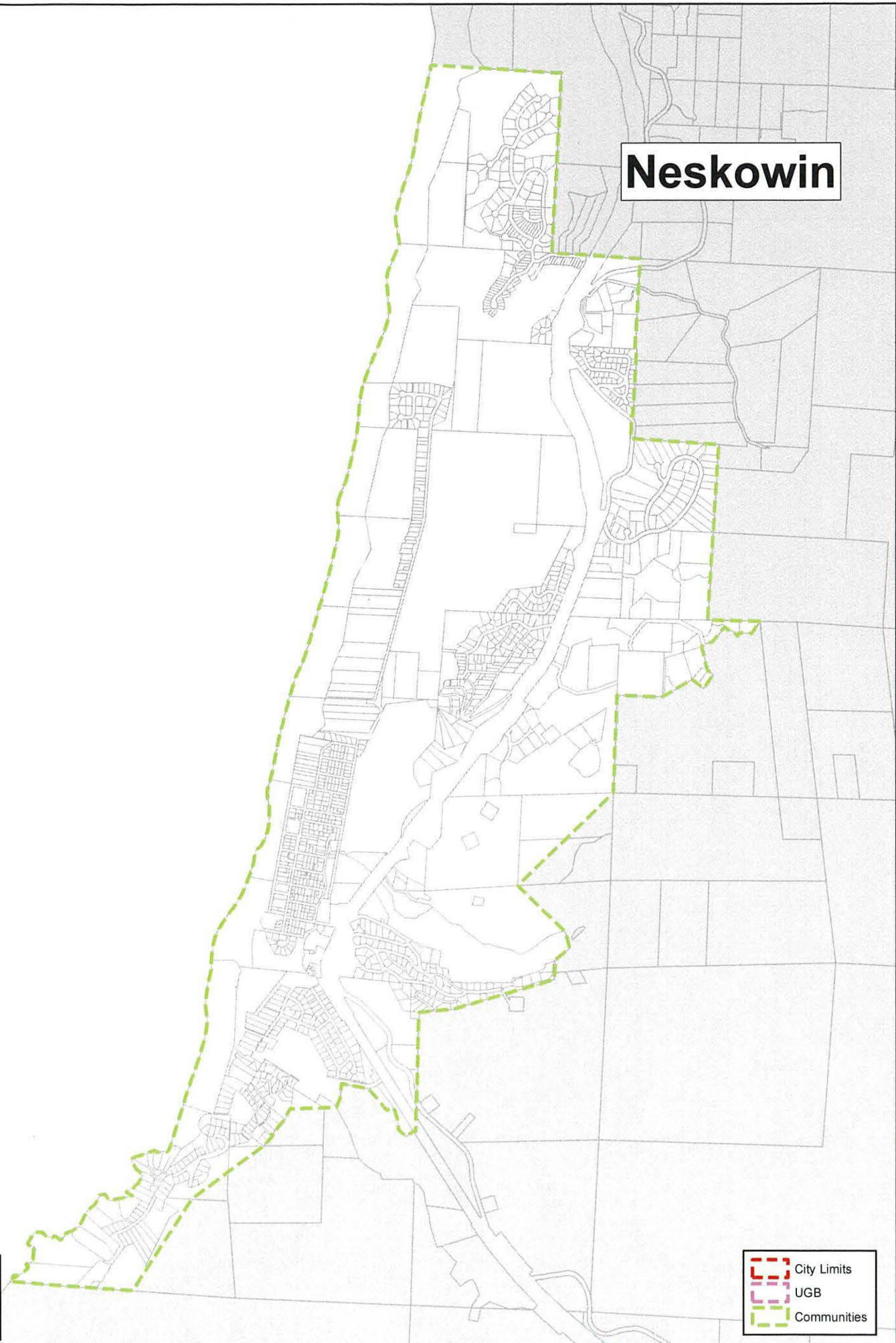
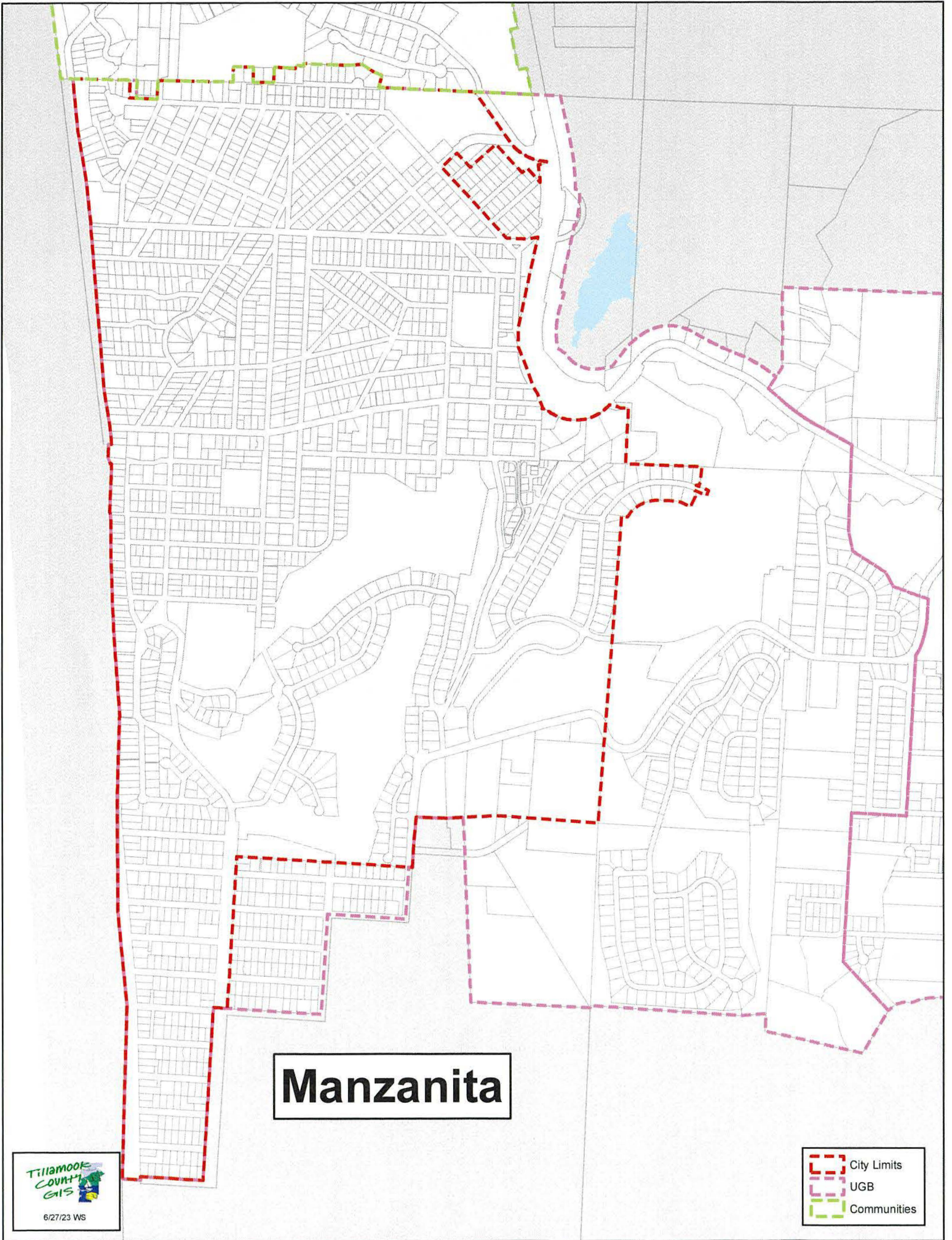


