to a maximum fine of $500 per violation.[32]

  "Each 24-hour period in which a dwelling unit is used, or advertised, in violation of [the STR] Ordinance ... shall be considered a separate occurrence and separate violation" subject to additional fines and penalties.[33]

- **STR Certificate Revocation:** Proposed Section .130(C) outlines several "grounds for immediate revocation or suspension" of an STR Certificate and "cessation of use of the dwelling unit for short-term occupancy." These include:

  1) Failure to renew an STR Certificate ... while continuing to operate a short-term rental.[34]

  2) Three or more unresolved complaints about the STR with a 12-month period alleging violations of the STR Ordinance.[35]

  3) Discovery of material misstatements or that the STR registration or renewal application included false information.[36]

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[29] STR Ord. § .100(B)(2).
[30] STR Ord. §§ .120(A)-(D).
[31] STR Ord. § .130(B)(2).
[32] STR Ord. §§ .130(B)(3).
[33] STR Ord. § .130(B).
[34] STR Ord. § .130(C)(1).
[35] STR Ord. § .130(C)(2).

4) STR Ordinance violations that the STR Administrator deems severe enough to reasonably justify to immediate revocation of the STR Certificate.[37]

5) Emergency situations where the STR Administrator considers suspension or revocation necessary because of risks to public health or safety.[38]

- **Right to Appeal STR Certificate Revocations and Monetary Fines**: If a property owner is fined for a violation of the STR Ordinance or has their STR Certificate revoked, Section .130(D) requires the STR Administrator to send written notice to the STR property owner "stating the basis for the decision" and including "information about the right to appeal the decision and the procedure for filing an appeal."

ANALYSIS

PART I
GENERAL ISSUES RAISED BY THE PROPOSED STR ORDINANCE

Note: We are not Oregon attorneys and the following discussion is not intended as legal advice or a legal opinion. The Board should consult with a local attorney if it would like a legal opinion or legal advice on this or any other issue addressed in this memorandum.

Issue: Provisions of the STR Ordinance would impair a basic right of private property ownership – the right to rent.

Among the core rights that a property owner has is the right to lease or rent the property on a temporary basis to another party.[39] Courts in many jurisdictions have explicitly addressed this right, although it does not appear that there is an Oregon appellate decision addressing a landlord's right to rent. For example, the Supreme Court of Connecticut has emphasized that the "right to rent" is one of the "sticks" in the bundle of property rights, stating:

> [It] is undisputable that the *right of property owners to rent their real estate* is one of the bundle of rights that, taken together, constitute the essence of ownership of property.... Owners of a single-family residence can do one of three economically productive things with the residence: (1) live in it; (2) *rent it*; or (3) sell it.[40]

Similarly, the Supreme Court of California has stated that a fee-owner's power to convey property is an "incident to the ownership of an estate in fee-simple" and includes "the power or *right to dispose of property held in fee ... by lease*, mortgage, or other mode of conveyance."[41]

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[36] STR Ord. § .130(C)(3).
[37] STR Ord. § .130(C)(4).
[38] STR Ord. § .130(C)(5).
[39] *See* J.E. Penner, *The "Bundle of Rights" Picture of Property*, 43 UCLA L. REV. 711 (1996) (noting that conventional "bundle of rights" formulation and various views of the "bundle of rights").
[40] *Gangemi v. Zoning Bd. of Appeals of the Town of Fairfield*, 763 A.2d 1011, 1015-16 (Conn. 2001) (citing J. DUKEMINIER & J. KRIER, PROPERTY at 86 (3d ed. 1993) (stating "[property] consists of a number of disparate rights, a 'bundle' of them: the right to possess, the right to use, the right to exclude, the right to transfer") (emphasis added).
[41] *Apartment Ass'n of Los Angeles Cty., Inc. v. City of Los Angeles*, 24 Cal. 4th 830, 841 (2001) (citations omitted) (emphasis added).

The inherent nature of the right to rent is echoed by a leading treatise, *Thompson on Real Property*, which observes that "the right to lease property is an incident of ownership."[42]

The following components of the STR Ordinance would arguably impair an owner's right to rent private property on a short-term basis:

- **STR Certificate Requirement**. The STR Ordinance would impair a property owner's right to rent out property by treating it as a privilege that requires a certificate rather than as an inherent right of property ownership. A municipal permit or license is simply a right or privilege granted by the municipality to engage in certain activity that would otherwise be prohibited. The Supreme Court of Oregon has stated that a "license ... is a permission to do what would otherwise be unlawful."[43] By requiring property owners to obtain an STR Certificate to rent out their home for periods of 30 or fewer consecutive days,[44] the STR Ordinance would effectively treat the right to rent a home as an unlawful business that requires the privilege of a certificate to exist. While a short-term rental may be considered a "business" that could be subjected to a business or occupational tax, renting one's property is a core right of property ownership, not a "privilege."
- **Prohibiting Accessory Dwelling Units from being used for short-term rental.**[45] Proposed Section .080(Q) of the STR Ordinance would prohibit all ADUs "permitted after the date of adoption of [the STR] Ordinance" from being used as "or in conjunction with" short-term rentals. Prohibiting lawfully permitted ADUs from being used for short-term rentals is contrary to the principle that the right to rent is a fundamental aspect of private property ownership.

Recommendation: The Board should argue that, for the reasons discussed above, the proposal would infringe upon an inherent and important attribute of private property ownership, namely the right to rent.

Issue: The mandatory inspection requirements of the STR Ordinance may be vulnerable to challenge under the Fourth Amendment to the U.S. Constitution and Article I, Section 9 of the Constitution of Oregon.

The STR Ordinance states that at the time of an initial STR Certificate application and "for renewal every third year thereafter," the STR must have an inspection by the local building inspector to confirm that the property complies with building, fire, and life safety requirements.[46] In addition, the Director may inspect the STR at the time of an initial application or renewal to

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[42] THOMPSON ON REAL PROPERTY § 14.02(a) (2016, Matthew Bender & Company, Inc.) (citing *Norwest Bank Arizona v. Superior Court In and For County of Maricopa*, 963 P.2d 319, 323 (Ariz. 1998) (right to rent under a lease of real property is an incorporeal hereditament that is an incident to an estate in land); *Magnolia Petroleum Co. v. Carter*, 2 So. 2d 680 (La. App, 1941); *Assessors of West Springfield v. Eastern States Exposition*, 93 N.E.2d 462 (Mass. 1950); *Attorney General v. Pere Marquette Ry. Co.*, 248 N.W. 860 (Mich. 1933)).

[43] *Reser v. Umatilla County*, 48 Or. 326, 329 (Or. 1906).

[44] *See* STR Ord. § .030(Y) (definition of "short-term rental").

[45] STR Ord. § .080(Q).

[46] STR Ord. § .090(A).

confirm the number of bedrooms and parking spaces and that it is compliant "with all other application and operational requirements" of the STR Ordinance.[47]

Section .050(B)(2) would also give the Director the right to "visit and inspect the site of a short-term rental at any time during the operation of a short-term rental to ensure compliance with all applicable regulations."[48] These inspections will be "conducted during the normal business hours and with reasonable notice."[49] In addition, the STR Ordinance requires that all STRs be inspected by the "local building inspector" prior to the issuance of the STR Certificate and "for every renewal every third year thereafter" in order to determine that it "meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements."[50]

The STR Ordinance does not appear to require the Director or the local building inspector to have a warrant to inspect the short-term rental if the owner or occupant does not consent to the inspection. Instead, Section .050(B) requires the STR Certificate applicant to "specifically acknowledge and grant permission for" the Director to perform an inspection of the short-term rental.

The lack of a warrant requirement may leave the STR Ordinance vulnerable to challenge under the Fourth Amendment to the U.S. Constitution, which safeguards the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures."[51] The U.S. Supreme Court has held that Fourth Amendment protections apply to civil searches (e.g., municipal code inspections) as well as criminal searches.[52] Its *Camara* decision involved a San Francisco ordinance that gave city inspectors the right to enter any building at reasonable times "so far as may be necessary for the performance of their duties."[53] After refusing on three occasions to give inspectors access to his apartment without a search warrant, a tenant was prosecuted under another ordinance that made it a crime to refuse to comply with the inspectors' requests.[54] The Court ruled that the warrantless search requested by the building inspectors violated his Fourth Amendment rights, stating:

> [We] hold that administrative searches of the kind at issue here are significant intrusions upon the interests protected by the Fourth Amendment, that such searches when authorized and conducted without a warrant procedure lack the traditional safeguards which the Fourth Amendment guarantees to the individual, and that the reasons put forth in *Frank v. State of Maryland* and in other cases for upholding these warrantless searches

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[47] STR Ord. § .050(B)(1).
[48] Emphasis added.
[49] *See* STR Ord. § .090.
[50] STR Ord. § .090(A).
[51] U.S. CONST., amend. IV. Any government action that intrudes on a person's "reasonable expectation of privacy" violates the Fourth Amendment, and "[h]omes and other residences are virtually always areas in which a person residing has a reasonable expectation of privacy." WILLIAM E. RINGEL, SEARCHES AND SEIZURES ARRESTS AND CONFESSIONS § 2:2 (2011).
[52] *Camara v. Municipal Court of City & Cty. of San Francisco*, 387 U.S. 523, 534 (1967).
[53] *Camara*, 387 U.S. at 526.
[54] *Camara*, 387 U.S. at 527.

> are insufficient to justify so substantial a weakening of the Fourth Amendment's protections.[55]

Key Point: The U.S. Supreme Court has held that a tenant is not obligated to consent to an administrative inspection unless the inspector has a search warrant.[56]

The Supreme Court of Oregon has said that Oregon's constitutional guarantee against unreasonable searches and seizures, located in Article I, section 9 of the Bill of Rights of the Oregon Constitution, is modeled after the same constitutional protections guaranteed by the Fourth Amendment to the U.S. Constitution, stating: "there is no indication that the drafters of our constitution intended Article I, Section 9, to be different from the Fourth Amendment."[57]

Unconstitutional Conditions Doctrine

Additionally, by effectively withholding an STR certificate unless the owner consents to a warrantless inspection, Section.050(B) of the STR Ordinance arguably violates the unconstitutional conditions doctrine, which "holds that government may not grant a benefit on the condition that the beneficiary surrender a constitutional right, even if the government may withhold that benefit altogether."[58] The U.S. Supreme Court has stated in a number of contexts that "the government may not require a person to give up a constitutional right ... in exchange for a discretionary benefit conferred by the government."[59] For example, in the context of determining whether there has been a violation of the constitutional prohibition against taking property without just compensation, the U.S. Supreme Court described the unconstitutional conditions doctrine as follows:

> Extortionate demands for property in the land-use-permitting context run afoul of the Takings Clause not because they take property but because they impermissibly burden the right not to have property taken without just compensation. As in other unconstitutional conditions cases in which someone refuses to cede a constitution right in the face of coercive pressure, the impermissible denial of a governmental benefit is a constitutionally cognizable injury.[60]

Similarly, under the unconstitutional conditions doctrine, the County arguably cannot condition an owner's ability to obtain an STR certificate on the owner giving up their constitutional protection against unreasonable searches and seizures.

Recommendation: The Board should urge the County, before taking action on the STR Ordinance, to seek the advice of the County Attorney as to whether the inspection requirements of the STR Ordinance conform to the requirements of the Fourth Amendment to the U.S.

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[55] *Camara*, 387 U.S. at 534 (citing *Frank v. State of Maryland*, 359 U.S. 360 (1959)).
[56] *See* SEARCH AND SEIZURE § 43.31 (Housing inspections) (stating that "administrative warrants are required for inspection schemes which authorize entries to inspect buildings when they are sold or rented, for smoke detectors, for fire safety, for tax assessment, or to determine whether the area qualifies for rehabilitation classification under municipal rehabilitation assistance programs").
[57] *State v. Flores*, 280 Or. 273, 280 (Or. 1977).
[58] Kathleen M. Sullivan, *Unconstitutional Conditions*, 102 HARV. L. REV. 1413, 1415 (1989).
[59] *Dolan v. City of Tigard*, 512 U.S. 374, 385 (1994) (internal citations omitted).
[60] *Koontz v. St. Johns River Water Mgmt. Dist.*, 133 S. Ct. 2586, 2596 (2013).

Constitution and Article I, Section 9 of the Oregon Constitution, and whether they would survive challenge under the unconstitutional conditions doctrine.

Issue: **The STR Ordinance would unfairly impose more onerous occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are not used as short-term rentals.**

The STR Ordinance singles-out short term rentals for more demanding regulatory treatment than homes that are not used as short-term rentals. It would apply the following limitations to short-term rental properties, but not to homes that are owner-occupied or are occupied by a long-term tenant (i.e., for 31 consecutive days or more):

- **Sections .080(A), (B) and (C)** would limit overnight occupancy at an STR to a maximum of two people per bedroom plus two additional people plus three minor children (defined as children 12 years of age or younger), with a maximum overnight occupancy of 10 people plus two minors.[61] There is an exception for "Estate Homes" (with five or more bedrooms), which may have up to two more bedrooms with up to two more occupants each (presumably meaning that a five bedroom STR could have up to 12 occupants and a six or more bedroom STR could have a maximum of 14 occupants).
- **Section .080(D)** would limit the daytime occupancy of any STR to a total of six people more than its maximum overnight occupancy.
- **Section .100(D)(1)** would prohibit using the STR for "events and activities that exceed maximum overnight or daytime occupancy limits."
- **Section .080(F)** would prohibit "any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any device for the producing or reproducing of any sound" from being used anywhere outside of the "fully enclosed short-term rental dwelling unit" or producing sound that is audible beyond the short-term rental's property lines.
- **Section .080(G)** would require that all short-term rentals observe quiet hours between 10:00 P.M. and 7:00 A.M., during which no discernible noise from music, singing, talking, or other audible sources should be heard beyond the short-term rental's property lines.
- **Sections .070(D)(4) and .080(E)** would prohibit short-term rental tenants and guests from using available on-street parking spaces.
- **Sections .070(D)(1), .070(D)(4), and .080(E)** would require that all short-term rentals have at least one parking space for every bedroom in the dwelling unit, rounded up, and no more than one space per bedroom plus two additional spaces for guests. These parking restrictions are more onerous than the minimum parking requirements required for other residential uses under the County's Land Use Ordinance which requires "two

[61] STR Ord. § .080(B).

spaces for the first dwelling unit, and one space for each additional dwelling unit" for all "residential" buildings and use types.[62]

There is no apparent rationale for imposing more demanding occupancy, noise, quiet hour, and parking regulations on homes that are occupied by short-term renters than on homes that are occupied by the owner or a long-term tenant. As a practical matter, the impacts of noise or a gathering of people at a home do not differ based on whether a home is occupied by the owner or a long-term tenant, or by short-term renters.

Recommendation: The Board should argue that there is no valid reason for imposing different occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are occupied by owners or long-term renters. If the County's objective is to protect residential neighborhoods from the perceived negative impacts of excessive occupancy, gatherings, noise, and on-street parking, then it should do so by adopting generally regulations rather than singling out short-term rentals for more demanding regulatory treatment.

Issue: **Requiring a contact person to respond to complaints and issues regarding a STR property would unreasonably place them at risk of physical harm and requires private citizens to perform what should be a public policing function.**

Section .080(J) of the STR Ordinance would require an STR owner to designate a "contact person" who will be available 24 hours a day 7 days a week to "respond/answer immediately to a phone call complaint about the operation of the [STR] and ... be able to arrive on site at the [STR] within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems." A failure of the contact person to "immediately respond to a telephone call complaint" or "to arrive at the property within [30] minutes of being summoned" would be a violation of the STR Ordinance.[63] Section .100(B) requires that the contact person respond by telephone within 20 minutes to complaints from or through the County's "STR Hotline" and respond in-person within 30 minutes "to any additional or successive [complaints] regarding the condition, operation, or conduct of occupants of the short-term rental."

Traditionally, the duty, costs and liabilities associated with policing and enforcing local, state and federal laws and regulations have fallen upon the government. To the extent that Sections .080(J) and .100(B) would require a contact person retained by the property owner to respond in-person to complaints about a STR property, the STR Ordinance effectively shifts some of these duties, costs and liabilities to taxpaying private property owners. It is unreasonable for the County to place this burden on private owners and their "contact persons" when the entire community benefits from the policing of unlawful conduct and enforcement of the law, regardless of where it occurs. Moreover, unlike local law and code enforcement agencies, civilians are neither trained nor equipped to respond on short notice to complaints.

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[62] *See* County Land Use Ordinance § 4.030(13), available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/27173/article_4_development_standards_2022.pdf.

[63] STR Ord. § .080(J).

In addition, to the extent that in responding to a complaint, the contact person is confronted with a badly behaving tenant or guest, who may be angry, irrational, or under the influence of alcohol or other substances, it could place the contact person at risk of suffering physical harm and incurring potential liability. A regulatory requirement that the designated contact person respond on-site may also expose the County to claims of liability if the risk of physical harm is realized and a designated contact person is injured while on the premises at the County's behest.

If the County's "STR Hotline" receives a complaint about a disruptive party at a residence, will it avoid notifying the County Sheriff's office in order to have the designated contact person respond? Have County officials considered the potential consequences of withholding a police response and instead compelling a contact person with no law enforcement training to personally confront a renter about such a complaint?

Recommendation: The Board should point out that Sections .080(J) and .100(B) arguably require private citizens who are designated contact persons to respond to situations that are better handled by law enforcement and code enforcement officers. It should argue that this is a bad policy that could place private citizens in harm's way. County law enforcement and code enforcement personnel should be the ones responding to complaints about illegal activity and unruly behavior and enforcing the requirements of the STR Ordinance, not contact persons.

Issue: Section .130(C) of the STR Ordinance would result in the forced eviction of short-term rental tenants, which could have a negative impact on tourism in the County.

Proposed Section .130(C) outlines several actions that are "grounds for immediate revocation or suspension" of an STR Certificate and "cessation of use of the dwelling unit for short-term occupancy." These include:

1) Failure to renew an STR Certificate while continuing to operate a short-term rental.[64]
2) Receipt by the County of 3 or more unresolved complaints about the STR with a 12-month period alleging violations of the STR Ordinance.[65]
3) Discovery of material misstatements or that the STR registration or renewal application included false information.[66]
4) STR Ordinance violations that the STR Administrator deems reasonable for immediate revocation of the STR Certificate.[67]
5) Situations where the STR Administrator deems necessary because of risks to public health or safety.[68]

These provisions require that short-term rental occupancy cease immediately in circumstances that in some cases will result from actions or inactions by STR owners (e.g., failing to timely renew an STR Certificate or making material misstatements on STR Certificate applications).

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[64] STR Ord. § .130(C)(1).
[65] STR Ord. § .130(C)(2).
[66] STR Ord. § .130(C)(3).
[67] STR Ord. § .130(C)(4).
[68] STR Ord. § .130(C)(5).

It is unclear what would happen to a short-term rental tenant who has the misfortune to be occupying the property on the date that the owner's STR Certificate is suspended or revoked. Depending on how the STR Ordinance is enforced, a family vacationing in Tillamook County, for example, might have to vacate their rental home during the middle of their vacation, through no fault of their own. An owner might have to cancel a reservation on short notice, leaving affected travelers having to scramble for suitable alternative accommodations.

When potential visitors become aware that the County has passed an ordinance that creates the possibility of a last minute cancellation or forced eviction of a short-term rental, they may perceive the STR Ordinance as evidence of an anti-tourist sentiment in Tillamook County. To the extent that word spreads about the County forcing STR owners to cancel bookings at the last minute for what amounts to a paperwork violation, this perception would likely be reinforced. Potential visitors may decide that is too risky to book a short-term rental in Tillamook County and may choose to vacation elsewhere instead. Even a slight impact on tourism in the County could have a significant negative effect on the viability and success of restaurants, retail establishments, and other local businesses that provide services to tourists.

Recommendation: The Board should urge the County to revise Section .130(C) of the STR Ordinance so that the tenants of any short-term rental that is occupied on the date that its STR Certificate is suspended or revoked are expressly permitted to continue the occupancy through the end of the lease term, except in the case of a building code or other code violation that constitutes an imminent threat to the health and safety of the tenants. Likewise, if there is no imminent threat to health and safety, owners should be allowed to honor STR contracts that were made before the County took action suspending or revoking the STR Certificate, even if the tenancy has not yet begun.

PART II
ISSUES RAISED BY SPECIFIC PROVISIONS OF THE STR ORDINANCE

Note: The following discussion is not intended as a legal interpretation, legal advice or a legal opinion. The Board should consult with a local attorney if it would like legal advice or a legal opinion on this or any issue addressed in this memorandum.

This part of the analysis focuses on concerns raised by specific provisions of the STR Ordinance. Each problematic provision listed below is followed by comments and recommendations. For ease of reference, where a provision has problematic terms or phrases, those are highlighted in *italics*.

- **Section .030(I)**: The Code defines "daytime occupancy" as "the hours between 10:00 AM and 10:00 PM."
- **Section .030(FF)**: The Code defines "daytime" as "between the hours of 7:00 AM to 10:00 PM."

Comment: There is no reason to have two separate definitions for "daytime" and "daytime occupancy," let alone inconsistent ones. It appears that the only time the proposed STR Ordinance uses the term "daytime" is as part of the phrases "daytime occupancy," "daytime occupants," or in one case, "daytime guests." Because the term "daytime occupancy" is used in

the context of the higher occupancy limits (six additional occupants) that the STR Ordinance allows, the timeframe starting at 10:00 AM in the proposed definition of "daytime occupancy" is too restrictive. For example, it would prevent two families vacationing together and occupying nearby STRs from joining one another for breakfast in one of the STRs. The Board should urge the County to either delete the definition of "daytime occupancy" or revise it so that the less restrictive daytime occupancy limits for STRs are in effect at least by 7:00 A.M.

- **Section .030(Y)** would define "short-term rental" as "the transient rental of a dwelling unit *for a period of 30 or fewer nights per calendar year* . . . [and] includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. . . ."

Comment: Read literally, this definition could be interpreted as meaning that a short term rental property may only be rented for a total of 30 nights in a year, rather than meaning that a single short-term rental tenancy is restricted to a rental period of 30 or fewer nights. The Board should raise the concern that the County could apply the definition of short-term rental, as written, to unreasonably regulate the total number of nights an STR can be rented each calendar year.

- **Section .030(Y)** further defines "short-term rental" as not including "a *Hosted Homeshare*, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29."

Comment: The definition of "short-term rental" capitalizes the term "Hosted Homeshare" but the proposed STR Ordinance does not define that term. Nor does it appear to be defined under the referenced Oregon Administrative Rule. Furthermore, in Section .110 (C)(1) of the proposed STR Ordinance, the words "lawful short-term rental" is followed by the parenthetical "(i.e. hosted homeshare or vacation home rental)." This statement that a hosted homeshare is a lawful short-term rental directly contradicts the statement in the definition of short-term rental that a hosted homeshare (whatever that may be) is not a short term rental. The Board should point out this glaring inconsistency.

Note to the Board: In commenting on this inconsistency, the Board might also want to point out the many other facial inconsistencies and apparent drafting errors in the latest version of the STR Ordinance, some of which are discussed above. The Board could make this point in arguing that even the latest revision of the proposed STR Ordinance has not been reviewed carefully enough, and is not ready for adoption.

- **Section .050(D)** would impose the following fees for STR Certificates applications and renewals: (1) a $400 fee for the application and inspection, (2) a $300 annual renewal fee, (3) a $100 fee for every re-inspection required by the building inspector for a failed inspection, (4) a $75 per bedroom fee for every bedroom the STR Administrator identifies at the property that exceeds the number of bedrooms indicated on the application, and (5) a $50 fee for modifications to an existing STR Certificate.

Comment: These fees, especially the $400 initial application and inspection fee and the $300 fee required for each annual renewal of the STR Certificate, are arguably unreasonably expensive

and could be cost prohibitive for many of the County's property owners. Each of these fees is $50 more expensive than the fees currently charged by the County for Short Term Rental Permits, inspections, and renewals under existing Ordinance 84, Amendment #1.[69]

- **Section .140(E)**: States that the County's STR Administrator "*may* establish administrative procedures to implement the appeal process" and "*may* adopt procedures for hearings" for appeals of County decisions concerning the approval, denial, or revocation of STR Certificates.[70]

Comment: The use of the word "may" in Section .140(E) indicates that the STR Administrator has the discretionary authority to establish and adopt administrative procedures for appeals of County decisions concerning the approval, denial, or revocation of STR Certificates, but apparently does not *require* the STR Administrator to adopt any appeals procedures. Neither Section .140(E) nor any other provision of the proposed STR Ordinance reference any existing County appeals and hearing procedures that will apply unless and until the STR Administrator adopts procedures.

- **Section .050(A)(7)** would require STR Certificate applications to include "documentation that the short-term rental meets the operational standards in Sections .080 and .100" in order for the application to be deemed complete and approved.

Comment: It is not clear how an STR Certificate applicant is supposed to comply with this requirement because it is not clear what "documentation" could satisfactorily demonstrate that the STR property is in compliance with the STR Ordinance's operational standards. Among other things, the STR Ordinance's operational standards include maximum occupancy restrictions for tenants and guests (both during the daytime and overnight), restrictions on noise emanating from the property during an STR rental tenancy, and restrictions on noise during designated quiet hours.[71] When submitting the application what documentation will demonstrate that the STR property is compliant with noise or maximum occupancy standards, especially where the STR property is applying for its initial STR Certificate?

- **Section .080(I)** states in relevant part: "Any sleeping area used as a bedroom shall be inspected and permitted in accordance with the provisions of this Ordinance. *Areas not approved for use as a bedroom shall be locked and secured as deemed appropriate by the STR Administrator, and shall not utilized [sic] as part of the short-term rental.*"

Comment: This language appears to require that any room that the owner would like to use as a bedroom, but which is not approved as a bedroom meeting the requirements of the STR Ordinance, must then be "locked and secured" and not used as part of the short-term rental, even for purposes other than a bedroom. For example, if the owner lists a sitting room with a fold-out sofa as a bedroom but the County inspector determines it does not qualify as a bedroom under the STR Ordinance, this provision appears to require that the room be locked up and not be available to STR tenants for any other purpose. The Board should argue that this restriction

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[69] *See* Section 8 of Ordinance #84, Amendment #1 – Short Term Rental Ordinance, available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/ordinance/23255/ordinance_84_amd_1_2019_04-17.pdf.

[70] Emphasis added.

[71] *See* STR Ord. §§ .080(F); .080(G); .080(A); .080(B), .080(D).

(i.e., the italicized language) is unreasonable, intrusive, and unnecessary, and should be deleted from the STR Ordinance.

- **Section .090(A)** requires that all STRs be inspected by the local building inspector prior to the issuance of the STR Certificate and "for every renewal every third year thereafter" in order to "determine that the dwelling unit meets *current requirements* of the International Building Code, including compliance with applicable fire and life safety code requirements."[72]

Comment: Many existing residential buildings in Tillamook County might not comply with the *current* editions of the International Building Code (IBC) simply because they were constructed under a different set of regulations. Building codes generally allow structures that were compliant with existing codes when constructed to continue in legal existence even after the regulations have changed and the structures no longer meet the current standards. The Board should argue that the County should not retroactively impose current IBC standards on short-term rental properties that constructed under earlier versions of the building code.

[72] STR Ord. § .090(A).

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 8:13 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: Short-Term Rental Advisory Committee - May 9 Meeting Comments

STR public comment received.

Isabel Gilda | Executive Assistant
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From: craig nern <cfnern@gmail.com>
Sent: Sunday, May 7, 2023 8:33 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short-Term Rental Advisory Committee - May 9 Meeting Comments

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

The regulation of economic interests is difficult and complex...and absolutely necessary. The recent banking crisis is the most recent example of why the public interest requires effective regulation. The pursuit of profit can expand until something breaks, and that too often happens in finance and real estate.

That's not the opinion of a socialist - I've been in the investment industry for decades and am part owner of a commercial property in Manzanita.

The growth in STRs is having unhealthy effects on many communities in Tillamook County, and Neahkahnie is one of them. Our proximity to Manzanita, which has a sensible cap on the number of STRs allowed, has likely created an overflow of supply into our neighborhoods. The demand is ample, and without an upper limit we now have 25% more (on a percentage basis) STRs than Manzanita.

We need a process that over time, even if it takes years, will cap our number of STRs at a level consistent with Manzanita's 17.5%. That means attrition, and that can be accomplished fairly, if only slowly.

One more thought: something largely missing from the STR debate is the nature of intangibles. A good neighborhood has real community and certain support systems that neighbors provide for each other. STRs don't contribute to that, and in fact detract from it.

Thank you for considering my comments.
Craig Nern
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 8:13 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: Dark Sky Recommendation
Attachments: Dark Sky - Washington Post.pdf

Importance: High

STR public comment received.

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From: John Meyer <jkm@caretrust.us>
Sent: Sunday, May 7, 2023 5:23 PM
To: Hillary Gibson <hillary.gibson@me.com>; Karen Babbitt <wcgarden@gmail.com>
Cc: Public Comments <publiccomments@co.tillamook.or.us>; Cook Linda <lindaphoto43@gmail.com>
Subject: EXTERNAL: Dark Sky Recommendation
Importance: High

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

Dear Hillary and Karen,

First a big thank you for all your time and energy dedicated to vacation rentals in Tillamook County. We are very appreciative of your many contributions. We are writing in the hope that the STR Advisory Committee will include a Dark Sky guideline in the proposed new revisions to the STR Ordinance. It's a simple request that would have a significant impact on all of our daily lives. We believe this would be supported by both year-round residents as well as vacation rental owners. Below is a short summary from Linda Cook, who lives year-round in Neahkahnie and is also a professional photographer with a special interest in our beautiful night sky. Maria and I share Linda's interest in Dark Skies. We hope you will consider including it in the new ordinance.

The attached article from the Washington Post is a lighthearted read that conveys a unique perspective on Dark Sky. Excerpts of the article are summarized from below.

Best,
John and Maria Meyer
Neahkahnie

From: Linda Cook <lindaphoto43@gmail.com>
Sent: Friday, May 5, 2023 5:28 PM
To: John Meyer <jkm@caretrust.us>
Subject: Need for Dark skies

Need for Dark Skies at Night- Please **turn off** your outside lights at night even here on the North Oregon Coast.

Besides causing havoc for shooting the stars at night in our area, people who leave their outside lights on at night also create a hazard for animals. Here are excerpts from The Washington Post.

"For 4½ billion years there was no artificial light at night. It's really only in the last five human generations that we transformed that," says Ruskin Hartley, who runs the International Dark-Sky Association in Tucson. "It's one of the most profound transformations of our environment."

Lights at night also act as barriers to nocturnal animals, ranging from bats to mountain lions, fragmenting their habitats and marooning them on ecological islands. Predatory creatures — certain snakes, salamanders, small mammals, insects — that rely on the darkness of a new moon to find food no longer have that protection.

"The dark places are a refuge," says Travis Longcore, a professor at UCLA's Institute of the Environment and Sustainability. But now, "you have light pollution and skyglow that is as bright as the full moon," and that means certain animals "don't come out to forage when they should because it's a danger signal if it's too bright."

"Floodlights and the candelabra-style porch lights and sconces are the worst. Those fixtures, by exposing the naked bulb, scatter light upward and sideways rather than downward, where it is needed. Replacement fixtures (the International Dark-Sky Association has a list of approved ones) should face down and the canopy should shield the bulb on the top and sides. Dimmers and timers help, too.

Thank you for reading and possibly changing the way you use night lighting around your home.
Linda

John Meyer
415-407-1100
jkm@caretrust.us

https://www.washingtonpost.com/opinions/2023/05/05/dark-sky-night-light-pollution-impact/?utm_campaign=wp_post_most&utm_medium=email&utm_source=newsletter&wpisrc=nl_most&carta-url=https%3A%2F%2Fs2.washingtonpost.com%2Fcar-ln-tr%2F39ec448%2F64552273a61bab12f75343ef%2F60dba2ee9bbc0f32a33be5d3%2F17%2F73%2F64552273a61bab12f75343ef

Opinion I was busted by the light police. They had a point.

Dana Milbank

May 5, 2023 at 8:00 a.m. EDT

The moon rises over Historic White's Ferry, as seen from the Loudoun County side in Virginia on May 16, 2022. (Craig Hudson for The Washington Post)
Save

Just eight weeks after I bought a place in the Virginia countryside, I was busted by the light police.

First came an email from somebody who lives across the valley from me. "Your new place has a lot of intense white, all-night exterior illumination that I don't recall before," he wrote. "From our front windows, it sort of looks like the scene in 'E.T.' where the spaceship has landed."

I apologized, explaining that I had merely turned on the existing exterior lights of the home, which had been vacant, and therefore dark, for months. I said I would install some new bulbs that brighten only when motion is detected, and I thought the matter closed.

Two weeks later, I got another email. The guy across the valley had turned me in to the "Dark Sky Committee" of the Rappahannock League for Environmental Protection. The committee wrote to say it had been made aware of my lighting and it was prepared to send a representative to my home to "help you figure out your best options" to darken the mood.

I fought for my right to light. "I won't be bullied," I told a member of the committee. Happily, I remain a free man today and have thus far avoided a dark cell in lighting jail.

It was an annoying welcome to my new community — but in retrospect, I'm grateful to the Dark Sky Committee. Its members have no authority (there's no law restricting my lumens), but they were persuasive. It turns out my lights weren't doing much harm to neighbors, but they were doing a whole lot of harm to other living things.

Night skies have been getting nearly 10 percent brighter per year over the past decade, American and German researchers reported in January, a doubling in brightness every eight years. The dramatic growth of LED lights, and the bluish, short-wavelength light they give off, compounds the "skyglow" effect of light pollution. Light-polluted skies cover an estimated 80 percent of the world's population and 99 percent of the U.S. and European populations, another international group of researchers found several years ago. Here in North America, 80 percent of us can no longer see the Milky Way when we look at the night sky.

The New York skyline on March 24, 2020. (Jeenah Moon for The Washington Post)

That's a shame for humanity. But it's much worse for the insects, birds, reptiles and mammals that have had their ecosystems disrupted by the sudden change. In the evolutionary blink of an eye, artificial light has altered migration, mating, foraging, pollination and predation rhythms that developed over eons. Light pollution isn't as severe an ecological threat as climate change or habitat loss, but it's accelerating the decline of many animal populations.

And, unlike climate change and habitat loss, this problem has a cheap and painless fix: Just turn down the damn lights.

I asked Torney Van Acker, a retired engineer on the Dark Sky Committee, to visit my home one night for a demonstration. With my "E.T."-spaceship lights on, we stood outside and he aimed his light meter at the zenith. Using a measure of brightness called "magnitude per square arc-second," the brightest, Monday-Night-Football

night sky is about 16 mpsas, and the darkest sky, with zero light pollution, is 22. The sky above my home scored 18.65 — what you'd expect in a brightly lit suburb.

We turned the lights off and the darkness score shot up to 21.23 — that's *100 times darker* than before, Van Acker said, and typical of a rural night sky. Though there was a crescent moon and still a faint glow in the West from the setting sun, thousands of stars revealed themselves as our eyes adjusted. The Big Dipper pointed us to the North Star and to Deneb, which led us to Vega and the Lyra constellation in the northeastern sky, from which a shooting star, part of the Lyrid meteor shower, streaked above us. The Milky Way formed a river from horizon to horizon.

"You've got a good sky," Van Acker remarked. I felt oddly flattered — and suddenly protective of it.

Dana Milbank: I'm no genius with geniuses, but your garden is killing the Earth

This was the sky humans took for granted for almost all of our history. In 1901, the conservationist John Muir wrote that "the floods of light from the stars ... must always be wild, for man can change them and mar them hardly more than can the butterflies."

He was wrong. Man found a way to blot out the floods of light from the stars.

"For 4½ billion years there was no artificial light at night. It's really only in the last five human generations that we transformed that," says Ruskin Hartley, who runs the International Dark-Sky Association in Tucson. "It's one of the most profound transformations of our environment."

A view from the Cedar Hammock campground on the east side of the Okefenokee National Wildlife Refuge picks up light pollution from the Southeast direction of the refuge on March 30, 2022, in Folkston, Ga. (Stephen B. Morton/AP)

Light pollution, along with climate change, pesticide use and habitat loss, is driving the decline of some 40 percent of insect species, with the global population of insects shrinking by an estimated 2 percent per year in what some call an "insect apocalypse." That threatens the pollination of crops and plants and, ultimately, the

entire food web. Light pollution is also contributing to the decline in bird population. The number of birds in the United States has dropped by 29 percent since 1970, which means nearly 3 billion fewer birds in our skies, according to a comprehensive study by the Cornell Lab of Ornithology and others.

Insects, drawn to light, are fried or become easy targets for predators. Bright lights lure nocturnally migrating birds and sea birds into the danger of urban areas, and millions of birds die in collisions with floodlit buildings and communications towers. Sea turtle hatchlings are likewise drawn to artificial lights — and into the jaws of predators.

Lights at night also act as barriers to nocturnal animals, ranging from bats to mountain lions, fragmenting their habitats and marooning them on ecological islands. Predatory creatures — certain snakes, salamanders, small mammals, insects — that rely on the darkness of a new moon to find food no longer have that protection.

