

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of Establishing Limits on)	ORDER
the Number of Short-Term Rental)	23- <u>054</u>
(STR) Licenses that may be Issued in)	
21 Geographic Subareas in)	
Unincorporated Tillamook County)	

This matter came before the Tillamook County Board of Commissioners on August 2, 2023, at the request of Sarah Absher, Director, Department of Community Development. The Board of Commissioners, being fully apprised of the records and files herein, adopts the following findings:

1. Tillamook County regulates the licensing and operation of STRs through Ordinance 84, as amended.
2. The Board adopted Amendment #2 to Ordinance #84 on July 19, 2023. The new STR regulations in Amendment #2, among other things, established 21 geographic subareas in unincorporated Tillamook for purposes of regulating STR licenses ("STR Subareas").
3. Amendment #2 also authorizes the Board to establish by Board Order limitations on the number of STR licenses that can be issued or exist at any one time in each of the STR Subareas.
4. The Board wishes to exercise the authority granted in Amendment #2 and set limits on the number of STR licenses that can be issued or exist in each of the following geographic STR Subareas in unincorporated Tillamook County:

Neahkahnie	Cloverdale
Mohler	Tierra del Mar
Barview/Twin	Pacific City/Woods
Rocks/Watseco	Neskowin
Idaville	Manzanita UGB
Siskeyville	Nehalem UGB
Cape Meares	Wheeler UGB
Oceanside	Rockaway UGB
Netarts	Garibaldi UGB
Beaver	Bay City UGB
Hebo	Tillamook UGB

5. The Community Development Director provided a spreadsheet, attached hereto and incorporated herein as Exhibit A, that lists the current number of STR licenses in each of the 21 geographic STR Subareas, the total number of dwellings in each subarea, the most recent number of STRs in each subarea, and the number of STRs that would exist if the Board imposed a cap equal to the current number of STR licenses plus an additional 1% in each Subarea.

6. On June 21, 2023, the Board adopted Order #23-035, which authorized the creation of a waitlist of people wishing to obtain a STR license who were actively in the process of constructing new homes in 2022 when the County paused accepting, processing, or approving new STR licenses with the adoption of Board Order #22-033 (May 25, 2022).
7. The Board desires to determine the current number of STRs in each of the 21 STR Subareas, including those recently added to the STR pool through the waitlist created by Order #23-035.
8. The Board further desires to establish a maximum limit or "Cap" on the number of STRs allowed to operate in each of the 21 STR Subareas equal to the current STR pool size in each Subarea plus an additional 1% in each. These data are displayed on Exhibit A.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

9. **Process Waitlist Applicants:**
All qualified applicants on the STR license waitlist compiled by the Community Development Director and established by Order 23-035 are hereby invited to submit a complete STR license application. The Community Development Director shall accept, process in the normal course, and approve all such STR applications that meet the current STR license requirements set forth in Amendment #2.
10. **Cap on STRs in Subareas:**
There shall be a maximum limit on the number of STRs allowed in each of the 21 geographic STR Subareas established by Amendment #2 ("Subarea Cap"). Each Subarea Cap shall be equal to the current number of STRs in each Subarea (a number that includes the currently licensed STRs plus those on the waitlist in each Subarea) plus an additional 1% as shown in Exhibit A. The Community Development Director shall not approve any STR license in any Subarea in excess of the Subarea Cap established herein for that Subarea.
11. **End of the Pause and Acceptance of STR License Applications:**
The pause on County acceptance, processing and approval of new STR licenses established in Order #22-033 and amended by Order #23-035 is due to expire by its own terms on August 31, 2023. Beginning September 1, 2023 and continuing to September 29, 2023 at 4:30 p.m., the Community Development Director shall accept new STR license applications in accordance with Amendment #2 and this Order for the Program Resumption Lottery. The initial window from September 1 to September 29, during which the Community Development Director accepts STR license applications, shall not require an application fee unless the application is selected for processing as part of the Program Resumption Lottery.
12. **Program Resumption Lottery:**
The resumption of the STR licensing program will begin with a lottery held October 10, 2023 to randomly select applications from among those submitted between September 1 and September 29, 2023 for each Subarea until the

Subarea Cap is reached. Those applications so selected, up to the Subarea Cap, will be given 21 days to pay the application fee and make the application fully complete. All applications selected after Subarea Caps are reached will be placed on a waiting list in the order of their selection and shall pay a \$100 waitlist fee.