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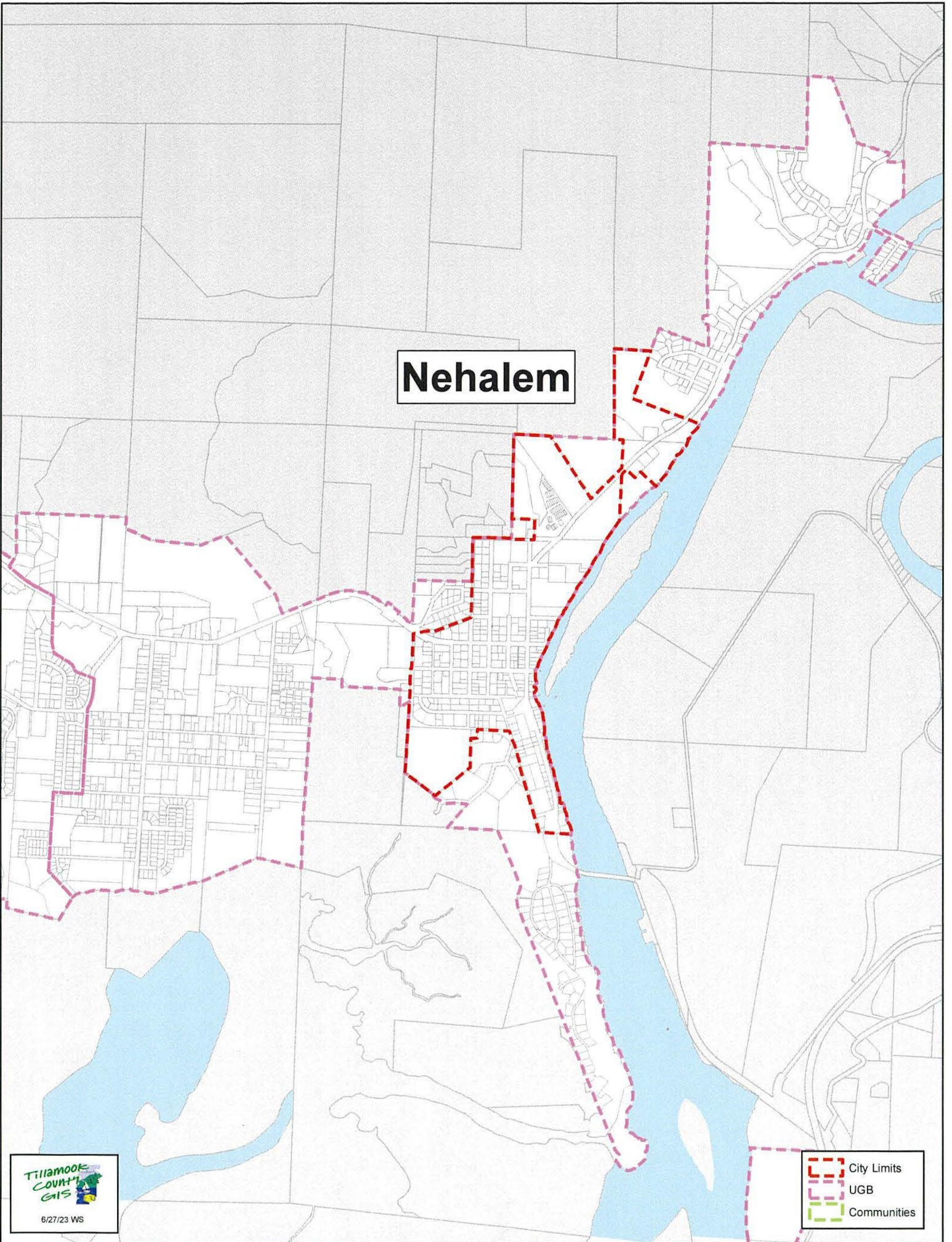


Manzanita

Tillamook
County
GIS
6/27/23 WS

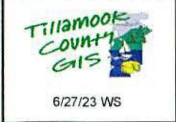
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- UGB
- Communities