"The dark places are a refuge," says Travis Longcore, a professor at UCLA's Institute of the Environment and Sustainability. But now, "you have light pollution and skyglow that is as bright as the full moon," and that means certain animals "don't come out to forage when they should because it's a danger signal if it's too bright."

Dana Milbank: I've covered a lot of snakes in my career. These are the worst.

Animals find their circadian and seasonal rhythms disrupted by artificial light. Urban birds call earlier in the morning, altering the mating process. Plants produce flowers and fruit at the wrong times. And humans lose sleep because of artificial light (whether from streetlights or our digital devices), potentially contributing to increased obesity and cancer.

"There's days of research that one could go through on how physiology is affected," Longcore says, "but it all makes sense when you think that this planet has had day/night and lunar cycles for the whole period of the evolution of life." Until now.

The moon is seen across from Historic White's Ferry from Loudoun County in Virginia on May 16, 2022. (Craig Hudson for The Washington Post)

The good news is the damage could be easily reversed. The biggest share of light pollution comes from commercial sources — gas stations, strip malls and the like — followed by outdoor sports facilities. After that comes residential lights, streetlights and industrial lights. Municipalities can regulate much of that light pollution, and some already do: dimming streetlights during certain hours, requiring dark-sky-friendly exterior lights in new construction and renovations, and simply turning off lights that serve no public safety purpose.

Each of us has control over residential light pollution, which contributes roughly 10 to 20 percent of the total. I called in the light police to show me what to do. They toured the perimeter and gave me a battle plan.

When I eventually update the house, they advised, I should lose the floodlights and the candelabra-style porch lights and sconces. Those fixtures, by exposing the naked bulb, scatter light upward and sideways rather than downward, where it is needed. Replacement fixtures (the International Dark-Sky Association has a list of approved ones) should face down and the canopy should shield the bulb on the top and sides. Dimmers and timers help, too.

Even without replacing the items, there are plenty of cheap fixes that I've already made: motion-detecting smart bulbs; "warm" bulbs (ideally 2700 kelvin or less) that cast a yellowish hue rather than the bluish one that contributes most to skyglow; nothing more than 1500 lumens, or about 100 watts; and, of course, turning off some lights. The last act requires me to suppress my fear of the dark and to remind myself that more illumination doesn't necessarily mean more security. The bugs haven't told me so themselves, but I'm guessing they feel better now, and so do I.

In the end, Van Acker, of the Dark Sky Committee, played the good cop. "You're one little fish in a pond," he reassured me. "Your lights aren't going to make much difference one way or the other. But it's all cumulative."

Guest Opinion: Artificial light harms our bodies and souls. It doesn't have to be this way.

To spread the gospel, Van Acker and his committee got the Rappahannock County Park certified as an International Dark Sky Park, one of only two in the capital region (the other is Sky Meadows State Park in Delaplane, Va.) Now, they're trying

to get dark-sky friendly lighting at a massive, 761-unit housing and retail development called StoneHaven going up just across the county line, near Warrenton, Va. So far, the developers — the Lennar Corporation and Saadeh Partners — haven't complied. (Neither developer responded to my inquiry.)

Developments such as those are lighting up rural night skies. Since the Rappahannock County Park earned its certification in 2019, the skies above it have brightened measurably, to 21.2 mpsas from 21.3.

Standing with me in the park one night, Van Acker pointed to a glow in the north: "That's a light dome from Front Royal." To the east, the clouds reflected the lights of Warrenton. To the south, a light dome from Culpeper. To the west, over the mountains, a light dome from Luray. A park neighbor's floodlights and planned construction in Washington, Va., are bringing the light pollution ever closer.

The Milky Way rises above the Blue Ridge Mountains in Shenandoah National Park in 2018. (Jonathan Newton/The Washington Post)

But there's still something special about the night skies over this piece of the Virginia piedmont. On a clear night such as this, 4,000 stars are visible. In the capital, I can see perhaps a dozen. Outside of Maine and West Virginia, it's "about the darkest corner of the East Coast," Van Acker tells me.

"Dark" is a bit of a misnomer. On this night, the sky bursts with starlight. In the West, Venus and the Seven Sisters dazzle. Overhead, Ursa Major and Leo sparkle. And every now and then, another Lyrid meteor streaks out of the northeast, at 29 miles per second.

When the ancients gazed heavenward, they saw much the same sky. Ptolemy mapped the same constellations. The Chinese recorded their observation of the Lyrid meteor shower more than 2,700 years ago.

Will we be among the last to see such wonders before a haze of man-made blue light conceals the night sky from future generations? We owe it to them, and to all creatures that depend on the dark, not to let that happen.

Opinions on climate & the environment

Dana Milbank is an opinion columnist for The Washington Post. He sketches the foolish, the fallacious and the felonious in politics. His new book is "The Destructionists: The 25-Year Crackup of the Republican Party" (Doubleday). Twitter

Lynn Tone

From: Public Comments
Sent: Monday, May 8, 2023 8:15 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: STR Comments

STR public comment received.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

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From: Gary Chin <gary_chin@icloud.com>
Sent: Sunday, May 7, 2023 7:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Comments

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

Dear STR Committee -
As full-time residents of an unincorporated community in Tillamook County (Neahkahnie), we'd like to voice our support for limiting STRs. We have seen how STR businesses have altered the neighborhood character.

Also, we feel that there is a difference between:

1. A full-time STR business
2. A family vacation home that is rented out a few weeks/months a year to help pay for expenses.

In the later situation, you know the owners and they're part of the neighborhood, whereas the former has no vested interest in the community.

We'd hate to see nice neighborhood taken over by STR "businesses."

Respectfully,
Gary & Cara Chin

Commissioner Skaar, Director Absher, and Members of the STR Advisory Committee

Last year, we were pleased to see the Tillamook Board of Commissioners take action to pause STR permits and have been following the STR Advisory Committee since its inception, attending meetings, reading proposals, lists of issues, drafts and public comments, and sending our own comments on the various STR issues that prompted the actions of the county. We know how important it is to participate rather than sit around complaining and we thank the county for its initial actions.

It has been quite deflating however to watch the STR Committee show its real make up and for the county to continue with the committee process as if it actually reflects the opinions of the public.The committee membership always appeared to be skewed toward people who are financially involved in STR businesses, but in recent months several members have been open about their involvement in forming STR groups, raising money, hiring lawyers and threatening litigation.

The good news is that it has revealed the reality of how one sided the membership is so that we can stop pretending it is reflective of our Tillamook county communities. The bad news is that the county continues to proceed as if the advice that will emerge from the committee will be anything but the STR business agenda, and that concerns us. It further threatens livability in the residential Neahkahnie community.

In Neahkahnie 22% of our residences already are permitted STR's, so does it make sense to propose to cap the number of commercial STRs higher than it is now? We used to be a residential community of full-time home owners, part-time owners with occasional renters as well as long-term renters. We've evolved now into a community of absent part-time owners with outside managed income properties and no long-term rentals. We're losing our sense of community with neighbors being replaced by commercial transients. So how can the solution be to increase the number of STRs rather than reduce!? How did we get to this point?

The way to address the current high percentage of STRs is to impose a reasonable cap (our neighboring Manzanita is 17.5%) and eliminate the transferability of a permit in perpetuity. Data from home sales is clear that the value of properties in Neahkahnie have increased steadily. No one is going to

lose their investment if their permit expires in a reasonable amount of time and they have to get in line for another.

In addition to reasonable caps and transferability rules, Neahkahnie needs reasonable STR occupancy limits consistent with our residential character. Neahkahnie's aging streets and utilities are already stressed. Commercial resort communities such as Sunriver limit occupancy to two per bedroom plus two children under 5. Those homes have 4 to 5 bedrooms and bathrooms, unlike the older homes in our immediate neighborhood that already have been permitted for 20, 20 and 18 occupants. Why can't we have common sense occupancy limits too? A bedroom is a bedroom and 2 people is a normal number for a bedroom. A sofabed in a room is not a bedroom. A cot in an alcove is not a bedroom.

We urge you one more time to recommend reasonable STR caps, reasonable STR permit transferability rules and reasonable STR occupancy limits that are so critical for Neahkahnie's livable future.

Sincerely,

Mike Woodin and Amy Bell
37635 Beulah Reed Road

Lynn Tone

From: suendave_163 <suendave_163@comcast.net>
Sent: Monday, May 8, 2023 9:04 AM
To: Lynn Tone
Subject: EXTERNAL: Neahkahnie short term rentals

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

As a long time Neahkahnie resident, I am writing with just a few of my concerns over the growing STR impact upon our community. We are a residential community. Individuals or corporations that own more than one STR are a business and should not be part of this residential neighborhood; for example, one such business owns 5 properties, all STRs. They are not used for residential use at all. We need to limit such STRs to one per person, perhaps as a way to help sustain a family vacation home, not as a commercial enterprise.

Manzanita currently has a cap of 17.5. Neahkahnie's cap should be similar, not the current rate which is over 22%.

The average STR in Neahkahnie houses 10 people, where the average residence in Neahkahnie is only 2. This has an extreme impact on our water resources, which at times in the summer are limited. Other negative impacts include parking issues and noise.

This parade of renters is eroding our sense of community and neighborliness. Please help us control the enormity of this problem.

Thank you,

Susan Ritz Williams
37450 3rd Street
Neahkahnie

Lynn Tone

From: Jacki Hinton <hintonjacki56@gmail.com>
Sent: Monday, May 8, 2023 7:41 PM
To: Public Comments
Cc: Lynn Tone; Sarah Absher; Erin Skaar
Subject: EXTERNAL: STR Comments
Attachments: Bedroom Suite.pdf; 2nd photo bedroom suite.pdf

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

Dear Commissioners, Director Absher and STR Committee Members,

As a full-time resident of Neahkahnie I find myself frustrated, disappointed and angry. These emotions are not directed at STR owners or managers. They're directed at County Commissioners, past and present, for their failure to adopt responsible STR regulations over the past two decades. The situation we find ourselves in today was completely foreseeable. Critical issues such as excessive occupancy and uncontrolled STR expansion were dismissed and kicked down the road during the 2018/19 regulatory revision process. This wasn't a failure to recognize the issues. It was a failure to address them in a proactive, responsible manner at a time when numerous management tools could be implemented without hardship on existing STR owners ... prior to our coastal communities becoming inundated with STRs. For example our Neahkahnie community realized a 55% increase in the number of licensed STRs from 2019 to 2022. It's clear that many people on all sides of this issue are suffering from consequences of the County's past failure. I hope each Commissioner feels the weight of those decisions and recognizes that failing to act responsibly now will only exacerbate the issues moving forward. Please consider the long-term consequences of your decisions on this important matter.

You have heard repeatedly from me and numerous other residents about the serious detrimental impacts caused by the current high volume of STRs and their excessively high occupancies. Yet in spite of this outcry, Commissioner Skaar, Director Absher and the Committee appear poised to recommend that STR volumes be allowed to increase by at least 1% in each of our coastal communities. This increase in STR levels would be permitted prior to Director Absher's community-by-community assessment to determine the unique concerns, needs and limitations of each community which now will supposedly take place over the next two years. This is contrary to representations made at the outset of this process that STR levels would be addressed on a community-by-community basis. Once again the County appears likely to increase the STR burden on our communities before actually examining the community-by-community impact of that decision as promised. The Commissioners' rush to adopt a revised ordinance and lift the pause may serve those with an interest in the STR industry, but it tramples on its residents and coastal communities.

A variety of regulatory tools are available to help limit the detrimental impact of STRs on our communities. Earlier this year the Commissioners prematurely rejected a number of these tools by declaring that attrition was not on the table at this time. It is unclear when and how this policy decision was made. I strongly disagree with this decision and question the manner in which it was handled. Given the Commissioners stated position regarding attrition, I will focus my comments on other tools.

One key regulatory provision which the Committee still needs to address is the transferability of STR licenses. As long as STR licenses are freely available transferability would seem to be of minimal value. However that changed due to recent County actions, including the County's year long pause on licensing and the Commissioner's public signaling of their intent to seriously consider adopting at least one STR growth management tool before lifting the pause at the end of June. Suddenly a transferable license becomes a golden certificate, and a select group of property owners stand to get a financial benefit from County action. This likely includes enhanced marketability and sales price for their property at

least amongst buyers interested in owning a STR. It also ties up those licenses to a select group of properties reducing opportunities for others to enter the STR marketplace and reduces fluidity of STRs. A resident surrounded by STRs has minimal chance of ever having neighbors again if the adjacent property owners are permitted license transfers. It also further reduces the chance that any coastal community will ever see a reduction in the current level of STRs even if it's deemed necessary for community sustainability. This is bad policy in so many ways. I urge the County to prohibit license transfer for all new licenses. Since any significant value in transferability is a result of recent County actions, existing STR owners should also be prohibited from transferring their licenses in the interest of sound and fair public policy. However if the County determines that existing licensees should be permitted to continue to enjoy such special benefits, they should be limited to a one-time license transfer. The hypothetical future purchaser in this scenario has no reasonable expectation of transferability and should not be granted license transferability. Any County bestowed benefits such as transferability which are limited to a select group of property owners should be limited in scope and duration to the extent possible.

Another important commonly used tool for managing STR growth, which the Committee dismissed, is limiting each owner to only one STR license. This is important for fairness when the number of licenses is limited and to minimize investor expansion within a community. Five Neahkahnie beachfront properties are owned and operated as STRs by a single out-of-state individual. That person also owns and operates one beachfront STR in Manzanita where owners are limited to one STR license ... not a problem if you can just go down the road a mile to Neahkahnie where no limits exist. I urge the Commissioners to adopt a limit on the number of licenses which a single owner may hold, preferably one.

Limits on transferability and limits on the number of licenses per owner require broad definitions of "owner" and "transfer" intended to address multiple owners and the various corporate entities. The definitions included in the January draft ordinance (prior to Committee revisions) meet this need.

Several provisions in the current draft ordinance impact STR occupancy. First is the definition of "bedroom" which forms the basis for calculating occupancy. We all have a common understanding of what is meant when referring to a bedroom in a residential home. It does not mean a bed, futon or sleeper sofa plus a clothes storage unit placed anywhere within a home. I submit that a residential bedroom is generally understood to be a room intended primarily for sleeping with walls, a ceiling of reasonable height, a door and a window. Expanding the definition beyond all common-sense understanding as the Committee has done serves only one purpose ... the expansion of occupancy within STRs.

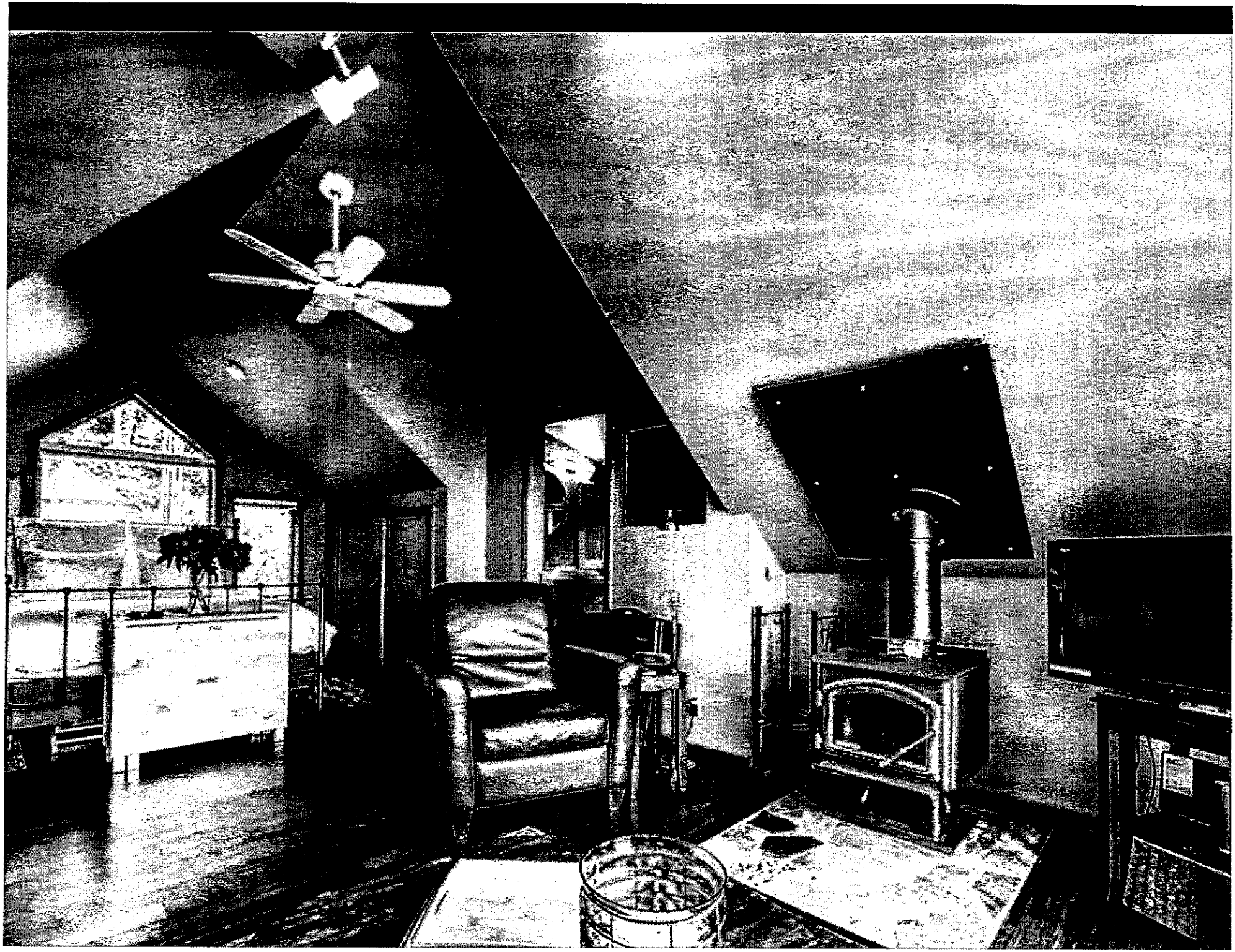
I offer the following photos from the advertised listing of a licensed Neahkahnie STR marketing the bed and chest squeezed in between the kitchen and living room, in what appears to be the only available dining space, as one of its two "bedroom suites". Is this seriously what the County wants to continue to endorse? The current draft ordinance provides for 5 additional occupants besides the allotted 2 per bedroom which offers plenty of opportunity to fill a bed in the dining space, a sleeper sofa in the den, or a futon in the loft. It is completely unnecessary and ill-advised to stretch the definition of "bedroom" beyond common usage to include these spaces.

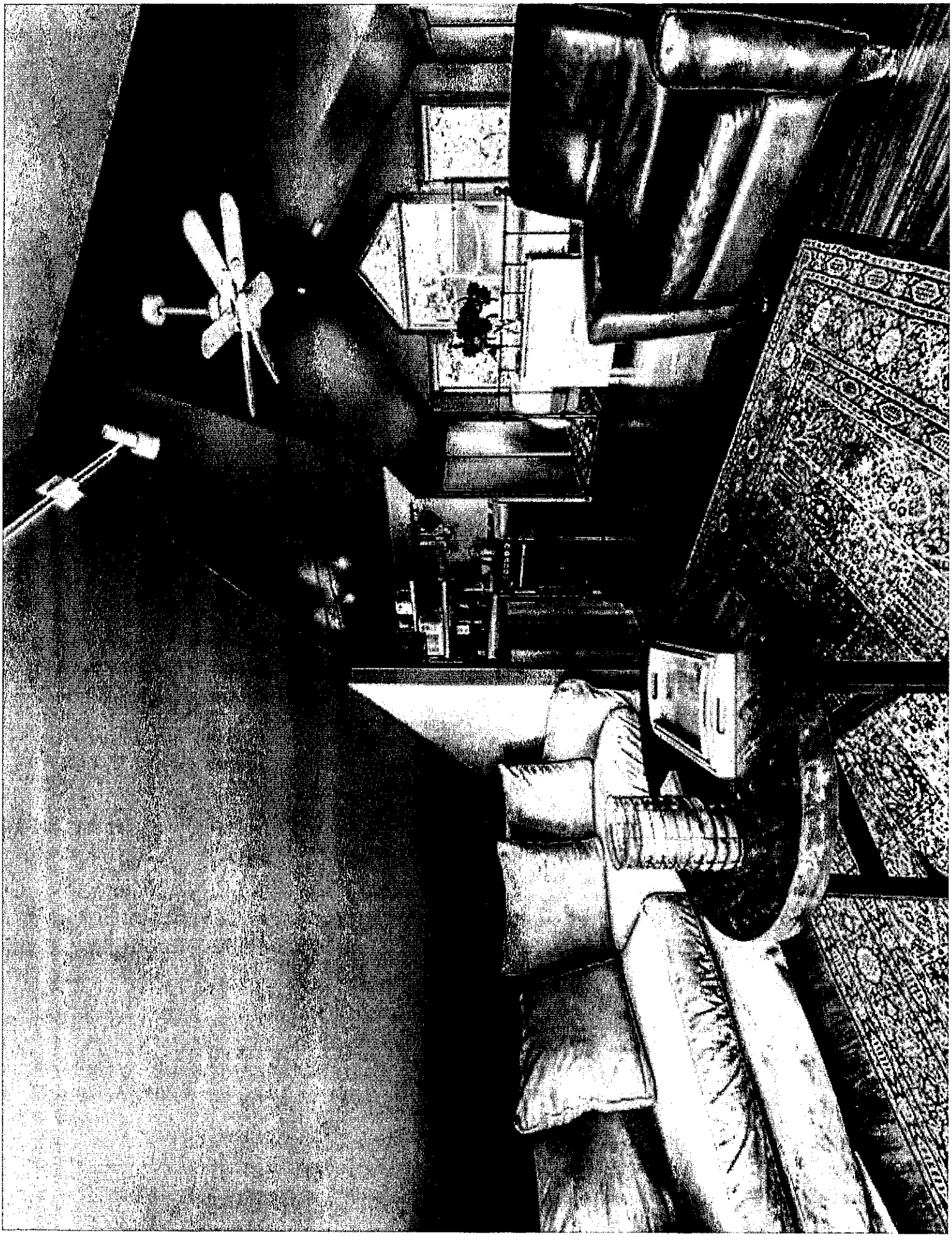
Another currently licensed Neahkahnie STR is advertised for occupancy of 14 in what is represented as 4 bedrooms. The listing offers the following description for "where you'll sleep": Bedroom 1 including 1 king bed and 1 floor mattress; Bedroom 2 including 1 queen bed and 1 toddler bed; Bedroom 3 including 2 single beds; and **Bedroom 4 including 1 queen bed, 1 double bed, 2 single beds and 3 air mattresses**. Is anyone seriously going to try to argue that this is safe or compatible with a single family residential neighborhood? I shared this listing with an experienced firefighter and asked what would be the likely outcome of a house fire if 14 guests unfamiliar with their surroundings were sleeping in these described accommodations. The response was "people would die".

Excessive STR occupancy is unsafe and a major livability issue! It is high time to address it in the STR regulations in a responsible manner. We all know what a bedroom is!

Thank you for your service and for considering my comments.

Respectfully,
Jacki Hinton
Neahkahnie Resident





Lynn Tone

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, May 8, 2023 10:30 PM
To: Lynn Tone
Subject: EXTERNAL: STR comments

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

Dear Sarah Absher and STR Committee,

I appreciate the county's undertaking this attempt to further regulate the spread of short term rentals in our neighborhoods. The solutions need to be equitable and sensitive to all needs.

I support limiting the percentage of short term rentals, to 17.5% as we have in neighboring Manzanita. In Neahkahnie our actual percentage is higher than it appears as The Meadows doesn't allow them. We have very limited services here to deal with tourist impacts. There are no bathrooms, little police presence, a small and stressed water district that has run low on water.

I think we need to differentiate between families that rent out their homes when they aren't here, and the current wave of owners buying homes to rent for cash flow. Only one vacation rental should licensed per owner. The rental license should not be transferable...requiring a new application. I believe that STR licenses should not be transferable upon sale of the property. The STR program should not allow for enhanced marketability and property value inflation for a select few at the expense of the rest of the community. STR licenses should be limited to one per owner (whether an individual or a corporate entity) to dissuade investors and for fairness to others.

Please don't let them twist the definition of "bedroom". The definition of "bedroom" should be consistent with definitions similar to those used in residential real estate listings.

"... all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals and to enforce rules such as a limit on license transfers or a limit on the number of licenses per owner. Exclusion of inheritance from the definition of "transfer" should be limited to inheritance by family members.

The County needs to use TLT dollars or impose an enforcement fee on STR owners to employ enforcement officers to serve in each area if we are to have a real chance at dealing with problems.

Thank you for your consideration,
Barbara Rippey
Neahkahnie

Lynn Tone

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, May 8, 2023 10:31 PM
To: Lynn Tone
Subject: EXTERNAL: STR comments

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

We are all getting tired of this long process! I appreciate the county's undertaking this attempt to further regulate the spread of short term rentals in our neighborhoods. The solutions need to be equitable and sensitive to all needs.

I support limiting the percentage of short term rentals, to 17.5% as we have in neighboring Manzanita. In Neahkahnie our actual percentage is higher than it appears as the Meadows doesn't allow them. We have very limited services here to deal with tourist impacts. There are no bathrooms, little police presence, and we have a small and stressed water district that is running low on water. Our streets don't have walkable shoulders for tourist pedestrians, or even surplus parking. Our community is not designed for masses of tourists. It has been residential with a high percentage of second homes used intermittently.

I think we need to differentiate between families that rent out their homes when they aren't here, and the current wave of owners buying homes to rent for cash flow. Only one vacation rental should licensed per owner. The rental license should not be transferable...requiring a new application IF available. I would hope for attrition to bring our rental problem back to a sane level.

It is hard to see a place we love being overwhelmed by strangers, likely ok people, but with no ties to this community, often with no sensitivity too.

I hope you are able to help protect our community from further commercial impacts. There are reasons for "commercial" zoning, with the infrastructure that accompanies it.

Barry Marshall

Lynn Tone

From: Terri Desaro <tldesaro@gmail.com>
Sent: Monday, May 8, 2023 11:02 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments (specific to Neahkahnie)

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

To: Tillamook County Short Term Advisory Committee

My name is Terri Desaro and I'm a full-time resident of Neahkahnie. I appreciate all the hard work the committee has undertaken thus far to address short-term rentals in coastal communities. In my opinion it is imperative to revise the ordinance to ensure that our residential neighborhoods remain residential zones, not business zones. The livability and sustainability of our communities are dependent on their residents.

If changes are not made to the ordinance, every residential property in unincorporated Tillamook County could be converted to a STR, in other words, they could be converted to a business. Is this what we want in our residential neighborhoods? I say no. As it stands now, our residential neighborhoods are turning into commercial zones. This is not what we expected when we **invested in our full-time residence.**

It is a fact thatt there are many properties in our neighborhood that are operating (or have been remodeled) for the sole purpose of renting on a short-term basis. These properties are **operating as a business in a residential zone.**

It is a fact that our roads are seeing more traffic; our infrastructure was not designed for the increased traffic. Our water systems are stressed due to increased water usage by STRs. Our law enforcement agencies are stressed. Our businesses are having difficulties hiring employees.

It is also true that an area full of STRs will have a direct impact on our organizations and business who need volunteers and employees. Our local fire department depends on volunteers to answer the call when an emergency is called in. A transient population will not fill this important need. A transient population will not apply for a job at our schools, grocery stores, restaurants, or local businesses. A transient population will not volunteer for our school boards and non-profit agencies that rely on volunteers to operate. Our communities do rely on full-time residents to fill these vital roles.

For the reasons stated above I believe it is imperative to have a cap on the percentage of STRs in our Neahkahnie community that is in line with that of Manzanita, our neighboring community.

I also have concerns about business entities (partnerships, LLCs, etc.) acquiring properties and then having the ability to run the business of an STR in perpetuity. It is important that a person or entity have ownership of only one STR permit in our NKN community. Please make sure the definition of "owner" is well defined. I advocate for the following statement as originally presented by Director Absher: "If the owner is a business entity such as a partnership, corporation, limited liability company, limited partnership, limited liability partnership, trust or similar entity, all persons who own an interest in that business shall be considered an owner for purposes of this Ordinance." This language is necessary to hold business entities to the same requirements as individuals and to enforce rules such as a limit on license transfers or a limit on the number of licenses per owner.

Thank you for your time and consideration,
Terri Desaro

Lynn Tone

From: Peter Lovely <peter@nsght.com>
Sent: Monday, May 8, 2023 11:02 PM
To: Sarah Absher
Cc: Lynn Tone; Mark & Mary Roberts; Sherrie Wolf; Jacki Hinton
Subject: EXTERNAL: comments for Short-Term Rental Advisory Committee

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

Dear Ms. Absher:

I and my wife, Sherrie Wolf, have owned our place on Reed Road just over 10 years now, and have been living here essentially full time for the past three years. After finally selling our Portland house of 38 years, this is now our legal residence.

We generally agree with, and greatly respect, thoughtful comments you have received from both Mark Roberts and Jacki Hinton. Sherrie has separately sent you some comments echoing this. With this brief note, I want simply to underline one particular idea, the value of this neighborhood as a place to live.

Neahkahnie is developing as a strong community with growing numbers of full-time residents who are committed to local friendships and to maintenance and improvement of the greater Manzanita area physically, economically and culturally. While we sympathize with property owners who need to do some short-term renting in order to afford a second home, we believe that the main result of a large quota for short-term rentals is to facilitate corporations and/or individuals with ample financial resources to exploit the area for profit, and that this result is not merely irrelevant to the value as a community, but potentially antagonistic to it. It is disturbing that our unincorporated area has a higher rental quota than Manzanita, and that there is discussion of increasing the rental percentage rather than decreasing it at least to the level in Manzanita. A gradual decline could be designed without catastrophically affecting present renters.

Sherrie and I strongly hope that the committee, in its decisions, will favor the value of the neighborhood as a community over its value as a source of revenue.

Best regards,
Peter Lovely

Peter S. Lovely
38470 Beulah Reed Rd., Nehalem, OR 97131
971-404-5578 cell

Lynn Tone

From: Colleen Schwindt <colleen.schwindt@gmail.com>
Sent: Tuesday, May 9, 2023 12:50 AM
To: Lynn Tone
Subject: EXTERNAL: Short term rentals in unincorporated Tillamook County

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

Recently I wrote a email stating my concerns about the amendment to the Tillamook County charter concerning short term rentals in unincorporated Tillamook County.
I support one license transfer for currently existing STR licenses only and that no transfers should be permitted for any new STR license.
Thank you, Colleen Schwindt

Sent from my iPhone

Lynn Tone

From: margaret <margaret@coast-pros.com>
Sent: Tuesday, May 9, 2023 2:37 AM
To: Lynn Tone
Subject: EXTERNAL: FW: STR
Attachments: NAR LUI Memo - Tillamook BOR 5-3-22.doc

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

Forwarding at the suggestion of Sarah Abscher.

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: Margaret Page <margaret@coast-pros.com>
Date: 5/6/23 10:41 PM (GMT-08:00)
To: publiccomments@co.tillamook.or.us
Subject: STR

This comment is being submitted by Margaret Page. As President of the Tillamook County Board of Realtors this year, I'm reaching out to share information it seems to me to be important.

As you know, the Realtors want to see responsible use of Short Term Rentals by visitors, but do not want to see the use restricted or banned outright. We feel this would significantly harm our local economy. The "pause" has already lowered sales prices on homes in "beach communities" by as much 7% in the last 12 months. One of the tools the Realtors have available to them is the National Association of Realtors Initiatives Analysis, which allows us to present proposed ordinances to a national team of land use attorneys who then weigh in on legal issues surrounding them. We have received their analysis & would like to share it with all concerned. It cites several court cases around the country that have dealt with Short Term Rental restriction. Please feel free to reach out to me with questions.

Margaret Page
Principal Broker
COAST REAL ESTATE PROFESSIONALS
P.O. Box 1315
Manzanita, OR 97130
503-842-0101
503-400-6062 (fax)
503-801-3603 (mobile)
www.coast-pros.com
Margaret@coast-pros.com

"If I were asked the chief benefit of the house, I should say: The house shelters dreaming, the house protects the dreamer, the house allows one to dream in peace."
Gaston Bachelard

MEMORANDUM

Proposed Short-Term Rental Ordinance
Tillamook County, Oregon

April 14, 2023

SUMMARY OF REQUEST

The National Association of Realtors® ("NAR"), on behalf of the Tillamook County Board of Realtors® (the "Board"), has requested review of the "Tillamook County Short-Term Rental Ordinance" (the "STR Ordinance") proposed for Tillamook County, Oregon (the "County"). The STR Ordinance would repeal and replace the County's existing "Ordinance #84 Amendment #1 – Tillamook County Short Term Rental Ordinance."[1] Among other things, the STR Ordinance would require owners of property used for short-term rentals to register with the County and obtain a Short-Term Rental Registration Certificate before renting or advertising the property for short-term rental use.[2] It would also impose inspection requirements on short-term rentals and would establish certain operational restrictions for short-term rentals including maximum occupancy, noise, and parking restrictions and limitations on "events."[3]

The Board has expressed concern that the STR Ordinance would significantly restrict the property rights of owners who may want to use their property for short-term rentals. The Board has also voiced concern that the proposed restrictions would decrease revenues collected through the County's transient lodging tax and reduce the availability of lodging for people who vacation in the County. For the purpose of this memorandum, the Board provided, through NAR, the first draft of the STR Ordinance and a copy of a news article discussing the first draft of the proposal. It also provided a copy of public comment emails made to the County's Short-Term Rental Advisory Committee concerning the proposed STR Ordinance. This memorandum is based on the latest draft of the proposed STR Ordinance, dated April 3, 2023.[4]

In reviewing this memorandum, please note that we are not Oregon attorneys, and that our analysis reflects our review of the issues discussed from the perspective of our general experience with land use planning, policies, and techniques, along with their implementing laws and regulations. We do not purport to offer a legal opinion or legal advice with

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[1] The County's existing Ordinance 84, Amendment 1 (adopted April 19, 2019) is available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/ordinance/23255/ordinance_84_amd_1_2019_04-17.pdf.

[2] STR Ord. § .040.

[3] *See* STR Ord. §§ .050(B); .080; .090.

[4] The April 3, 2023 draft of the STR Ordinance is available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/70267/4-3_tillamook_co_ord_84_str_draft_amendments.pdf.

respect to the interpretation and effect of Oregon law. To the extent that you or the Board requires a legal opinion or advice on this issue, you should consult with Oregon counsel.

EXECUTIVE SUMMARY

The **Background** section of this memorandum summarizes key substantive provisions of the proposed STR Ordinance.

The **Analysis** section of this memorandum has two parts. Part I discusses general issues and concerns regarding the STR Ordinance. It begins by arguing that the STR Ordinance would impair the right of private property owners to rent out their property on a short-term basis. It then raises the concern that the mandatory inspection requirements may be vulnerable to challenge under the Fourth Amendment to the U.S. Constitution and Article I, Section 9 of the Oregon Constitution. Part I also argues that the STR Ordinance would unfairly impose more onerous occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are not used as short-term rentals. Part I also raises the concern that requiring a contact person to respond to complaints and issues regarding a STR property would unreasonably place them at risk of physical harm, and arguably requires private citizens to perform what should be a public policing function. Lastly, Part I comments that proposed Section .130(C) of the STR Ordinance could result in the forced eviction of short-term rental tenants, which would have a negative impact on tourism in the County.

Part II of the Analysis discusses issues raised by several specific provisions of the proposed STR Ordinance.

BACKGROUND

SUMMARY OF THE STR ORDINANCE

Key substantive provisions of the proposed STR Ordinance include the following:

- **Definition of "short-term rental" or "STR"**: The STR Ordinance defines "short-term rental" or "STR" as "the transient rental of a dwelling unit for a period of 30 or fewer nights per calendar year but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29...."[5]
- **Definition of "County STR Administrator"**: The STR Ordinance defines "County STR Administrator" as "the Director of the Department of Community Development vested with the authority to administer, interpret and enforce the provisions of this Ordinance."[6]
- **STR Registration Certificate Requirement**: The STR Ordinance would require that all STRs apply for and receive a "Short-Term Rental Registration Certificate" ("STR Certificate") before "a dwelling unit may be offered, advertised or used as a short-term

[5] STR Ord. § .030(Y).
[6] STR Ord. § .030(H).

rental."[7] STR Certificates would have to be renewed annually "on or before the anniversary date of each ensuing year."[8] STR Certificates would be transferrable "to another person or entity" so long as "notification of ownership change" is made to the Department of Community Development within 60 days of the ownership change.[9]

- **STR Certificate Application Requirements**: Applicants for initial and renewal STR Certificates would have to submit the following: (1) the STR owner/applicant's name, permanent residence address, telephone number, and the address and telephone number for the STR property; (2) the name, telephone number, and email of the STR's designated contact person; (3) a scale drawing site plan of the STR property that may be hand-drawn; (4) proof of liability insurance; (5) proof of garbage service; (6) proof of an approved road approach for the STR property from the local road authority; (7) written notice to the STR property's neighbors detailing the maximum occupancy, registration certificate number, and the name and telephone number of the contact person; (8) "documentation that the short-term rental meets the operational standards in Sections .080 and .100 of the STR Ordinance; (9) evidence of transient lodging tax registration with the County; (10) an agreement stating that the property owner agrees to indemnify the County from all demands and liabilities resulting from the owner's use and maintenance of the STR; and (11) all other information the Director of Community Development (the "Director") deems reasonably necessary.[10]

  STR Certificate applications and renewals would be subject to certain fees including a $400 application and inspection fee and a $300 renewal fee charged for each annual renewal.[11] Section .050(D) would also establish other fees for instances of failed building inspector inspections or for misrepresentations of the number of bedrooms on the STR Certificate application.