13. **STR Licensing After the Program Resumption Lottery:**
Following the Program Resumption Lottery, the Community Development Director will select applicants from the STR waiting list in the order they were selected from the Lottery and thereafter in the order that applications are submitted. Over time, as room under each applicable Subarea Cap becomes available, the Community Development Director shall notify each applicant on the Subarea waitlist in chronological order (based on date stamp received) that a STR license is available. Each such applicant will then have 3 weeks (21 days) to accept the available STR license, pay the application fee, and make the application complete. If an applicant from the STR waitlist accepts the invitation, pays the application fee and makes the application complete within 21 days of notification, the Community Development Director shall process and approve the STR license if it qualifies under the then-applicable STR license criteria. If the applicant either refuses the invitation, fails to pay the application fee or make the application complete within 21 days of notification of an available license, or fails to qualify for STR license approval, the Community Development Director will offer the available STR license to the next person on the STR waitlist in the same manner until the invitation is accepted and a license approved.
14. This order shall be effective upon approval by the Board.

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Approved this 2nd day of August 2023.

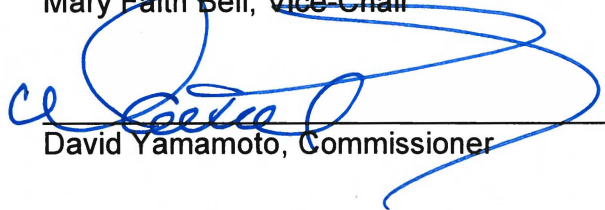
THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON


Erin D. Skaar, Chair

Aye	May	Abstain/Absent
<u>✓</u>	<u> </u>	<u> / </u>

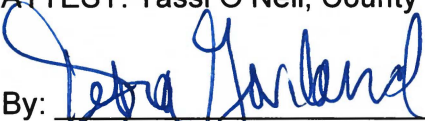

Mary Faith Bell, Vice-Chair

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David Yamamoto, Commissioner

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ATTEST: Tassi O'Neil, County Clerk

By: 
Special Deputy

APPROVED AS TO FORM:


William K. Sargent, County Counsel



EXHIBIT A

Subarea	Dwellings in Subarea ^a	Number of STRs in Subarea ^b	Number of STRs plus 1% ^c
Neahkahnie	409	82 (20%)	86 (21%)
Manzanita UGB	362	42 (12%)	47 (13%)
Mohler	8	0 (0%)	1 (1%)
Nehalem UGB	493	16 (3%)	20 (4%)
Wheeler UGB	1	0 (0%)	0 (4%)
Rockaway Beach	482	80 (17%)	87 (18%)
Barview/Twin Rocks/Watseco	254	40 (16%)	43 (17%)
Garibaldi UGB	3	0 (0%)	1 (1%)
Bay City UGB	39	0 (0%)	0 (1%)
Idaville	84	0 (0%)	1 (1%)
Tillamook UGB	179	0 (0%)	2 (1%)
Siskeyville	48	0 (0%)	1 (1%)
Cape Meares	237	32 (14%)	36 (15%)
Oceanside	693	129 (19%)	139 (20%)
Netarts	766	104 (14%)	115 (15%)
Beaver	83	2 (2%)	2 (3%)
Hebo	70	0 (0%)	1 (1%)
Cloverdale	113	0 (0%)	1 (1%)
Tierra Del Mar	235	53 (23%)	56 (24%)
Pacific City/ Woods	1392	323 (23%)	334 (24%)
Neskowin	908	180 (20%)	191 (21%)

a - According to the November 2022 certified property tax roll, includes individual dwelling units in multi-family structures.

b - Includes licensed STRs plus qualified waitlist applicants in process.

c - All dwelling numbers rounded to nearest whole unit.