Nehalem

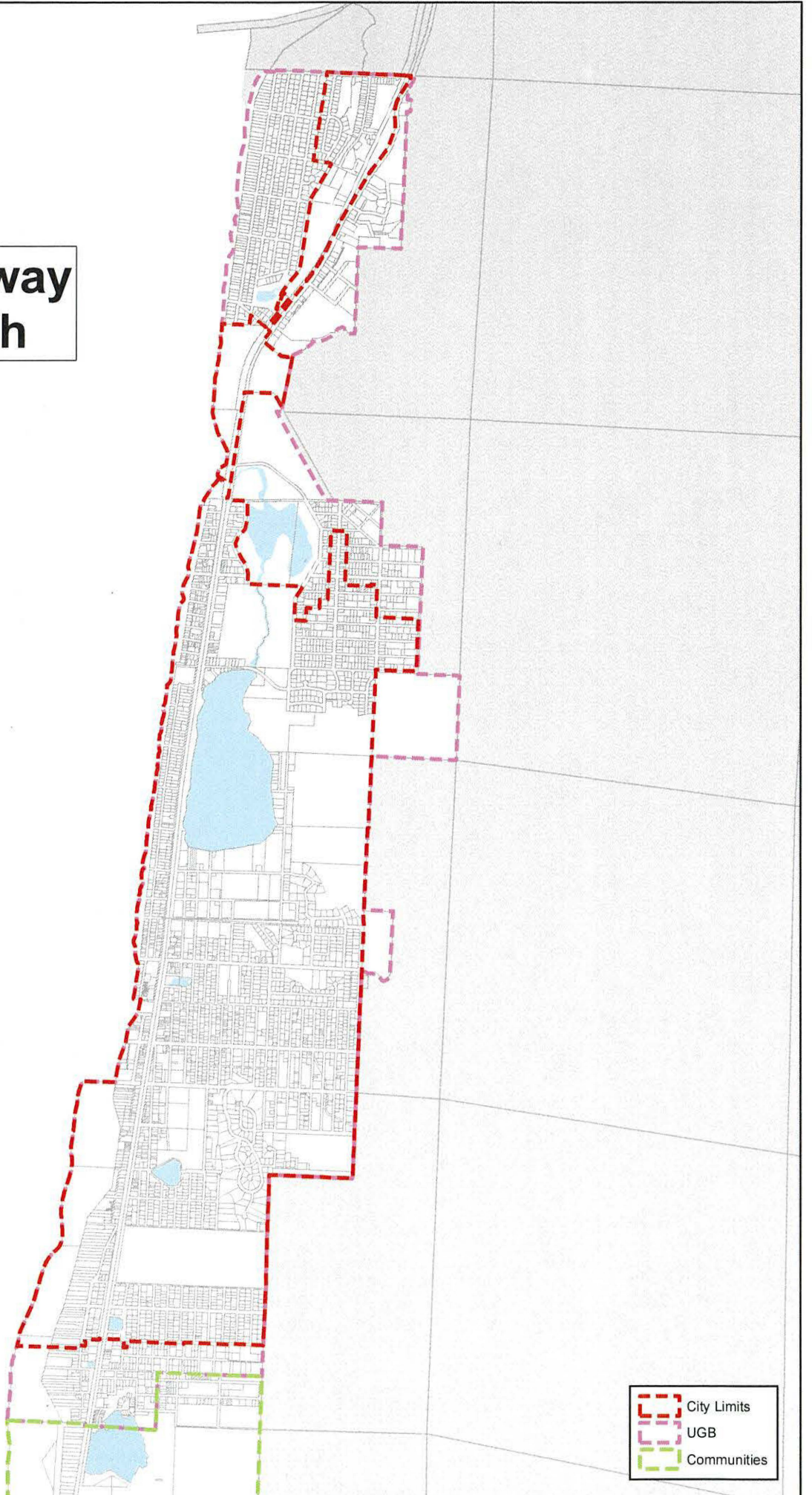


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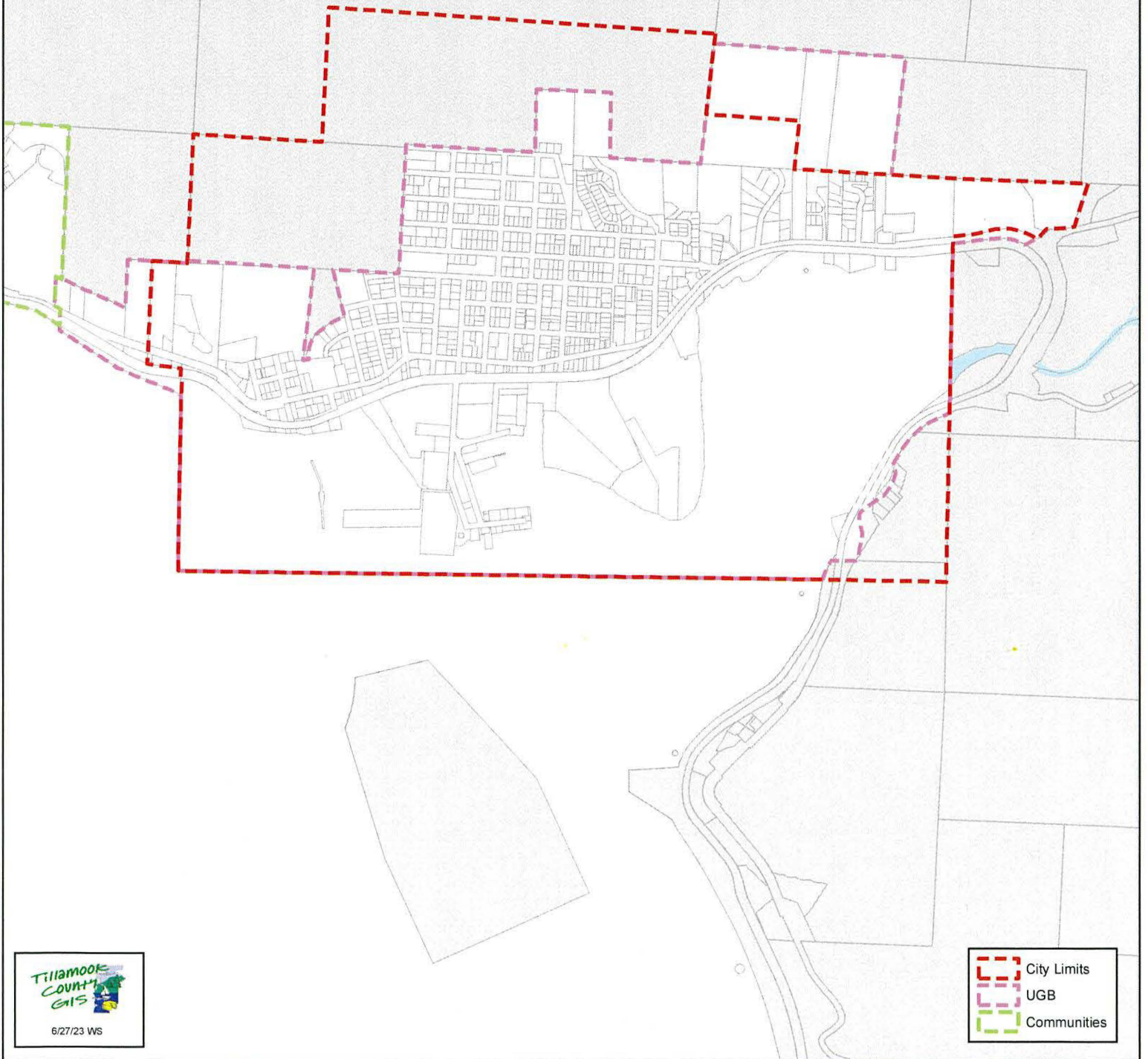
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-  UGB
-  Communities