- **Director of Community Development Inspection Requirements**: In connection with an initial application for an STR Certificate or a renewal application, the Director would be authorized to conduct an inspection to "confirm the number of bedrooms stated on the application, the number, location, availability and usability of off-street parking spaces, and compliance with all other application and operational requirements of [the STR Ordinance]."[12] The STR Ordinance states that these inspections "will be coordinated with the applicant, conducted during the normal business hours, and with reasonable notice."[13] Follow-up inspections are required if the STR property fails the inspection.[14]

  Section .050(B)(2) reserves the County STR Administrator's right to conduct additional inspections of the STR "at any time during the operation of the short-term rental to ensure compliance with all applicable regulations, normal business hours, and with reasonable notice and other procedural safeguards as necessary."[15]

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[7] STR Ord. § .040(A).
[8] STR Ord. § .060(A).
[9] STR Ord. § .060(B).
[10] *See* STR Ord. § .050(A).
[11] STR Ord. §§ .050(D)(1)-(2).
[12] STR Ord. § .050(B)(1).
[13] STR Ord. § .050(B)(1).
[14] *See* STR Ord. § .050(D)(3).
[15] STR Ord. § .050(B)(2).

- **Building Inspector Inspection Requirements**: In addition, the STR Ordinance requires that all STRs be inspected by the "local building inspector" prior to the issuance of the STR Certificate and "for every renewal every third year thereafter."[16] This inspection requires the building inspector to "determine that the dwelling unit meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements."[17] The inspection will also "confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit" and will ensure "compliance with electrical, structural, and ventilation requirements."[18] If the STR fails the inspection by the local building inspector, the owner will have 30 days to address any minor repairs and 60 days to address any major repairs needed before scheduling a required re-inspection.[19] If the STR property fails the re-inspection, the STR Certificate application or renewal application will be "invalidated, and the property owner must reapply and pay the requisite application and inspection fees."[20]
- **Maximum Overnight Occupancy**: Section .080(A) would limit the overnight occupancy of short-term rentals to a maximum of two people per bedroom plus two additional people plus three children (defined as children 12 years of age or younger). Section .080(B) states that the overnight occupancy of a short-term rental may not exceed 10 people, plus up to two 'minors" aged 12 and under.[21] Section .080(C) states that an STR in an "Estate Home" (defined as a single family dwelling with five or more bedrooms)[22] is exempt from the 10 person cap on occupancy "to allow for up to two (2) additional bedrooms" with up to two people in each plus up to three children under age twelve.
- **Maximum Daytime Occupancy**: Section .080(D) would limit the daytime occupancy of short-term rentals to the maximum overnight occupancy for the short-term rental plus six additional people.
- **STR Parking Restrictions**: Proposed Sections .070(D)(4) and .080(E) would prohibit short-term rental tenants and guests from using on-street parking. Sections .070(D)(1), .070(D)(4), and .080(E) would require that all short-term rentals have at least one parking space for every bedroom in the dwelling unit, rounded up, and no more than one space per bedroom plus two additional spaces for guests. Off-site parking within 500 feet may be used to satisfy the minimum parking requirement if there is a shared parking agreement between the STR owner and the owner of the parking area.[23]
- **Noise Standards**: Section .080(F) would prohibit "any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any device for the producing or reproducing of any sound" from being used anywhere outside of the "fully enclosed short-term rental dwelling unit" or producing sound that is audible beyond the short-term rental's property

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[16] STR Ord. § .090(A).
[17] STR Ord. § .090(A).
[18] STR Ord. § .090(A).
[19] STR Ord. § .090(B).
[20] STR Ord. § .090(B).
[21] The limit to an additional two minors in .080(B) may be a drafting error, because in .080(A) and .080(C) the former reference to two additional minors under age twelve has been revised to say three additional "children" under age twelve. It seems likely that a corresponding change would be intended for subsection .080(B).
[22] STR Ord. § .030(M).
[23] STR Ord. § .080(E).

lines. Section .080(G) would designate "quiet hours" between 10:00 PM and 7:00 AM, during which any noise audible beyond the STR's property lines would be prohibited, including noise from amplified music, singing, and talking.

- **Ban on Using Later-Permitted ADUs for Short-Term Rentals**: Section .080(Q) states "no Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental."
- **Exterior Posting Requirements**: Section .080(O) would require all STR properties to install "exterior signage" on the outside of the dwelling unit that is "of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way": (1) the STR Certificate number, with the expiration date, (2) the non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental, (3) the STR property address, and (4) the name of the designated contact person (or entity) and a telephone number (optional).[24]
- **Contact Person Requirements**: Section .080(J) would require that all STR Certificate applicants designate a "contact person" who is "available to be contacted about the use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week)." The contact person would be required to "respond/answer immediately to a phone call complaint about operation of the [STR] and must be able to arrive on site at the [STR] within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems."[25] Failure of the contact person "to respond immediately to a telephone call complaint" or "to arrive at the property within [30] minutes of being summoned" is a violation of the STR Ordinance. [26]

  Separately, Section .100(B) requires that contact persons respond to "neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances" and "ensure to the best of their ability that the renters and guests … do not create unreasonable noise disturbances, engage in disorderly conduct, or violate the provisions of local ordinances or any state law."[27]

  Section .100(B)(2) of the STR Ordinance also separately states that contact persons are required to respond *by telephone call within 20 minutes* of receiving a complaint through the "STR Hotline" and that contact persons must "respond *in-person within thirty (30) minutes* to any additional or successive complain[ts] regarding the condition, operation, or conduct of occupants of the short-term rental."[28] Section .100(B)(2) states that any complaints not resolved by the contact person "shall result in an immediate violation" of the STR Ordinance.

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[24] STR Ord. § .080(O).
[25] STR Ord. § .080(J).
[26] Section .080 (J) of the April 3, 2023 draft STR Ordinance extended the required response time for a contact person from 20 minutes in an earlier draft to 30 minutes. However, it did not make the corresponding change in the last sentence of Section .080 (J), which still says that the failure to respond within 20 minutes is a violation. This is assumed to be a drafting error.
[27] STR Ord. § .100(B)(1).
[28] Emphasis added.

The STR Ordinance would also require contact persons to keep a record of all complaints and the actions taken to address the complaint "in an electronic or written manner" that must be "made available for County inspection upon request to investigate all complaints."[29]

- **Neighbor Notification Requirement**: Section .050(A)(6) of the proposed STR Ordinance requires that for both an initial STR Certificate and a subsequent renewal, the applicant provide:

  > an annual mailing or distribute by hand, a flier to owners and residents of neighboring properties within 250 feet of the perimeter of the rental property containing the registration certificate number, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental.

- **STR Ordinance Violations**: Proposed Section .120 outlines conduct and actions that amount to violations of the STR Ordinance including: (1) complaints related to nuisance and noise and other violations of ordinances of Tillamook County Code, (2) including material misstatements or false information in the STR Certificate application, (3) advertising a dwelling unit as available for occupancy or rent on a short-term basis without a valid STR Certificate, (4) advertising or renting an STR "in a manner that does not comply with the standards of" the STR Ordinance, and (5) failing to comply with the substantive or operational standards in Sections .080, .090, .100 or any conditions attached to a particular STR Certificate.[30]

- **Monetary Penalties**: Proposed Section .130(B)(1) states that the first occurrence of a violation of the STR Ordinance "will incur a warning with no monetary penalty." A second occurrence of one or more violation within a 12-month period is subject to a fine of up to $250 per violation.[31] A third occurrence and all subsequent occurrences of violations within a 12-month period will be subject to a maximum fine of $500 per violation.[32]

  "Each 24-hour period in which a dwelling unit is used, or advertised, in violation of [the STR] Ordinance ... shall be considered a separate occurrence and separate violation" subject to additional fines and penalties.[33]

- **STR Certificate Revocation**: Proposed Section .130(C) outlines several "grounds for immediate revocation or suspension" of an STR Certificate and "cessation of use of the dwelling unit for short-term occupancy." These include:

  1) Failure to renew an STR Certificate ... while continuing to operate a short-term rental.[34]

  2) Three or more unresolved complaints about the STR with a 12-month period alleging violations of the STR Ordinance.[35]

  3) Discovery of material misstatements or that the STR registration or renewal application included false information.[36]

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[29] STR Ord. § .100(B)(2).
[30] STR Ord. §§ .120(A)-(D).
[31] STR Ord. § .130(B)(2).
[32] STR Ord. §§ .130(B)(3).
[33] STR Ord. § .130(B).
[34] STR Ord. § .130(C)(1).
[35] STR Ord. § .130(C)(2).

4) STR Ordinance violations that the STR Administrator deems severe enough to reasonably justify to immediate revocation of the STR Certificate.[37]

5) Emergency situations where the STR Administrator considers suspension or revocation necessary because of risks to public health or safety.[38]

- **Right to Appeal STR Certificate Revocations and Monetary Fines**: If a property owner is fined for a violation of the STR Ordinance or has their STR Certificate revoked, Section .130(D) requires the STR Administrator to send written notice to the STR property owner "stating the basis for the decision" and including "information about the right to appeal the decision and the procedure for filing an appeal."

ANALYSIS

PART I
GENERAL ISSUES RAISED BY THE PROPOSED STR ORDINANCE

Note: We are not Oregon attorneys and the following discussion is not intended as legal advice or a legal opinion. The Board should consult with a local attorney if it would like a legal opinion or legal advice on this or any other issue addressed in this memorandum.

Issue: Provisions of the STR Ordinance would impair a basic right of private property ownership – the right to rent.

Among the core rights that a property owner has is the right to lease or rent the property on a temporary basis to another party.[39] Courts in many jurisdictions have explicitly addressed this right, although it does not appear that there is an Oregon appellate decision addressing a landlord's right to rent. For example, the Supreme Court of Connecticut has emphasized that the "right to rent" is one of the "sticks" in the bundle of property rights, stating:

> [It] is undisputable that the *right of property owners to rent their real estate* is one of the bundle of rights that, taken together, constitute the essence of ownership of property.... Owners of a single-family residence can do one of three economically productive things with the residence: (1) live in it; (2) *rent it*; or (3) sell it.[40]

Similarly, the Supreme Court of California has stated that a fee-owner's power to convey property is an "incident to the ownership of an estate in fee-simple" and includes "the power or *right to dispose of property held in fee ... by lease*, mortgage, or other mode of conveyance."[41]

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[36] STR Ord. § .130(C)(3).
[37] STR Ord. § .130(C)(4).
[38] STR Ord. § .130(C)(5).
[39] *See* J.E. Penner, *The "Bundle of Rights" Picture of Property*, 43 UCLA L. REV. 711 (1996) (noting that conventional "bundle of rights" formulation and various views of the "bundle of rights").
[40] *Gangemi v. Zoning Bd. of Appeals of the Town of Fairfield*, 763 A.2d 1011, 1015-16 (Conn. 2001) (citing J. DUKEMINIER & J. KRIER, PROPERTY at 86 (3d ed. 1993) (stating "[property] consists of a number of disparate rights, a 'bundle' of them: the right to possess, the right to use, the right to exclude, the right to transfer") (emphasis added).
[41] *Apartment Ass'n of Los Angeles Cty., Inc. v. City of Los Angeles*, 24 Cal. 4th 830, 841 (2001) (citations omitted) (emphasis added).

The inherent nature of the right to rent is echoed by a leading treatise, *Thompson on Real Property*, which observes that "the right to lease property is an incident of ownership."[42]

The following components of the STR Ordinance would arguably impair an owner's right to rent private property on a short-term basis:

- **STR Certificate Requirement**. The STR Ordinance would impair a property owner's right to rent out property by treating it as a privilege that requires a certificate rather than as an inherent right of property ownership. A municipal permit or license is simply a right or privilege granted by the municipality to engage in certain activity that would otherwise be prohibited. The Supreme Court of Oregon has stated that a "license ... is a permission to do what would otherwise be unlawful."[43] By requiring property owners to obtain an STR Certificate to rent out their home for periods of 30 or fewer consecutive days,[44] the STR Ordinance would effectively treat the right to rent a home as an unlawful business that requires the privilege of a certificate to exist. While a short-term rental may be considered a "business" that could be subjected to a business or occupational tax, renting one's property is a core right of property ownership, not a "privilege."
- **Prohibiting Accessory Dwelling Units from being used for short-term rental.**[45] Proposed Section .080(Q) of the STR Ordinance would prohibit all ADUs "permitted after the date of adoption of [the STR] Ordinance" from being used as "or in conjunction with" short-term rentals. Prohibiting lawfully permitted ADUs from being used for short-term rentals is contrary to the principle that the right to rent is a fundamental aspect of private property ownership.

Recommendation: The Board should argue that, for the reasons discussed above, the proposal would infringe upon an inherent and important attribute of private property ownership, namely the right to rent.

Issue: The mandatory inspection requirements of the STR Ordinance may be vulnerable to challenge under the Fourth Amendment to the U.S. Constitution and Article I, Section 9 of the Constitution of Oregon.

The STR Ordinance states that at the time of an initial STR Certificate application and "for renewal every third year thereafter," the STR must have an inspection by the local building inspector to confirm that the property complies with building, fire, and life safety requirements.[46] In addition, the Director may inspect the STR at the time of an initial application or renewal to

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[42] THOMPSON ON REAL PROPERTY § 14.02(a) (2016, Matthew Bender & Company, Inc.) (citing *Norwest Bank Arizona v. Superior Court In and For County of Maricopa*, 963 P.2d 319, 323 (Ariz. 1998) (right to rent under a lease of real property is an incorporeal hereditament that is an incident to an estate in land); *Magnolia Petroleum Co. v. Carter*, 2 So. 2d 680 (La. App, 1941); *Assessors of West Springfield v. Eastern States Exposition*, 93 N.E.2d 462 (Mass. 1950); *Attorney General v. Pere Marquette Ry. Co.*, 248 N.W. 860 (Mich. 1933)).

[43] *Reser v. Umatilla County*, 48 Or. 326, 329 (Or. 1906).

[44] *See* STR Ord. § .030(Y) (definition of "short-term rental").

[45] STR Ord. § .080(Q).

[46] STR Ord. § .090(A).

confirm the number of bedrooms and parking spaces and that it is compliant "with all other application and operational requirements" of the STR Ordinance.[47]

Section .050(B)(2) would also give the Director the right to "visit and inspect the site of a short-term rental at any time during the operation of a short-term rental to ensure compliance with all applicable regulations."[48] These inspections will be "conducted during the normal business hours and with reasonable notice."[49] In addition, the STR Ordinance requires that all STRs be inspected by the "local building inspector" prior to the issuance of the STR Certificate and "for every renewal every third year thereafter" in order to determine that it "meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements."[50]

The STR Ordinance does not appear to require the Director or the local building inspector to have a warrant to inspect the short-term rental if the owner or occupant does not consent to the inspection. Instead, Section .050(B) requires the STR Certificate applicant to "specifically acknowledge and grant permission for" the Director to perform an inspection of the short-term rental.

The lack of a warrant requirement may leave the STR Ordinance vulnerable to challenge under the Fourth Amendment to the U.S. Constitution, which safeguards the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures."[51] The U.S. Supreme Court has held that Fourth Amendment protections apply to civil searches (e.g., municipal code inspections) as well as criminal searches.[52] Its *Camara* decision involved a San Francisco ordinance that gave city inspectors the right to enter any building at reasonable times "so far as may be necessary for the performance of their duties."[53] After refusing on three occasions to give inspectors access to his apartment without a search warrant, a tenant was prosecuted under another ordinance that made it a crime to refuse to comply with the inspectors' requests.[54] The Court ruled that the warrantless search requested by the building inspectors violated his Fourth Amendment rights, stating:

> [We] hold that administrative searches of the kind at issue here are significant intrusions upon the interests protected by the Fourth Amendment, that such searches when authorized and conducted without a warrant procedure lack the traditional safeguards which the Fourth Amendment guarantees to the individual, and that the reasons put forth in *Frank v. State of Maryland* and in other cases for upholding these warrantless searches

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[47] STR Ord. § .050(B)(1).
[48] Emphasis added.
[49] *See* STR Ord. § .090.
[50] STR Ord. § .090(A).
[51] U.S. CONST., amend. IV. Any government action that intrudes on a person's "reasonable expectation of privacy" violates the Fourth Amendment, and "[h]omes and other residences are virtually always areas in which a person residing has a reasonable expectation of privacy." WILLIAM E. RINGEL, SEARCHES AND SEIZURES ARRESTS AND CONFESSIONS § 2:2 (2011).
[52] *Camara v. Municipal Court of City & Cty. of San Francisco*, 387 U.S. 523, 534 (1967).
[53] *Camara*, 387 U.S. at 526.
[54] *Camara*, 387 U.S. at 527.

> are insufficient to justify so substantial a weakening of the Fourth Amendment's protections.[55]

Key Point: The U.S. Supreme Court has held that a tenant is not obligated to consent to an administrative inspection unless the inspector has a search warrant.[56]

The Supreme Court of Oregon has said that Oregon's constitutional guarantee against unreasonable searches and seizures, located in Article I, section 9 of the Bill of Rights of the Oregon Constitution, is modeled after the same constitutional protections guaranteed by the Fourth Amendment to the U.S. Constitution, stating: "there is no indication that the drafters of our constitution intended Article I, Section 9, to be different from the Fourth Amendment."[57]

Unconstitutional Conditions Doctrine

Additionally, by effectively withholding an STR certificate unless the owner consents to a warrantless inspection, Section.050(B) of the STR Ordinance arguably violates the unconstitutional conditions doctrine, which "holds that government may not grant a benefit on the condition that the beneficiary surrender a constitutional right, even if the government may withhold that benefit altogether."[58] The U.S. Supreme Court has stated in a number of contexts that "the government may not require a person to give up a constitutional right ... in exchange for a discretionary benefit conferred by the government."[59] For example, in the context of determining whether there has been a violation of the constitutional prohibition against taking property without just compensation, the U.S. Supreme Court described the unconstitutional conditions doctrine as follows:

> Extortionate demands for property in the land-use-permitting context run afoul of the Takings Clause not because they take property but because they impermissibly burden the right not to have property taken without just compensation. As in other unconstitutional conditions cases in which someone refuses to cede a constitution right in the face of coercive pressure, the impermissible denial of a governmental benefit is a constitutionally cognizable injury.[60]

Similarly, under the unconstitutional conditions doctrine, the County arguably cannot condition an owner's ability to obtain an STR certificate on the owner giving up their constitutional protection against unreasonable searches and seizures.

Recommendation: The Board should urge the County, before taking action on the STR Ordinance, to seek the advice of the County Attorney as to whether the inspection requirements of the STR Ordinance conform to the requirements of the Fourth Amendment to the U.S.

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[55] *Camara*, 387 U.S. at 534 (citing *Frank v. State of Maryland*, 359 U.S. 360 (1959)).
[56] *See* SEARCH AND SEIZURE § 43.31 (Housing inspections) (stating that "administrative warrants are required for inspection schemes which authorize entries to inspect buildings when they are sold or rented, for smoke detectors, for fire safety, for tax assessment, or to determine whether the area qualifies for rehabilitation classification under municipal rehabilitation assistance programs").
[57] *State v. Flores*, 280 Or. 273, 280 (Or. 1977).
[58] Kathleen M. Sullivan, *Unconstitutional Conditions*, 102 HARV. L. REV. 1413, 1415 (1989).
[59] *Dolan v. City of Tigard*, 512 U.S. 374, 385 (1994) (internal citations omitted).
[60] *Koontz v. St. Johns River Water Mgmt. Dist.*, 133 S. Ct. 2586, 2596 (2013).

Constitution and Article I, Section 9 of the Oregon Constitution, and whether they would survive challenge under the unconstitutional conditions doctrine.

Issue: The STR Ordinance would unfairly impose more onerous occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are not used as short-term rentals.

The STR Ordinance singles-out short term rentals for more demanding regulatory treatment than homes that are not used as short-term rentals. It would apply the following limitations to short-term rental properties, but not to homes that are owner-occupied or are occupied by a long-term tenant (i.e., for 31 consecutive days or more):

- **Sections .080(A), (B) and (C)** would limit overnight occupancy at an STR to a maximum of two people per bedroom plus two additional people plus three minor children (defined as children 12 years of age or younger), with a maximum overnight occupancy of 10 people plus two minors.[61] There is an exception for "Estate Homes" (with five or more bedrooms), which may have up to two more bedrooms with up to two more occupants each (presumably meaning that a five bedroom STR could have up to 12 occupants and a six or more bedroom STR could have a maximum of 14 occupants).
- **Section .080(D)** would limit the daytime occupancy of any STR to a total of six people more than its maximum overnight occupancy.
- **Section .100(D)(1)** would prohibit using the STR for "events and activities that exceed maximum overnight or daytime occupancy limits."
- **Section .080(F)** would prohibit "any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any device for the producing or reproducing of any sound" from being used anywhere outside of the "fully enclosed short-term rental dwelling unit" or producing sound that is audible beyond the short-term rental's property lines.
- **Section .080(G)** would require that all short-term rentals observe quiet hours between 10:00 P.M. and 7:00 A.M., during which no discernible noise from music, singing, talking, or other audible sources should be heard beyond the short-term rental's property lines.
- **Sections .070(D)(4) and .080(E)** would prohibit short-term rental tenants and guests from using available on-street parking spaces.
- **Sections .070(D)(1), .070(D)(4), and .080(E)** would require that all short-term rentals have at least one parking space for every bedroom in the dwelling unit, rounded up, and no more than one space per bedroom plus two additional spaces for guests. These parking restrictions are more onerous than the minimum parking requirements required for other residential uses under the County's Land Use Ordinance which requires "two

[61] STR Ord. § .080(B).

spaces for the first dwelling unit, and one space for each additional dwelling unit" for all "residential" buildings and use types.[62]

There is no apparent rationale for imposing more demanding occupancy, noise, quiet hour, and parking regulations on homes that are occupied by short-term renters than on homes that are occupied by the owner or a long-term tenant. As a practical matter, the impacts of noise or a gathering of people at a home do not differ based on whether a home is occupied by the owner or a long-term tenant, or by short-term renters.

Recommendation: The Board should argue that there is no valid reason for imposing different occupancy, noise, quiet hour, and parking regulations on short-term rentals than on homes that are occupied by owners or long-term renters. If the County's objective is to protect residential neighborhoods from the perceived negative impacts of excessive occupancy, gatherings, noise, and on-street parking, then it should do so by adopting generally regulations rather than singling out short-term rentals for more demanding regulatory treatment.

Issue: **Requiring a contact person to respond to complaints and issues regarding a STR property would unreasonably place them at risk of physical harm and requires private citizens to perform what should be a public policing function.**

Section .080(J) of the STR Ordinance would require an STR owner to designate a "contact person" who will be available 24 hours a day 7 days a week to "respond/answer immediately to a phone call complaint about the operation of the [STR] and ... be able to arrive on site at the [STR] within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems." A failure of the contact person to "immediately respond to a telephone call complaint" or "to arrive at the property within [30] minutes of being summoned" would be a violation of the STR Ordinance.[63] Section .100(B) requires that the contact person respond by telephone within 20 minutes to complaints from or through the County's "STR Hotline" and respond in-person within 30 minutes "to any additional or successive [complaints] regarding the condition, operation, or conduct of occupants of the short-term rental."

Traditionally, the duty, costs and liabilities associated with policing and enforcing local, state and federal laws and regulations have fallen upon the government. To the extent that Sections .080(J) and .100(B) would require a contact person retained by the property owner to respond in-person to complaints about a STR property, the STR Ordinance effectively shifts some of these duties, costs and liabilities to taxpaying private property owners. It is unreasonable for the County to place this burden on private owners and their "contact persons" when the entire community benefits from the policing of unlawful conduct and enforcement of the law, regardless of where it occurs. Moreover, unlike local law and code enforcement agencies, civilians are neither trained nor equipped to respond on short notice to complaints.

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[62] *See* County Land Use Ordinance § 4.030(13), available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/27173/article_4_development_standards_2022.pdf.

[63] STR Ord. § .080(J).

In addition, to the extent that in responding to a complaint, the contact person is confronted with a badly behaving tenant or guest, who may be angry, irrational, or under the influence of alcohol or other substances, it could place the contact person at risk of suffering physical harm and incurring potential liability. A regulatory requirement that the designated contact person respond on-site may also expose the County to claims of liability if the risk of physical harm is realized and a designated contact person is injured while on the premises at the County's behest.

If the County's "STR Hotline" receives a complaint about a disruptive party at a residence, will it avoid notifying the County Sheriff's office in order to have the designated contact person respond? Have County officials considered the potential consequences of withholding a police response and instead compelling a contact person with no law enforcement training to personally confront a renter about such a complaint?

Recommendation: The Board should point out that Sections .080(J) and .100(B) arguably require private citizens who are designated contact persons to respond to situations that are better handled by law enforcement and code enforcement officers. It should argue that this is a bad policy that could place private citizens in harm's way. County law enforcement and code enforcement personnel should be the ones responding to complaints about illegal activity and unruly behavior and enforcing the requirements of the STR Ordinance, not contact persons.

Issue: **Section .130(C) of the STR Ordinance would result in the forced eviction of short-term rental tenants, which could have a negative impact on tourism in the County.**

Proposed Section .130(C) outlines several actions that are "grounds for immediate revocation or suspension" of an STR Certificate and "cessation of use of the dwelling unit for short-term occupancy." These include:

1) Failure to renew an STR Certificate while continuing to operate a short-term rental.[64]
2) Receipt by the County of 3 or more unresolved complaints about the STR with a 12-month period alleging violations of the STR Ordinance.[65]
3) Discovery of material misstatements or that the STR registration or renewal application included false information.[66]
4) STR Ordinance violations that the STR Administrator deems reasonable for immediate revocation of the STR Certificate.[67]
5) Situations where the STR Administrator deems necessary because of risks to public health or safety.[68]

These provisions require that short-term rental occupancy cease immediately in circumstances that in some cases will result from actions or inactions by STR owners (e.g., failing to timely renew an STR Certificate or making material misstatements on STR Certificate applications).

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[64] STR Ord. § .130(C)(1).
[65] STR Ord. § .130(C)(2).
[66] STR Ord. § .130(C)(3).
[67] STR Ord. § .130(C)(4).
[68] STR Ord. § .130(C)(5).

It is unclear what would happen to a short-term rental tenant who has the misfortune to be occupying the property on the date that the owner's STR Certificate is suspended or revoked. Depending on how the STR Ordinance is enforced, a family vacationing in Tillamook County, for example, might have to vacate their rental home during the middle of their vacation, through no fault of their own. An owner might have to cancel a reservation on short notice, leaving affected travelers having to scramble for suitable alternative accommodations.

When potential visitors become aware that the County has passed an ordinance that creates the possibility of a last minute cancellation or forced eviction of a short-term rental, they may perceive the STR Ordinance as evidence of an anti-tourist sentiment in Tillamook County. To the extent that word spreads about the County forcing STR owners to cancel bookings at the last minute for what amounts to a paperwork violation, this perception would likely be reinforced. Potential visitors may decide that is too risky to book a short-term rental in Tillamook County and may choose to vacation elsewhere instead. Even a slight impact on tourism in the County could have a significant negative effect on the viability and success of restaurants, retail establishments, and other local businesses that provide services to tourists.

Recommendation: The Board should urge the County to revise Section .130(C) of the STR Ordinance so that the tenants of any short-term rental that is occupied on the date that its STR Certificate is suspended or revoked are expressly permitted to continue the occupancy through the end of the lease term, except in the case of a building code or other code violation that constitutes an imminent threat to the health and safety of the tenants. Likewise, if there is no imminent threat to health and safety, owners should be allowed to honor STR contracts that were made before the County took action suspending or revoking the STR Certificate, even if the tenancy has not yet begun.

PART II
ISSUES RAISED BY SPECIFIC PROVISIONS OF THE STR ORDINANCE

Note: The following discussion is not intended as a legal interpretation, legal advice or a legal opinion. The Board should consult with a local attorney if it would like legal advice or a legal opinion on this or any issue addressed in this memorandum.

This part of the analysis focuses on concerns raised by specific provisions of the STR Ordinance. Each problematic provision listed below is followed by comments and recommendations. For ease of reference, where a provision has problematic terms or phrases, those are highlighted in *italics*.

- **Section .030(I)**: The Code defines "daytime occupancy" as "the hours between 10:00 AM and 10:00 PM."
- **Section .030(FF)**: The Code defines "daytime" as "between the hours of 7:00 AM to 10:00 PM."

Comment: There is no reason to have two separate definitions for "daytime" and "daytime occupancy," let alone inconsistent ones. It appears that the only time the proposed STR Ordinance uses the term "daytime" is as part of the phrases "daytime occupancy," "daytime occupants," or in one case, "daytime guests." Because the term "daytime occupancy" is used in

the context of the higher occupancy limits (six additional occupants) that the STR Ordinance allows, the timeframe starting at 10:00 AM in the proposed definition of "daytime occupancy" is too restrictive. For example, it would prevent two families vacationing together and occupying nearby STRs from joining one another for breakfast in one of the STRs. The Board should urge the County to either delete the definition of "daytime occupancy" or revise it so that the less restrictive daytime occupancy limits for STRs are in effect at least by 7:00 A.M.

- **Section .030(Y)** would define "short-term rental" as "the transient rental of a dwelling unit *for a period of 30 or fewer nights per calendar year* . . . [and] includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. . . ."

Comment: Read literally, this definition could be interpreted as meaning that a short term rental property may only be rented for a total of 30 nights in a year, rather than meaning that a single short-term rental tenancy is restricted to a rental period of 30 or fewer nights. The Board should raise the concern that the County could apply the definition of short-term rental, as written, to unreasonably regulate the total number of nights an STR can be rented each calendar year.

- **Section .030(Y)** further defines "short-term rental" as not including "a *Hosted Homeshare*, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29."

Comment: The definition of "short-term rental" capitalizes the term "Hosted Homeshare" but the proposed STR Ordinance does not define that term. Nor does it appear to be defined under the referenced Oregon Administrative Rule. Furthermore, in Section .110 (C)(1) of the proposed STR Ordinance, the words "lawful short-term rental" is followed by the parenthetical "(i.e. hosted homeshare or vacation home rental)." This statement that a hosted homeshare is a lawful short-term rental directly contradicts the statement in the definition of short-term rental that a hosted homeshare (whatever that may be) is not a short term rental. The Board should point out this glaring inconsistency.

Note to the Board: In commenting on this inconsistency, the Board might also want to point out the many other facial inconsistencies and apparent drafting errors in the latest version of the STR Ordinance, some of which are discussed above. The Board could make this point in arguing that even the latest revision of the proposed STR Ordinance has not been reviewed carefully enough, and is not ready for adoption.

- **Section .050(D)** would impose the following fees for STR Certificates applications and renewals: (1) a $400 fee for the application and inspection, (2) a $300 annual renewal fee, (3) a $100 fee for every re-inspection required by the building inspector for a failed inspection, (4) a $75 per bedroom fee for every bedroom the STR Administrator identifies at the property that exceeds the number of bedrooms indicated on the application, and (5) a $50 fee for modifications to an existing STR Certificate.

Comment: These fees, especially the $400 initial application and inspection fee and the $300 fee required for each annual renewal of the STR Certificate, are arguably unreasonably expensive

and could be cost prohibitive for many of the County's property owners. Each of these fees is $50 more expensive than the fees currently charged by the County for Short Term Rental Permits, inspections, and renewals under existing Ordinance 84, Amendment #1.[69]

- **Section .140(E)**: States that the County's STR Administrator "*may* establish administrative procedures to implement the appeal process" and "*may* adopt procedures for hearings" for appeals of County decisions concerning the approval, denial, or revocation of STR Certificates.[70]

Comment: The use of the word "may" in Section .140(E) indicates that the STR Administrator has the discretionary authority to establish and adopt administrative procedures for appeals of County decisions concerning the approval, denial, or revocation of STR Certificates, but apparently does not *require* the STR Administrator to adopt any appeals procedures. Neither Section .140(E) nor any other provision of the proposed STR Ordinance reference any existing County appeals and hearing procedures that will apply unless and until the STR Administrator adopts procedures.

- **Section .050(A)(7)** would require STR Certificate applications to include "documentation that the short-term rental meets the operational standards in Sections .080 and .100" in order for the application to be deemed complete and approved.

Comment: It is not clear how an STR Certificate applicant is supposed to comply with this requirement because it is not clear what "documentation" could satisfactorily demonstrate that the STR property is in compliance with the STR Ordinance's operational standards. Among other things, the STR Ordinance's operational standards include maximum occupancy restrictions for tenants and guests (both during the daytime and overnight), restrictions on noise emanating from the property during an STR rental tenancy, and restrictions on noise during designated quiet hours.[71] When submitting the application what documentation will demonstrate that the STR property is compliant with noise or maximum occupancy standards, especially where the STR property is applying for its initial STR Certificate?

- **Section .080(I)** states in relevant part: "Any sleeping area used as a bedroom shall be inspected and permitted in accordance with the provisions of this Ordinance. *Areas not approved for use as a bedroom shall be locked and secured as deemed appropriate by the STR Administrator, and shall not utilized [sic] as part of the short-term rental.*"

Comment: This language appears to require that any room that the owner would like to use as a bedroom, but which is not approved as a bedroom meeting the requirements of the STR Ordinance, must then be "locked and secured" and not used as part of the short-term rental, even for purposes other than a bedroom. For example, if the owner lists a sitting room with a fold-out sofa as a bedroom but the County inspector determines it does not qualify as a bedroom under the STR Ordinance, this provision appears to require that the room be locked up and not be available to STR tenants for any other purpose. The Board should argue that this restriction

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[69] *See* Section 8 of Ordinance #84, Amendment #1 – Short Term Rental Ordinance, available online at https://www.co.tillamook.or.us/sites/default/files/fileattachments/ordinance/23255/ordinance_84_amd_1_2019_04-17.pdf.

[70] Emphasis added.

[71] *See* STR Ord. §§ .080(F); .080(G); .080(A); .080(B), .080(D).

(i.e., the italicized language) is unreasonable, intrusive, and unnecessary, and should be deleted from the STR Ordinance.

- **Section .090(A)** requires that all STRs be inspected by the local building inspector prior to the issuance of the STR Certificate and "for every renewal every third year thereafter" in order to "determine that the dwelling unit meets *current requirements* of the International Building Code, including compliance with applicable fire and life safety code requirements."[72]

Comment: Many existing residential buildings in Tillamook County might not comply with the *current* editions of the International Building Code (IBC) simply because they were constructed under a different set of regulations. Building codes generally allow structures that were compliant with existing codes when constructed to continue in legal existence even after the regulations have changed and the structures no longer meet the current standards. The Board should argue that the County should not retroactively impose current IBC standards on short-term rental properties that constructed under earlier versions of the building code.

[72] STR Ord. § .090(A).

Lynn Tone

From: chiphall75@gmail.com
Sent: Tuesday, May 9, 2023 8:23 AM
To: Lynn Tone
Subject: EXTERNAL: STR

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

GREED WINS, local citizens of incorporated Tillamook County LOSE. A cap at 22% provides NKN citizens and neighborhoods with no relief from the present and apparently future onslaught.
Simply look at what has happened to Manzanita over the years at a 17.5% cap.
At the very minimum NKN citizens deserve at least a 17.5% cap to match local precedent.

If the committee capitulates to STR interests now, and one might assume accompanying legal threats, it will be that much more difficult to protect our rights and neighborhoods in the future.
The cap has to mean something! It is far better to make a "statement" NOW on behalf of the county's citizens.
If the BOC votes down a truly meaningful cap at least county citizens have some form of redress, we can vote them out.

It likely needn't be said but the real threat to our communities is not from local people who have built a local business from STR's. Any kind of cap will easily afford them some room to continue business as usual or even reasonably expand. The danger is Corporation America: Vacasa, AvantStay & Meredith Lodging. These companies could care less about the lives of local citizens and neighborhoods, you know they are only about the bottom line. Like drilling for oil these companies will suck the beauty, truth and drinking water from our communities until they are dry.

Our best recommendation at this point is to continue the STR MORATORIUM for another year.
Another year would give staff time to really assess the very real and very negative impacts of STR's and their continued expansion into our communities.
Please don't give up or give in now.

Charles Hall
Tarri Butler
NKN homeowners
8465 San Dune Road
Nehalem, OR 97131

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, May 9, 2023 8:33 AM
To: Lynn Tone
Cc: Sarah Absher
Subject: FW: EXTERNAL: Support for STR Permits

Hi Lynn,
We have received a public comment related to STRs.