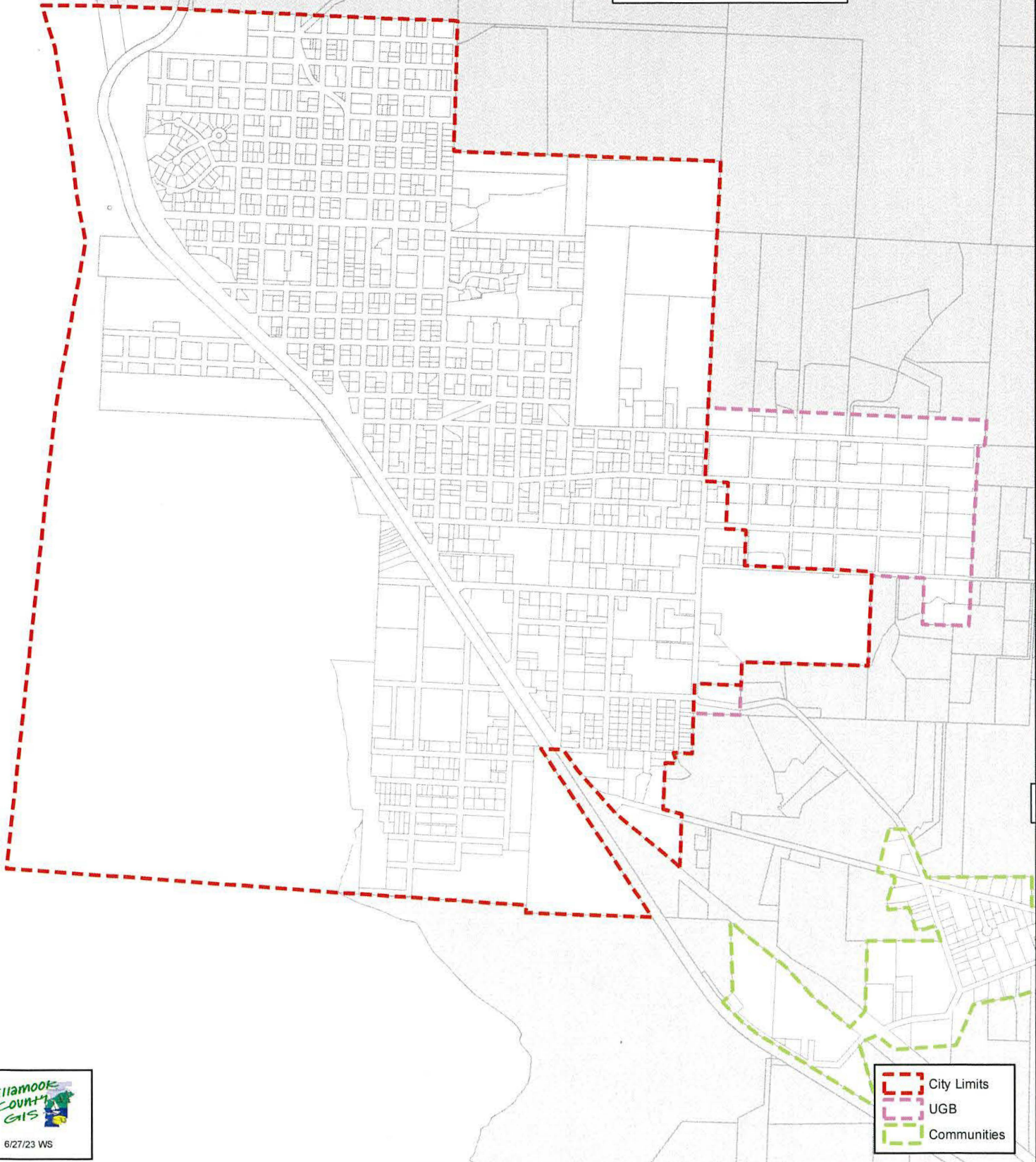
Rockaway Beach



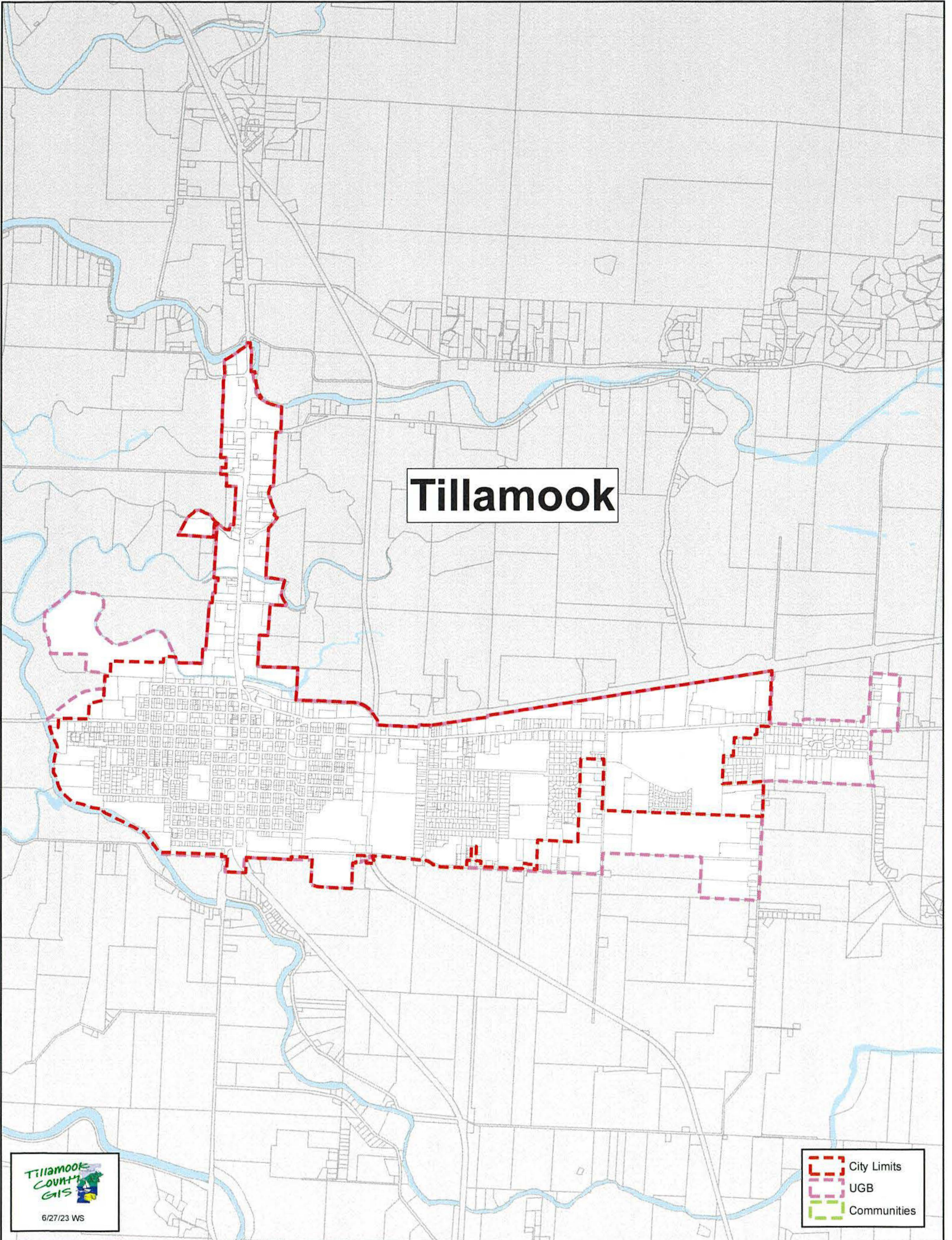
Garibaldi



Bay City



Tillamook



**Public
Comments
Received
June 13
to
June 29**

Lynn Tone

From: Stephen Piucci <steve@piucci.com>
Sent: Thursday, June 29, 2023 3:42 PM
To: Lynn Tone; publiccomment@co.tillamook.or.us
Subject: EXTERNAL: July 6 STR 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 Ms. Tone and Commissioners:

Below is a copy of our previous public comment. I have added an update.

"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."

Addendum: Perhaps I am looking at this in too basic a fashion but I am wondering:

1. What really is driving this push to torture STR owners?
2. The big problem with the north coast is lack of basic housing for low and medium income people. Changing STR rules will only make this problem worse. Less consumers will be coming to the coast and property values will fall. There will be less jobs.
3. We would not have bought our new home on Neahkahnie Mountain if we could not have STR's.

Steve Piucci
Melissa Powers

Steve Piucci, attorney
PIUCCI LAW
900 SW 13th Suite 200, Portland, OR 97205

Lynn Tone

From: Terri Warren <twestover@mac.com>
Sent: Thursday, June 22, 2023 7:35 AM
To: Lynn Tone
Subject: EXTERNAL: note to the 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.]

Good morning,

I served on the STR Advisory Committee representing our dear town of Oceanside. I was proud to have the opportunity to be on this committee and though at times, it was unpleasantly contentious, I consistently tried to find a middle ground on the issues we discussed but sometimes, the middle ground was just too elusive. While I recognize there are people on both side of this argument that are unhappy with the results, I think some progress was definitely made. This is just, by nature, a tough topic - money, privacy, freedoms, livability, all mixed into discussion.

There are a couple of issues that continue to be troubling to my Oceanside residents.

First, people who hold STR permits but don't use them often, would prefer not to be required to pay for weekly garbage service. Changing the weekly garbage requirement to periods of time when the house is being used as an STR would be both logical and a reasonable compromise. For example, if an owner uses their home mostly in the spring and summer and rents periodically in the summer, it seems unjust to require them to have weekly garbage service all fall and winter when no one is there.

Second, many are still quite concerned about the daytime noise issue. There are times, during the summer, when STRs produce very loud music during the day, loud enough that those of us in our homes find it really uncomfortable. The recommendation that there be noise limits from amplified sound devices was dismissed by the commissioners but I sincerely hope it will be revisited. While dog poop in your driveway and garbage pouring out of cans are very unpleasant, noise and music from speakers that penetrate the walls of the home is really unacceptable. I'm hoping the commissioners will revisit this issue and provide a method of relief, when the too loud music is coming from STRs.

On another note, I would like to say that Sarah Absher could not have been a more gracious, practical and patient guide for our group. Had I been in her position, I would have lost my patience many times, but she never did, not once. You all should be so proud of the work that she did with the Advisory Committee

Thank you for your consideration of these issues.

Terri Warren
503-701-2798

Lynn Tone

From: JERRY KEENE <jerrykeene@aol.com>
Sent: Wednesday, June 21, 2023 8:14 AM
To: Lynn Tone
Subject: EXTERNAL: Public Comment for STR Hearings

[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 have served on the county STR Advisory Committee representing central County since 2018. I also served as the President and am now Vice President of the Oceanside Neighborhood Association (our land use Citizens Advisory Committee), which has conducted and submitted two comprehensive community surveys reflecting the views of hundreds of local residents and short term rental owners on issues addressed in the current revisions to Ordinance 84. Based on the experience and insights this work has afforded, I offer the following comments:

1. Don't make the perfect the enemy of the good. Tillamook County is far ahead of the curve in addressing STR issues, with few models from other communities to draw on. When you break new ground, you have to be willing to embrace creativity, make mistakes and then learn from them. These proposed revisions represent a good faith effort to balance competing - well actually colliding - interests. They are worth a try, and the ordinances can always be amended or refined based on experience over time.

2. Utilizing STR income to pay for a second home is a business model, not a "right." Many STR owners who assert that right in Tillamook County would be the first to deny it to homeowners neighboring their primary homes in Portland, Seattle or elsewhere. Those of us who sold or have foregone a primary home elsewhere to afford one here do not owe anyone the opportunity to buy second homes they cannot afford unless paid for by someone else. Those who assert that coast property is just different would argue otherwise if STR view properties were permitted next to their primary homes in the West Hills, on Lake Oswego or on Lake Washington in Seattle. Oceanside, Pacific City and Neskowin are not merely "resort communities," and residents may legitimately resist the efforts of investors to reduce them to such.

3. Please consider restoring the daytime "noise" ordinance. In so doing, please be sure you understand that, despite its lengthy text, the only noise it addresses is that of excessively loud sound devices (i.e. sound systems) - not transient or incidental noise from the activities of daily living, like lawn mowers or loud conversations. (Your brief deliberations suggested you assumed it was broader in scope.) As worded, it only applies to sound from specific devices that are intentionally designed and used to amplify sound. It is reasonable and practical to curb excessive use of such devices.

The STR included this rule as a targeted response to the surveys which unanimously identified loud parties, and particularly loud outdoor music, as one of the top complaints residents have about STRs - both now and in 2018. It defies logic (and breaks faith with residents who've long awaited a solution) to omit any rule addressing loud party music based on the minority of instances where STR visitors would ignore a phone call from the management company advising them to turn down their music. That is the tail wagging the dog.

In terms of subjectivity, I previously submitted language effectively limiting the rule to music loud enough to hear (and therefore record) inside neighboring houses. That virtually eliminates subjectivity - or at least to the same extent that the "quiet hours" standard does. Please don't deprive residents of any right to complain and obtain relief from loud music played outdoors by STR visitors simply because a few violators might resist enforcement.

4. As a retired attorney, I wrote or received hundreds of portentous missives like the one submitted by the lawyers for Oregon Coast Hosts. Don't be impressed by their assertions about the "clear" law that applies. They are paid for such certitude, which is much different than certainty. The letter is a casebook example of "bootstrapping." The cases they cite in their circularly reasoned argument are actually more aligned with Dan Kearns' description of the law. Based on having been on both the sending and receiving end of such letters, I can assure you of one thing. If the law were as clear as Coast Host counsel assert, their letter would have been half as long.

Respectfully,

Jerry Keene
Oceanside

Sarah Absher, CFM Director
Tillamook County Department of Community Development
1501-B Third Street
Tillamook, Oregon 97141

June 12, 2023

RE: Public Comments on Proposed Short Term Rental Permit Ordinance #84, Amendment #2,
DRAFT Dated 5/30/23
33580 Madrona St, Pacific City, TL# 4S1124AD1300

Dear Ms. Absher,

Please accept this letter as public comments on the draft Tillamook County Short Term Rental (STR) Permit Ordinance #84, Amendment #2 dated 5/30/23.

As reference, we would like to bring attention to our letter dated 2/25/23 concerning a previous draft version of the ordinance that we submitted for inclusion into the written record, as many comments in that letter also pertain to the current draft, Amendment #2. Per the previous letter, we own property at 33580 Madrona St, Pacific City, TL# 4S1124AD1300 and have a valid STR permit on the property.

Concerning the current draft, Amendment #2 we have the following comments and suggestions:

ISSUE: STR rules should apply ONLY during short-term rental use.

QUESTION: When occupying and residing in our house and property any time during the year when the house is not rented on a short-term basis, do STR rules apply to us? In our case, we currently lease the house on a short-term basis only for about 12 weeks a year during the summer season. In the remainder of the year or at any time during the year that it is not rented are we and our family members required to meet the standards outlined for short term renters? From our reading, it appears the draft ordinance is written so that short term use is regulated even if the dwelling is not being rented. This is problematic and an attempt to implement land use regulations under the guise of a business license supposedly regulating a specific activity (renting a dwelling for less than 30 days). Why should our property rights be infringed during our personal use and we be held to a different standard than another property owner who occupies or resides in their house for issues such as parking, noise, number of bedrooms, number of people in the dwelling, requirement for trash service etc. simply because we have a STR license during the time that we are not exercising the activity the license regulates (renting for 30 days or less)?

requirements contained within a STR license so long as they do not receive rent. The County has stated that STR use will be a business license, not a land use action or rules. If that is the case then changes to the draft ordinance are necessary because otherwise the County is clearly restricting property rights and enacting land use rules under the guise of a STR License.

SUGGESTION:

Amend Section 0.030.Z Short Term Rental Definition to read: *“Short-Term-Rental” or “STR” means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler’s accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering to lease or rent a dwelling unit for a period of 30 or fewer nights. Short-Term rental use is a type of “vacation occupancy” as defined in ORS 90.100.”*

AND

Strike the following words from Section 0.040 *“.. or otherwise make available or allow any other person to make available for occupancy or use”*

AND

Amend Section 0.110.B to read: *“Representing, advertising, leasing, renting or receiving money for occupancy of a dwelling unit as a short-term rental where the owner does not hold a valid Short-Term Rental Licensed issued under this Ordinance”*

ISSUE: The definition of a Bedroom needs to be modified because it isn’t broad enough:

- Section 0.030 Definitions:

D. *“Bedroom”*: under the definition a bedroom is require to have *“... A built in closet, clothing closet organizer, amorie or similar clothing rack or clothing storage unit.”*

COMMENT: This portion of the definition should be eliminated as many STR’s have lofts that are clearly sleeping areas, were originally designed as a sleeping area and they don’t contain a closet. Further, we are talking about short-term occupancy, several days or a week, so it is not necessary for such use to have a closet. Many motels, hotels etc. have beds in rooms that do not meet this definition.

SUGGESTION: Eliminate this sentence in the definition of bedroom as it is not necessary and not pertinent. STR rules pertaining to the number of people allowed in the dwelling are sufficient to address concerns.

Our neighborhood in Pacific City has historically been a neighborhood of short-term occupancy, not a neighborhood of permanent residents. We have owned our property for 30+ years (since 1992) and during that entire time there have never been more than 3 or 4 houses occupied by permanent residents out of a total of approximately 80 parcels in our immediate neighborhood bounded by the Cape Kiwanda parking lot, ocean, Cape Kiwanda Dr. and Shorepine Village property. Roughly 90 to 95% of the properties in our neighborhood have always been short-term occupancy use throughout the years. Further, of all the places in Tillamook County and in Pacific City, our neighborhood is best suited for full STR occupancy due to the proximity of the ocean, Cape Kiwanda, the Pelican Pub, separation from other neighborhoods by Cape Kiwanda Drive and the ability to walk to most things a visitor may want to utilize in Pacific City. We think that it makes sense to establish a no STR cap area for our neighborhood and we propose extending the no STR cap area south of our neighborhood to the extension of Pacific Avenue from the river bridge to the ocean.

SUGGESTION: There should be a public process to develop locations and numbers to cap STR's. The final decision on location and caps should be made by the County Board of Commissioners, not administratively. The County should not limit or cap the number of STR licenses allowed in the area bounded by Cape Kiwanda on the north, Pacific Ocean on the west, the extension of Pacific Avenue from the bridge over the Nestucca River to the ocean on the south and Cape Kiwanda Drive on the east.

ISSUE: Noise standards in the draft ordinance are subjective, arbitrary and not measurable. The County needs to enact a countywide noise ordinance that applies to all if it wishes to apply noise standards to STR's.

- Section 0.080.F "Noise": *"Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of section 0.130."*
- Section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

COMMENT: There are a whole host of issues and problems with the text of section 0.080.F. There is no defined noise standard. What is called out as a noise standard is subjective, arbitrary and not measurable. We understand and agree that unreasonable noise can be an issue, but the same applies to everyone. What is unreasonable to one person may be reasonable to another or the majority of folks. Why are STR's singled out? What about my STR guests? Why should they be subjected to the noise of a neighbor's party and music from a non-STR dwelling with no recourse because the County doesn't have a noise regulations that apply to anyone except STR's. Why should my STR guests be subjected to an unattended barking dog on a non-STR dwelling and we have no recourse because the County only prohibits unattended barking dogs on STR's. The statement that there is a violation if the contact person

not small minor work at a STR. This requirement is a big burden. Besides, why are STR's being singled out to meet standards for permits and work if those standards are not required by the permit covering the work?

SUGGESTION: Strike the sentence requiring that electrical work be performed by a licensed electrician from section 0.080.I. Doing so will not change the requirement that STR's obtain building, electrical, plumbing permits etc. and meet the requirements of those permits which are in place to insure safety concerns.

ISSUE: The required minimum response time by the contact person should be reasonable and realistic. 30 minutes per the draft IS NOT REALISTIC NOR REASONABLE. A STR complaint IS NOT an emergency and shouldn't be treated as such. A STR complaint is a nuisance issue.

- Section 0.080.J *Contact Information:* “.. The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems.” AND “.. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance.”

COMMENT: An STR complaint isn't an emergency by anyone's definition. At worst, an STR violation is a nuisance issue. It is our experience that no Tillamook County Department including the Sheriff is able to respond to non-emergency complaints within 30 minutes, so why are STR owners being singled out to do something the County itself isn't able to do? The response required by the contact person should be the same that is expected by a County official for a nuisance complaint. Since the County is not willing or able to provide a time period for their resolution of nuisance complaints, we don't believe it is fair or appropriate to apply a different standard to the STR contact. There isn't perfect, complete or always reliable cell coverage throughout the county and people have the right to live their lives without sitting in cell coverage on the remote chance there will be a complaint. The County's complaint records of past STR issues show that the proposed 30 minute response requirement is unreasonable.

SUGGESTION: Amend the first sentence to read: “ The contact person will respond to the complaint within a reasonable time period and attempt to resolve the complaint as soon as possible with a goal of resolution within 24 hours.” Strike the last sentence completely as it is unnecessary, repetitive and unreasonable.

SUGGESTION: Amend this section to read: "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 45 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

Thank you for the opportunity to comment and discuss our concerns about proposed changes to STR regulations.

Regards,

Handwritten signatures in blue ink. The top signature is "Keith D. Garlinghouse" and the bottom signature is "Joyce E. Garlinghouse".

Keith D. and Joyce E. Garlinghouse

Tillamook County Property Address: 33580 Madrona St, Pacific City, OR 97135

Mailing Address: 21830 Abiqua Rd NE, Scotts Mills, OR, 97375, Keith: kdg873@yahoo.com (email), Joyce: jeg873@yahoo.com (email)

I am Dianne Bloom and I am a full time resident in Neahkahnie for the past 12 years. I am a past 10 year member of the Nehalem Bay Health Center and Pharmacy Board and an active member of the Emergency Volunteer Corp of Neahalem Bay. For the past 11 years, I was the Administrator for the Nehalem Bay Medial Reserve Corp, the medical branch of EVCNB. Our job is to provide emergency planning and medical care for our community in the event of a disaster such as a Tsunami, severe storms or other unanticipated needs. We ran or Staffed Covid Vaccination Clinics for Tillamook County Community Health for well over a year. Our Volunteers came from full and part time community members, not renters.

I applaud the county with addressing Short term rentals. Too many short term rentals are limiting the number of homes available to full time and part time home owners who are willing to invest in our community preparedness. Our volunteers that support our community come from the community, not from vacationers. The workers for our restaurants and stores need homes to rent and buy, our firefighters, policemen and city workers can't afford to live here, because available rental housing is taken up by vacation rentals.