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Cape Meares <thecapeoregon@gmail.com>
Sent: Monday, May 8, 2023 8:38 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Kelly Milford <kellychristinemilford@gmail.com>
Subject: EXTERNAL: Support for STR Permits

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

Hello Tillamook County STR Advisory Committee -

Our family owns a home in Cape Meares and are currently permitted for and engaged in operation of an STR in Tillamook County. We value this opportunity to do so, both with regard to what it offers our family and also the local community in terms of tourism dollars and jobs and so wanted to provide a few thoughts for your consideration regarding the proposed updates to STR regulations. Thank you for your time in taking a moment to review.

Very much like licensed owners of dogs, there are good owners/hosts and there are less good. We believe that, while all STRs (and dogs) should be permitted, the bad ones should not prevent the good from being in operation. Some of the specific benefits to STRs in Tillamook County are:

1. Tourism: While Tillamook itself has industry, many smaller outlining communities dramatically rely upon tourism dollars to infuse the community and it's full time residents with needed financial resources. Our full time resident neighbor in Cape Meares, for example, operates a small shop in Tillamook that sells t-shirts and other coastal themed items, primarily to tourists. Many of these communities including Cape Meares, Oceanside, Pacific City, Garibaldi, etc. do not have an adequate supply of hotels to serve the tourists and such it would be hard to imagine that STRs are

impacting hotels in any measurable way. Removing the opportunity for tourists to be accommodated overnight in Tillamook County would undoubtedly reduce the number of tourists visiting the area, which would directly affect restaurants, shops and other businesses such as gas stations.

2. Tax Revenue: With Cape Meares being an unincorporated area in Tillamook County, we pay 10% on TLT, which is not an insignificant number. Understanding that many of the communities with desirable near beach property are also in unincorporated area, this brings a huge amount of revenue to Tillamook County. It seems unfathomable to me that the county would want to do anything by grow this opportunity.

3. Home Maintenance and Up Keep: Because operating an STR is a competitive business with guests expecting a great experience, we would argue that STRs, for the most part, are properties that are well kept and often improved upon. We can speak to the fact that when we purchased our home in 2018 it was in need of a great amount of work on both the interior and exterior and we have done all of that, which has both benefitted us and our neighbors as well as provided jobs (electrical contractors, plumbing contractors, tile setters, carpenters, land scapers, etc.) and procurement of many construction supplies from the local retailers (such as Rosenbergs). Well kept homes raise the level of the community, which makes the community a more desirable place to live (raises property values) as well as brings more tourists.

4. Jobs: As noted above during our remodeling work we created job opportunities and even now we provide opportunity to local residents in the way of cleaning opportunities.

We recognize that with any good there can be bad and understand that some arguments against STRs are:
- That they can reduce a 'neighborhood-like' feel. We understand the consideration behind this, but would assert that 'vacation rentals' have long been a staple on the Oregon Coast and many communities are not completely 'full time resident' based communities as it is. Many in Cape Meares, for example, are retired and spend a portion of the year in warmer/dryer places.
- They promote partying and non-neighbor-like behaviors. As we noted at the top, there is always some good with the bad, but we however, carefully vet inquiries to make sure this is not the case. We want to be good neighbors to our full-time and even part time neighbors and ask that they contact us immediately if our vetting and careful communication with guests has not been sufficient to encourage their good behavior. We take this very seriously.
- They create hardship for existing hotels. We understand in some places, primarily outside of Tillamook County (such as Canon Beach), this could be the case. However, situationally, we do not see this as a realistic issue in much of unincorporated Tillamook County.

All said, we understand the need, from time to time, to review any guidelines. However, given all of the positive outcomes from STRs in Tillamook County, it seems that a more progressive approach would be well advised whereby some methods of enforcement were first explored prior to implementing limitations. If, for example, parties and non-neighborly like actions are of concern at a limited number of properties, warnings and enforcement of regulations should be imposed against those properties before penalizing the system as a whole.

Thank you so much for your time and consideration. We are happy available for any further communication on this matter.

Ty and Kelly Milford

The Cape

Ty & Kelly Milford
562.508.2726

Tillamook County STR Comments5
5/8/23

Tillamook County STR Advisory Committee,

I have two comments and one observation on the latest proposed STR ordinance. My first comment concerns the inordinate amount of subjective decision making power that will be vested in the STR Administrator. The following sections in the ordinance allow for unchecked, discretionary administrative rule making: .020.G, .050.A.10, .100.C.2, .110.C.2, .130.C.4, .130.C.5. Please remove from the proposed ordinance such concentrated, uncodified power.

My second comment regards .080.F which precludes STR guests from making any noise outside the domicile. Music and conversations occurring at respectful levels should not be prohibited. Please remove or modify this requirement in the proposed ordinance such that guests may enjoy themselves.

My observation regarding the proposed STR ordinance is that it is top heavy and cumbersome with pitfalls intentionally placed to catch STR owners in positions of non compliance. Several new administrators and multiple new procedures will be required to fully implement the proposed ordinance. Could not this expenditure in time and money be better spent by enforcing the current ordinance?

Regards,

Scott Hohensee

Lynn Tone

From: Margy Barss <margyandbill@gmail.com>
Sent: Tuesday, May 9, 2023 8:48 AM
To: Lynn Tone
Cc: Margy Barss
Subject: EXTERNAL: STR Comments

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

Dear STR Advisory Committee

We own a house at Neahkahnie and want to go on record as caring deeply about the future of Neahkahnie.

My father built our family cottage in 1950.
I grew up knowing what a special place Neahkahnie is. It's beauty, peacefulness, and closeness of neighbors have impacted me and my family all of our lives.

Though I grew up in Portland and spent my adult life in our home in the Newport area, our Neahkahnie cottage has always been our refuge to relax and enjoy the gifts of nature.

I could go on and on about the rules and regulations being disputed in Tillamook county about STR's and their rights on one side of the question here, and the rights of those of us who own houses in this residential community, such as our family.

I could talk about problems such as noise, lack of parking, garbage, increased traffic, and over use of our precious water system etc etc etc.

I am sure you have heard from other neighbors of ours who have shared their feelings and concerns about our beautiful residential community.

If we had all wanted to live where there are restaurants, tourist shops, hotels etc, we could have sold our homes and bought one in a community such as Cannon Beach or Seaside.
We did not.
We have a treasure here.

Please consider the picture I have painted of our beautiful Neahkahnie, and what might become of it if you make the wrong decisions.
Please do what you know is right and make decisions that will preserve Neahkahnie as we have known it in the past.....not what it will become with more STR,s in the future.

Sincerely,
Margy Ritz Barss
And
Bill Barss (Husband)

Sent from my iPhone

SAVE-OUR-NEIGHBORHOODS
NESKOWIN, OREGON 97149

May 3, 2023

TO: Sarah Absher, Director, Tillamook County Department of Community Development
Erin Skaar, Commissioner, Tillamook County Board of Commissioners
Mary Faith Bell, Commissioner, Tillamook County Board of Commissioners
David Yamamoto, Commissioner, Tillamook County Board of Commissioners
Members of the Tillamook Short-Term Rental Advisory Committee

FROM: Tom Prehoditch, tom@kpp-law.com
Barbara Triplett, barbtriplett@gmail.com

RE: Public Comments for the
May 9, 2023 meeting of the Tillamook County Short-Term Rental Advisory Committee

We write you on behalf of the supporters of Save Our Neighborhoods. The authors of this public comment have attended all the current Tillamook County Short-Term Rental Advisory Committee's meetings, the vast majority of them in person. As we approach the final meeting of the STR Advisory Committee, we wish to thank the committee members, the Department of Community Development's staff, particularly Director Absher, and Commissioner Skaar, acting as the liaison between the Board of County Commissioners and the STR committee, for their willingness to devote substantial time and attention toward modifying the ordinance governing short-term rentals in the unincorporated communities of Tillamook County.

We have been impressed by the frank, open, civil, and democratic discussion at committee meetings of the many issues facing the committee and the County. The STR Committee has reached a consensus on several issues, including "parking," "occupancy," "notice-to-neighbors," and "noise," and a majority position on various issues related to "caps." From the perspective of Save Our Neighborhoods, the proposed language for the amended STR Ordinance has not always been what we would propose or choose. For example, the draft language regarding occupancy establishes a numerical limit that is a bit too high in our view, and we would not create a specific exception for "estate homes." Nevertheless, we generally support the direction in which the committee is proceeding with the amended draft ordinance. We understand the County's decision to attempt to reconcile and balance the competing policy goals of regulating STRs in the interest of livability concerns while at the same time supporting the continued existence of STRs, particularly those already permitted.

Yet it seems that much remains to be considered and discussed by the STR Advisory Committee. We are hopeful that the committee will address "enforcement'" and the "complaint process" as outlined in the April 13, 2023 memo from Director Absher to the committee. We continually hear from Save Our Neighborhoods' supporters and others, including many STR owners, that changes

in the ordinance are meaningless without an effective mechanism to report violations and appropriate consequences for the visitors who choose to ignore the rules regulating STRs.

Other topics that we believe require additional time for discussion include:

(1) **Limiting the number of STR licenses per individual.**
After the permit "pause" is lifted, will people who own multiple STRs still be able to apply for multiple licenses? Or will people who apply for their first license in July 2023 and thereafter be limited to a single license? Restricting new applicants to a single license will allow more individuals to obtain STR licenses yet stay within the limits of the license 'cap' (to be determined) in their unincorporated community.

(2) **Limiting the hours for exterior lighting to no later than 10 PM.**
In addition to the well-documented negative impacts on residents and other homeowners, light pollution harms creatures living in our nearby forests and the ocean. Artificial light in our coastal neighborhoods deleteriously affects animal behavior, especially those related to migration, hunting, and mating. Our STR visitors should be asked to join our community effort to reduce light pollution by turning off exterior lights during "quiet hours."

(3) **Limiting the density of STRs within neighborhoods.**
The available evidence from the Department of Community Development indicates a significant concentration of STRs located west of Hwy 101 and close to the beach throughout the unincorporated communities of Tillamook County. During the last year, the County and the committee have heard numerous complaints from homeowners resulting from their homes being surrounded by three or four, and as many as seven, STRs. We understand that this is a difficult issue given the County's decision not to adopt an STR ordinance that eliminates any existing STRs. However, has the STR committee exhaustively researched ways to distribute STRs more uniformly in our unincorporated communities?

(4) **Controlling the growth of commercial operators.**
Throughout the deliberations, several committee members and numerous public comments have expressed concern that commercial operators will become the predominant form of ownership for Tillamook County STRs in the future. This notion is supported by examining trends in STR ownership nationwide and internationally. Whereas realtors and managers will continue to benefit from selling and managing STRs, the livability and ambiance of the community will be forever altered. Our challenge to the Advisory Committee is this: have you adequately considered how the growth in corporate ownership of STRs in Tillamook County could be controlled?

(5) **Educating property owners, STR managers, and realtors.**
During the past year, there has been much confusion, and more than a little misinformation, spread throughout Tillamook County about the objectives of the STR Advisory Committee. If and when the Commissioners approve amendments to Ordinance #84, we strongly

recommend that the Department of Community Development take a lead role in educating the public about the revised ordinance via a series of press releases and public workshops. Learning first-hand about new amendments to Ordinance #84 from the county organization tasked with administering the ordinance will significantly reduce the amount of speculation and gossip about the ordinance's consequences.

In summary, we believe that with the guidance of Director Absher, Commissioner Skaar and County Counsel Kearns, the STR Advisory Committee has made substantial progress in refining a new Ordinance #84 to balance the needs of STR owners with the livability concerns of Tillamook's unincorporated communities. To achieve this objective, we hope that committee members and the County will also evaluate the importance of the remaining issues identified in this document. We remain steadfast in our belief that modifying Ordinance #84 is the best way to meet the aspirations of all concerned.

Lynn Tone

From: Public Comments
Sent: Wednesday, April 19, 2023 8:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Vacation Rental Ordinance

From: Dan Houf <Dan@hhpr.com>
Sent: Tuesday, April 18, 2023 4:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Vacation Rental Ordinance

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

Good Afternoon. We would like to offer comments on the Proposed Short Term Rental Ordinance.

We own 5775 Barefoot Lane, Pacific City, OR 97086. We are located in Shorepine Village and we were the 2nd house constructed. We built in 1996 and have rented our house as a Short Term Vacation Rental since that time and also used our house as well as a 2nd home. The ability to rent the house as a Short Term Vacation Rental was the only reason we would have been able to purchase the home at the time with our four children and keep it updated and in nice condition. We have run a successful rental for almost 27 years, and the quality of renters has been great. Many homes in the area are rented as well, and we have not seen any issues with the rental of the home. Our neighborhood remains quiet and professional.

When you restrict a use of the property as by this ordinance, you will reduce property values and hurt the overall economy as well. The use of short term vacation rentals brings customers to the area and is good for the economy and region. We feel Tillamook County has established a good vacation rental policy over the years, and feel that the restriction to rent our home in any manner could be considered a "taking" of use that has been established.

If you enact an ordinance that does not allow some income from a property, you will see less ownership from the families who enjoy the coast and who are from Oregon. I have my doubts that you will see less 2nd home ownership or an increase in affordable housing. (Many people have vacation homes at the Coast) but you will see less use of the area. If the intent of the ordinance is the drive down property values, and take away the value of the property owners and Citizens of Tillamook County, than this ordinance will do it.

Related to the Purpose and Scope Section of the Ordinance there is a statement that reads under Section B: "the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they situated and to have damaging impact on the livability of those neighborhoods". What facts support this statement? This seems subjective, and we would make the argument that the use of the property as a Short Term Vacation Rental actually increases the livability of the neighborhood if done correctly. It allows the property owner funds to make improvements and upgrades to the property. Have there been any specific studies that substantiate the language and premise of this code section? For example ...from a traffic standpoint, a STVR rented for 110 days of the year, and used by the owner for 30 days would have an equivalent Vehicle Trips per year of 1400 if you assume 10 trips per day. However, a full time resident would have vehicle trips estimated at 3,650 which has a much higher impact. Full time residential use can have the same impacts on neighboring

properties as a vacation rental such as noise, speeding, pollution, etc. therefore the statement seems to be incorrect unless there is some specific information provided to substantiate the section as written.

We appreciate the work that the committee is doing. We do think short term rental properties should be registered and safe. However, we do not support limiting short term vacation rentals based on proximity to others or even limiting those in total numbers. We respectfully provide our comments for consideration.

Dan and Kathy Houf

Dan Houf, P.E.
Senior Principal

HARPER HOUF PETERSON RIGHELLIS INC.
205 SE Spokane Street | Suite 200 | Portland, OR | 97202
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CIVIL ENGINEERS :: STRUCTURAL ENGINEERS :: PLANNERS :: LANDSCAPE ARCHITECTS :: SURVEYORS

Lynn Tone

From: Public Comments
Sent: Wednesday, April 19, 2023 8:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance Comments

From: Alan McRobert <Almcrob@msn.com>
Sent: Tuesday, April 18, 2023 4:16 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Ordinance Comments

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

My wife and I own two LLCs, each LLC holds title to a condominium on Happy Camp Rd., Netarts. The condos are side by side, attached together via elevator lobby consisting of one stand alone building. Each condo has a STR permit since permitting has been required. The Home Owners Association consists of only the two Condos and the recorded bylaws allow for short term rental.

I have been coming to Netarts and Happy Camp to vacation for sixty years, my wife for forty years and our children since they were ten years old. When the opportunity presented it's self to have ownership of a place at Happy Camp we made the financial stretch and made the purchase.

We must have short term rental income for each condo to pay sewer, water, property taxes, county rental permits and county STR fees and taxes and property insurance. We purchased the building and two condos with the understanding and need to operate as a short term rental. My wife and I stay and greatly enjoy Happy Camp beach approximately 10 weeks out of the year. Our son's, wives and children come several weeks during the year. If the new ordinance eliminates our ability to rent as a short term rental, continued ownership would financially difficult. Forcing a property owner to sell a property is a hardship the county should not strive to occur thru excessive changes to the existing STR ordinance.

There needs to be greater accommodation for homes and condos that the country approved the design, construction and separation (set backs) required by the county and presently has a STR permit.

Issues:
My understanding, there is a proposal that the parking with for two cars be 18 feet.
The condos are on concrete piling to be above the flood plane. The building design provides a width of 16 feet for two car side by side parking. The width can not be enlarged due to the pilings. The build design was approved by the county, inspected during and after construction and approved. STR parking width must be based on the required building code width at the date of county approval of plans.

Distance between Short Term Rentals. There has to be consideration for condominiums that are adjacent to each other if the HOA and recorded bylaws allow short term rental.

Has to be consideration for property owner's that have STR permits and are adjacent to each other per the county set back requirement. On Happy Camp Rd. our two condo building is adjacent to a condo building on each side, separated

per the county code at the date of approval and construction. I'm not positive what the setback from the property line requirements were, I'm certain it is WAY LESS than 250 feet. Both buildings are permitted short term rentals. **Which property owner is the county going to take away the STR permit from?**

Off street parking is outside the road right-of-way, not where pavement ends or any other indicator of being inside the right-of-way.

Notices are mailed to person of entity named on public accessible County records.

Insurance requirement must accommodate for condominiums, and similar forms of ownership, where a building structure and liability is insured by the Home Owners Association. Also, the use of business insurance to provide necessary insurance coverage.

Thank you.

Alan McRobert

Sent from Mail for Windows

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 1:26 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL:

From: nate Castillo <natecastillo101@gmail.com>
Sent: Tuesday, April 18, 2023 1:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL:

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

To whom it may concern,

We are property owners and residents of Tillamook County for more than 20 years and would like to provide feedback on the proposal of the 250 ft distance buffer between properties and adjustments to parking dimensions. We are not in favor of these new proposals and find these new proposals to be unrealistic and cumbersome. Many of the properties have been vacation rentals for many years and these proposals makes it difficult to meet the new proposed regulations. These ongoing new proposals appear to be creating barriers for property owners in Tillamook County.

Thank you!

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 1:26 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Rental Permit Pause

From: Brett Butcher <brett@passion4people.org>
Sent: Tuesday, April 18, 2023 12:57 PM
To: Public Comments <Publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rental Permit Pause

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

Dear commissioners,

As I review your many revisions to the new Short Term Rental policy it has become apparent these policies will not affect any of the current rentals from which the complaints are based. Instead the county has chosen to penalize future and pending applications for actions attributed to existing rentals. How do you think a new policy that does not affect the current rentals will solve the issues caused by them?

Secondly, you decided to allow properties in escrow as of June 30, 2022 to apply for permits however home builders who obtained building permits much earlier in 2021 were not allowed to apply even though they were told their property was eligible for a short term rental permit. It now appears some of these homes will not be able to be rented out at all despite promises this pause was only temporary.

It seems a just solution would to focus on existing rentals which are causing the issues.

Thank you,

Brett Butcher

Date: April 17, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee - Attn: Economic Representative

Re: Public Comment - OCH Tourism Business Survey Responses

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

In the absence of a current study by Tillamook County on the economic impact of STRs, Oregon Coast Hosts conducted a survey among local businesses to better understand the economic impacts of STRs, although it was limited in size and scope. This informal survey was distributed by community members and provided to local chambers of commerce. Though somewhat narrow in that it was geared towards businesses who are patronized by either homeowners with STR permits or guests, it may offer some insight to be considered as STR regulations are updated. A future analysis by the county should expand beyond TLT and include the impact of dollars spent locally by homeowners with STR permits, and by STR guests, and it should include both tourist and non-tourist based businesses.

In jurisdictions around the US, it is best practice to have an economic impact study before updating regulations. The book titled, "Regulation & Taxation of STRs" by Badgett & McLaughlin states that, "Before sitting down to draft an STR ordinance, it is recommended that a local government first engage in a research and data-gathering phase to better understand the local STR market. During the research and data-gathering phase, a local government should compile both quantitative and qualitative data related to the tourist economy."

Framing regulatory tools as "growth management" does not account for various changes in multiple sections of the draft ordinance which could result in the elimination of an unknown number of STR permits: square footage requirements, parking space size requirements, current building code requirements, septic requirements, and requirement to actively rent annually. More data is needed on the impact of these proposed changes.

Thank you,
Shelia Clark
Board Member
Oregon Coast Hosts

TOURISM BUSINESS SURVEY

1. **TOP 4 BUSINESS CATEGORIES**
    a. Food & Beverage Sales -25%
    b. Retail & Shopping - 22%
    c. Real Estate Buying & Selling - 22%
    d. Lodging - 20%

    The remaining business categories with more than one response were a mix of construction, property management, sporting activity, landscaping, household services & home maintenance, restaurants, fishing, tours & expeditions, and healthcare.

2. **PERCENTAGE OF ESTIMATED BUSINESS REVENUE RELATED TO TOURISM AND/OR STRs:**
    a. 29% = 100% tourism revenue
    b. 8% = 90% tourism revenue
    c. 6% = 80% tourism revenue
    d. 18% = 70% tourism revenue
    e. 0% = 60% tourism revenue
    f. 6% = 50% tourism revenue
    g. 0% = 40% tourism revenue
    h. 6% = 30% tourism revenue
    i. 10% = 20% tourism revenue
    j. 6% = 10% tourism revenue
    k. 10% = 0% tourism revenue

3. **HOW LONG HAVE YOU BEEN IN BUSINESS IN TILLAMOOK COUNTY?**
    a. 4% = less than a year
    b. 31% = 1-5 years
    c. 18% = 6-10 years
    d. 16% = 11-20 years
    e. 31% = 20+ years

4. **WHICH CATEGORY BEST MATCHES YOUR ROLE?**
    a. 45% = solo business owner
    b. 12% = employee
    c. 14% = business employs 1-5 full or part time employees
    d. 10% = business employs 6-10 full or part time employees
    e. 6% = business employs 11-20 full or part time employees
    f. 12% = business employs 21+ full or part time employees

5. **DO YOU HAVE CONCERNS THAT A POSSIBLE REDUCTION IN STRs TO ACCOMMODATE VISITORS MAY HAVE A NEGATIVE IMPACT ON YOUR BUSINESS?**

a. 20% = No concerns
b. 8% = Yes, some concerns
c. 71% = Yes, strong concerns

6. **IF THERE WERE A SIZEABLE REDUCTION IN TOURISM REVENUE AS A RESULT OF REDUCTION OF STRs, HOW WOULD THAT IMPACT YOUR BUSINESS?** Multiple options could be selected:
   a. 60% = Seasonal operations may be more limited
   b. 54% = Staffing needs may decrease
   c. 50% = Business hours may be reduced
   d. 27% = Benefits for employees may need to be reduced
   e. 21% = No changes predicted

7. **WHAT WOULD AN ACCEPTABLE PERCENTAGE OF BUSINESS LOSS BE TO CONTINUE CURRENT BUSINESS OPERATIONS WITH NO CHANGES?**
   a. 66% = 0% loss
   b. 19% = 10% loss
   c. 9% = 20% loss
   d. 2% = 30% loss
   e. 0% = 40% loss
   f. 2% = 50% loss
   g. 0% = 60% loss
   h. 0% = 70% loss
   i. 2% = 80% loss
   j. 0% = 90% loss
   k. 0% = 100% loss

The survey did not provide an option for respondents to report a potential increase in business due to STR reduction, but it did provide an option for "No changes predicted from possible reduction in tourism revenue" and respondents could provide additional text feedback at the conclusion of the survey.

8. **HAS YOUR BUSINESS RECOVERED FROM PANDEMIC CLOSURES & STAFFING CHALLENGES?**
   a. 39% = Yes, we have fully recovered
   b. 37% = No, we have not yet fully recovered
   c. 25% = We had no closures or staffing challenges

Despite best efforts, STRs can be a divisive topic and **55% of the respondents requested anonymity**, but the results are clear that businesses which are patronized by homeowners with STR permits & their guests have serious concerns about reductions in STRs. Additionally, based on public comment, some businesses may not even be aware that their customers have been homeowners with STR permits. A more detailed economic impact study by the county would be a very helpful tool in this process.

SURVEY FEEDBACK

I would really rather the county focus on how to incentivize long term rentals rather than penalize short term rental owners.

I feel STR's are at the max for restrictions and guidelines for now.

Tillamook county will be responsible for many families financial destruction.

I do not believe that eliminating STRs will help solve our housing crisis. It will only serve to harm the local businesses that thrive on tourism, of which there are MANY.

We are a coastal area. Tourism is our survival.

County is headed for a large lawsuit.

This will absolutely put people out of business…

While STRs are generally positive with regard to the local economy, they are absolutely impacting housing prices and, to some extent, the availability of long-term rentals.

Tourism is a significant drain on Law Enforcement but also provides substantial and critical business for our county.

There should be a mechanism to have tourists pay their fair share of incurred costs to the county, such as sanitation, garbage, law enforcement, and fire responses.

Tillamook was a tourist town as well as Rockaway when founded and it created and still creates a revenue and business for many people.

If str are greatly limited in Neskowin we will have to take our tour business and investment elsewhere.

My business would benefit from the reduction in STRs. Making note of this here since it was not an option in your survey question about how my business would be impacted.

Your businesses (STRs) are parasites on our community. That you fancy yourselves to be part of us, is delusional.

Your thinly veiled greed isn't fooling anyone around here. Whatever the result of the STR ordinance, you lose at life, you lose at being decent humans.

Unrelated to this survey, below is a list of local businesses in Tillamook County which have been listed as being patronized by homeowners with STR permits & guests. This list is not an endorsement of these businesses, nor an endorsement of OCH by these businesses:

BUSINESSES PATRONIZED BY HOMEOWNERS WITH STR PERMITS & STR GUESTS

A
All Star Appliance - Tillamook
Alice's Country House
Alderbrook Golf Course
Angus Electric - Tillamook
A Mighty Thai - Manzanita
Ace Hardware - Pacific City
Ace Hardware- Seaside
A+ Plumbing

B
Bahama Mama's Bikes and Boards - Manzanita
Bare Moon Farm - Cloverdale
Bayside Market - Netarts
Bayside Surveying - Tillamook
Beachwood Bar&Grill - Pacific City
Beach Walk - Pacific City
Bell Bouy Seafood market and Restaurant-Seaside
Bear Creek Artichokes - Cloverdale
Ben and Jeff's Burgers and Tacos - Pacific City
Berkshire Hathaway Home Services Real Estate - Netarts
Big Wave Cafe - Manzanita
Bob McEwan Construction, Inc
Brighton Marina-Rockaway Beach
Bros & Hoes Landscaping - Beaver
Blue Agate Cafe - Oceanside
Blue Heron Wine and cheese
Builders First Source
Bunkhouse - Manzanita
Buttercup Ice Cream & Chowders - Nehalem
By the Sea Grocery & Deli - Netarts
Bob Johnson flooring

C
Cape Kiwanda Marketplace - Pacific City
Camp 18 Restaurant - Seaside
Chester's Thriftway - Pacific City
Chimcare

Citi-Zen Dispensary - Pacific City
Cold Water Coffee - Pacific City
Coastway Construction - Pacific City
Coliseum Theater - Tillamook
Comco Carpet Cleaning
Coyote Gardens - Neskowin
Crab Rock Pizza - Garibaldi
Critter Getter
CMP - Plumbing contractor
Cloud & Leaf - Manzanita
Current Cafe - Oceanside
Curious Plants & Treasures - Cloverdale

D
Dale Stewart Construction and Design - Tillamook
deGarde Brewing - Tillamook
Doryland Pizza - Pacific City
Dixie's Vino - Manzanita

E
El Trio Loco - various locations
Eagle Landscape - Manzanita
Ed's Septic
Enrique's Authentic Mexican Food

F
5 Star Electric Inc - Pacific City
Fish Peddler - Bay City
Four Paws on the Beach - Manzanita
Fred Meyer - Tillamook
Full Spectrum Window Cleaning
Finnestere - Manzanita
Four Paws on the beach - Manzanita
Fern - Tillamook
Flamingo Jims - Rockaway

G
G3 Electric - Cloverdale
Gage Construction - Cloverdale
Grateful Bread - Pacific City
Grey Fox Rentals - Neskowin
Grumpys Cafe - Rockaway

H
Haltiner Heating - Tillamook
Hawk Creek Cafe - Neskowin
Hawk Creek Gallery - Neskowin
Hoffman Center for the Arts - Manzanita
Howells Floor Covering - Manzanita
Handy Creek Bakery - Wheeler

J
JAndy Oyster Co - Tillamook
JJ Electric - Seaside
J's Fish and Chips - Lincoln City
Jacobsen Salt Co - Netarts Bay
Jetty Fishery - Wheeler
JMarie Salon - Nehalem

K
King Lawn Care - Otis
Kayak Tillamook
Killers Pest Control
Kiwanda Coastal Properties - Pacific City
Kellys Brighton Marina - Wheeler
Kittys Cafe - Tillamook
Kephart Flooring

L
Left Coast Siesta - Manzanita
Les Schwab
Library Thrift Shop - Pacific City
The Little Apple Grocery - Manzanita
Lin's Chinese Restaurant - Tillamook
Los Corporales Restaurant - Pacific City
Lucky Beach Boutique- Pacific City
Lighthouse painting

M
MacGregors Bar - Manzanita
Madeline's - Tillamook
Mainstreet pizza
Manzanita Fresh Foods
Manzanita Golf Course
Manzanita Grocery and Deli
Manzanita Lumber
Manzanita News & Espresso

Manzanita Coffee Co.
Manzanita Lighthouse
Manzanita Links
Marzano's - Manzanita
Manzanita Farmers Market
Manzanita Sweets
Meridian Restaurant & Bar - Pacific City
Miami Cove Electric
Mo's Restaurant - Cannon Beach
Moment Surf Company - Pacific City
Moxie Fair Trade - Manzanita
Momma's Beach Bike Rentals - Neskowin

N
Nehalem Food Mart - Nehalem
Nehalem Bay Lumber - Nehalem
Nehalem Bay Winery - Nehalem
Neskowin Beach Golf Course
Neskowin Farmers Market
Neskowin Trading Company
Nestucca Adventures - Pacific City
Nevor Oysters - Netarts
NCRD - Nehalem
Neahkahnie Bistro - Manzanita
North Coast Watchman - Manzanita
North Coast Pinball - Nehalem

O
Oar House Bar & Grill - Pacific City
Oceanside Surf Co. - Oceanside
Offshore Grill & Coffee House - Manzanita
Oregon Coast Bank
Oregon Coast Homewatch & Maintenance
Oregon Coast Cannabis - Manzanita
Old Oregon Smokehouse - Tillamook and Rockaway

P
Pacific Coast Candy
Pacific City Hardware & Lumber
Pacific Lawn Service - Tillamook
Pacific Roots Donuts - Nehalem
Pacific Seafood - Bay City
Pacific House - Tillamook
Papa Murphys Pizza - Tillamook

Pebbles Plumbing & Mechanical
Pelican Brewing Company - Pacific City, Tillamook
Pelican & Piper - Wheeler
Pig N Pancake
Pizza Garden - Nehalem
Portside Garibaldi

Q
Quality Home Maintenance

R
Roseanna's Cafe - Oceanside
Rosenburg's Lumber - Tillamook
Rusty Cow - Cloverdale
Riverhouse Nestucca Restaurant - Pacific City
Riverside Fish & Chips - Nehalem
Roby's Furniture and Appl. - Tillamook
Roost - Wheeler
Rice & Shine - Wheeler
Rieger Electric

S
Safeway - Tillamook
Salty Raven - Tillamook
Sand Dune Pub - Manzanita
Schooner Restaurant - Netarts
Sea Clean - Seaside
Seaworthy Coffee & Gifts - Netarts
Shell Gas Station- Manzanita
Siggi G Charters - Garibaldi
Sister & Petes - Manzanita
Sitka Center for Art & Ecology - Otis
Sportsman's Pub & Grub - Pacific City
Stimulus Coffee & Bakery - Pacific City
The Schooner - Netarts
Sunflower Flats - Tillamook
Spa at Manzanita
Syzygy - Manzanita
Sisters & Pete Coffee & Tea - Manzanita
Schwieterts (Rockaway & Manzanita)
Salmonberry - Wheeler

T

20/20 Window Cleaning
Tacos la Providencia - Tillamook
Ticor Title - Tillamook
Tidepools Spa & Wellness - Pacific City
Twist Wine Company - Pacific City
Tillamook County FBO TMK
Tillamook Sporting Goods
Tillamook Cheese Factory - Tillamook
Tillamook Country Smoker
Toylandia - Manzanita
T-Spot - Manzanita
Tillamook Farmers Market
Trillium - Wheeler
Trillium - Lincoln City
Twins Ranch Rail Riders - Wheeler

U

Unfurl - Manzanita
Upstairs Bar and Grill - Netarts

V

Village Scoop - Neskowin
Vice Construction Co.

W

Wanda's Cafe - Nehalem
Wild Coast Goods
Wild Grocery - Manzanita
Wisteria Chic - Manzanita
Willamette Coast Ride - Neskowin
The Winery at Manzanita
Wolfmoon Bakery - Nehalem
Wooster Photography
Woodpecker Roofing - Tillamook
Warehouse 10 - Rockaway

Y

Yolk - Manzanita

Z

Zeurcher Plumbing

CHARITABLE CONTRIBUTIONS BY HOMEOWNERS WITH STR PERMITS:

CARDM - Wheeler
CARE Tillamook
Food Roots
Friends of Netarts Bay Watershed WEBS
Manzanita Mudd Dog Foundation
Nehalem Bay Fire District
Neskowin Beach Golf Course
Neskowin Valley School
NCRD - Nehalem
Oceanside-Netarts Fire District
Tillamook Estuary Partnership

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment inputs for "Tillamook County BOCC & STR Advisory Committee"

From: Nick Argenti <netartssandcastle@gmail.com>
Sent: Monday, April 17, 2023 11:22 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment inputs for "Tillamook County BOCC & STR Advisory Committee"

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

Dear BOCC & STR Advisory Committee,

We hope you and your families are doing well. We wanted to reach back out and provide some inputs for the public comments for the upcoming Tillamook County BOCC & STR Advisory Committee to include who we are and thoughts about the opportunity we all have to make Tillamook and the surrounding area an even better place to call home and further enable benefits enabled by STR's/tourism.

- Who we are: We are a solar/sustainability engineer and a nurse/nursing educator/department chair who have dedicated their careers to helping people, creating innovations that help the world and share our vacation rental with guests that further enhances the community and make the Tillamook area an even better place for everyone to enjoy! We are caring individuals who own, use/enjoy and rent our properties. We are not commercial real estate people but individuals who are a part of the community and give back to the community. We take great care in making our vacation property a place for travelers to create memories that will last a lifetime.

We also have strict rules in place so travelers do not negatively impact the community but truly bring an abundance of benefits to the community, such as the local/state revenue through lodging taxes/fees, supporting a variety of local businesses such as restaurants, stores, gas stations and so many more resulting in the employment and financial benefits to these businesses, cleaners, maintenance personnel, contractors/builders, Tillamook County employees and so much more which in turn enhances the community. Imagine a scenario with no STR's or substantially reduced STR's and what Tillamook's tax revenue would be and how it would negatively impact the spectrum of local jobs, the economic impact on the community and local residents.

There are also other upcoming challenges that the county and community are faced with such as the FEMA national flood insurance plan that could result in financial headwinds to the county itself and the entire community (reference https://www.tillamookheadlightherald.com/news/proposed-fema-flood-insurance-updates-met-with-harsh-criticism/article_e1ca1c5e-d55f-11ed-a6b2-b393536ada70.html). The financial benefits enabled by STR's can help weather unique opportunities like the FEMA activity but equally important enable continuous improvement in the quality of life for the entire community.

- Similar to what other STR owners have shared, we are in favor of enhanced enforcement, permit transferability and no arbitrary limits. Also, being able to transfer the STR permit should not be restricted in any way as it is tied to land use rights. In addition there should be no limit on the number of nights rented, no proximity/distance limits, no percentage caps and no change in occupancy limits. Additionally, while noise, parking and other rules for STR certainly make sense, it also seems to make sense that everyone within the community should comply with similar rules and be held accountable. After all, we want everyone to be able to peaceably and safely enjoy where they are staying, whether they are a resident or visitor. With this in mind, it seems like equitable rules need to be applied.

- For our STR, we hire local (not commercial out of area) people to do maintenance, cleaning, landscaping, a variety of subs and contractors for electrical/plumbing/HVAC, appliances, furniture and so much more. Hiring local individuals is instrumental in benefiting their families and directly enhances the community.

- We ensure guests do not negatively impact the area, comply with local ordinances and in fact they enhance the community with their presence, bringing a variety of cultures, supporting local businesses and tax revenue and are a joy to be with! What we do to ensure no negative impact to nearby neighbors and the community:
    - We have clearly defined rental agreements that ensure guests knows and comply with the rules
    - We post clear rules within the house
    - We send an email and communicate with the guests just prior to check-in to ensure compliance
    - We also are able to monitor the number of vehicles parked at the property
    - We also have a security deposit that also reinforces following the rules, including if the guests were to disturb neighbors or have more than the allowed number of vehicles
    - We are available if there's ever a situation where we need to contact the guest

- Instead of deterring or limiting STRs, it is our belief that Tillamook County should take on an even more supportive role for STR's and see how they can help out the property owners with advertising and coming up with creative ways to enable even higher occupancy rates as this directly feeds back into Tillamook's economy/revenue stream and positively impacts the community. This is already happening to an extent but we believe there are even more ways where we can collaboratively work together to further enhance this vital asset for Tillamook's growth and community improvements, ultimately benefiting everyone who lives full time or visits the area. This is also consistent with what Tillamook published in https://tillamookcoast.com/wp-content/uploads/2016/03/Tillamook-County-Tourism-2025-Plan-Sept-2014-1.pdf stating "Tourism has the potential to further diversify the Tillamook County economy and provide important benefits for residents, businesses and visitors. It aims to establish a high quality visitor economy that results in maximum benefits to residents, the environment and visitors. Tourism 2025 draws on months of consultation with hundreds of residents, partners and stakeholders."

On a closing note, if you drive or walk through downtown Tillamook and other towns within Tillamook County, you can visually see how many vacant/distressed buildings/businesses there are, how long they have been on the market/vacant and that we have a long way to go to get our community and downtown where it needs to be. We have the basic building blocks and are making progress but we need to encourage and support STR's to help enable a community where businesses and local residents can thrive. Remember, we are all a team with the same mission to make our community and world an even better place!

We sincerely appreciate all you and the team do and look forward to making Tillamook and surrounding areas an even better place to call home and for everyone to enjoy!
Thank you,
Nick & Lynn

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR public comments

From: Barbarry <bbusybees@yahoo.com>
Sent: Monday, April 17, 2023 10:39 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR public comments

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

Director Absher, Commissioner Skaar, and Members STR Advisory Committee,

I am writing to urge you to re-read David Boone's comment letter of 4/14/23. It's worth a re-read as it details how this small community is impacted by STR's in the realm of water usage.
These are my personal comments as a Neahkahnie community member.

Barbara Rippey
Full time resident of Neahkahnie
Commissioner on the Neahkahnie Water District Board

Lynn Tone

From: Public Comments
Sent: Tuesday, April 18, 2023 11:02 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Comments

From: Amy Bell <amyfbell@comcast.net>
Sent: Monday, April 17, 2023 9:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mike Woodin <woodinm@comcast.net>
Subject: EXTERNAL: STR Comments

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

Commissioner Skaar, Director Absher and Members of the STR Advisory Committee

To preserve livability, many jurisdictions throughout Oregon and the nation are managing STR concentrations and occupancy levels in residential areas. We appreciate the efforts of all of you in Tillamook County to address these challenges. Your work is much more helpful than those who act like everything is fine or even go as far as to threaten litigation and liability.

Looking over some of the other comments, we have found the STR Permit Holder Survey submitted to you to be particularly insightful. To highlight just a few:

. STR permit holders acknowledge significant shortages of onsite parking;
. STR permit holders oppose building code changes, bedroom closet requirements and occupancy limits, even as high as 16;
. STR permit holders show a surprising indifference to noise.

These are a just some of the clues to the livability concerns confronting us. There is some hope though, 49% of STR permit holders surveyed already support some level of STR percentage cap.

Thank you for considering these comments.

Sincerely,

Mike Woodin and Amy Bell
37635 Beulah Reed Rd

I own an STR near Oceanside. My comments below are in response to the STR Cap and Density language that was included as crossed out text in the latest Ordinance 84 draft. It isn't clear to me if these changes are being publicly discussed or if they will be proposed or adopted at some point. If they are, I believe there will be legal challenges. I won't speak to that. From a process perspective, however, the language needs some significant changes. Please do not adopt these rules as written.

Having said that, I **AM EITHER 100% OPPOSED TO THEM, OR 100% IN FAVOR OF THEM.**

SOUND CONFUSING? I'LL EXPLAIN.

I believe my STR neighborhood would be affected by the Caps rule (section .040 C). I don't believe the limits for each area have been set yet, so it isn't clear if my neighborhood would lose any STRs or not.

If instead, my neighborhood was affected by the Density rule (section .040 D), there would be a definite reduction in the number of STRs. There are 2 streets with 29 houses and 17 empty lots. Four of the houses are currently STRs, or about 9% of the total properties. Based on initial measurements, I believe the boundaries of the four STRs are all within 250 feet of each other, so only 1 STR permit would be allowed in the neighborhood (about 2% of all the properties in the neighborhood).

No matter which rule my neighborhood would be affected by, after the 5 year phase in period, starting in the 6th year:

- When the first STR permits expire and come up for renewal, they would either be denied because there is another STR permit within 250 feet, or they may be denied if they are above the Cap for the neighborhood.
- Each denied STR would go on a waiting list in the order their permit was denied.
- When the final active STR permits in the neighborhood come up for renewal, they could be renewed because: A) they are below the Cap for the neighborhood, or B) no other STR exists with 250 feet.
- **Those final STR permits could then be renewed for as many years as the owner wants to, with no opportunity for STRs on the waiting list to become active.** This is because at the time those STRs come up for renewal in the 7th and subsequent years, either: A) the neighborhood would be below the Cap, or B) there would be no other active STR within 250 feet.
- Whenever those STR owners finally sell their property, or cancel or don't renew their permit, probably many years in the future, then the first STRs that were put on the waiting list would be given an opportunity to renew their permit, and the cycle would repeat.

To summarize:

In the case of the Cap rule, after the Cap is reached, the still active STR permits coming up for renewal could be renewed as many times as desired, because the area would now be under the STR cap.

In the case of the Density rule, only 1 STR permit would be allowed in my neighborhood. That STR would have a stranglehold on the single permit allowed in the neighborhood, being able to renew it as many years as they desire, because no other STR would exist within 250 feet.

The language doesn't say that at the time of renewal, the permit will become inactive and go onto the end of the waiting list and the first STR owner on the waiting list will get a chance to activate their permit. The permits on the waiting list would never get to be considered until one of the active permits is canceled or not renewed.

If the proposed rules are implemented just after my permit expires, then I'm completely in favor of them, because my STR would be one of the lucky permit lottery winners (the last permits to expire in my neighborhood), which means my STR will have less competition. I would be able to raise my rental rates, and my neighbors would probably see my current 50% occupancy rate climb substantially. I would renew my permit for as many years as I desired.

If on the other hand, the rules are implemented just before my permit expires, then I am completely opposed to it, because I will become one of the STR losers, put onto a waiting list that rarely changes. It would likely take many years before I could get an active permit and rent out my STR again.

WHAT IS THE PLANNED IMPLEMENTATION DATE OF THESE PROPOSED RULES, SO I CAN KNOW IF I AM 100% IN FAVOR OR 100% OPPOSED TO THEM?

As I said at the beginning, aside from any legality issues, these rules are not well thought out and should not be implemented.

Thank you for your consideration,

Royce Trammell

For reference, the Cap rule: *" [.040. C.] Cap on Number of STR Registration Certificates In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries. The County has established a limit on the number of STR Registration Certificates that can be in effect at any one time for defined residential subareas within Tillamook County. If at the time of registration application for a new or renewed STR registration certificate, there is not room within the applicable subarea cap to accommodate the new or renewed STR registration certificate, the application will be denied, but the applicant will be placed on a waiting list in order of rejection/non-renewal and will be contacted by the STR Administrator as soon as there is room within (under) the applicable subarea cap to accommodate the new/renewed STR registration certificate."*

For reference, the Density rule: "[.040. D.] *Density Limitation on STR Registration Certificates In Locations Outside Unincorporated Community Boundaries and City Urban Growth Boundaries. The County will not issue or renew a STR registration certificate if, at the time of application, there is a valid and registered STR operating on a property within 250 feet (closest property boundary to closest property boundary) of the applicant's property. Any applicant for a new or renewed STR registration certificate that is barred due to this provision will be placed on a waiting list in order of rejection/non-renewal and will be contacted as soon as the property is no longer within 250 feet of another active STR registered property."*

Public comment posted on Short Term Rental Advisory Committee | Tillamook County OR website, regarding the proposed STR regulations that replace Ordinance 84

NESTUCCA RURAL FIRE PROTECTION DISTRICT

30710 Highway 101 South
Cloverdale, Oregon 97112

Fire District Review & Approval Form

This form must be completed and signed by the local Fire Protection District prior to applying for a Building Permit or Manufactured Dwelling Placement Permit.

Proposed Development/Construction/Location 3S 09W 26 1805

Water Source: [] Water District Beaver
X Well * [ ] Creek * [ ] Spring *

* You will need to provide documentation from the Water Resources Department showing the gallons per minute (GPM) available to your property and a copy of your Well Report or Residential Water Right to your water source. **No hydrant GPM information provided**

********** **Fire District to complete information below** **********

1. Review of road access for fire district use to the property resulted in the following:

[x] The road access is passable for Emergency Vehicles
[ ] Road Gradient is less than 10% [ ] Road width clearance of 20'
[ ] Road Gradient is between 10-15% [ ] Road height clearance of 13'6"

[ ] The road access is not passable for Emergency Vehicles
[ ] Road Gradient is greater than 15% [ ] Private Bridge does not meet GVW
[ ] Road does not have required turnarounds or pullouts

Recommendations: **Community Development will determine needs**

---

2. Review of water supply for fire district use to the property resulted in the following:

[x] There is adequate water available to the property for Fire Suppression
[ ] Residence is within 1,000' of hydrant [] Available water per NFPA 1142
[] Sprinkler system installation [ ] Fire wall installation to reduce size

[ ] There is not adequate water available to the property for Fire Suppression
[ ] Square footage of residence exceeds available water for both NFPA 1142 and/or 2004 OFC, Appendix B

Recommendations: **Follow All IBC & OFC Codes as determined by TCCD**

3. Action Taken:

[X] I have reviewed the information regarding the property listed above.

*****Failure to follow codes may inhibit the ability to provide suppression*****

Printed Name: James Oeder Title: Chief
Signature *James Oeder* Date: 04/17/2023

NESTUCCA RURAL FIRE PROTECTION DISTRICT

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---

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[ ] Square footage of residence exceeds available water for both NFPA 1142 and/or 2004 OFC, Appendix B

Recommendations: **Follow All IBC & OFC Codes as determined by TCCD**

3. Action Taken:

[X] I have reviewed the information regarding the property listed above.

*****Failure to follow codes may inhibit the ability to provide suppression*****

Printed Name: James Oeder Title: Chief
Signature *James Oeder* Date: 04/17/2023

April 17, 2023

Re: Public Comment on Draft STR Ordinance

Dear County Commissioners,

If you listen to the community input, the core issue driving the activity and angst around the county's draft STR ordinance is an extremely small minority of STR operators who have refused to abide by or enforce the county's rules. This is the problem, so let's respond to it directly. We can update the rules on occupancy, noise, and parking and create real enforcement. Refusing to issue new STR permits is a defeatist response that basically gives up on enforcement. I don't accept that enforcement is impossible. This county does great things every day, and there is plenty of money being generated from STRs to create an enforcement regime with teeth.

Refusing to issue new STR permits is like responding to the issue of reckless driving by refusing to license more drivers. We don't do that for driving, and we don't need to do that for short-term rentals. We can punish and strip the licenses from reckless drivers without preventing other people from commuting to work, and we can put bad STR operators out of business without distorting the local property market and damaging the economy that it supports.

Speaking of the economy, any economic impact analysis that stops at the effect on Transient Lodging Tax receipts will be grossly inadequate and misleading. Think of the local businesses you see every day, particularly in places where STRs are clustered: restaurants, realtors, property managers, construction companies, art galleries, and excursion operators. They are a large proportion of county businesses, and they (and their employees) will face significant negative consequences from a regime that restricts vacation rentals. And that's before you even get to the profoundly negative effect on property values and county property tax revenues in general. All of these effects should be fully analyzed and modeled; acting to cap permits without such an analysis would be negligent and reckless. And let's be honest: you don't need a Nobel Prize to understand that stripping economic rights from a piece of property will reduce its value, or that our county needs more income and more tax revenue, not less.

I appreciate the effort that the County and the STR Advisory Committee have taken thus far to build consensus on the smaller aspects of the draft ordinance like required signage and prohibitions on specific events. But this is a bit like trying to build consensus on a car by focusing on its rear-view mirrors and its taillights. We urgently need to talk about the engine of the car – aka, the permitting regime. Current STR permit holders should not be comforted by the 5-year "Deferred Compliance" period in the draft text under consideration, after which the current draft envisions their entering a rotating waiting list that *might* enable them to rent their properties one year out of every 2 or 3. That's not a set-up conducive to mortgage payments, and it would clearly restrict the pool of future buyers of currently permitted properties – and also of those properties that don't currently have an STR permit.

I understand that the "Deferred Compliance" period and Permit Transferability rules are designed to reduce harm to current STR holders. I don't think that current STR holders should be harmed either, but the effect of these provisions would be to harm others via a County-Commissioner

created two-class system of Permit Haves, on the one hand, and Permit Have-Nots, on the other. And ironically, that system would also allow any out-of-state buyer of an existing permitted property to acquire an STR permit via transfer, while it would deny someone like me, who has been a county tax payer for 12 years, the possibility of obtaining an STR permit for a new house that is currently under development and in which I have already made a significant local investment. The same would apply to any other county resident who might want an STR permit in the future, perhaps because they are downsizing, or for any other reason. They will have to wait years to exercise that right, because the County will have allocated special property rights to some, while denying them to everyone else.

I am for strong enforcement, which would eliminate the need for any system of caps. But if a cap must be adopted, the only type of cap system that could be implemented without discrimination would be a system in which STR permits were available to any property owner who wanted one, and all were restricted to a certain number of rental nights per year. All the other cap systems currently under consideration would be costly and ultimately futile for the county to try to defend. Simply stating that an ordinance doesn't create a property right or a land use does not make it so.

Sincerely,

Zan Northrip
Pacific City

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comments To STR Advisory Committee
Attachments: Chart, line chart Description automatically generated.jpeg

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From: David Boone <daveboone01@gmail.com>
Sent: Friday, April 14, 2023 2:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comments To STR Advisory Committee

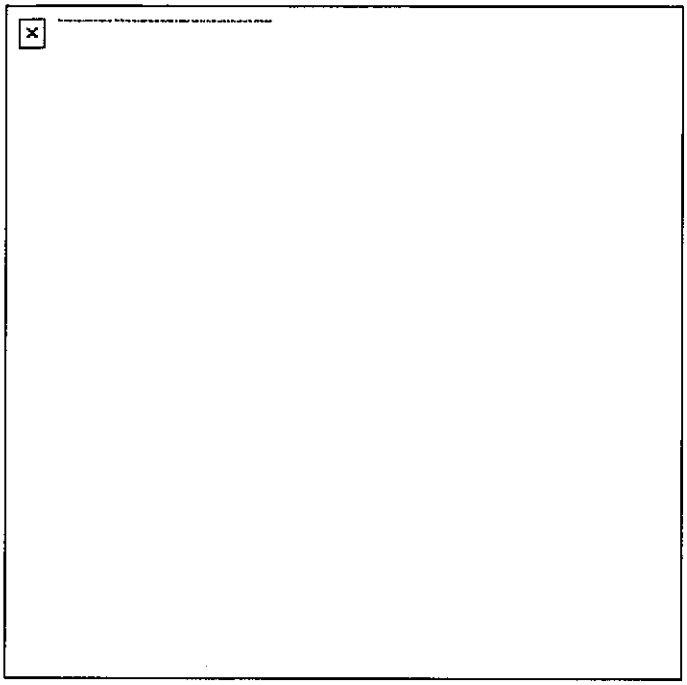
[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Director Absher, Commissioner Skaar, and Members STR Advisory Committee,

I wish to specifically respond to the comments submitted to the STR Advisory Committee by Kelley Gannon on water use by STRs in Neahkahnie. Gannon maintains that a slide showing the effect of a proposed water usage rate increase on various users demonstrates that STRs do not use more water than other users. That is a misinterpretation of the meaning of the slide and is incorrect.

The slide referred to in Gannon's comments was part of a presentation made in a public meeting held by the Neahkahnie Water District Board of Commissioners to discuss a proposed water rate increase. That slide was used to show how the new 4-tier water use rate structure would impact certain full-time and part-time residents and Short-Term Rental permit holders based on water used during the July/August 2022 billing period.

Earlier in the presentation the following slide was presented showing water use for each billing period from late 2018 up to the present. This slide compares the average use per water connection during the year by type of user, i.e., full-time resident, part-time resident and permitted STR. The primary purpose of this slide was to show the variation in water usage during the year and was followed by a slide showing water output of our springs during the year. However, this slide also shows that during each summer, STRs used significantly more water on average than either full-time or part-time residents. In fact, during the July/August billing period of 2021, the average STR used 50% more water than the average full-time resident. Excluding the highest STR user, the next 8 high use STRs on average used 310% more water than the average full-time resident.



In the slide the top line in the 9/01/2019, 8/31/2020, 9/1/2021 and 9/6/2022 periods is STRs, the middle line is full-time residents and the bottom line is part-time residents

Water use during the July/August periods is particularly important in Neahkahnie since that is the time in which our water source (4 springs) is at its lowest production. Water production of those springs in December of 2021 was almost 5 times higher than in August of 2022.

It is certainly the case that not all STRs are the same when it comes to annual water use. The so-called "mom & pop" STRs used by the owners periodically during the year may not use excessive amounts of water on an annual basis. However, even those STRs typically rent during the peak tourist times of the year which corresponds to the low water production of the Neahkahnie water source. Consequently, these STRs present the same issue for our water district when it comes to water use at low production times as STRs renting all year.

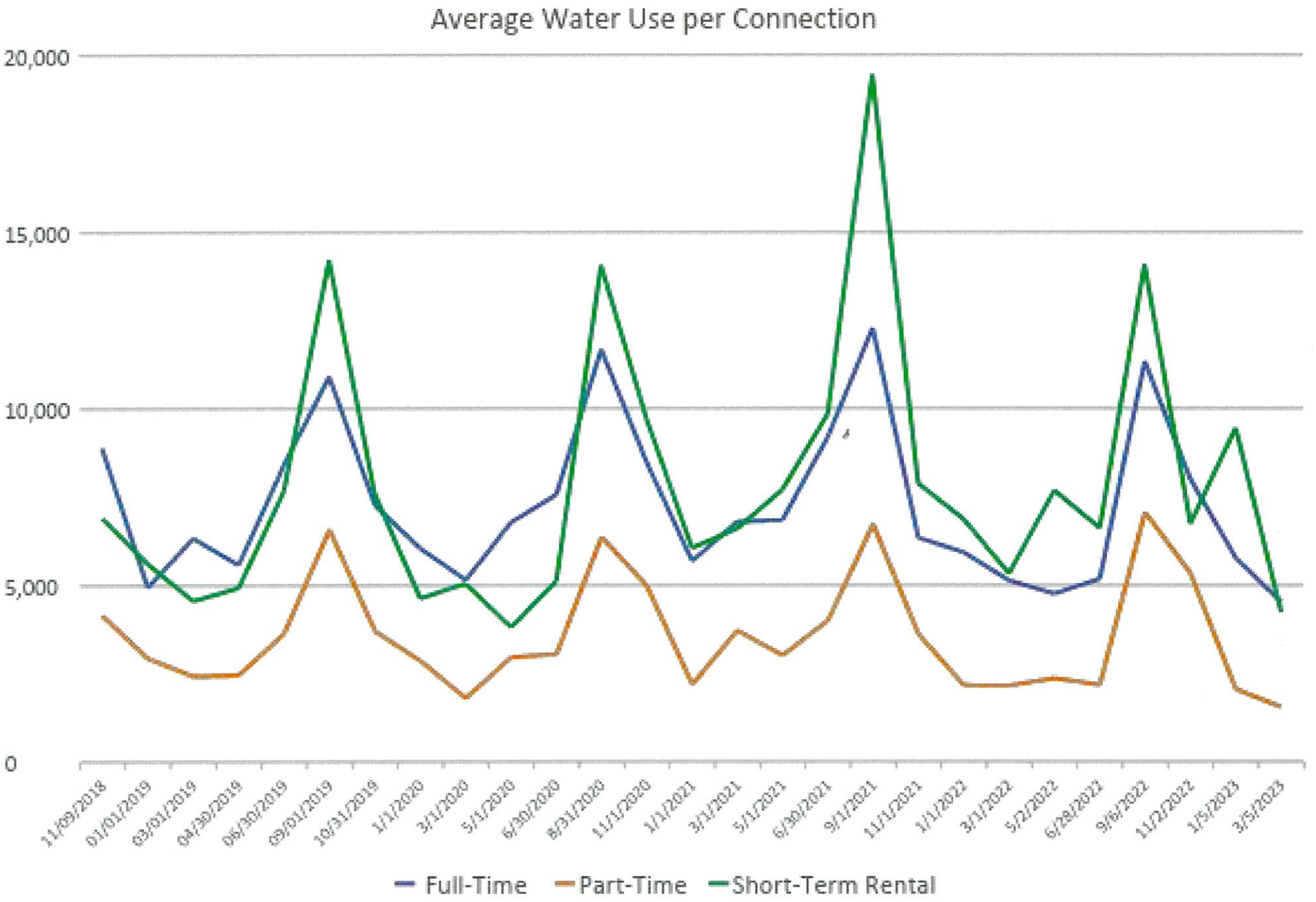
There are some full-time and part-time residents using excessive amounts of water. The new water usage rates adopted by the Neahkahnie water district should encourage these users to cut back. However, there is a significant difference between STRs and other customers of the water district. Full-time and part-time residents directly feel the impact of higher water use rates in their budgets. STR users on the other hand are operating a business in which the increased costs can either be passed directly to their renters or written off as a business expense. Tourists renting the STRs are understandably visiting our area to have a good time and most give little thought to the impact of their water use. That is not the case with actual residents.

In conclusion, there has been more than a 50% increase in permitted STRs (from 54 to 83) in Neahkahnie from 2018 to the "pause" in 2022. Currently permitted STRs constitute more than

21% of the water connections in Neahkahnie. As Mr. Stone a board member of the Oregon Coast Hosts STR advocacy group stated: "the range [of STRs] in historical resort areas where there's a high percentage of vacation homes is roughly 20%-25%". Neahkahnie's water district was designed for a residential community comprising primarily part-time and full-time residents with a limited number of STRs not a high turnover tourist "resort". The current level of permitted STRs presents a significant challenge to the Neahkahnie water district.

Anyone interested in viewing all the slides presented at the public hearing on April 6, 2023, can view them on the Neahkahnie Water District website (nknwd.org). The views and comments provided here are mine alone and do not represent the Board of Commissioners for the Neahkahnie Water District.

David Boone
Full time resident of Neahkahnie
Commissioner on the Neahkahnie Water District Board


Average Water Use per Connection
20,000
15,000
10,000
5,000
0
11/09/2018
01/01/2019
03/01/2019
04/30/2019
06/30/2019
09/01/2019
10/31/2019
1/1/2020
3/1/2020
5/1/2020
6/30/2020
8/31/2020
11/1/2020
1/1/2021
3/1/2021
5/1/2021
6/30/2021
9/1/2021
11/1/2021
1/1/2022
3/1/2022
5/2/2022
6/28/2022
9/6/2022
11/2/2022
1/5/2023
3/5/2023
Full-Time
Part-Time
Short-Term Rental

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: BOCC & STR Advisory Committee

From: Brenda Kevin <huffingertrentals@gmail.com>
Sent: Sunday, April 16, 2023 8:29 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: BOCC & STR Advisory Committee

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

To whom it may concern:

We are a husband-and-wife team who own an STR in Happy Camp, a place that has been a vacation rental spot on the Oregon Coast for more than 100 years. While the term STR may be a recent trend, the function of an STR has long existed in the fabric and economic engine of Tillamook County.

We want to share with the committee that we became interested in an STR in no small part from having a child with significant sensory issues. While we love to travel and vacation and have done so for many years, our daughter's challenges made that impractical for us. Through a trip to Rockaway Beach, we discovered her love of the ocean and its transformative effects on her. We spent nearly a year finding and securing an STR in a great community for us - Netarts - that gave us that coastal experience while not being too far away.

We have equipped our home to be friendly for families, recognizing that our challenges are not necessarily unique to us.

To date the listed complaints against STRs have only been subjective. There is no clear data or analytics that have been developed to accurately account for complaints. Issues are being legislated without having actual data to confirm whether they are a real and tangible problem for the entire county.

Street parking being one such issue. A practical solution could be the county creating a tag for residents, while visitors would not have such a tag. In areas where it is unsafe for parking or a potential life-safety access issue for emergency vehicles, then there should be no parking signs already in place regardless of the presence of STRs or not.

To try and have 250 feet between houses - that's 83.33 yards - almost the length of a football field. Going along beachfront properties, no one has that much space between houses - be it in Netarts, Lincoln City, Rockaway, Oceanside. These places don't have a football field between them. These places have historically been rental cottages and rental properties.

There has also been considerable discussion of bedrooms and potential connection to parking. To try and tie a bedroom - when the size and arrangement can vary significantly between properties - is not tenable. You already have limitations in place for the number of potential short-term residents for each STR. To try and then create an additional regulatory burden on both renters and owners by creating an arbitrary connection to parking is draconian. We could fit our entire family of eight - six adults and two children - in a single vehicle. But practically speaking, our grown children if they're

visiting us would likely prefer to drive their own vehicles - which we currently have enough space for in our driveway. Why create this onerous and unnecessary rule?

In conclusion, both myself and my partner work in policy and program development. Something that we always look for is unintended consequences in policy. Many of these measures will ultimately result in the elimination of established STRs, whether in the immediate or through attrition, that have been in the community for a long time. What will Tillamook County be left with? Day trippers coming into the community. We've been those day trippers. We drive in, we pack a cooler full of food, spend time at the ocean and then leave. We may stop at a McDonald's on Highway 26 on our way back, but no money is spent in any of the communities of Tillamook County.

We've also been STR renters and now an STR owner. We stop at the local market or grocer. We get dinners from the local restaurants. We buy knickknacks from the shops and get to spend quality time in the community and not just the beach. As an STR owner, we hire local contractors and purchase furniture and other goods for our rental. Tillamook needs short-term renters instead of day trippers. The hotels on 101 are mostly people passing through. Those people staying at STRs on the coast are putting money back into Tillamook County through local purchases, the TLT and other STR-related fees and taxes.

Very Respectfully,

Brenda Huffstutler and Kevin Wingert

To: STR advisory Committee and BOCC
Re: Comments re: Ordinance 84
Date: April 16, 2023

Dear BOCC and STR advisory committee,

I am an Augusta Rule[1] short term rental permit holder in Oceanside and would like to address the issue of STR permit management that has been tabled for discussion up until now. It is my understanding that the concepts of distance limitations and permit caps have been proposed but not debated. While I am not opposed to some regulation of STRs, I disfavor the distance limitations because some communities have historically had concentrations of short term rentals, particularly in our beach communities like Oceanside village that may have small lots. The 250 foot policy would disproportionately impact those communities. I also think that percentage caps on available permits could produce inequitable outcomes for current and prospective permit holders in Tillamook County.

I propose that the county consider creating tiered permits for different rental periods as a means of regulating the number of occupancy days rather than the total number of short term rental permits. For example one short term rental permit type would be eligible for 365 rental days/year, other permits for 30 days per year, and importantly there would be a class of permits for 14 days or less per year consistent with Federal IRS "Augusta rule" vacation home rentals. If lawful, the permit and operator fees should correspond to the eligible occupancy days. It has been inequitable to charge the homeowner who rents out her home 5 days per year the same amount as a homeowner who rent out her home 120 days per year. This approach would not necessarily limit the number of permits, but it would limit the total number of occupancy days.

I have not rented my home since 2019 however I maintain the permit and pay the permit and operator fees annually at great expense and in the spirit of complying with the STR regulations in the event I choose to rent out my home again. In the past I have operated under the Augusta rule. I have never rented more than 14 days per year. My permit should not be functionally equivalent and

[1] The Augusta rule is known to the IRS as Section 280A, and allows homeowners to rent out their home for up to 14 days per year without needing to report the rental income on their individual tax return. Correspondingly, no deductions for business expenses are permitted

importantly not cost the same as an active STR permit holder who rents most days of the year.

Thank you for your consideration of my perspective as an Augusta Rule permit holder.

/signed/

Leslie Kay
PO Box 253
Oceanside, Oregon 97134
leskayvida@gmail.com

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: 250 foot rule / STRCaps

-----Original Message-----
From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Sunday, April 16, 2023 5:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 250 foot rule / STRCaps

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

Hello. My husband and I are both voters in Tillamook county. We also own a 2 bedroom cottage we rent out as a short term rental. No issues, no complaints and yet I understand there is a 250 ft rule restriction being written in to the new ordinance. Our home is the 2nd home in a row of 4 STR's. So, please tell me which one of these homes gets to continue to rent and which ones don't??
I'm sure you're aware there is a large group of owners, me being one, called Oregon Coast Hosts. Each time we ask for any information on the 250 ft rule or on the new Caps rule we are put off by the county stating it'll be brought up next time, etc. and then it isn't . Sure feels as though we're being steamrolled. Lawyers have been hired only to be rejected a seat at the table. We need information. We need it now. Stop putting this off until it's too late. The county will end up with an expensive lawsuit.
Tired of being nice,
Janell & Doug Dixon

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 7:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Analysis of 250' minimums on existing STR licensing
Attachments: Analysis of proposed 250' minimums for STR licensees.pdf

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From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Friday, April 14, 2023 12:27 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Erin Skaar <eskaar@co.tillamook.or.us>; oregoncoasthosts@gmail.com; jerrykeene@aol.com
Subject: EXTERNAL: Analysis of 250' minimums on existing STR licensing

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

I am an STR owner in Avalon West. The proposed 250' minimums between STR licensees will be devastating to existing STR license holders. I have attached an analysis I performed using the County's STR licensee data for your review.

I sincerely urge that the County not adopt minimum distances.

Thank you,

Lloyd Hayne
Lloyd@LloydHayne.com| 503-975-2768

April 14, 2023

To: Tillamook County STR Advisory Committee
Tillamook County Commissioners
Oregon Coast Hosts
Jerry Keene - Central County STR Advisory Committee Representative

From: Lloyd Hayne, STR permit holder, 250 Reeder ST, Oceanside

RE: Potential impact of a 250' minimum distance between STR properties.

Objective:

To understand the potential impact of a 250' minimum distance, property line to property line, on the ability of existing STR permit holders to maintain their STR permits by evaluating the impact of this requirement on a few selected properties.

This tool shows a strikethrough on the draft, but has only been "tabled" and remains for upcoming discussion.

> **.040 Annual Short-Term Rental Registration Certificate Required, Basic Requirements for Registration, No Nonconforming Use Status Conferred.**
>
> D. *Density Limitation on STR Registration Certificates In Locations Outside Unincorporated Community Boundaries and City Urban Growth Boundaries.* The County will not issue or renew a STR registration certificate if, at the time of application, there is a valid and registered STR operating on property within 250 feet (closest property boundary to closest property boundary) of the applicant's property...

Methodology:

Using the address import function inherent with google maps, I imported all STR permits by address[1] from the "FULL ACTIVE STR LIST AS OF 2.21.23.XLSX" data file provided by Tillamook County's Permit Technician. Of the 1209 addresses in the file, 124 addresses were not imported due to address formatting errors or the inability of Google

[1] I initially I prepped the STR permit file by concatenating the following four address fields to create a full address which Google Maps could interpret: Number, Dir, Street Name, Street Type, and Post Dir.

to identify the address on their mapping system. The resulting import mapped of 1085 STR properties on Google Maps.

To analyze the impact of a 250' minimum distance between STR properties, I selected three properties at random in areas of mid to high STR permit concentrations. I selected Oceanside, Cape Kiwanda, and Avalon West.

I first marked each selected property with a green pin. I then used the Google "Measure" tool to identify all STR properties within 275 feet. I used 275' instead of 250' because this measurement was from the approximate center of the property to the center of the second property, not the property line itself as is anticipated in the proposed ordinance. Because the center of a property to the property line is likely greater than 25', this is a conservative measurement.

I marked each property within 275 feet of the selected property with a red pin. All properties beyond 275' are marked with a blue pin.