David Boon, in his letter to the STR Committee and the Commissioners dated 5/31/2023, outlined the data in hard cold facts on how short term rentals have adversely affected our Neahkahnie community. With out the limitations listed in Ordinance 84, the quality of life in our community will be greatly affected. I encourage you to accept Ordinance 84, at least it's a start at improving the livability of our community.

Respectfully submitted,

Dianne R Bloom BSN, MSN, CNM
37430 3Rd St
Neahkahnie Beach
Nehalem OR 98131
503-801-4080

STR Statement

STR's are simply an insidious/indirect TAX impose by the most powerful yet greedy lobby in the state - TOURISM. Rather than having the tourism industry pay their fair share of the ware and tear that tourism causes our communities, we have to tithe back to the tourism 70% of the TLT so that they can attract more tourist to grind down our deteriorating infrastructure that now has to be repaired by local citizens out of their local tax dollars.

To feed this averist the Tourism Lobby insists that it has a right to encourage individual private economic enterprise in my private neighborhood with all the economic advantages going to them and we are left to deal with the negative consequences of over crowding, litter, noise, property destruction but worst of all the accelerated depletion of our Natural Resources such as fresh water and worker housing.

It is time to rescind the TLT and focus on actual community development and enterprise requiring real skills that will be of substantial benefit to future generations rather that condemning them to a future of minimum wage tourist jobs.

John M Bloom
37430 3 St
Nehalem, OR 97131

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Amie Achtymichuk
1455 alder street Oceanside OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Amie Achtymichuk and I am Short Term Rental Owner. I am not a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2016. This is our family's second home that we spend many summer nights at. Having it STR when we are not using it is the only way we can afford to keep this home. Losing the STR would be losing our ability to own this home and enjoy with our family and future family members to come..

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- Provision is needed to protect STRs from harassment via unfounded complaints.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Amie Achtymichuk

Lynn Tone

From: baltizaar09@gmail.com
Sent: Thursday, June 15, 2023 11:07 AM
To: Lynn Tone
Cc: Tiffanie Hoffmeyer
Subject: EXTERNAL: Re: EXTERNAL: Admission for 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.]

Thank you Ms Tone,
Here is
My written testimony:-

Hello everyone, I wanted to give our story of our newly purchased small STR in an unincorporated area of Nehalem, placed in the hands of the voting community. After reading a lot of the email comments it's very soul wrenching to witness such anger & venom towards STR owners. My wife is an emergency room nurse saving lives every day in 12 hour shifts & I have worked in kitchens since I was 13 years old in Europe. I'm now 57! We have saved & put every penny into our STR home. I have never done any remodeling or tiling but to save money I studied, you tubed, tiled, floored, gardened, painted, fenced, every day throughout the winter months and yesterday just put the finishing touches to hopefully begin renting to visitors. I want our guests to have an incredible experience in our area, promoting all of the local Stores, restaurants, bakeries retail shops etc. I have visited all our neighbours and hosted a barbecue 'thank you party' for them and anyone who had helped advise & support me. My name & phone is Posted big & bold outside the home and if anyone should have any disturbance, I will be 100% accountable & immediately involved. I will monitor all of the incoming guests to make sure they are the right fit. This is not about greed or disregard for my community of which many write! This is my only income! My body is broken from too many years serving in the hospitality industry, I am 100% involved in making my home work in the community.

Several folk have written if I did not have an additional Home then a local could have bought it! This home was on the market for over 6 months & no local came forward. It needed fixing up and I did that work!

Next response is 'well if we take away the STR then you would rent to a local'. Again misinformed, I would need to cover my mortgage and taxes and expenses. There is a house next door to my home for rent since February and has ONLY just rented out to new arrivals into the area, so where are the locals grabbing these opportunities!

This is an expensive area similar to Napa Valley, where I was a chef instructor. I drove an hour and half each way from an apartment and area I could afford. So please all you 'haters' out there, please take into consideration folk such as myself & wife. Please vote for this regulation to pass so we can continue respectfully with our STR business & fine heavily those owners who do not respect the unincorporated areas or any neighbours for this matter, so everyone is held accountable. Personally I would be very upset if a mismanaged STR opened up Next to my Home. Everyone has to take responsibility for our community & neighbours whether it's dogs barking, noise pollution etc.

I thank you for reading the other side & please vote to continue STR's and bring more revenue to our much needed area. The next small hamlet over is Wheeler which is almost bankrupt, with no STR's, few stores, lots of closed store fronts & little Revenue! Thank you with much gratitude & hope & love for my area & county.

Sarah Frances
International Culinary Chef
Maitre d' Instructor
Private Cooking Classes

> On Jun 15, 2023, at 10:52 AM, Lynn Tone <ltone@co.tillamook.or.us> wrote:
>

> You can submit written testimony to directly to me.

>

> -----Original Message-----

> From: baltizaar09@gmail.com <baltizaar09@gmail.com>

> Sent: Thursday, June 15, 2023 10:14 AM

> To: Lynn Tone <ltone@co.tillamook.or.us>

> Subject: EXTERNAL: Admission for 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.]

>

> Good morning Ms Tone,

>

> As we

> Missed the deadline for in person admissions for the STR votes, could you please give the info on how to submit a written statement.

>

> Thank you kindly

>

> Sarah Frances

> International Culinary Chef

> Maitre d' Instructor

> Private Cooking Classes

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 11:28 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR comments

From: Steve <swoods.home@aol.com>
Sent: Wednesday, June 14, 2023 10:17 AM
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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Stephen Woods
Lot 211 in south beach neskowin
Tillamook County Landowner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Stephen Woods and I am a Tillamook County Landowner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2015. My property is 42 acres bordering Cascade Head with a magnificent view of the Oregon Coast.

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses
- Vacation rentals have always been allowed in Tillamook County

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage

frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide “highest and best” use.
- Provision is needed to protect STRs from harassment via unfounded complaints.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Stephen Woods

Lynn Tone

From: Sarah Absher
Sent: Wednesday, June 14, 2023 9:45 AM
To: Chris Silkowski; Lynn Tone
Subject: STR public hearing

Thank You Chris,

And thank you for your time serving on the Neskowin CAC.

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

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

Dear Ms. Tone

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

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

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

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

Best regards,
Chris Silkowski

Sarah Absher, CFM Director
Tillamook County Department of Community Development
1501-B Third Street
Tillamook, Oregon 97141

June 12, 2023

RE: Public Comments on Proposed Short Term Rental Permit Ordinance #84, Amendment #2,
DRAFT Dated 5/30/23
33580 Madrona St, Pacific City, TL# 4S1124AD1300

Dear Ms. Absher,

Please accept this letter as public comments on the draft Tillamook County Short Term Rental (STR) Permit Ordinance #84, Amendment #2 dated 5/30/23.

As reference, we would like to bring attention to our letter dated 2/25/23 concerning a previous draft version of the ordinance that we submitted for inclusion into the written record, as many comments in that letter also pertain to the current draft, Amendment #2. Per the previous letter, we own property at 33580 Madrona St, Pacific City, TL# 4S1124AD1300 and have a valid STR permit on the property.

Concerning the current draft, Amendment #2 we have the following comments and suggestions:

ISSUE: STR rules should apply ONLY during short-term rental use.

QUESTION: When occupying and residing in our house and property any time during the year when the house is not rented on a short-term basis, do STR rules apply to us? In our case, we currently lease the house on a short-term basis only for about 12 weeks a year during the summer season. In the remainder of the year or at any time during the year that it is not rented are we and our family members required to meet the standards outlined for short term renters? From our reading, it appears the draft ordinance is written so that short term use is regulated even if the dwelling is not being rented. This is problematic and an attempt to implement land use regulations under the guise of a business license supposedly regulating a specific activity (renting a dwelling for less than 30 days). Why should our property rights be infringed during our personal use and we be held to a different standard than another property owner who occupies or resides in their house for issues such as parking, noise, number of bedrooms, number of people in the dwelling, requirement for trash service etc. simply because we have a STR license during the time that we are not exercising the activity the license regulates (renting for 30 days or less)?

ISSUE: Amend various sections of the proposed ordinance so the County IS NOT enacting land use regulations under the guise of a STR License.

- Per section 0.020.C: *Purpose and Scope: "A short term-rental license is a revocable permission to operate a short-term rental but only as provided in the Ordinance".*

SUGGESTION: Amend the ordinance to make it clear that standards for STR's apply only during the licensed activity, i.e. during short-term rental of the property.