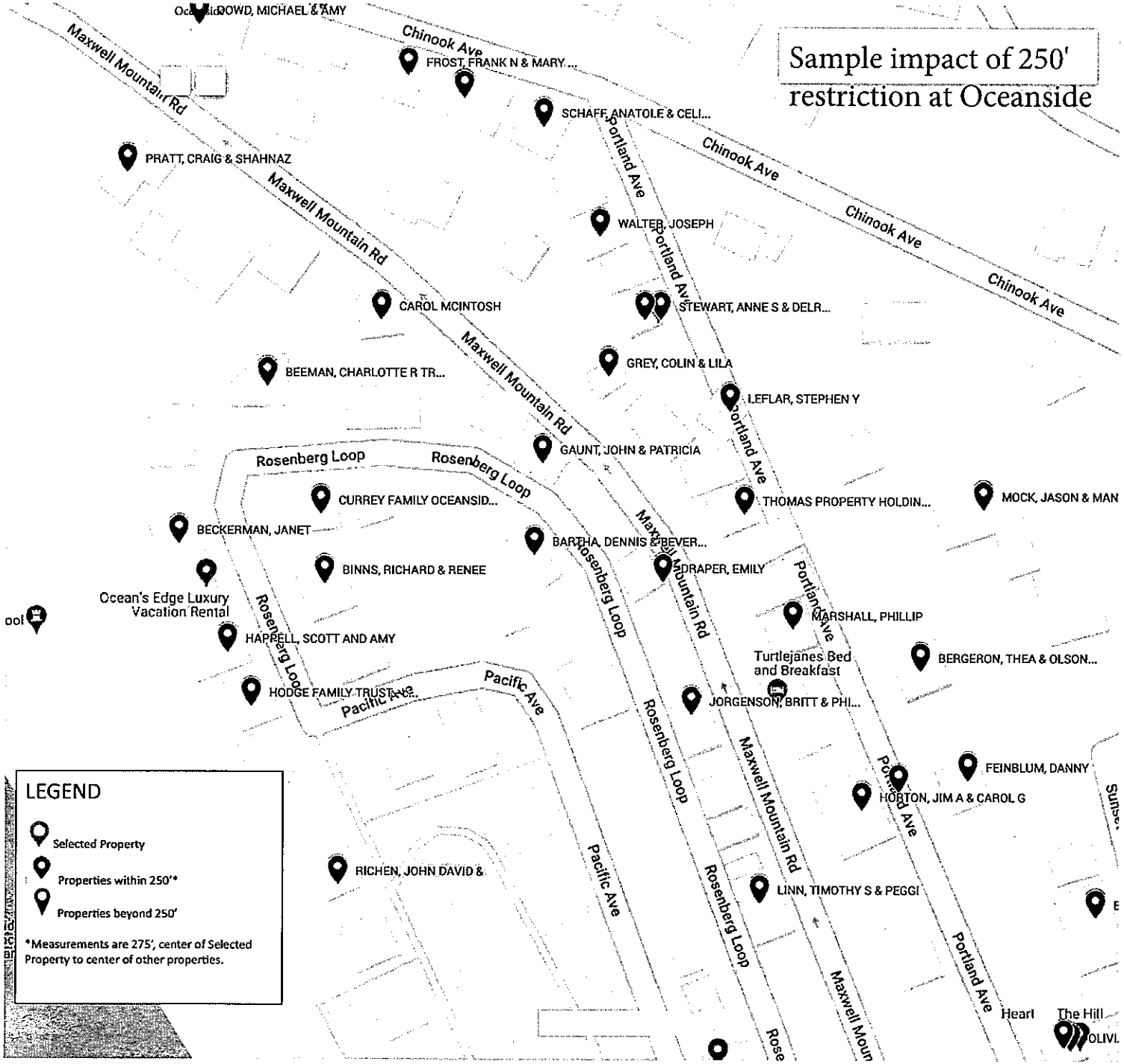
Conclusion:

For only the three properties reviewed, the 250' minimum distance would eliminate

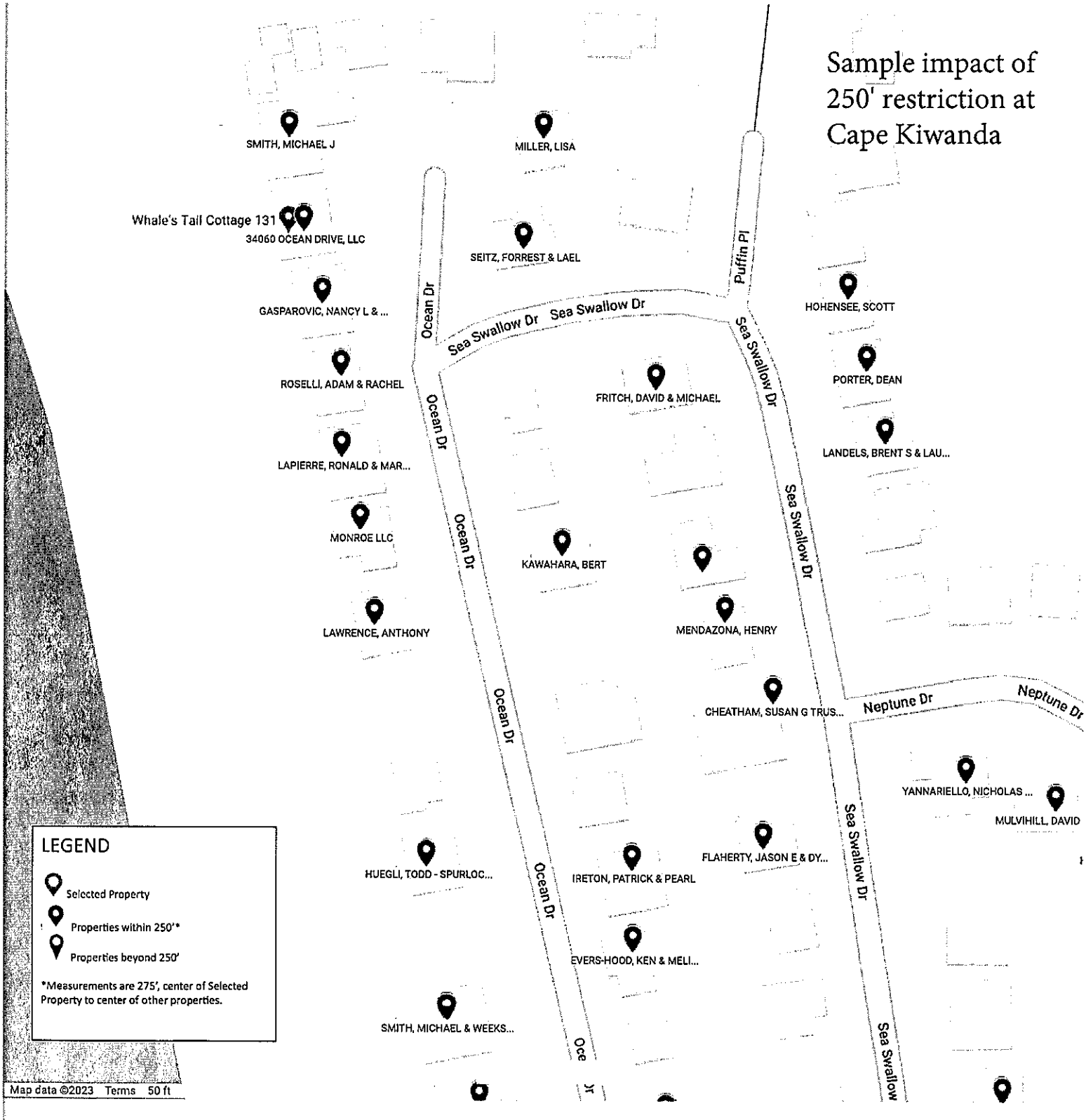
Oceanside: 17 permits

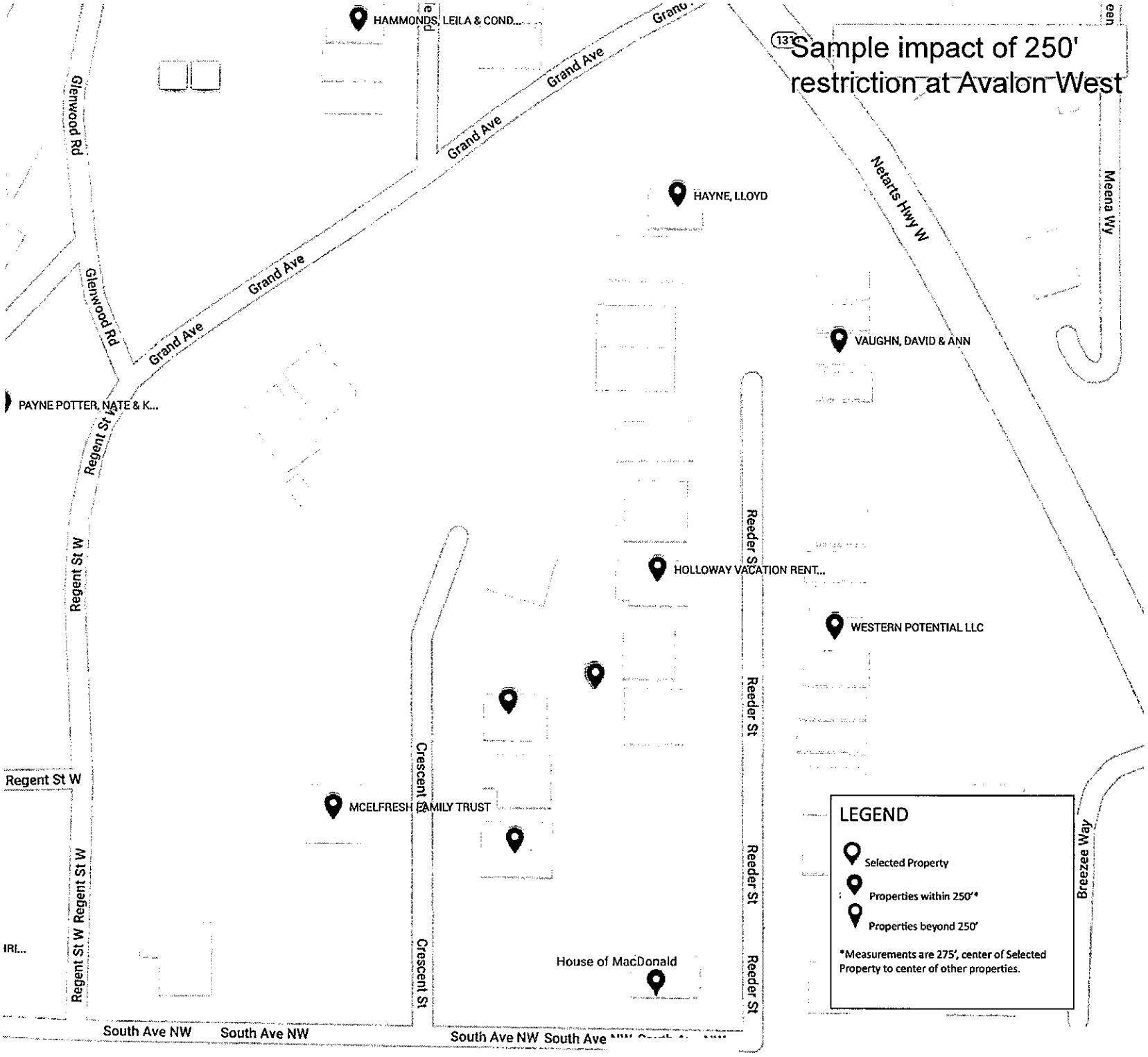
Cape Kiwanda: 15 permits

Avalon West: 5 permits


Sample impact of 250' restriction at Oceanside
Maxwell Mountain Rd
Chinook Ave
Portland Ave
Rosenberg Loop
Pacific Ave
CROWD, MICHAEL & AMY
FROST, FRANK N & MARY...
SCHAFF, ANATOLE & CELI...
PRATT, CRAIG & SHAHNAZ
WALTER, JOSEPH
CAROL MCINTOSH
STEWART, ANNE S & DELR...
BEEMAN, CHARLOTTE R TR...
GREY, COLIN & LILA
LEFLAR, STEPHEN Y
GAUNT, JOHN & PATRICIA
CURREY FAMILY OCEANSID...
THOMAS PROPERTY HOLDIN...
MOCK, JASON & MAN
BECKERMAN, JANET
BARTHA, DENNIS & BEVER...
DRAPER, EMILY
BINNS, RICHARD & RENEE
Ocean's Edge Luxury Vacation Rental
MARSHALL, PHILLIP
HAPPELL, SCOTT AND AMY
Turtlejanes Bed and Breakfast
BERGERON, THEA & OLSON...
HODGE FAMILY TRUST...
JORGENSON, BRITT & PHI...
FEINBLUM, DANNY
HORTON, JIM A & CAROL G
RICHEN, JOHN DAVID &
LINN, TIMOTHY S & PEGGI
The Hill
LEGEND
Selected Property
Properties within 250'*
Properties beyond 250'
*Measurements are 275', center of Selected Property to center of other properties.

Sample impact of 250' restriction at Cape Kiwanda




Sample impact of 250' restriction at Avalon West
HAMMONDS, LEILA & COND...
HAYNE, LLOYD
VAUGHN, DAVID & ANN
PAYNE POTTER, NATE & K...
HOLLOWAY VACATION RENT...
WESTERN POTENTIAL LLC
MCELFRESH FAMILY TRUST
House of MacDonald
Grand Ave
Glenwood Rd
Regent St W
Netarts Hwy W
Meena Wy
Reeder St
Crescent St
Breezee Way
South Ave NW
LEGEND
Selected Property
Properties within 250'*
Properties beyond 250'
*Measurements are 275', center of Selected Property to center of other properties.

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 9:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public comment for Ordinance 84

From: Rachael Winters <rdwinters22@gmail.com>
Sent: Monday, April 17, 2023 9:42 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public comment for Ordinance 84

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

Dear Tillamook county and Board of County Commissioners,
We are currently in the minority group who are in great need and waiting for our permits. We started building our home before the pause, and we're not grandfathered in. We are urgently waiting for a permit, but are very fearful of the density caps and limits included in the amended ordinance. We are humbly asking to obtain a permit so that we are not forced to sell our home after pouring a great deal of time, money and heart into our home.
We love the community in Pacific city. We have felt nothing but warmth from the community and have been so welcomed by other residents and businesses alike.
The current pause has brought on much anxiety and financial hardship for our family. We have been waiting and waiting very patiently. When will we be able to obtain a permit? Please consider our position along with a handful of others in our same situation.

Sincerely,

Rachael Winters

Date: April 14, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee

Re: Public Comment - STR Permit Holder Survey

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

Oregon Coast Hosts conducted a survey among homeowners with active STR permits in Unincorporated Tillamook County. The purpose was to gain a better understanding of how various proposed changes in rules and regulations may directly impact homeowners with STR permits. Our goal is to collaborate with the county and provide valuable feedback as the process of refining the ordinance draft continues.

TOP 5 DRAFT ORDINANCE CONCERNS FOR HOMEOWNERS WITH STR PERMITS

1. Grandfathering
2. Transferability
3. Property Rights
4. Distance Limits
5. Percentage Caps

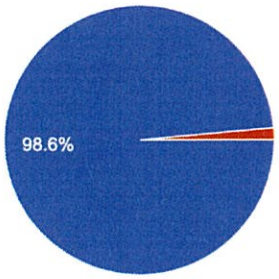
Detailed survey response results are below. Oregon Coast Hosts is looking forward to working with our community to find equitable solutions to achieve a balance of regulations, livability, and property rights.

Thank you,
Rob Govender - Towle
Board Member
Oregon Coast Hosts

STR PERMIT HOLDER SURVEY

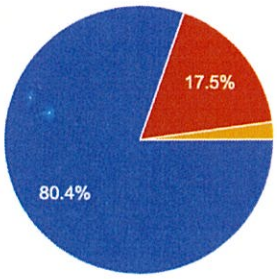
1. **GRANDFATHERING** of current STR permits:

99% support grandfathering current permits to continue to allow existing STRs to keep permits and operate as long as updated fire and life safety requirements are met.



2. **TRANSFERABILITY** of STR permits

98% support some type of continued transferability
80% support transferability in all cases
18% support transferability only for inheritance
2% do not support permit transferability

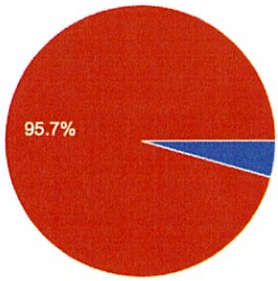


3. **PROPERTY RIGHTS**

The fundamental right to utilize one's home as an STR is supported for all homeowners in Tillamook County, whether or not they currently hold an STR permit [This was the #3 most important topic for homeowners with STR permits & not a specific question with pie chart].

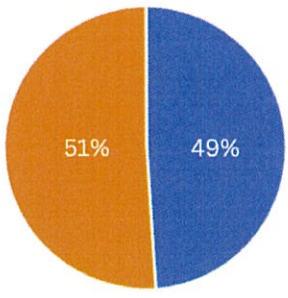
4. **DISTANCE LIMITS**

96% do not support the proposed 250 ft distance limit between STR property lines.



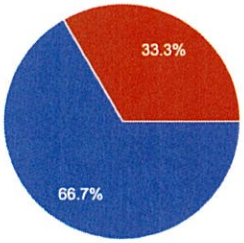
5. **PERCENTAGE CAPS**

51% do not support any level of STR percentage cap.
49% support some varying level of STR percentage cap.

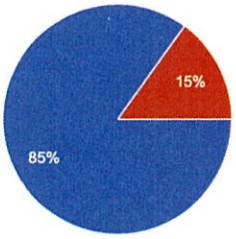


ADDITIONAL SURVEY DATA

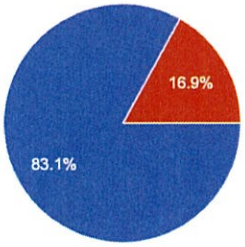
PARKING
33% of owners with STR permits report their parking spots are smaller than the originally proposed new minimum size requirement of 8 feet x 20 feet long.



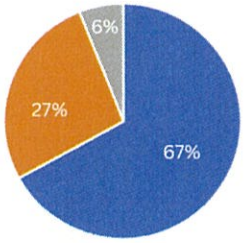
PARKING
15% report their homes do NOT have enough off-street parking to meet the originally proposed requirement of one off-street parking spot per bedroom.



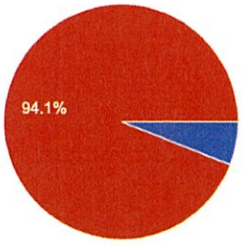
BUILDING CODES
83% of owners with STR permits have serious concerns about the proposed requirement for all STRs to meet current building codes, instead of the current requirement to meet building codes at the time a home was built or significantly updated.



ESTATE HOMES (5+ bedrooms)
Owners whose homes fall into the newly proposed Estate Home category with proposed occupancy limit of 14 adults + 2 children age 12 or under:
67% do not support this maximum occupancy limit
27% do support this maximum occupancy limit
6% no answer

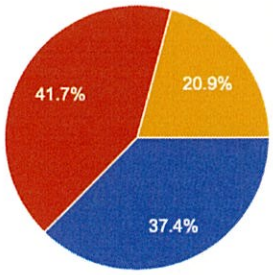


5 YEAR DEFERRED COMPLIANCE (AMORTIZATION PERIOD)
94% of owners with STR permits indicated that 5 years of deferred compliance from percentage cap or distance limit is not adequate compensation for elimination of their home's STR permit.



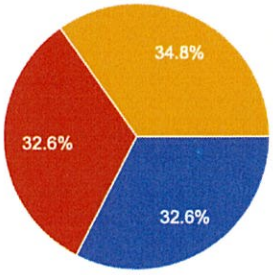
NOISE

42% support a decibel limit for daytime (90db) and quiet hours (50db).
37% support the draft ordinance's rule for no speakers allowed outside, nor audible noise beyond property lines during quiet hours (10pm-7am).
21% do not support either option.



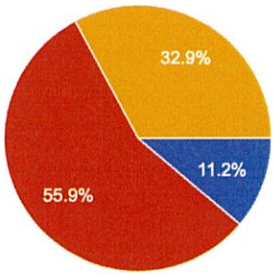
CONTACT INFO

35% support BOTH exterior posting at STR & online database
33% support online database
33% support exterior signage



CLOSETS

56% do not support a requirement for a bedroom to have a closet.
33% support an option to require a dresser or armoire in a bedroom without a closet so that the room may count as a bedroom to be used in maximum occupancy calculations.
11% support requiring a bedroom to have a closet.



Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance Draft - Emergency Preparedness Perspective

---

From: Michael Cook <mikerusts@gmail.com>
Sent: Monday, April 17, 2023 12:34 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Randy B. Thorpe <rthorpe@co.tillamook.or.us>; Linda Cook <lindaphoto43@gmail.com>
Subject: EXTERNAL: STR Ordinance Draft - Emergency Preparedness Perspective

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

Director Abasher and STR Advisory Committee Members,

As a community, we have been working the last 15 years to bring attention to the realities of a pending Cascadia earthquake and tsunami and of other emerging storm, fire, and landslide emergencies. We have been preparing and educating these years for evacuation, food and water supplies, sanitation, first aide, shelter radio communications, traffic management largely with our own time and dollars. We anticipate potential months of isolation from outside support.

We cannot, alone, also prepare for a growing influx of the unprepared. The STR industry and County need to recognize their responsibility here and do their part in this ordinance, along with needed funding and public information strategies.

The now deleted cap could have at least stemmed the growth of these unprepared. Providing the DOGAMI brochure for those in the tsunami zone is one step, but should be required for all STR's, all of which will be impacted by the earthquake itself and the flood of tsunami zone refugees.

But, beyond the ordinance itself, we, the County and the STR industry have the responsibility, a caring, to alert our visitors of the risks here. Simple awareness is key, from common sneaker waves and cliff dangers to Cascadia. Today, people are more aware of the increasing risks of travel from severe fire and storm. Emergency information could be easily included in promotional and rental unit materials. The industry could even promote rentals under the theme "***Prepare*** for the breath-taking wild of our North Coast".

Respectfully,

Mike&Linda Cook
37335 1st St., Nehalem/Neahkahnie

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Draft Tillamook County - Important issues for Agenda
Attachments: tonkon ltr 4.14.23 to Till Cty counsel.pdf

From: John Meyer <jkm@caretrust.us>
Sent: Monday, April 17, 2023 11:16 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Jacki Hinton <hintonjacki56@gmail.com>; Karen Babbitt <wcgarden@gmail.com>; Hillary Gibson <hillary.gibson@me.com>
Subject: EXTERNAL: STR Draft Tillamook County - Important issues for Agenda

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

My wife and I have owned a vacation rental in Neahkahnie since 2017. I was born in Oregon and our family has been coming to the Oregon Coast since the 1940s. We love our home in Neahkahnie, as do our children and grandchildren, and the many guests we return year after year to enjoy the beauty of Neahkahnie.

We are writing to express our appreciation for the many constructive and positive recommendations our neighbors and the STR Advisory committee have made to promote livability for all in our communities. We also want to express our support for the concerns identified by Tonkon Torp in their April 14 letter to the County attorney. This committee has worked diligently to address and improve vacation rental conditions in the County; it would be unfortunate should it fail to address the key common-sense concerns Tonkon Torp has identified in its letter. Here's a quick summary:

1. Current permit holders must be grandfathered in to whatever scheme the County adopts next.
2. Permits must, per statute, remain transferable.
3. The County needs to recognize that STR regulation has been, and will continue to be, a land use decision.
4. The new ordinance cannot subject STR operators to different building code standards than the state building code, unless expressly authorized by the State.
5. STR owners should not be required to indemnify the County.

We respectfully request these issues be put on tomorrow's agenda and addressed by the Advisory Committee. They should seek to form a consensus to include them in the joint position taken by the Committee that will go forward. The recommendations are reasonable and have a sound basis in well tested LUBA and Oregon statutes. They do not stop the Advisory committee from adopting sensible regulations (we favor night sky restrictions for example) and they will avoid countless litigation and community disharmony.

Sincerely,

John and Maria Meyer
Neahkahnie
jkm@caretrust.us

TONKON TORP

David J. Petersen
david.petersen@tonkon.com
Admitted in Oregon and California

503.802.2054 direct
503.221.1440 main

Danny Newman
danny.newman@tonkon.com
Admitted in Oregon and Texas

503.802.2089 direct
503.221.1440 main

April 14, 2023

VIA FAX (503.842.1384), EMAIL, AND FIRST CLASS MAIL

William K. Sargent
Tillamook County Counsel
Tillamook County Courthouse
201 Laurel Avenue
Tillamook OR 97141
Email: bill@williamksargent.com

Re: Tillamook County Short-Term Rentals

Dear Mr. Sargent:

We last wrote to you on behalf of our client Oregon Coast Hosts on February 17, 2023 with concerns about the proposed revisions to Ordinance 84. Since that time, the County has done little to respond to those concerns and in some cases has specifically tabled issues until after the STR advisory committee disbands. Since these issues seem destined for your desk in any event, we write again to highlight several legal issues that continue to threaten Tillamook County's current effort to address and bring balance to its STR landscape. By doing so, we do not mean to exhaustively recite all of our client's concerns, both legal and practical, with the draft ordinances it has seen so far.

First, as discussed in our prior letter, current permit holders must be grandfathered into whatever scheme the County adopts next. ORS 215.130(5); *see also Briggs v. Lincoln County*, LUBA No. 2022-030 (August 8, 2022). And they must be able to maintain that permit so long as they continue the use. ORS 215.130(5). Any outcome that does not recognize and codify these requirements will result in litigation and substantial liability for the County. Also, at least one draft of the new ordinance has proposed a five-year phase out for existing permits. This is insufficient and illegal—the use must be allowed to continue indefinitely. *Briggs* at 20 (five-year phase out violated ORS 215.130(5)). Frankly, we think the County is receiving poor analysis of the *Briggs* case from counsel for those who supported the invalidated Lincoln County ballot measure. We are confident that following your own review of *Briggs* you will advise the County and the advisory committee accordingly and suggest that the next draft ordinance leave no doubt about these outcomes.

Second, comments on the most recent draft ordinance make clear the question of transferability has not yet been definitively resolved. As you know, LUBA directly addressed this issue in *Briggs* and held that counties cannot impinge on the transfer of an STR permit to a new owner of the subject property. *Briggs* at 19. The threat to transferability has already chilled sales of some homes in Tillamook County—Measure 49 liability is ripening before our eyes. The longer the issue remains open, the more likely litigation will commence. We request that you advise the County and the advisory committee that they must maintain full transferability, at least for current permit holders.

Third, whether or not the new STR ordinance characterizes the regulation of STRs as "land use"—or even attempts to specifically disavow that it is land use—is irrelevant. Much time and energy has been spent in advisory committee meetings on this red herring issue, and the current draft ordinance is part of the problem. The County is not going to strip LUBA of jurisdiction or somehow trick a tribunal simply with some post-hoc statement in an updated code. The County needs to recognize that STR regulation has been, and will continue to be, a land use decision. And, as a land use decision, the County needs to comply with the notice requirements of ORS 215.503 and County LUO Section 10.090 before enacting any new ordinance, but there has been no indication so far that the County intends to do so. We request that you advise the County and the advisory committee of their obligations in making land use decisions and that they should not engage in such gamesmanship.

Fourth, the new ordinance cannot subject STR operators to different building code standards than the state building code, unless expressly authorized by the state. ORS 445.040(1). The state building code bars local government from requiring upgrades to existing structures to meet code changes just because the code has changed (*see, e.g.*, 2021 Oregon Residential Specialty Code (ORSC), Section R102.7). Language in the draft ordinance requiring automatic periodic upgrades to meet new building code standards, even in the absence of a proposed alteration of the structure, would not be enforceable. We request that you advise the County and the advisory committee of these plain legal facts so that, again, no additional energy need be wasted on these legal issues.

Fifth, the language in the draft ordinance requiring STR owners to indemnify the County is overbroad and is preempted by the state Tort Claims Act. ORS 30.260 *et seq.*

We had hoped—based on earlier representations from the County advisory committee leadership—that these (and other) issues would be rectified through the advisory committee process. In addition to the issues discussed above, our clients

remain strongly invested in the (apparently tabled) issues of distance limitations and caps on the number of permits, and would like to see a plan and timetable for meaningful discussion of those issues by the advisory committee before it adjourns. Unfortunately, it is becoming increasingly clear that the County is reticent to address even the relatively straightforward issues discussed above, and it seems to be a foregone conclusion that many aspects of the draft ordinance will not be discussed by the STR advisory committee.

Thus, we believe it is time for the County to clarify its position on these issues. We would welcome a formal response from you or a meeting to discuss. We know these issues are tricky politically, but there are clear legal answers on all of them and ignoring those answers only hinders the County's overall goal to reform the STR permitting process. Our client remains interested in a collaborative solution, but collaboration requires both sides to be engaged and if that is not the case, then OCH will consider other options.

Thank you for your time and attention.

Sincerely,

David J. Petersen

Danny Newman

DN/DJP/m_h

Cc: OCH Board of Directors

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TONKON TORP

David J. Petersen
david.petersen@tonkon.com
Admitted in Oregon and California

503.802.2054 direct
503.221.1440 main

Danny Newman
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April 14, 2023

VIA FAX (503.842.1384), EMAIL, AND FIRST CLASS MAIL

William K. Sargent
Tillamook County Counsel
Tillamook County Courthouse
201 Laurel Avenue
Tillamook OR 97141
Email: bill@williamksargent.com

Re: Tillamook County Short-Term Rentals

Dear Mr. Sargent:

We last wrote to you on behalf of our client Oregon Coast Hosts on February 17, 2023 with concerns about the proposed revisions to Ordinance 84. Since that time, the County has done little to respond to those concerns and in some cases has specifically tabled issues until after the STR advisory committee disbands. Since these issues seem destined for your desk in any event, we write again to highlight several legal issues that continue to threaten Tillamook County's current effort to address and bring balance to its STR landscape. By doing so, we do not mean to exhaustively recite all of our client's concerns, both legal and practical, with the draft ordinances it has seen so far.

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Thank you for your time and attention.

Sincerely,

David J. Petersen

Danny Newman

DN/DJP/m_h

Cc: OCH Board of Directors

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Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: short term rentals

From: jfazio@turbonet.com <jfazio@turbonet.com>
Sent: Monday, April 17, 2023 10:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: short term rentals

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

My wife and I are owners of a 5-bedroom vacation rental located on 14 acres outside Netarts, Oregon. Primary goals of entrepreneurship are being one's own boss and achieving a profit after all reasonable expenses. The proposed STR ordinance runs counter to both goals and the values that have made our country great. Up until now my wife and I have enjoyed a reasonably prosperous business in Tillamook County that is appreciated by our guests (we have a 4.9- out of 5-star rating on VRBO with 108 reviews).
Unfortunately, the conditions imposed by this ordinance make the future of our endeavor in Tillamook County very doubtful. And if your goal is to reduce the number of STRs in order to provide more housing for resident workers, I don't see how your draconian ordinance will achieve this. Instead, it will put more places on the market that will be purchased as second, seasonal homes. This will reduce tourists and local income.
We urge you to reduce the number of requirements in this ordinance if passed and to provide more flexibility for responsible STR owners. Proposed conditions that I find particularly objectionable:
.040 C & D
Although this does not affect me directly, I find it concerning that a government entity can dictate the number of businesses allowed in a community. Might this be extended to the number of restaurants, barber shops, gas stations, etc.?
.050 A-3 & 6
Providing floor and site plans, and proof of access are burdensome and seem entirely unnecessary.
A-11
To most entrepreneurs, unchecked discretion given to any county administrator is frightening!
D-5
We have abundant parking space on our concrete driveway and circle, as well as an area I maintain for 'overflow' parking if necessary. This condition should not be applied to estate rentals, if at all.
.080 D
Eliminating or making it difficult to host small events is an unnecessary problem for us. We often attract guests that hold weddings, receptions, reunions, retreats or other small, day-only events on our spacious lawns. There have been no problems, no need for yet another permit, and this is important to us for financing the high costs of maintaining our beautiful landscaping. It is also an important factor in being competitive in the STR business.
N
The sign requirements are the worst proposals, in my opinion. We strongly object to posting of any information at the roadside. Inside the house, we minimize signs so we can provide a home-like atmosphere for our guests.

Outside, we do not place road signs because we do not want to alert passersby that our remote property is a rental – thereby attracting vandalism when not occupied. This entire section of the proposed ordinance is major over-kill!

O

Prohibiting RV's, tents, etc. should be at the discretion of the owner. In our case, we sometimes have a guest who for one reason or another wants to have a member of the party stay in their RV, or kids that want to use a tent. We see no harm in this as long as it does not exceed the limit of allowable over-nighters or impinge on neighbors.

Q

Again, cluttering our property with postings is contrary to our providing the quality experience our guests expect and appreciate. We provide necessary information in our contract before guests arrive and in a loose-leaf notebook in the residence. That is where we would choose to display the Good Neighbor Policy but what information is provided should be left to the discretion of the owner.

.090

C-1

Regarding septic systems, I believe the county already has this information. That was the case a couple years ago when we were notified that we had to reduce the number of guests to 11 based on the size of our septic tank. [I appealed based on the intermittent use of our house, the size of the tank, cleaning it out regularly, having no water source near the drain field, and having no problems whatsoever. My appeal was denied and we have lost some revenue from groups of 12 – 14.]

.100 A

What purpose can possibly be served by placing one's registration number on advertising?!

Thank you for this opportunity to comment.

-- James R. Fazio
1049 Colt Rd.
Moscow, ID 83843
Phone: 208/882-0965
(C) 208/874-3084
jfazio@turbonet.com

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 1:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Advisory Board

From: Jordan Winters <winters@santepartners.com>
Sent: Monday, April 17, 2023 10:10 AM
To: Public Comments <Publiccomments@co.Tillamook.or.us>
Subject: EXTERNAL: STR Advisory Board

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

To the board of commissioners, Sarah Absher, and those sitting on the advisory board,

I implore you to consider the overwhelming outpouring of support in favor of keeping STR's and not further capping or restricting this viable means of lodging. Most reasonable people will tell you that we recognize challenges with parking and noise, and to that end, work should be done to alleviate those concerns. However, there still appears consideration for limiting the number of STR's, reducing occupancy and creating unreasonable distancing rules. Please use common sense when reviewing these provisions; I implore you to not let the voice of a very few minority become the driving factor in all of these decisions.

Sincerely,

Jordan Winters
Director of Development, Finance Strategist
M: 503.209.6034
winters@santepartners.com
www.santedevelopment.com

NOTICE: This message, including all attachments transmitted with it, is for the use of the addressee only. It may contain proprietary, confidential and/or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you are not the intended recipient, you must not, directly or indirectly, use, disclose, distribute, print or copy any part of this message. If you believe you have received this message in error, please delete it and all copies of it from your system and notify the sender immediately by reply e-mail. Thank you.

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 3:49 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: 250 ft distance STR's

-----Original Message-----
From: Allie kato <alliekato@hotmail.com>
Sent: Monday, April 17, 2023 2:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 250 ft distance STR's

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

To whom it may concern;

I understand one of the proposals is to limit STR's to a 250 foot buffer zone between properties. As most of these properties are already owned and one cannot move their property to another location nor can they swap their property with a neighbors that seems like an unreasonable Limitation for existing STR's. I know we rent our property out approximately 50% of the time and next-door to us is a property that rents out 100% of the time. However, on our block of approximately 12 homes we are the only two, it seems like it would be more reasonable to limit the percentage within the entire neskowin village, rather than the arrangement of which houses happen to already be next-door to each other , otherwise how do you determine which existing STR's are allowed to keep their permits?

Allie

Lynn Tone

From: Public Comments
Sent: Monday, April 17, 2023 3:49 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Support for STRs in Tillamook County

---

From: Pete Stone <psphoto@comcast.net>
Sent: Monday, April 17, 2023 3:22 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Re: Support for STRs in Tillamook County

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

To the County,

In it's attempt to find an equitable balance between Short Term Rentals and long term residents in the region, I would hope the County would make any corrections, adjustments or additions to the current governing Ordinance #84 based on
real data, and reasonable solutions. What shouldn't occur, unfortunately, is exactly what we are seeing occur. We have proposed "solutions' in search of problems, fixes for issues that haven't been found to exist, and arbitrary punishment
for owners and/or managers despite any real control they have concerning a particular violation.

Here are some specific examples:

Many of the proposed measures such as noise limits, septic inspections, and building code rules would ONLY apply to STRs,
NOT to other types of dwellings and occupancies, despite essentially being the same residential activity. Except for specific signage
required, no distinction can be made or found between Short Term, Long Term, or Permanent residency. The occupants are all doing the exact same things, i.e. eating, sleeping, reading, cooking, watching tv, enjoying a sunset, etc. Yet somehow, a new set of far more restrictive rules is needed that can only be described as punitive.
These new rules are not "corrective", in the sense that significant past activity has forced the County to reign in out of control STRs. In fact, as the County's own data has shown, complaints against the more than 1200 permitted STRs for Code Enforcement action have been minimal. Last reports showed a total of 8 Code Enforcement Notifications in 2020, and 13 in 2021. This shows a complaint level hovering around 1% or less……a rate hardly requiring much corrective action.

For example, we have the County proposing a Noise Rule that would consider a guest quietly playing an acoustic guitar in the middle of the day on an STR property deck to be in violation of the proposed Draft, if such music could be heard next door. If that next door neighbor was a full or long term resident, they could be doing the exact same thing without any legal repercussions.
The County would be advised to look at Marion County's Noise Ordinance that provides a far better framework for finding a happy medium regarding residential noise:
https://www.co.marion.or.us/SO/Operations/CodeEnforcement/Documents/noise1.pdf

STRs are also being required to comply with building codes that didn't exist when construction permits were first issued, which is a violation of State law
ORS 445.040 (1). The state building code bars local government from requiring upgrades to existing structures to meet code changes just because the code has changed (see, e.g., 2021 Oregon Residential Specialty Code (ORSC), Section R102.7).

Then we have new septic system Inspection requirements.
The County is asking to re-inspect all septic systems that haven't had an ESER (Existing System Evaluation Report) done within the last 3 years, and require that an inspection is being done annually (i.e. before every STR certificate renewal).
This is ignoring the fact that an original DEQ Septic Permit, along with Tillamook County's Waste Management Program Permit, authorizes, and verifies size and type of tank, number of bedrooms, map of drain field, location of dwelling, etc. when a Septic System is first installed.
So the question is.....WHY is any re-inspection, outside of a standard scheduled review by an authorized DEQ pumping contractor, needed? The existing systems have been approved at the time of construction, and unless they can be shown to be failing, should be allowed to continue operating under their original permits, with no County mandated re-inspection (at significant cost to owners) required.
Is this being required of any other Residential property owners?
An ESER (Existing System Evaluation Report) has ONLY been previously required, to quote the County's own ESER document: "for a proposed change in sewage flows, change in use, or to verify that the system is functioning properly as a basis for a lender approving a loan on the parcel."

Essentially, standard STR use IS NO CHANGE IN USE, since the dwelling hasn't changed in terms of allowed occupancy, or number of bedrooms, or any other factor that would impact an installed septic system. It's still remaining in standard "Residential Use"....no different than any other approved septic permitted property used as a dwelling.

In fact, looking at all the DEQ Onsite Wastewater Management Forms and Guidelines, there is NO situation where they mention the need for a re-inspection of an installed and functioning Septic System, except at the time of pumping: https://www.oregon.gov/deq/Residential/Pages/Onsite-Forms.aspx?wp113=l:25

More here from DEQ:
" In Oregon, a 1,000 gallon septic tank is required for homes with up to four bedrooms. If four people live in a 4-bedroom house with a 1,000 gallon septic tank, the pumping frequency is on the order of every three years. If the same system serves two people, the frequency would be on the order of every six years. Septic tanks installed before 1979 could be smaller and require a higher pumping frequency."
See: https://www.co.marion.or.us/PW/BuildingInspection/Documents/septictankmaint.pdf

Tillamook County's own documents regarding pumping state the following: " Septic tanks should be pumped at intervals of approximately every 4 years"
See:
https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/page/3191/septic_system_owners_manual.pdf

These previous examples are just a few of the areas of concern where the County seems to be attempting some rule making without either determining if a proposed rule is even legal, or is based on any real data. I would hope going forward, the County chooses a more responsible path both to avoid costly litigation, and to avoid having to deal with angry residents and unintended consequences.

Please note: The views expressed herein are strictly my own, and are not representative of any other group or organization.

Thanks,
Pete Stone

Pete Stone
Rockaway Beach
Oregon.

tel: 503-740-6170
email: psphoto@comcast.net

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 11:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: John Leigh <leighj2717@gmail.com>
Sent: Tuesday, April 25, 2023 8:50 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Hello. I would like to reiterate my concern about the square footage requirement for bedrooms. Presumably the requirement is to prevent small spaces in large houses from being used as bedrooms to increase the occupancy. However, in a small house, bedrooms may be small and none of the bedrooms might fulfill the square footage minimum stipulated. It seems to me there should be some accommodation for small houses with limited bedroom space. For example, houses with only one or two bedrooms could be exempt. Thank you.

Lynn Tone

From:	Public Comments
Sent:	Tuesday, April 25, 2023 8:17 AM
To:	Lynn Tone; Sarah Absher; County Counsel
Subject:	FW: EXTERNAL: STR Comment: What is the NET economic benefit of STRs?
Attachments:	Graphical user interface, chart Description automatically generated.png

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From: Mark Roberts <mandm-roberts@comcast.net>
Sent: Monday, April 24, 2023 1:49 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Cc: Babbitt Karen <wcgarden@gmail.com>; Jacki Hinton <hintonjacki56@gmail.com>; JERRY KEENE <jerrykeene@aol.com>; Bruce Bishop <babishopdx@me.com>; Amy Bell <amyfbell@comcast.net>
Subject: EXTERNAL: STR Comment: What is the NET economic benefit of STRs?

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Director Sarah Absher,
Commissioner David Yamamoto
Commissioner Mary Faith Bell
Commissioner Erin Skaar
Short-Term Rental Committee

What is the NET economic benefit of STRs?

There is the suggestion that Short-Term Rentals benefit Tillamook County's economy. I haven't seen any plan or support for this notion.