COMMENT: If STR regulations are applied to properties that hold STR licenses while the property is occupied by the owner for personal use and is not rented, the county is clearly applying land use rules but only to certain properties not uniformly under the guise of a revocable license. In our opinion, under that scenario it is likely property owners will have a takings claim regardless of the County claim it can avoid the takings risk by calling the STR permit a license. A business license such as the proposed STR license can regulate that activity (short-term rental of dwellings), but it cannot regulate land use when the activity (short-term rental of dwellings) is not occurring. STR's as a license with revocable permission cannot apply land use regulations to property owners when they use and reside on their property or lend their property to others for use without receiving rent.

- Section 0.030.Z *Short Term Rental Definition: "Short-Term-Rental" or "STR" means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-Term rental use is a type of "vacation occupancy" as defined in ORS 90.100."*
- Section 0.040 *Annual Short-Term Rental License Required, Basic Requirements for a License, No Nonconforming Use Status Conferred: "No owner of property in unincorporated Tillamook County may advertise, offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a Short-Term Rental License."*
- Section 0.120.B *Violations: "Representing, advertising or holding-out a dwelling unit as available for occupancy or rent as a short-term rental where the owner does not hold a valid Short-Term Rental Licensed issued under this Ordinance."*

COMMENT: These sections together stipulate that no property owner can let their family and friends etc. use their house for 30 or fewer days even if no money or other valuable consideration is exchanged unless they have a STR license. A revocable license can regulate the activity but cannot regulate use of the land when the licensed activity is not occurring. In the case of STR's the activity is dwelling rental for 30 days or less. Of course, a property owner has the right to let family and friends use their house for as short or long as they wish without the requirement of obtaining a STR and they are not restricted to the

requirements contained within a STR license so long as they do not receive rent. The County has stated that STR use will be a business license, not a land use action or rules. If that is the case then changes to the draft ordinance are necessary because otherwise the County is clearly restricting property rights and enacting land use rules under the guise of a STR License.

SUGGESTION:

Amend Section 0.030.Z Short Term Rental Definition to read: *“Short-Term-Rental” or “STR” means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler’s accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering to lease or rent a dwelling unit for a period of 30 or fewer nights. Short-Term rental use is a type of “vacation occupancy” as defined in ORS 90.100.”*

AND

Strike the following words from Section 0.040 *“.. or otherwise make available or allow any other person to make available for occupancy or use”*

AND

Amend Section 0.110.B to read: *“Representing, advertising, leasing, renting or receiving money for occupancy of a dwelling unit as a short-term rental where the owner does not hold a valid Short-Term Rental Licensed issued under this Ordinance”*

ISSUE: The definition of a Bedroom needs to be modified because it isn’t broad enough:

- Section 0.030 Definitions:

D. *“Bedroom”*: under the definition a bedroom is require to have *“... A built in closet, clothing closet organizer, amorie or similar clothing rack or clothing storage unit.”*

COMMENT: This portion of the definition should be eliminated as many STR’s have lofts that are clearly sleeping areas, were originally designed as a sleeping area and they don’t contain a closet. Further, we are talking about short-term occupancy, several days or a week, so it is not necessary for such use to have a closet. Many motels, hotels etc. have beds in rooms that do not meet this definition.

SUGGESTION: Eliminate this sentence in the definition of bedroom as it is not necessary and not pertinent. STR rules pertaining to the number of people allowed in the dwelling are sufficient to address concerns.

ISSUE: The transfer of an existing STR License to a family member of the original STR Permit holder that preexisted this ordinance SHOULD BE ALLOWED WITHOUT RESTRICTION which we believe is the intent of this draft, however, a modification to the definition of “*Transfer*” is needed to cover all the possibilities of family to same family STR transfers.

COMMENT: Families who own beach property on the Oregon coast typically need some STR income during the year to be able afford the property. The STR income helps pay property taxes and insurance and if enough income is generated, some income can be set aside to pay for maintenance and upkeep such as roof and siding replacement and repairs as coastal dwellings take a beating. This is certainly the case for us. Many folks have the goal to keep their property within the family when they pass. We believe the intent of the draft ordinance is to honor families who previously obtained a STR permit and wish to maintain their property. Many families create “Trusts” or “LLC’s” as generation ownership becomes diluted from the original parent to protect and provide use equity to all family members due to legal issues associated with cotenant ownership. The definition of “*Transfer*” should be broadened to cover transfer of family ownership to a family Trust or family LLC or similar legal entity. We do not otherwise object to the proposed transfer rules.

- Section 0.030.DD “*Transfer*”: “*Transfer*” means a change in ownership of the property where the dwelling licenses as a Short-Term Rental is located that that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.”

COMMENT: The definition of transfer does not go far enough to protect families trying to maintain their property and STR within their family for a family to same family transfer.

SUGGESTION: Amend the second sentence to read: “A change in ownership does not include a change in owners resulting from death, divorce, marriage, inheritance or to an entity in which the STR Licensee is a member.”

ISSUE: Caps on the number of STR Licenses make sense in many locations, but not in all locations, especially where the majority of properties have historically been used for short-term occupancy. THERE SHOULD BE SOME NEIGHBORHOODS in the County WITH NO CAPS on STR LICENSES.

- Section 0.040.C Cap on Number of STR Licenses: “... The County has established a limit on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County”

COMMENT: Thus far in the process the County has not divulged where caps will be applied and what they will be. We assume and hope after adoption of the STR ordinance that there will be a public process the County will go through to establish caps, that property owners will have the opportunity to comment and the decision on location and cap numbers will be made by the Board of Commissioners, not established administratively.

Our neighborhood in Pacific City has historically been a neighborhood of short-term occupancy, not a neighborhood of permanent residents. We have owned our property for 30+ years (since 1992) and during that entire time there have never been more than 3 or 4 houses occupied by permanent residents out of a total of approximately 80 parcels in our immediate neighborhood bounded by the Cape Kiwanda parking lot, ocean, Cape Kiwanda Dr. and Shorepine Village property. Roughly 90 to 95% of the properties in our neighborhood have always been short-term occupancy use throughout the years. Further, of all the places in Tillamook County and in Pacific City, our neighborhood is best suited for full STR occupancy due to the proximity of the ocean, Cape Kiwanda, the Pelican Pub, separation from other neighborhoods by Cape Kiwanda Drive and the ability to walk to most things a visitor may want to utilize in Pacific City. We think that it makes sense to establish a no STR cap area for our neighborhood and we propose extending the no STR cap area south of our neighborhood to the extension of Pacific Avenue from the river bridge to the ocean.

SUGGESTION: There should be a public process to develop locations and numbers to cap STR's. The final decision on location and caps should be made by the County Board of Commissioners, not administratively. The County should not limit or cap the number of STR licenses allowed in the area bounded by Cape Kiwanda on the north, Pacific Ocean on the west, the extension of Pacific Avenue from the bridge over the Nestucca River to the ocean on the south and Cape Kiwanda Drive on the east.

ISSUE: Noise standards in the draft ordinance are subjective, arbitrary and not measurable. The County needs to enact a countywide noise ordinance that applies to all if it wishes to apply noise standards to STR's.

- Section 0.080.F "Noise": *"Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of section 0.130."*
- Section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

COMMENT: There are a whole host of issues and problems with the text of section 0.080.F. There is no defined noise standard. What is called out as a noise standard is subjective, arbitrary and not measurable. We understand and agree that unreasonable noise can be an issue, but the same applies to everyone. What is unreasonable to one person may be reasonable to another or the majority of folks. Why are STR's singled out? What about my STR guests? Why should they be subjected to the noise of a neighbor's party and music from a non-STR dwelling with no recourse because the County doesn't have a noise regulations that apply to anyone except STR's. Why should my STR guests be subjected to an unattended barking dog on a non-STR dwelling and we have no recourse because the County only prohibits unattended barking dogs on STR's. The statement that there is a violation if the contact person

fails to respond to a complaint within 30 minutes is ridiculous. What if the complaint is completely bogus? Again, what is unreasonable to one person is not necessarily unreasonable to another and there is no standard in the text for how loud the sound must be to trigger a violation. In America, one is presumed innocent until proven guilty, but this provision assumes that the STR owner is guilty if they are not able to respond within 30 minutes to a non-emergency nuisance which is a standard no County Department is able to meet for a non-emergency in Pacific City. After all, it's a 40-minute drive from county offices in Tillamook to Pacific City where our STR is located. In addition, according to the current wording, a crying baby, a dory boat preparing their boat for dawn launch at a STR, most construction activity on your property etc. could be considered a noise violation by some folks.