Yes, those who wish to finance a second home via renting, benefit.

Yes, those who invest in real estate which pays for itself, benefit.

Yes, tourist-oriented businesses want and benefit from more tourists.

No, Tillamook County, on balance, may not be well served by increasing STRs to further the tourism industry.

At least I haven't seen this 'net' economic analysis to Tillamook County.

Sure, STR owners benefit. Yes, the County receives TLT monies.

But what about the rest of Tillamook's economy?

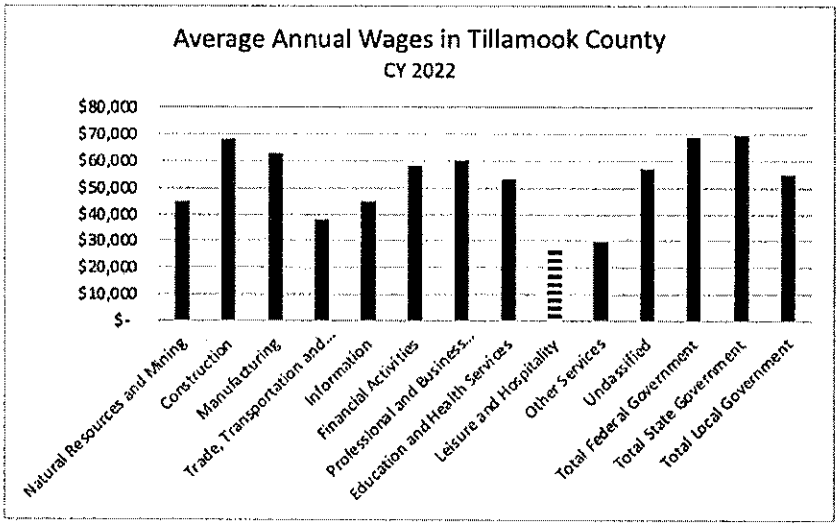
The "Tourism Industry" *(Leisure and Hospitality)* in Tillamook County reports $40.8 million in total wages in 2022 ... but that is only 8% of Tillamook's total wages. *(Oh, and to be inclusive, the Real Estate and Rental Industry, which has better than average wages, encompasses 0.6% of the County's total wages.)*

What are the impacts of STRs on the rest of Tillamook County's economy? How does the remaining 91.4% of Tillamook County benefit? Do these tourism benefits out way increased housing costs, tourist season peak demands on parking, water, and other aspects of the community?

Many Tillamook businesses are unable to hire employees already – nurses, managers, technicians, restaurant servers, etc – because they can't find or afford to live in many Tillamook communities.

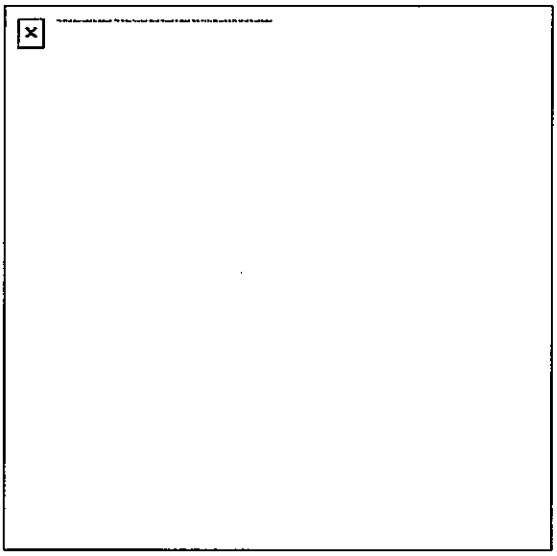
Is increasing tourism jobs a smart economic move? Tourism jobs are the lowest paying jobs in Tillamook County and are highly seasonal. Are higher wage, less 'seasonal' employers advantaged by more STRs? What do other employers say? Do these other Tillamook economy participants say – yes, more STRs benefit my business?

Again, I haven't seen the analysis which demonstrates that promoting more of the lowest paying jobs in the County's economy is a smart move. Most working people are already priced out of 'tourist' oriented communities. Do we need to make this even worse?



Source: https://www.qualityinfo.org/ewind?rt=1&qcewOwnership=00&qcewIndustrySuperSector=0000&qcewIndustrySector=&qcewIndustrLvl=0&qcewIndustry=00000&qcewPeriodyear=2022&qcewPeriod=00&qcewArea=41040000057&toggleState=e0010~e5010~e9010~e0010~e5010~e9010

Further, tourism jobs come and go with the tourism season. Likewise, STRs are largely vacant in the 'off-season'.



I'm skeptical that, on balance, the net benefits are worth the costs. Tillamook County Commissioners need further evidence of net economic benefits before permitting even more of this known cause of increasing housing costs.

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rental

-----Original Message-----
From: Kristie <kristie.carter.m@gmail.com>
Sent: Monday, April 24, 2023 11:39 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: jerrykeene@aol.com; twestover@mac.com
Subject: EXTERNAL: Short term rental

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

Good afternoon,

I wanted to share a few thoughts I had on the short term rental pause. We purchased raw land in Oceanside in summer of 2021 with the hopes of building a place for ourselves and family, while also short terming to make the process more affordable + giving others a place to enjoy the house, community and beach. We started our planning with this in mind and then July 2022 the pause happened, but we were already underway and had invested too much to turnaround.

I grew up spending a lot of time in Manzanita where my grandparents lived. When they past away and the decision was for the family to sell the land, we were devastated. The beach and my time with family helped shaped who I am and brought be so much joy.

I'd ask that you consider enforcing current rules before capping additional permits. We understand the rules and respect the community. We've spent so much time in Oceanside (also have family here) and absolutely love the town, people and quiet/cleanliness of the town and beach that we plan to contribute to and continue to uphold. We would expect the same for our guests.

Having a place to stay at the coast is truly special and we want to share our home with others. We know it's a privilege to own a vacation home and would treat it as such.

A few additional thoughts: location matters for short term and understand the impact it has on neighbors. Could petitions be signed in order for a new permit to be given, without adding a % cap on new permits? Could a new construction be allowed a permit since it's not impacting the current housing numbers and ratios? Could fireworks be banned for all of our sanity at the coast, therefore decreasing some of the complaints I heard mentioned? Can permits not be transferred with a house sale as it's not fair to those who have an existing home/land not be given the same opportunities? Can there be rules focused on revoking permits who break the rules versus capping them?

Appreciate your time,

Kristie

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

From: beach walker <oregonbeachwalker1973@gmail.com>
Sent: Monday, April 24, 2023 11:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

I am a homeowner in Neskowin with a current STR. I want to be heard on the subject of the 1% increase. Also the subject of minimum occupancy standards. And the standard of CURRENT building codes. I oppose these for the following reasons:
1. The limit of 1% increase for "registrations" removes owners property rights. It also limits growth and removes revenue. Does the county really wish to restrict visitors who utilize local business services? That is what it looks like to "shoot yourself in the foot." Take a look at what has happened to small businesses who rely on tourism in our county. Please do not create Ghost towns. Instead, the permit process should be qualitative--for instance--3 STRs within 500 foot radius.

2. Minimum occupancy. I oppose this. Currently, I have a long term guest. This is good for the nieghborhood. It also provides needed housing, which is in short supply. Please do not make occupancy a contingency on being permitted. It is my choice how I use my property, as long as everything is legal and respectful.

3. The requirement of having 50-70 year old cottages meet current building codes is ludicrous. Are you really proposing people tear down and rebuild? Instead, a safety inspection should suffice. Things like stairways, outlets, set-backs, and others that were common practices in the the 1960's should not make a dwelling unqualified to be a short-term rental. And I want to mention, that I have been a STR owner since the first inception of the first permitting process. I have rented my Neskowin beach house to many people over the last 16 years. I have not had a single complaint. I have made friends. These guests return year after year.
The requirements above are over-reaching and infringe on Property rights. Please revise or delete them.
Nancy (Kat) Nordland
49795 Proposal Rock Loop
Neskowin, OR
oregonbeachwalker1973@gmail.com

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: Thomas Pak <typak@icloud.com>
Sent: Sunday, April 23, 2023 9:04 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

To whom it may concern

As a property owner in Manzanita I am deeply concerned about the current efforts to 'manage' STR activity along the Oregon coast. As a resident of Oregon since 2011, I have come to appreciate the beauty and grandeur of the coastal landscape and we are fortunate enough to own what my friends call 'a slice of heaven.' My experience is that Oregon coast can go toe to toe with just about any natural landmark in the WORLD in terms of beauty and charm. I met a couple from France at Short Sands a short while ago who was just in awe, and rightfully so.

The Oregon coast is a marvelous wonder and that means that by order of human nature, it is and will continue to be a place and an economy driven by sustainable tourism. Necessary growth of coastal communities must then be mirrored by simultaneous growth in tourism.

I understand that uncontrolled transformation of a community into a mish mesh of transient short term housing is not only unsustainable but undesirable for both long term residents and property owners at large. It changes the culture and 'feel' of the community and I can relate to how living next to a constantly revolving door shuttling unfamiliar faces through it every few days can be unnerving.

But unfairly limiting STRs or worse yet stripping property owners of their rights is to prevent growth of the communities and businesses that reside within them, and is simply put un-American.

The decisions made by the governing bodies of the communities must be data driven and not by isolated incidences or one person's opinion that 'it's not the same anymore'. For example, of all the airbnbs that we've stayed at along the Oregon coast and central Oregon, I have found the number of times there was enough noise for me to file a complaint identical among all communities (zero). But don't take my word for it. Let's see the numbers. Decisions made by anecdotes and 'feels' are destined to cause harm.

Second, data must support that limiting STRs cause a corresponding reduction in the number of noise complaints. Is this truly a causal relationship? Are there other tourist destinations similar to Oregon coastal communities (Whitefish, Vail, Bar Harbor, Islamorada, Destin, Homer etc) that have seen a reduction of noise complaints after limiting STRs? Again, numbers.

I use noise complaints as an example but I feel that ALL decisions, especially those whose implications will have an absolutely HUGE impact on the general well being of our coastal communities, must be based on data and deliberation of that data.

Instead of a shotgun knee jerk let's limit STRs reaction, I would propose the following:

1) consider requiring a local vacation rental manager if the owner does not reside within a certain radius. This works in other communities, and may result in not only better vetting of guests but also JOBS!

2) affordable housing. This is critical for the vibrancy of our communities along the coast. Businesses are suffering because there is no affordable housing. Zoning is necessary and city must use revenue from vacation rentals to build affordable housing.

3) hire more police and bolster law enforcement : speeders, noise makers, disruptors, and criminals are the ones who must answer for their misbehaviors, not the property owners.

In conclusion, decisions must be data driven. And please remember that property owners care about the community just as much as long term residents. We want to keep Oregon coast a beautiful, charming, clean, place to enjoy. We care about the long term health and growth of our cities along the coast. We All have a vested interest in seeing communities thrive.

Tom Pak
Property owner in Manzanita

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 8:17 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comment from Oceanside STR

From: Katie LaRosa <katie.nordt@gmail.com>
Sent: Sunday, April 23, 2023 7:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comment from Oceanside STR

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

Hello,

Just writing to express concerns about our STR. The new occupancy rules would significantly reduce the number of people who can rent our spacious 2200 sq ft home. We are concerned that will affect the success of our STR. We bought this home just over a year ago. It used to sit empty most of the time with owners who lived 5 hours away. Now we are a part of the community, employing builders, cleaners, and supporting local businesses. This feels like intrusive big government. It's disheartening to see. Our home has only helped the local community compared to how the house was used before.

Katie LaRosa

Lynn Tone

From: Steve Stewart <drdemento.stew@gmail.com>
Sent: Tuesday, April 25, 2023 9:11 AM
To: Lynn Tone
Cc: Tom Prehoditch
Subject: Re: EXTERNAL: STR Ordinance proposal

Dear sirs,
As the process and documentation of the proposed revision of the Tillamook County STR Ordinance begins to crystalize I wanted to make additional comments.
Firstly, it has become obvious this tedious process will forever require a nuanced balance of the opposing and at times contentious interests of neighborhood and commercial factions. A tough ask with kudos to the County for their diligence in digesting and administering that balance.
As previously stated, I remain in favor of implementing both density and percentage of dwelling caps. In my neighborhood there are currently 3 surrounding and 2 more within 250' STR's. On any given weekend the potential for the usual spate of parking, noise, traffic and garbage problems is a constant. Allowing more permits can only exacerbate this condition. Further consideration on this issue is certainly warranted.
I would also reiterate the absolute necessity for a better enforcement mechanism not relying on homeowners or their agents, but rather a County Enforcement Officer to fairly and firmly ensure compliance with the ordinance.
As is evident from the discussions and revisions to the parking requirements, this issue is a critical and formidable one to resolve. Neskowin town proper in particular has almost no available on street parking. This is at least in part due to historic homes having not been required to observe current accepted setbacks, then allowing new construction to match up with the old(double secret exemption). As such, even most driveways encroach on the public right of way, leaving very restricted qualifying off street spaces. No on street parking is safe for emergencies.
Lastly, I would again request addition of a mechanism for appeal of county decisions affecting occupancy numbers including parking and safety exits. Many of the grandfathered permits were lax with respect to compliance on these issues, in effect allowing more occupancy than is safe or would otherwise be allowed under current or proposed modified ordinance requirements. The Appeal of County Decisions as proposed would appear to only allow homeowners or their agents to challenge county compliance and, therefore, rejection decisions. There should also be a prescribed mechanism for community challenge of county decisions in a similar manner.
Thank you for your work and consideration.
S.R. StewartMD

Sent from my iPad

> On Feb 2, 2023, at 1:55 PM, Lynn Tone <ltone@co.tillamook.or.us> wrote:
>
> Your comments have been received, thank you.
>
> -----Original Message-----
> From: Steve Stewart <drdemento.stew@gmail.com>
> Sent: Wednesday, January 11, 2023 8:40 AM
> To: Lynn Tone <ltone@co.tillamook.or.us>
> Cc: Tom Prehoditch <tom@kpp-law.com>
> Subject: EXTERNAL: STR Ordinance proposal
>

> [NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]
>
> Dear Sirs,
> I have reviewed the proposed revisions to the Tillamook County STR ordinance and would like to offer comment.
> Firstly, I view this as a major step forward in addressing the myriad of problems associated with the proliferation of STR's in my community of Neskowin. Most importantly, limits on the number and density of rentals insures less encroachment on neighborhoods not able to accommodate the traffic, parking and noise issues. It seems as though the indemnity provisions make it fair to those ultimately excluded via the new provisions.
> Secondly, I would suggest adding provisions for local homeowners to appeal specific aspects of the permit process. This applies to allowable occupancy as related to two limiting requirements including parking and emergency exits for bedrooms. Scrutinizing these requirements finds the county allowing non compliant parking(inadequate space, no qualifying ingress/egress) and inadequate upper level bedroom exits(not open to accessible through ways). There is no current effective way to question or challenge the allowances.
> Lastly, none of this matters without additional provisions for compliance enforcement. Leaving that in the hands of homeowners or their agents and the understaffed Sheriffs Department is a recipe for neglect. A dedicated Compliance Officer with a paid commitment to ensuring fair and equal application of the requirements of the Ordinance is critical to effective management of the provisions.
> Thank you for your consideration,
> S. R. StewartMD
> 4405 Sheridan Ave.
> Neskowin,OR 97149
>
> Sent from my iPad

Lynn Tone

From: Public Comments
Sent: Friday, April 28, 2023 2:09 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Proposed revisions to STR ordinance, 30 day rental requirements

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From: Maureen Bradley <bradleym04@gmail.com>
Sent: Friday, April 28, 2023 11:57 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Proposed revisions to STR ordinance, 30 day rental requirements

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

Dear Tillamook County

I am an STR permit holder who purchased a "fixer-upper" in Pacific City and spent the majority of last year doing a major remodel. After using local contractors and landscapers, I now have a beautiful home that adds immensely to the neighborhood. I went through this remodel because I wanted to have an attractive STR and because I also enjoy my time at the coast. Many of my neighbors (who are permanent residents) have expressed gratitude for the improvement because it has added to the value of their homes.

The proposed revisions to the STR ordinance are frankly too restrictive. In particular, I am against the 30 day rental requirement as it will inhibit owners' abilities to make improvements. As I'm sure you are aware, the coastal environment can be rough on homes and requires a lot of upkeep.

As a general comment, I remain unclear as to what problem we are trying to solve by restricting STRs. Is the county basing these decisions on a few isolated complaints? Why is it so hard to find data on the number of complaints being received regarding STRs? Conversely, there is solid data that shows the positive economic impact from STRs.

Lastly, given the high likelihood of lawsuits and the subsequent costs, are these restrictions really worth pursuing?

Thank you for the work you do. My hope is that the county will take a reasonable approach to this issue. It will be a sad day to see our coastal environment lose the local economic benefits of STRs, should the ordinance pass with its current restrictions.

Best,

Maureen Bradley

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: T H <toddhuegli@gmail.com>
Sent: Monday, May 1, 2023 2:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I'm writing in support of STR permits for Pacific City. I own a house in Kiwanda Shores, which has a very high percentage of short term rentals. My family spends a significant amount of time in Pacific City year round. We believe short term rentals provide a necessary and vital service for the community and the home owners. The rentals are small businesses that the owners often rely upon to support their families. Small businesses are vital to our economy. The rentals also provide significant revenue to our local businesses in Pacific City.

I'm not aware of any complaints within Kiwanda Shores and its a vibrant community of year round residents and short term rentals.

Any caps on STR permits will likely hurt small businesses and be harmful to the community.

Additionally, if permits are not transferable, the value of the properties will drop dramatically and many owners would be forced to sell the homes.

Sincerely,
Todd Huegli

--
Todd J. Huegli
ToddHuegli@gmail.com

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: janetanddennis@gmail.com <janetanddennis@gmail.com>
Sent: Monday, May 1, 2023 2:43 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To whom it may concern,

We are relatively new to Oregon and to the Oregon coastal communities but have quickly fallen in love with the coast and the joy it brings our families to have rental units available to visit and spend a few days at the Tillamook coast. Because we enjoy the coast so much, we feel we have contributed to the economy of the Tillamook coastal communities, have found the rental neighborhoods peaceful, and inviting. We have enjoyed the restaurants, the parks and trails, and found the shopping most enjoyable. We strongly encourage you to support healthy short-term rental relationships that make them affordable, safe, and plentiful.

Also, as an STR owner, we have made sure we used local craftsmen to put our home in top condition and keep it there. We have hired roofers, painters, carpet layers, furnace maintenance firms, propane suppliers, and visited furniture stores to furnish our home. We hope that any actions you take to regulate STRs will recognize their value to the communities and keep this part of your local economy healthy and welcome.

We would be happy to speak with anyone on the county board of commissioners about the value of STRs to our relationship to the Tillamook coastal community.

Sincerely,
Dennis & Janet Broderick
Nedonna Beach
925-831-8516

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:21 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: thomas cooper <tommycooper@me.com>
Sent: Monday, May 1, 2023 3:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I'm writing to suggest moderation with the proposed STR amendments. I have concerns with regards to existing permit holders being forced to modify their homes to comply. I've had no complaints after being in business for 15 years and use all local businesses to service my rental properties. If particular concern are the updated potential requirements for room size, sleeping areas, ceiling heights, and off street parking. My places aren't fancy, they're quirky old beach houses in Rockaway a mere block out of city limits. To comply with parking for one I'd have to rip out a fence when there's ample parking on the side of the house. The lot's narrow and the parking is partly on my property and partly on the side of the street and there's never been an issue with parking in the past. I'm not that close to the beach and I'm respectful of my neighbors. I also have some smaller rooms with ceilings that are not to current building code regulations. I've invested a lot in the community and I understand the need to regulate moving forward for new permits. I feel like this is a place where families gather and frequent the local businesses. It would be a shame to jeopardize this with excessive regulations. Despite the fact that I contribute a significant amount of STR and tax revenue I don't even have a paved street in front of any of my houses. I feel like now I'm paying the price for complaints from Neahkanie

Thank you for your consideration

Sent from my iPhone

Tom Cooper
Tommycooper@me.com
503-317-9101

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs in Tillamook County

-----Original Message-----
From: Janell Dixon <janell.dixon@yahoo.com>
Sent: Monday, May 1, 2023 3:21 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs in Tillamook County

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

I'm a resident and voter in Tillamook County. I live on a quiet neighborhood in South Unincorporated Rockaway Beach. We have several STR's here and absolutely no problems with visitors. The tourists who come are very glad and happy to be here. It makes every day feel like a holiday. With good instruction from STR hosts all of our guests know where to put garbage, where to park and what quiet hours are. With a detailed map they know how to reach the beach without trespassing.
Unfortunately I can't say the same about a few of the full time residents here. Lol. Funny isn't it? The residents feel entitled, trespassing through lots owned by others and over dune reparations disturbing newly planted beach grasses that cost a fortune to build.
Don't assume that all neighborhood issues are caused by guests from out of town.

Janell Dixon

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Brian Johnson <bjadman@gmail.com>
Sent: Monday, May 1, 2023 4:45 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To whom it may concern,

Without having a rental permit at our home in Rockaway Beach we would simply have to sell the home. We love our place at the beach and rely on partial income by having VACASA manage our rentals for us. We have ample parking and have never had a complaint from our neighbors. Please consider us homeowners who play by the rules, keep our home in excellent condition, and bring so much business to the area over the years. We want to continue to enjoy our wonderful home for years to come.

Sincerely,

Brian C Johnson
5523 N Atlantic Ave
Portland, OR 97217
personal: bjadman@gmail.com
business: brian@bcjohnsonhomes.com
503-957-5587
www.bcjohnsonhomes.com

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment - Short term rentals in Unincorporated Tillamook County

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From: Dave Vandehey <dvandehey@tbcorp.net>
Sent: Monday, May 1, 2023 4:48 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment - Short term rentals in Unincorporated Tillamook County

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

We purchased a vacant lot in Neskowin a couple of years ago with plans to construct a beautiful home overlooking the ocean that we could share with others via a Short-Term Rental Permit. Thankfully, we have not started construction, or we would find ourselves in a serious financial debacle, knowing that we can't afford the property as a personal vacation home only, with no rental income. Now, we may never build because either the proposed changes will not allow more rentals, or by having a cap at all it will put us in a risky position of starting to build not knowing if we'll be able to get a STR permit. It's a terrible and unfair position to be in.

These areas are vacation/tourist destinations, and if the full-time residents don't like that, then they have chosen the wrong place to live. The Oregon coast is beautiful and should not only be reserved for those that can afford a place of their own. Depending on the outcome, we may sell our lot, probably at a loss, because its not worth as much given the new STR restrictions or hold onto it long-term hoping the rules will change, and as a vacant lot, the county will receive significantly less property tax revenue, not mention the loss rental tax revenue and loss of revenue for local businesses. Don't let a few complainers ruin it for the rest us. Put your focus on better enforcement of current regulations, not adding new, not well thought out new restrictions.

Dave Vandehey
Neskowin Lot Owner

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: Gabi Schuster <pdxgabi@gmail.com>
Sent: Monday, May 1, 2023 5:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I have a 350sf small house between Manzanita and Nehalem. I'm planning on retiring there in 4 years. In the meantime I rent it out to vacationers and I only allow 2 people in the house. My guests are quiet and contribute to the local economy by eating out in local restaurants and shopping at local businesses. The new STR rules are too restrictive for a small house like mine. One size fits all does not work. My house can't house enough people to make that much noise. In fact, my guests have complained about a full time-resident who plays loud music outside and burns his garbage in the backyard. Are we also going to extend the noise-, parking-, and other annoyance regulations to full-time residents? That is actually what we struggle with. Our guests are very quiet but the full-time residents aren't and they have more cars in front of their property than my little rental.

If these new rules go into effect I will shut down my rental with the result of not promoting tourism at the coast. Local businesses will suffer from these newly proposed restrictions.

Gabriele Schuster

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Dan Myers <danmyers42@gmail.com>
Sent: Monday, May 1, 2023 9:28 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

I appreciate Tillamook County's interest in making sure reasonable regulations are in place for short-term rentals. I used to have a home in another area that went through the same process. There, they determined that the number of complaints was actually quite small given the number of rentals that existed in that community, and that concerns could be handled with less than a handful of simple new rules.

I have a few requests / questions / concerns about the current proposed regulations:

1. I don't feel like Tillamook County has been transparent (or I haven't been able to find the information) on how many complaints have actually been received from residents in different areas, and are these regulations actually solving a meaningful problem? In my community (Pacific City), we've had great relationships with neighbors, and permanent and part-time residents I know have not had concerns about STRs. I'm concerned Tillamook County is taking a one-size fits all approach to all communities in the county.

2. I'm concerned the county may be creating a nightmare for the county and current STR owners. I'm concerned that a new regime of rules and regulations, and the staff and overhead to enforce it are just going to bulk up costs and burden the country without making a meaningful difference for residents, homeowners, or visitors.

3. I support payment of fees to support the county and others - but from what I've seen, it seems the county over the past few years has added new fees to small short-term rentals, but not to large hotels and commercial properties that are owned by large companies. Why is the country singling out homeowners for new fees? Why are permits potentially being given a new name (registration certificates)? It feels a bit like the county is creating a whole new structure to solve a problem that doesn't exist in most communities in our county ... let's target places where there is actually a problem to solve with targeted fixes (again, I haven't seen the county share data on where this is a problem, and how much of a problem it is - more transparency would be welcome).

4. In our community, Pacific City, STRs create so many opportunities to visitors to walk to the beach and enjoy the beauty of the Oregon coast. Reducing and overly restricting STRs, I fear, is going to make traffic and other headaches from visitors worse because visitors won't have good options to stay locally, they'll just pop in for a day, park all over the city, leave bigger messes (without a home to bring garbage to, etc), and our local community will miss out on more economic activity (restaurants, shops, services like surf lessons, gas stations, etc.) as visitors have shorter visits and spend less money per visit. Less revenue, more headaches, along with more regulations, makes me worried for our community.

Thanks for all the services the county provides. Please, let's keep things simple!

Thanks,
Dan Myers

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Concerns of STR review & outcome

From: Bob Taylor <bob@materialcg.com>
Sent: Monday, May 1, 2023 10:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Concerns of STR review & outcome

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

Thanks for allowing to express my appreciation for the bigger picture questions related to STR regulations in the County and concerns from what appears to be differing viewpoints.

My family is 5th generation of living full time or part time in Pacific City and I commercial fished out of Pacific City and Garibaldi in the 70's & 80's – so I am very familiar with how the area has dramatically changed over this time.

It's my hope that decisions which are made consider that STR owners in general have a vested interest to be good neighbors & generally make serious efforts to ensure their neighbors are not disturbed. Furthermore, that the County deeply considers the benefits to small businesses in the area & the effects to employment of the community.

I believe many of the so called concerns or "livability" stem much more from so called "day trippers" in the summer, and only on rare exceptions, are short term renters creating any problems. That said, beyond having a call center to enable complaints to be recorded – I am sure STR owners would fully support the idea of a nominated private security company to monitor STR units in the area & enforce the guidelines and rules which renters must abide to, and to act immediately on any legitimate complaints or incidents (just as Lincoln City has done).

Whatever changes may be implemented, I hope the County can see it as fair and reasonable to grandfather in the relatively very few denial cases of applications submitted prior to the pause, of owners whom were well into the process of building when the pause was implemented.

Collectively such cases would have negligible impact on the overall rental percentages. Barring such allowance, many persons (myself included) will face serious financial hardships and may be forced to sell the home when completed, at a time in which it's next to impossible to sell (risk losing significant personal savings & investment).

Thanks for your consideration,

Arthur Taylor
6075 Coates Ave, Tierra Del Mar Beach

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----
From: Paula O'Gorman <paula.pogo0111@gmail.com>
Sent: Monday, May 1, 2023 11:14 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

We have owned a home in Tierra Del Mar for the last 20 years and have been renting it to guests since we bought it. We have not had any problems with the rental or neighbors complaining about our guests. We would not have been able to purchase the home without the promise of rental income. Our guests love to come and enjoy the beach and they spend money at the local restaurants and shops.
Please do not pass any restrictions on our ability to rent our home.
Thank you, Paula O'Gorman

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Cathi Harwood <peaceseagetaway@gmail.com>
Sent: Tuesday, May 2, 2023 8:20 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Hello, My name is Cathleen Harwood. I am the 4th generation in my family to live and work in Pacific City. I bought my parents home "7350 Summit rd" in 2015, they had owned it since 1986. I have had my STR permit since 2016.This is a family home, and we encourage Families to share. We have never had 1 complaint. I Am Concerned about my current permit being replaced with a " Registration Certificate?" thanks

Lynn Tone

From: Michael R. Rice
Sent: Tuesday, May 2, 2023 9:07 AM
To: Lynn Tone
Subject: FW: EXTERNAL: Registration Confirmed - OACES 2023 Spring Conference

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From: Joann Hendrix <jhendrix@oregoncounties.org>
Sent: Tuesday, April 25, 2023 9:57 AM
To: Michael R. Rice <mrice@co.tillamook.or.us>
Subject: EXTERNAL: Registration Confirmed - OACES 2023 Spring Conference

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

Dear Michael,

Your registration has been confirmed. Please save this email for future reference.

Event: OACES 2023 Spring Conference

Attending: Michael Rice

Number in Party: 1

Time: 9:00 AM

Date: May 22, 2023

Confirmation Number: 3GN5R79G7HH

Registration Information

Michael Rice
OACES Members

View or modify your registration

We look forward to seeing you there.

Sincerely,

Joann Hendrix

jhendrix@oregoncounties.org

If you no longer want to receive emails from Joann Hendrix, please Opt-Out.

Your payment for the OACES 2023 Spring Conference event has been successfully processed. Please save this email for your records.

Transaction Information

Item	Transaction Information	Quantity	Amount
OACES Members	$250.00	1	$250.00
		Transaction Total	$250.00

Registration Confirmation Number: 3GN5R79G7HH
View your registration

If you have any questions about this transaction or email, please contact Joann Hendrix directly at jhendrix@oregoncounties.org.

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cvent

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 2:03 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR

From: Lindley Leahy <lindley@willamettecoastride.com>
Sent: Tuesday, May 2, 2023 12:34 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR

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

Hello

I am writing to the BOC to say we are against the 1% cap.

Our livelihood does depend on the STR in more ways than one. We bring our outdoor recreation tour company clients to Neskowin. My husband Justin and I own and operate the Willamette Coast Ride LLC. We stay in STRs from May to October, we often rent 5,6,7 condos at a time to house these clients. What we love about Neskowin is that it is small and quiet, it is generally safe and (with the exception of last year) also boasts a couple restaurants that we can easily walk to and have dinner and a drink. We also frequent the Neskowin Trading Post and send our clients there for breakfast and other necessary provisions. These conveniences in small towns like Neskowin would not be here year round if it weren't for the tourists that support them heavily in the high season. Many of these small towns in Tillamook County are definitely economically supported by tourism, it is easy to see why! The Oregon Coast is gorgeous and its people are friendly.

I do support responsible and common sense approach to regulations, parking, bedroom, septic requirements these do make sense to have the infrastructure to support the guests.

Short term rentals are important for accessibility to the beach, we get people from all over and many different economic backgrounds but the common theme is to see and experience the mighty Pacific and in an unspoiled and not overly commercial way, Tillamook County does this beautifully and can continue to offer this in a sustainable way! It is true that not everyone (now in the past two years, one may even argue most everyone) cannot afford to own a house at the beach, but we can (historically and hopefully still well into the future) rent one for a week on the magical Central Oregon Coast.

Thank you,

Lindley Leahy
Willamette Coast Ride
971-241-2684

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 2:03 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: No on proposed Ordinance 84 Revisions

From: Bill Ruecker <billr@baysingerpartners.com>
Sent: Tuesday, May 2, 2023 8:34 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: No on proposed Ordinance 84 Revisions

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

Dear Tillamook County Commissioners,

I am a frequent visitor to Tillamook County and prefer STRs to hotels or resorts as there is a better sense of community and amenities. I usually stay at the same location and love getting to see old friends and make new ones. We have never had issues with any of the neighbors. The proposed ordinance revisions will make STRs more difficult and expensive without any real benefits to community.

Please do not support the proposed revisions to Short Term Rental (Ordinance 84). The county will face real economic damages if passed.

Passing this ordinance will create huge liabilities and loss of tourist dollars if passed including attorney's fees required to fight the land use issue that was previously shown to be a losing issue in Lincoln County. The proposed damage clause for decreased value alone could require Tillamook County to pay millions in dollars for diminished values for houses that are no longer allowed as STRs. If tourist dollars stop coming to Tillamook County many stores and restaurants will suffer. So will the tax base.

No special rules beyond fees and licensing should be required for STRs. Complaints about parking and noise must be dealt with uniformly throughout Tillamook County via enforcement of existing ordinances, governing these offenses. The existing ordinance 84 is adequate to protect the property rights of everyone including the vocal few against STRs.

Please vote no on proposed STR revisions.

William M. Ruecker, AIA

Baysinger.

William M. Ruecker | AIA, Sr. Principal
billr@baysingerpartners.com
(P) 503.546.1614 | (C) 503.349.2633
2410 N. Lombard St., Portland, OR 97217
www.baysingerpartners.com

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 3:04 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: signage for short-term rentals

From: Carolyn Kinsley <kinsleyc@nehalemtel.net>
Sent: Tuesday, May 2, 2023 2:51 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: signage for short-term rentals

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

To the Short Term Rental Advisory Committee, Tillamook Board of County Commissioners, fellow STR owners, and Neahkahnie neighbours:

I am concerned about recommendations that will make residential areas look commercial. In Neahkahnie I do not want to see signs at the street indicating that a house is a short-term rental (or any other sort of business).

The address of each house of course should be clearly visible at the street, for emergency vehicles, guests, and renters. In Neahkahnie we have green signs, at the street, issued by the fire department. In addition I have the house number on the house itself. Perhaps an owner-occupied bed and breakfast could have a sign beside the driveway or on the front lawn, but in Neahkahnie that would be the exceptional exception (perhaps grandfathered if permitted in the past). We used to have our own regulations.

I do not object to having discreet but clearly visible information right at the entrance door with the name and number of an emergency contact (maximum 8.5 X 11 inches). (That might be advisable for any house when it is unoccupied, STR or not.) I do want to be able to remove the information without hassle when my family or I am in residence (which has been all the time since the summer of 2022).

Vacation rentals in Neahkahnie started out as second homes with the income to help pay the mortgage and keep the house from sitting vacant while the owners weren't using it. There were no rental agencies. The landscape has changed drastically in areas elsewhere that have been developed very densely. Neahkahnie, deliberately, however, has maintained its quiet residential appearance—larger lots, no street lights, no sidewalks, and no signs at the street indicating a STR. (One at the intersection of James Road and Beulah Reed Road should be removed and never have been permitted in the first place.)

Perhaps other unincorporated areas want to permit advertising (including STR signs) but my sense is that Neahkahnie wants to maintain its residential character. It may be a case that one brush stroke of regulations will not work for all areas.

Carolyn Kinsley
38145 Beulah Reed Road
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Tuesday, May 2, 2023 3:05 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Roberta Lindenfelser <gmabertie@gmail.com>
Sent: Tuesday, May 2, 2023 3:02 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

Hello
My sister and I own a studio condo in Neskowin that was passed to us by our parents. The condo has been in our family for many decades. We have been part time members of the Neskowin community for a very long time. We have enjoyed the amenities, beauty, walkability and peacefulness of the village and beach while paying our taxes and fees to Tillamook County. We do our part to provide income to those who live/work full time in the area. We began day-visiting Neskowin in 1979, the year my daughter was born. She is 43 years old now. We have seen first hand the changes that increased population, increased tourism, the pandemic and the march of time has brought to our special village and other coastal communities.

In the years that we have rented our condo, we have had only one problem that could have impacted our neighbors. Myself, our management company, our HOA, and the Sheriff's Office were very helpful. We all worked together to resolve the problem ASAP and made a plan so that the issue would not happen again. As STR owners, we are very committed to our property being of benefit to the community, not a problem in the community. Other STR owners feel this same way.

As you work to reconfigure STR permits, please consider our experiences, thoughts, and requests. Ours are as follows:
- Please make decisions based on significant data sets, analysing them to address the most important problems facing our county and communities. Responding to the loudest of "squeaky wheels" will likely create more problems than it relieves. Taking longer to understand and address base issues will save time, money, energy and resources in the long run. Making blanket rules based on complaints from a specific community (most from Neahkahnie) will cause widespread collateral negative effects in the rest of the County.
- Please, please, please enforce existing regulations. Many of the complaints seem to fall into categories that already have current guidelines. Adding more regulations without enforcement will only exacerbate problems and increase the number of complaints.
- STR/Registration Certificates should transfer with the transfer of ownership of the property without limit as long as requirements for original permitting are met.
- STR's are a longstanding and vital part of coastal economies. Local business is supported to one degree or another by those who visit our small coastal communities. Tourism has been promoted and supported over the years. Many businesses and workers rely on visitors to stay viable.

Overall population growth issues and shifts in leisure time choices in coastal communities brings with it changing challenges. Regulating STR's out of existence or severely limiting them is not "the" solution. I understand the desire to return to the peaceful little community village we all enjoyed in the last 40 years. I miss that village too.

Investment firms owning properties in Tillamook County generally are not responsive to community desires and needs. Is there a way to limit these? Currently, most STR owners are private citizens, invested in and responsive to their communities. We want our communities to continue to thrive and maintain their unique qualities. Let's work together for common solutions that work best for our villages and Tillamook County.

Thank you
Roberta Lindenfelser
-

Lynn Tone

From: Public Comments
Sent: Tuesday, April 25, 2023 11:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs

-----Original Message-----
From: John Leigh <leighj2717@gmail.com>
Sent: Tuesday, April 25, 2023 8:50 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs

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

Hello. I would like to reiterate my concern about the square footage requirement for bedrooms. Presumably the requirement is to prevent small spaces in large houses from being used as bedrooms to increase the occupancy. However, in a small house, bedrooms may be small and none of the bedrooms might fulfill the square footage minimum stipulated. It seems to me there should be some accommodation for small houses with limited bedroom space. For example, houses with only one or two bedrooms could be exempt. Thank you.

Date: April 19, 2023

To: Tillamook County Board of County Commissioners
Tillamook County STR Advisory Committee - Attn: Economic Representative

Re: Public Comment - Updated OCH Tourism Business Survey Responses

Oregon Coast Hosts is an alliance of homeowners and local businesses in Tillamook County. Our mission is to advocate for local vacation rentals, promote the benefits of tourism, and preserve property rights to protect access to the Oregon Coast for everyone. We support property rights of all owners in Tillamook County, and we also understand there may be a role for more clearly defined rules & regulations to achieve a better balance of livability within our various communities.

In the absence of a current study by Tillamook County on the economic impact of STRs, Oregon Coast Hosts conducted a survey among local businesses to better understand the economic impacts of STRs. This informal survey was distributed by community members and provided to local chambers of commerce, and 51 survey responses were received. Though somewhat narrow in that it was geared towards businesses who are patronized by either homeowners with STR permits or guests, it may offer some insight to be considered as STR regulations are updated. A future analysis by the county should expand beyond TLT and include the impact of dollars spent locally by homeowners with STR permits, and by STR guests, and it should include both tourist and non-tourist based businesses.

In jurisdictions around the US, it is best practice to have an economic impact study before updating regulations. The book titled, "Regulation & Taxation of STRs" by Badgett & McLaughlin states that, "Before sitting down to draft an STR ordinance, it is recommended that a local government first engage in a research and data-gathering phase to better understand the local STR market. During the research and data-gathering phase, a local government should compile both quantitative and qualitative data related to the tourist economy."

Framing regulatory tools as "growth management" does not account for various changes in multiple sections of the draft ordinance which could result in the elimination of an unknown number of STR permits: square footage requirements, parking space size requirements, current building code requirements, septic requirements, and requirement to actively rent annually. More data is needed on the impact of these proposed changes.

Thank you,
Shelia Clark
Board Member
Oregon Coast Hosts

TOURISM BUSINESS SURVEY

1. **TOP 4 BUSINESS CATEGORIES** (multiple options could be selected)
   a. Food & Beverage Sales -26%
   b. Retail & Shopping - 22%
   c. Real Estate Buying & Selling - 22%
   d. Lodging - 22%

   The remaining business categories with more than one response were a mix of construction, property management, sporting activity, landscaping, household services & home maintenance, restaurants, fishing, tours & expeditions, and healthcare.
   Please see slide on final page for more information on categories.
   All percentages have been rounded to the nearest whole percentage.

2. **PERCENTAGE OF ESTIMATED BUSINESS REVENUE RELATED TO TOURISM AND/OR STRs:**

   a. 29% = 100% tourism revenue
   b. 8% = 90% tourism revenue
   c. 6% = 80% tourism revenue
   d. 20% = 70% tourism revenue
   e. 0% = 60% tourism revenue
   f. 6% = 50% tourism revenue
   g. 0% = 40% tourism revenue
   h. 6% = 30% tourism revenue
   i. 10% = 20% tourism revenue
   j. 6% = 10% tourism revenue
   k. 10% = 0% tourism revenue

3. **HOW LONG HAVE YOU BEEN IN BUSINESS IN TILLAMOOK COUNTY?**

   a. 4% = less than a year
   b. 29% = 1-5 years
   c. 22% = 6-10 years
   d. 16% = 11-20 years
   e. 29% = 20+ years

4. **WHICH CATEGORY BEST MATCHES YOUR ROLE?**

   a. 43% = solo business owner
   b. 12% = employee
   c. 16% = business employs 1-5 full or part time employees
   d. 10% = business employs 6-10 full or part time employees
   e. 8% = business employs 11-20 full or part time employees
   f. 12% = business employs 21+ full or part time employees

5. **DO YOU HAVE CONCERNS THAT A POSSIBLE REDUCTION IN STRs TO ACCOMMODATE VISITORS MAY HAVE A NEGATIVE IMPACT ON YOUR BUSINESS?**
    a. 20% = No concerns
    b. 8% = Yes, some concerns
    c. 73% = Yes, strong concerns

6. **IF THERE WERE A SIZEABLE REDUCTION IN TOURISM REVENUE AS A RESULT OF REDUCTION OF STRs, HOW WOULD THAT IMPACT YOUR BUSINESS?** Multiple options could be selected:
    a. 60% = Seasonal operations may be more limited
    b. 56% = Staffing needs may decrease
    c. 50% = Business hours may be reduced
    d. 28% = Benefits for employees may need to be reduced
    e. 20% = No changes predicted

7. **WHAT WOULD AN ACCEPTABLE PERCENTAGE OF BUSINESS LOSS BE TO CONTINUE CURRENT BUSINESS OPERATIONS WITH NO CHANGES?**
    a. 67% = 0% loss
    b. 18% = 10% loss
    c. 8% = 20% loss
    d. 2% = 30% loss
    e. 0% = 40% loss
    f. 2% = 50% loss
    g. 0% = 60% loss
    h. 0% = 70% loss
    i. 2% = 80% loss
    j. 0% = 90% loss
    k. 0% = 100% loss

The survey did not provide an option for respondents to report a potential increase in business due to STR reduction, but it did provide an option for "No changes predicted from possible reduction in tourism revenue" and respondents could provide additional text feedback at the conclusion of the survey.

8. **HAS YOUR BUSINESS RECOVERED FROM PANDEMIC CLOSURES & STAFFING CHALLENGES?**
    a. 39% = Yes, we have fully recovered
    b. 37% = No, we have not yet fully recovered
    c. 24% = We had no closures or staffing challenges

Despite best efforts, STRs can be a divisive topic and **57% of the respondents requested anonymity**, but the results are clear that businesses which are patronized by homeowners with STR permits & their guests have serious concerns about reductions in STRs. Additionally, based on public comment, some businesses may not even be aware that their customers have been homeowners with STR permits. A more detailed economic impact study by the county would be a very helpful tool in this process.

SURVEY FEEDBACK

I would really rather the county focus on how to incentivize long term rentals rather than penalize short term rental owners.

I feel STR's are at the max for restrictions and guidelines for now.

Tillamook county will be responsible for many families financial destruction.

I do not believe that eliminating STRs will help solve our housing crisis. It will only serve to harm the local businesses that thrive on tourism, of which there are MANY.

We are a coastal area. Tourism is our survival.

County is headed for a large lawsuit.

This will absolutely put people out of business…

While STRs are generally positive with regard to the local economy, they are absolutely impacting housing prices and, to some extent, the availability of long-term rentals.

Tourism is a significant drain on Law Enforcement but also provides substantial and critical business for our county.

There should be a mechanism to have tourists pay their fair share of incurred costs to the county, such as sanitation, garbage, law enforcement, and fire responses.

Tillamook was a tourist town as well as Rockaway when founded and it created and still creates a revenue and business for many people.

If str are greatly limited in Neskowin we will have to take our tour business and investment elsewhere.

My business would benefit from the reduction in STRs. Making note of this here since it was not an option in your survey question about how my business would be impacted.

Your businesses (STRs) are parasites on our community. That you fancy yourselves to be part of us, is delusional.

Your thinly veiled greed isn't fooling anyone around here. Whatever the result of the STR ordinance, you lose at life, you lose at being decent humans.

Unrelated to this survey, below is a list of local businesses in Tillamook County which have been listed as being patronized by homeowners with STR permits & guests. This list is not an endorsement of these businesses, nor an endorsement of OCH by these businesses:

BUSINESSES PATRONIZED BY HOMEOWNERS WITH STR PERMITS & STR GUESTS

A
All Star Appliance - Tillamook
Alice's Country House
Alderbrook Golf Course
Angus Electric - Tillamook
A Mighty Thai - Manzanita
Ace Hardware - Pacific City
Ace Hardware- Seaside
A+ Plumbing

B
Bahama Mama's Bikes and Boards - Manzanita
Bare Moon Farm - Cloverdale
Bayside Market - Netarts
Bayside Surveying - Tillamook
Beachwood Bar&Grill - Pacific City
Beach Walk - Pacific City
Bell Buoy Seafood Market and Restaurant-Seaside
Bear Creek Artichokes - Cloverdale
Ben and Jeff's Burgers and Tacos - Pacific City
Berkshire Hathaway Home Services Real Estate - Netarts
Big Wave Cafe - Manzanita
Bob McEwan Construction, Inc
Brighton Marina-Rockaway Beach
Bros & Hoes Landscaping - Beaver
Blue Agate Cafe - Oceanside
Blue Heron Wine and cheese
Builders First Source
Bunkhouse - Manzanita
Buttercup Ice Cream & Chowders - Nehalem
By the Sea Grocery & Deli - Netarts
Bob Johnson flooring

C
Cape Kiwanda Marketplace - Pacific City
Camp 18 Restaurant - Seaside
Chester's Thriftway - Pacific City
Chimcare

Citi-Zen Dispensary - Pacific City
Cold Water Coffee - Pacific City
Coastway Construction - Pacific City
Coliseum Theater - Tillamook
Comco Carpet Cleaning
Coyote Gardens - Neskowin
Crab Rock Pizza - Garibaldi
Critter Getter
CMP - Plumbing contractor
Cloud & Leaf - Manzanita
Current Cafe - Oceanside
Curious Plants & Treasures - Cloverdale

D
Dale Stewart Construction and Design - Tillamook
deGarde Brewing - Tillamook
Doryland Pizza - Pacific City
Dixie's Vino - Manzanita

E
El Trio Loco - various locations
Eagle Landscape - Manzanita
Ed's Septic
Enrique's Authentic Mexican Food

F
5 Star Electric Inc - Pacific City
Fish Peddler - Bay City
Four Paws on the Beach - Manzanita
Fred Meyer - Tillamook
Full Spectrum Window Cleaning
Finnestere - Manzanita
Four Paws on the beach - Manzanita
Fern - Tillamook
Flamingo Jims - Rockaway

G
G3 Electric - Cloverdale
Gage Construction - Cloverdale
Grateful Bread - Pacific City
Grey Fox Rentals - Neskowin
Grumpys Cafe - Rockaway

H
Haltiner Heating - Tillamook
Hawk Creek Cafe - Neskowin
Hawk Creek Gallery - Neskowin
Hoffman Center for the Arts - Manzanita
Howells Floor Covering - Manzanita
Handy Creek Bakery - Wheeler

J
JAndy Oyster Co - Tillamook
JJ Electric - Seaside
J's Fish and Chips - Lincoln City
Jacobsen Salt Co - Netarts Bay
Jetty Fishery - Wheeler
JMarie Salon - Nehalem

K
King Lawn Care - Otis
Kayak Tillamook
Killers Pest Control
Kiwanda Coastal Properties - Pacific City
Kellys Brighton Marina - Wheeler
Kittys Cafe - Tillamook
Kephart Flooring

L
Left Coast Siesta - Manzanita
Les Schwab
Library Thrift Shop - Pacific City
The Little Apple Grocery - Manzanita
Lin's Chinese Restaurant - Tillamook
Los Corporales Restaurant - Pacific City
Lucky Beach Boutique- Pacific City
Lighthouse painting

M
MacGregors Bar - Manzanita
Madeline's - Tillamook
Mainstreet pizza
Manzanita Fresh Foods
Manzanita Golf Course
Manzanita Grocery and Deli
Manzanita Lumber
Manzanita News & Espresso

Manzanita Coffee Co.
Manzanita Lighthouse
Manzanita Links
Marzano's - Manzanita
Manzanita Farmers Market
Manzanita Sweets
Meridian Restaurant & Bar - Pacific City
Miami Cove Electric
Mo's Restaurant - Cannon Beach
Moment Surf Company - Pacific City
Moxie Fair Trade - Manzanita
Momma's Beach Bike Rentals - Neskowin

N
Nehalem Food Mart - Nehalem
Nehalem Bay Lumber - Nehalem
Nehalem Bay Winery - Nehalem
Neskowin Beach Golf Course
Neskowin Farmers Market
Neskowin Trading Company
Nestucca Adventures - Pacific City
Nevor Oysters - Netarts
NCRD - Nehalem
Neahkahnie Bistro - Manzanita
North Coast Watchman - Manzanita
North Coast Pinball - Nehalem

O
Oar House Bar & Grill - Pacific City
Oceanside Surf Co. - Oceanside
Offshore Grill & Coffee House - Manzanita
Oregon Coast Bank
Oregon Coast Homewatch & Maintenance
Oregon Coast Cannabis - Manzanita
Old Oregon Smokehouse - Tillamook and Rockaway

P
Pacific Coast Candy
Pacific City Hardware & Lumber
Pacific Lawn Service - Tillamook
Pacific Roots Donuts - Nehalem
Pacific Seafood - Bay City
Pacific House - Tillamook
Papa Murphys Pizza - Tillamook

Pebbles Plumbing & Mechanical
Pelican Brewing Company - Pacific City, Tillamook
Pelican & Piper - Wheeler
Pfeifer Roofing
Pig N Pancake
Pizza Garden - Nehalem
Portside Garibaldi

Q
Quality Home Maintenance

R
Roseanna's Cafe - Oceanside
Rosenburg's Lumber - Tillamook
Rusty Cow - Cloverdale
Riverhouse Nestucca Restaurant - Pacific City
Riverside Fish & Chips - Nehalem
Roby's Furniture and Appl. - Tillamook
Roost - Wheeler
Rice & Shine - Wheeler
Rieger Electric

S
Safeway - Tillamook
Salty Raven - Tillamook
Sand Dune Pub - Manzanita
Schooner Restaurant - Netarts
Sea Clean - Seaside
Seaworthy Coffee & Gifts - Netarts
Shell Gas Station- Manzanita
Siggi G Charters - Garibaldi
Sister & Petes - Manzanita
Sitka Center for Art & Ecology - Otis
Sportsman's Pub & Grub - Pacific City
Stimulus Coffee & Bakery - Pacific City
The Schooner - Netarts
Sunflower Flats - Tillamook
Spa at Manzanita
Syzygy - Manzanita
Sisters & Pete Coffee & Tea - Manzanita
Schwieterts (Rockaway & Manzanita)
Salmonberry - Wheeler

T
20/20 Window Cleaning
Tacos la Providencia - Tillamook
Ticor Title - Tillamook
Tidepools Spa & Wellness - Pacific City
Twist Wine Company - Pacific City
Tillamook County FBO TMK
Tillamook Sporting Goods
Tillamook Cheese Factory - Tillamook
Tillamook Country Smoker
Toylandia - Manzanita
T-Spot - Manzanita
Tillamook Farmers Market
Trillium - Wheeler
Trillium - Lincoln City
Twins Ranch Rail Riders - Wheeler

U
Unfurl - Manzanita
Upstairs Bar and Grill - Netarts

V
Village Scoop - Neskowin
Vice Construction Co.

W
Wanda's Cafe - Nehalem
Wild Coast Goods
Wild Grocery - Manzanita
Wisteria Chic - Manzanita
Willamette Coast Ride - Neskowin
The Winery at Manzanita
Wolfmoon Bakery - Nehalem
Wooster Photography
Woodpecker Roofing - Tillamook
Warehouse 10 - Rockaway

Y
Yolk - Manzanita

Z
Zeurcher Plumbing

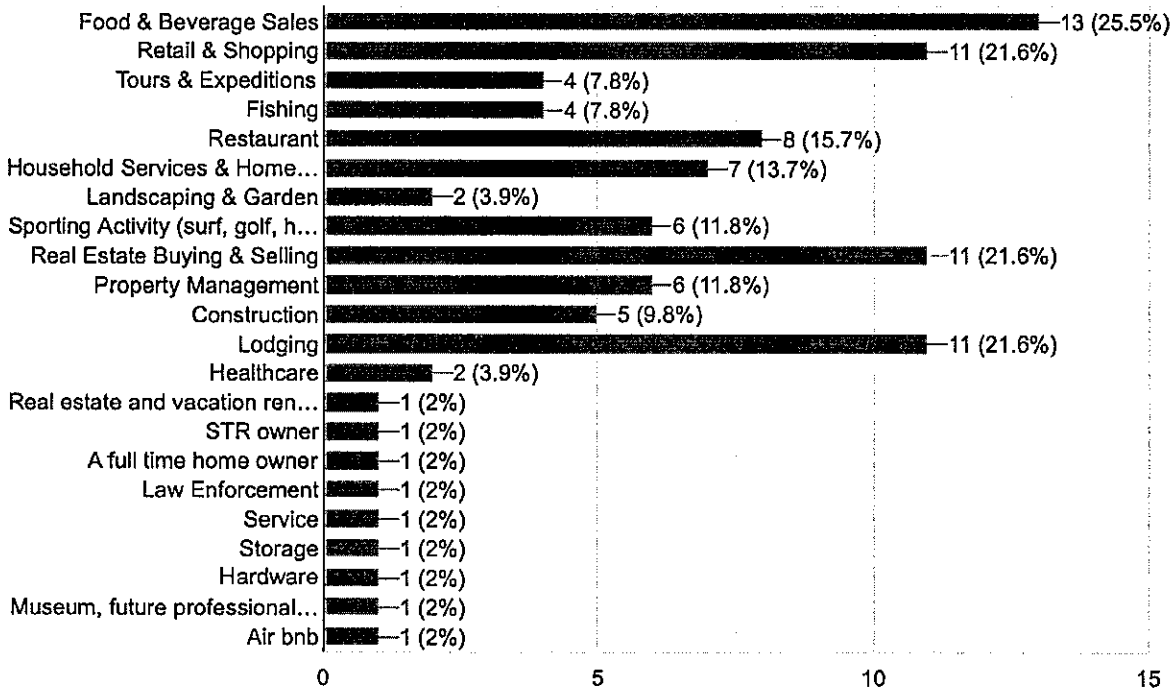
CHARITABLE CONTRIBUTIONS BY HOMEOWNERS WITH STR PERMITS:

CARDM - Wheeler
CARE Tillamook
Food Roots
Friends of Netarts Bay Watershed WEBS
Manzanita Mudd Dog Foundation
Nehalem Bay Fire District
Neskowin Beach Golf Course
Neskowin Valley School
NCRD - Nehalem
Oceanside-Netarts Fire District
Tillamook Estuary Partnership

Slide showing total number of responses & industries of the respondents:

What is your business's role in the tourism industry? Select all that apply.

51 responses



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building community.

May 3, 2023

RE: Tillamook County Ordinance #84 Public Comment

Dear Ms. Absher & Tillamook Board of County Commissioners,

The Tillamook Area Chamber of Commerce is in support of Tillamook County Department of Community Development's recommendation to remove long-term cap and density restrictions of short-term rentals (STR) in Ordinance 84. We believe that this will allow for proper assessment of the new regulatory and enforcement measures being imposed and the economic impact to be adequately assessed while ensuring the enhanced livability for Tillamook County residents.

Discussion took place at the April 18th STR Advisory Committee that upon the lift of the current STR permit pause, there would be a cap enacted of 1% above current permitted STRs, until a second phase was completed. This proposal allows for extremely limited growth as it does not keep up with economic factors that drive costs up. It is in fact so limiting that in many parts of our County it will establish a stagnant economy that will damage the quality of life for visitors and residents. The proposed 1% increase will choke out many small businesses that rely on tourism to sustain their businesses and employees through the off-season.

Due to the severity of this decision, the Tillamook Area Chamber of Commerce urges the STR Committee and County Commission to consider the following recommendations:

- **Increase allowance to 2%** - Increase the recommended 1% STR permit increase to 2%. This allows for more reasonable growth yet ensures that our neighborhoods are not overrun by STR permits being issued upon the lift of the pause. This addresses economic vitality while ensuring enhanced livability for Tillamook County residents.
- **Establish as an annual increase** – Include language that establishes the 2% increase as an annual increase each July. Collecting adequate data and working with each community on individualized plans will take a significant amount of time. Establishing an annual increase will allow for controlled economic growth during this period of time.
- **3-Year Sunset Clause** – Establish a 3-year sunset on the 2% cap language. This acts as an important protection for our economic growth and allows for business planning. Also ensuring that the next phase is done timely, and that the intent of a temporary restriction does not become institutionalized in policy.

Tillamook County is coming out of an unprecedented, pandemic induced, flood of visitation that is bound to level out due to the economic downturn we are seeing nationwide. Implementing overly restrictive policy at this time without a proper economic evaluation is poor policy making and inevitably will be fraught with unintended consequences.

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building community.

We believe this approach is a fair and equitable balance to the residents and business communities of Tillamook (which are truly one and the same) and encourage you to take your time as you make decisions that can impact the lively hood of Tillamook County residents.

Sincerely,

Justin Aufdermauer
Executive Director

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 9:44 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Justin Leahy <justinleahy828@gmail.com>
Sent: Wednesday, May 3, 2023 9:46 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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Dear Sir/Madame

Please support SRT Permits for Tillamook County. Tillamook County is an excellent area for tourists and it needs every tax dollar it can get.

Thank you

Justin Leahy

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Fwd: 5510 Wee Willie Lane, Netarts - 2S1017A000400

From: Lindsey Boccia <lindsey.boccia@gmail.com>
Sent: Wednesday, May 3, 2023 1:41 AM
To: Lindsey Boccia <lindsey.boccia@gmail.com>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>; Public Comments <Publiccomments@co.tillamook.or.us>
Subject: Re: EXTERNAL: Fwd: 5510 Wee Willie Lane, Netarts - 2S1017A000400

Hello Sarah and Public comment readers,

Thank you for including my commentary below in the last edition.

When we purchased our property at 5510 Wee Willie Lane and paid the $30k+ In additional costs necessary to obtain all of our permits, we did so with the expressed capability at the time to apply for and obtain an STR liscense on our finished home.

We've already reduced our plans to a 14x40 modular unit to offset some of the rising costs of construction.

My ask and need is that our home when complete be one of the 1% increase allowed to apply for an STR permit. There is no other way to recoup all of our costs otherwise that were spent with the understanding that we would be allowed to rent the future home on our lot.

I have close to a thousand pages of the Tillamook comprehensive plan printed out in my home. I read it front to back before purchasing our lot. Part of the plan regarding the Netarts Bay is to increase access for people to enjoy its natural value.

Also if the committee decides to put all of the drafted rules on STR owners, they should also be applied to non STR owners properties equally.

Thank you,
Lindsey

> On Feb 15, 2023, at 8:19 PM, Lindsey Boccia <lindsey.boccia@gmail.com> wrote:
>
> Hello Sarah and Public Comment inbox for the STR committee.
>
> My comments below so far have not been included on the public comment PDFs that have been distributed.

I'm feeling very upset right now, as my family has been incredibly financially impacted directly by this committee and our specific voice is not being heard. Prior to the halt on short term rentals, my family spent an entire year and $34k out of pocket for things the county needed us to do prior to building ($6k on Geohazard, $5k on home design, $5k on land clearing, $8k on land clearing, $10k on county permit cost to finally getting the permit approved) all for a home that is now too expensive to build and that we have no short term rental option to help fund as planned.

Our permit is sitting on your desk and has since expired while all of this unfolds.

My family had a dream to build a cabin, but modern families cannot afford second homes without renting them. It really must be nice for the generation that was able to purchase houses at the beach for a fraction of their income during a time when both parents didn't have to work to afford their regular mortgage and child care.

Real people that own single-family homes should be able to rent them. Giant companies and corporations that own multiple homes should probably be the first ones to get cut. During the pandemic companies bought up the housing stock which drives our prices and hurts regular families even more affordability wise.

Personally we've had no choice but to go seek alternative Cabin styles that are no greater than 500 square feet to even consider affording it at the insane $500 per square foot prices that multiple builders in the area give. We will need a no cost adjustment to our permit given the impact this has already had on us.

Please just make a decision and end this soon. If the new policy is too restrictive it will create a loss in property value if we are forced to sell because of it.

Lindsey Boccia
Netarts Bay, Whiskey Creek

On Jan 16, 2023, at 3:47 PM, Lindsey Boccia <lindsey.boccia@gmail.com> wrote:

Hi Sarah,
I was hoping to add my comment in a public comment process for the committee that is overseeing the short term rental decisions.
Can you please let me know who to send this to for them to consider?

My experience that I hope they take into consideration: A family that saves up for a dream of building a small rustic cabin on Netarts Bay, faces an extra-ordinary cost of building even for a small utility cabin. Families can't afford that dream unless they rent it out when they are not staying there.

If The county must limit at all, I am in favor of the best choice that I see, which is limiting the amount of licenses that one owner can hold, which ideally wouldn't affect families like mine.

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR pause

From: Sharon Babkes <sharon@babkes.com>
Sent: Tuesday, May 2, 2023 11:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR pause

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To whom it may concern,
If and when the pause is lifted and STR permits are available to be issued, I hope the County can see it as fair and reasonable to grant any new STR permits based on the order of COI receipt in the period leading up to the pause. Given construction takes well over a year to complete and the STR pause had only a few months public notice from March to May 2022, this has caused serious financial and personal hardships on those caught in the year in between. I've now had occupancy since August 2022 and have struggled to finance this home. It has put a strain on my family and to make matters worse, when we do come to Pacific City we cannot even enjoy it with the stress it causes. What once was a wonderful destination and memory maker for our family has now turned into a nightmare, one which we had about 2 1/2 months notice and nothing which we could have prevented. I really wanted to be able to share my home and Pacific City with other families to make memories and now it's impossible.

Sharon Babkes

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:52 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: public comment: continued concern no one is listening

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From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Tuesday, May 2, 2023 9:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: public comment: continued concern no one is listening

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

Dear Tillamook County & Board of Commissioners,

We continue to post these public comments, without it seeming that anyone is reading them. It's clear that our voices are not being heard, or that you strictly do not care about your property owners. It is clear you are specifically harming one small group of people for some reason, with the reason being unclear.

When undergoing the "pause" of STR permits, you specifically thought about and cared for several groups of people:
1) People with homes who had not obtained a permit yet but might want one - they were allowed a "grace period" from May 25 to July 1 and in the last meeting it was mentioned that "hundreds" of permits were given during this time to anyone and everyone who wanted one, even many who are not using them. This seemed to be a big point of contention at the meeting.

2) People who were currently in the process of buying a home - you did not want them to be "blindsided" or to have "the rug pulled out from under them" so you allowed them to later obtain an STR permit if their home closed after July 1.

3) People who purchased a home that had an STR permit - they were allowed to "transfer" the permit to their name during the "pause".

Basically the only group that is being intentionally harmed remains people who were building new homes in unincorporated Tillamook County BEFORE the pause was enacted. Why are they being intentionally harmed and the only ones you are allowing to be "blindsided"? You have already allowed "hundreds" of "exceptions" to your "pause". Why purposefully exclude 15 more? It seems intentional.

We have participated fully in this STR Advisory process, have submitted many comments, etc., but our voices don't seem to be heard or no one seems to think about our specific predicament. At the last meeting, there were many arguments that a "grace period had already happened" and everyone had a chance to get a permit that wanted one. That is simply not true.

The current plan of a 1% increase in allowance of permits in each area is also worrisome. That leaves somewhere between 8 and 20 more permits to be allowed in Pacific City, for example, at least per the discussions at the last meeting. However, there are 9 of us in the group of 15 who were in process of building at the time of the pause in

Pacific City alone, plus I'm sure others who have bought homes or simply missed out the first time. So are we all going to be fighting for a lottery spot or first come first serve on July 3, as it was mentioned, and then some of us will likely still be excluded from obtaining a permit after waiting a year already? It seems like we will be permanently shut out of ever obtaining a permit, especially as it seems likely a long waiting list is to form.

Please, PLEASE, AGAIN, consider our small group and the harm you are doing. We took land that was sitting vacant and made it beautiful. We are now paying thousands of dollars in property taxes on that land and literally cannot afford our mortgages without renting it out at least part-time, which was what we intended to do when we bought the land in March, 2022 and started building in April, 2022. We are no different from someone in escrow by July 1. Please grant us STR permits with that same exception clause, or write into the new ordinance that we are prioritized in line and not make us fight it out for the few that will come available July 3.

Thank you again, for your consideration,
Nicole Ralston

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:51 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Gina Burton <banzetah@gmail.com>
Sent: Tuesday, May 2, 2023 8:40 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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

To Whom it May Concern,
Before imposing more restrictions and rules on all us friendly, responsible STR owners that have wonderful respectful renters, PLEASE, do your research to determine how effective your decisions will be to our community, quality of renters, our tourism, and the economics of the area. Please don't wait you time and our taxes on something that is not well researched.

Sincerely,
Gina Burton

Lynn Tone

From: Public Comments
Sent: Wednesday, May 3, 2023 7:51 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs - latest draft

From: Florin Dragu <fdragu@gmail.com>
Sent: Tuesday, May 2, 2023 8:18 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs - latest draft

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

Dear STR Committee,
While I'm happy to see that the latest draft removed limitations based on proximity or number of years a property is allowed to function as an STR, I'm still concerned with this being just phase one and by proposing to limit the cap to current + 1% is basically stopping any property from getting an STR permit unless another STR doesn't renew theirs. Unincorporated beach as well as other tourism based (mountain, close to state and national parks) communities have been historically 2nd homes or vacation homes for many years, not just recently and for a few rich people who don't even live there all the time, but still want to have those communities mostly to themselves seems very selfish.
Traffic, noise and number of people is increasing everywhere regardless of STRs and people travel more both for day trips and multiple days. I'd argue that day trippers create more traffic, noise and park on streets than multi day trippers who will spend a good amount of their time in the house they rented.
While I understand the desire to create some rules that limit the explosion of STRs there are other ways to do that by limiting the number of STRs a single owner or owner of multiple LLCs can have in one county or ensuring the properties follow the current building code and are safe for STRs (that would limit also the number of guests some houses can have) or other more sensible rules that create some limits without basically stopping any new STRs and that's just phase one with phase two potentially making a lot of existing STRs lose their license either right away or when their current permit expires.

Best Regards,
Florin

Lynn Tone

From: davensue_163 <davensue_163@comcast.net>
Sent: Tuesday, May 9, 2023 6:41 PM
To: Lynn Tone
Cc: Hinton Jacki; Williams Sue
Subject: EXTERNAL: Comments on the STR Process
Attachments: WebPage.pdf

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

When the 2015 Neahkahnie Community Plan (attached below) is reviewed by the STR study, we should see very few significnat changes. It clearly defines what at at hat time (May 2015) we approved of.

How'd we get from this document (attached) which is a clear and logical statement of a the needs of our rural village, to five houses with one absent owner lined up along the ocean? Our parents and grand parents who developed Neahkahnie, would be rolling over if their graves if they could see where we're headed.

The 2015 Community Plan doesn't allow hotels or ocean side resorts. It does approve of "Bed and breakfast facilities within an owner-occupied primary residence which provide for no more than two guest rooms". It's clear to mw what most of us would prefer.

The 2015 Plan better describes how we want to be governed than our current working documents. It's advisory, but the Commissioners would seem to be ethically bound to give it a lot of weight.

The 2015 Plan apparently is still if effect. I doubt our community sentiment has changed much since 2015 and now. I'd like to see it formally reviewed and compared to our current ordinance. We should see very few significant changes to the 2015 Plan.

3.300 NEAHKAHNIE URBAN RESIDENTIAL ZONE (NK-7.5, NK-15, NK-30)

(1) PURPOSE: The purpose of the NK-7.5, NK-15 and NK-30 zones is to designate area within the Neahkahnie Community Growth Boundary for relatively low-density, single-family, urban area has public sewer and water services. The permitted uses are those that appear most suitable for a coastal community that wished to maintain a primarily single-family residential character. The only differences in the three zoning designations are density provisions for the creation of new lots. These varying densities are designed to be consistent with physical constraints within the Neahkahnie Community.

(2) USES PERMITTED OUTRIGHT: In the NK-7.5, NK-15 and NK-30 zones, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.

(a) Single-family dwellings.

(b) Farm and forest uses.

(c) Public park and recreation areas.

(d) Utility lines.

(e) Utility structures that are less than 120 square feet in size.

(f) Mobile homes or recreational vehicles used for a period of no more than 12 months during the construction of a use for which a building permit has been issued.

(g) Signs, subject to Section 4.020.

(h) Home occupations within a residence or accessory structure which may employ no more than two persons who do not live within the home, provided that there are no external manifestations of a business and that an additional off-street parking site be provided for each non-resident employee.

(3) USES PERMITTED CONDITIONALLY: In the NK-7.5, NK-15 and NK-30 zones, the following uses and their accessory uses are permitted subject to the provisions of Article VI and all applicable supplementary regulations contained in this ordinance.

(a) Planned developments subject to Section 3.080.

(b) Churches and schools.

(c) Nonprofit community meeting buildings and associated facilities.

(d) Utility substations.

(e) Fire station.

(f) Ambulance station.

(g) Sewage collection system appurtenances larger than 120 square feet.

(h) Structures for water supply and treatment that are larger than 120 square feet.

(i) Communication structures that serve more than one residence.

(j) Bed and breakfast facilities within an owner-occupied primary residence which provide for no more than two guest rooms.

(k) Accessory apartment within a residence or accessory structure. Such a unit must be subordinate in size, location and appearance to the primary residence, and shall not be larger than 800 square feet.

(l) Temporary subdivision sales office located within an approved subdivision which shall sell only properties within that subdivision.

(4) STANDARDS: Land divisions in the NK-7.5, NK-15 and NK-30 zones shall conform to the following standards, unless more restrictive supplementary regulations apply:

(a) The minimum size for the creation of new lots or parcels shall be 7,500 square feet in the NK-7.5 zone; 15,000 square feet in the NK-15 zone and 30,000 square feet in the NK-30 zone with the following exceptions:

1. The provisions of the "cluster subdivision" section of the Land Division Ordinance or of the PD Overlay zone in the Land Use Ordinance may be used to concentrate development on a portion of a contiguous ownership except that no lots shall be created that are less than 7,500 square feet.

2. In the Neahkahnie Special Hazard Area, the minimum lot size shall be determined in accord with the requirements of Section 4.130 of the Land Use Ordinance, but such lots shall not be smaller than the minimums provided in the NK-7.5, NK-15 and NK-30 zones.

(b) The minimum lot width shall be 60 feet.

(c) The minimum lot depth shall be 75 feet.

(d) The minimum front yard setback shall be 20 feet.

(e) The minimum side yard setback shall be 5 feet, except on the street side of a corner lot where it shall be 15 feet.

(f) The minimum rear yard shall be 20 feet, except on a street corner lot where it shall be 5 feet.

(g) The maximum building height shall be 17 feet west of the line shown on the zoning maps and 24 feet east of that line. (That line is approximately 500 feet east of the Beach Zone Line.)

(h) Livestock may be located no closer than 100 feet to a residential building on an adjacent lot.

(5) Building Heights within the Neah-Kah-Nie Community Growth Boundary

Within the Neah-Kah-Nie Community Growth Boundary, all buildings within five hundred (500) feet of the State Beach Zone Line shall be limited in height to seventeen (17) feet, and to twenty-four (24) feet otherwise. When the five hundred (500) foot measurement line divides a lot, the entire lot is subject to the seventeen (17) foot limitations. Higher buildings may be permitted only according to the provisions of Article 8.

(6) Special Drainage Enhancement Area Provisions for the South Neahkahnie Area

Section 2.9 of the Goal VII Element of the County Comprehensive Plan identifies a special drainage enhancement area in Neah-Kah-Nie south and east of Nehalem Road at its junction with Beach Street. Section 2.9 of the Goal VII Element also identifies, within the southwest portion of this area, a "potential development area" upon which one dwelling unit may be placed. These areas are further described in the Plan and are identified on the County's Zoning Map. Subject to the following exceptions, development, including fill, will be prohibited within this drainage enhancement area:

(a) Ditching and tiling that improve drainage into or out of the Drainage Enhancement Area shall be permitted.

(b) Activities such as landscaping and gardening, which do not include placement of structures, dikes, levees, or berms, or filling, grading or paving, and which will not restrict drainage into or out of the Drainage Enhancement Area, shall be permitted.

(c) A pond may be created if it can be shown through the flood hazard area development permit process of Section 3.510 of the County's Land Use Ordinance that it will not adversely affect drainage in the area.

(d) One dwelling unit, including necessary fill, shall be permitted within the "potential development area" portion of the Drainage Enhancement Area, providing that the area subject to development for this purpose is contiguous and does not exceed one-half the area of the "potential development areas".