SUGGESTION:

Amend section 0.080.to read: *"The STR shall adhere to the County Noise Ordinance."*

- Eliminate section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

The County needs to develop a noise ordinance with objective and measurable standards if it wants to enforce noise at STR's. Noise provisions that are subjective, arbitrary and have non-measurable standards such as the proposed text will be tossed out by Courts. Additionally, Courts will toss out this section on noise unless it also applies to adjacent non STR residences simply because it is blatant discrimination. It is discriminatory to single out a STR licensee for noise regulation when the same standards do not apply to adjacent non STR licensed homes. Similarly, courts won't look kindly on this provision if there is no noise regulation of condos, apartments, motels, hotels, lodges, campgrounds etc.. Tillamook County does not have a legitimate argument that it is unable to develop a countywide noise ordinance and doesn't have the resources or ability to measure noise and enforce standards. The County has speed guns that their law enforcement officials are able operate to measure vehicular speed and determine if there is a traffic violation. A decibel meter is not more complicated to operate to measure noise than a speed gun is for measurement of vehicular speed. Many other Oregon counties and governmental entities have noise ordinances that their officials enforce with the assistance of a decibel meter. Marion County has a reasonable noise ordinance that Tillamook County could use as a guide while developing an ordinance. The Marion County noise ordinance is easily available for download with a click from their website.

ISSUE: Special building permit and construction requirements SHOULD NOT be required for STR's. STR's SHOULD BE required to obtain and meet whatever building and zoning permits and requirements normally apply to their building type.

- Section 0.080.I *"No unpermitted improvements or bedrooms": "... Electrical work shall be performed by a State of Oregon licensed electrician."*

COMMENT: Why is electrical work in STR's singled out for requiring a licensed contractor? Why not structural or plumbing etc.? Are you aware how difficult it is to get an electrician to do any work in Tillamook County? There aren't enough electricians working in the County and construction is their focus

not small minor work at a STR. This requirement is a big burden. Besides, why are STR's being singled out to meet standards for permits and work if those standards are not required by the permit covering the work?

SUGGESTION: Strike the sentence requiring that electrical work be performed by a licensed electrician from section 0.080.I. Doing so will not change the requirement that STR's obtain building, electrical, plumbing permits etc. and meet the requirements of those permits which are in place to insure safety concerns.

ISSUE: The required minimum response time by the contact person should be reasonable and realistic. 30 minutes per the draft **IS NOT REALISTIC NOR REASONABLE**. A STR complaint **IS NOT** an emergency and shouldn't be treated as such. A STR complaint is a nuisance issue.

- Section 0.080.J *Contact Information:* “.. The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems.” AND “.. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance.”

COMMENT: An STR complaint isn't an emergency by anyone's definition. At worst, an STR violation is a nuisance issue. It is our experience that no Tillamook County Department including the Sheriff is able to respond to non-emergency complaints within 30 minutes, so why are STR owners being singled out to do something the County itself isn't able to do? The response required by the contact person should be the same that is expected by a County official for a nuisance complaint. Since the County is not willing or able to provide a time period for their resolution of nuisance complaints, we don't believe it is fair or appropriate to apply a different standard to the STR contact. There isn't perfect, complete or always reliable cell coverage throughout the county and people have the right to live their lives without sitting in cell coverage on the remote chance there will be a complaint. The County's complaint records of past STR issues show that the proposed 30 minute response requirement is unreasonable.

SUGGESTION: Amend the first sentence to read: “ The contact person will respond to the complaint within a reasonable time period and attempt to resolve the complaint as soon as possible with a goal of resolution within 24 hours.” Strike the last sentence completely as it is unnecessary, repetitive and unreasonable.

ISSUE: It is unreasonable to require STR's upgrade their building at each STR inspection and meet the current International Building Code (IBC) requirements in place at that time since those requirements change over time. STR's SHOULD MEET the IBC requirements in place when building permits are obtained for the structure but SHOULD NOT BE REQUIRED to constantly upgrade their buildings in order to meet the latest IBC requirement in place at STR inspection.

- Section 0.090.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 meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit as a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural and ventilation requirements. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector."

COMMENT: We think the intent here is for dwellings to meet building codes which is appropriate, however, no property owner is required to continually meet International Building Codes which change over time including motels, hotels, restaurants, stores, schools, hospitals, government buildings etc. let alone single or multi-family residences that house STR's so why is this a requirement of STR's? It is appropriate to require building, electrical, plumbing, mechanical etc. permits and the dwelling will conform to the IBC and other appropriate codes in place at that time.

SUGGESTION: Amend this section to read: "A Short-Term Rental license shall not be issued until the dwelling passes inspection by the County Building Inspector certifying that the dwelling meets the requirements of the STR Ordinance and obtained required County building permits, inspections and met standards in force at the time the dwelling was constructed."

ISSUE: The time limit for filing an appeal SHOULD BE REASONABLE and 14 days IS NOT reasonable. Property owners should be given AT LEAST 45 DAYS to file an appeal to a STR complaint. A STR complaint IS NOT an emergency and shouldn't be treated as such.

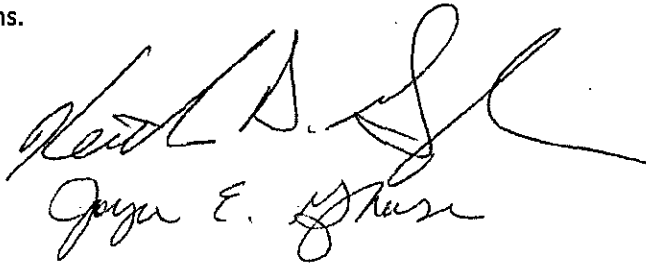
- Section 0.140.C *Time for Filing:* "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

COMMENT: 14 days to file an appeal is unreasonable. Tenants who refuse to pay rent and squat on your property have more rights and time to respond to the complaint during eviction. Why are STR licensees who provide a huge economic benefit to the County not given the same respect and rights? A property owner appealing a decision has the right to legal council and the right to develop a legal basis in a reasonable time frame. Its impossible to obtain legal council and file a legal basis within 14 days.

SUGGESTION: Amend this section to read: *"A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 45 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."*

Thank you for the opportunity to comment and discuss our concerns about proposed changes to STR regulations.

Regards,

Handwritten signatures of Keith D. and Joyce E. Garlinghouse. The signature of Keith D. is on top, and the signature of Joyce E. is below it.

Keith D. and Joyce E. Garlinghouse

Tillamook County Property Address: 33580 Madrona St, Pacific City, OR 97135

Mailing Address: 21830 Abiqua Rd NE, Scotts Mills, OR, 97375, Keith: kdg873@yahoo.com (email), Joyce: jeg873@yahoo.com (email)

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:34 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STVR

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 5:02 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 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.]

I own a home in Nedonna Beach, Rockaway where my family has been visiting for five generations. I recently learned the majority of the Nedonna Beach neighborhood is governed by Rockaway Beach, but our home lies within Unincorporated Tillamook County and 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 of being at the beach. Since Covid the increased number of visitors has allowed restaurants to be open more days of the week along with the opening of new venues.

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 backwards for our beach communities.

Some of my neighbors spoke negatively about STVR at our July 2022 annual homeowners meeting, however, their points were not based in fact. For instance, one said they didn't know who to call IF there was an issue with noise but the homeowner/management company phone number is clearly provided on each home. Similarly, one talked about more cars parked in the neighborhood, but the home they used as an example is a private resident and all the cars were their own visiting family members!

Maintaining a positive environment is important so regulations concerning parking capacities, noise and 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 the economic opportunity while providing livability for all.

Sincerely,
Leslie Nickels

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STVR- public comment

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 5:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
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.

1. 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.
2. 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.
3. 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.
4. 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

Kimberly & Eric Bergstrom
Owners of Tillamook County Short Term Rentals
Jun 12, 2023

Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
sabsher@co.tillamook.or.us

Re: Tillamook County Ordinance 84 Revisions, and in Support of Tonkin Torp / Oregon Coast Hosts June 8, 2023 to the Tillamook County Board of of Commissioners

To Whom It May Concern:

My name is Kim Bergstrom. My husband and I own Short Term Rentals (STRs) in the Neahkahnie area of Tillamook County (the County). My history with this area goes back long before I was born. My Grandfather worked on the Southern Pacific Railroad, and was a supervisor for the area that ran through Tillamook County and the northern Oregon Coast. He, in turn, introduced the love of the Coast to my father. It was his dream to build a house on the Coast, and that dream came true in 1962 with the completion of our house. My family's free time was spent traveling back and forth on Hwy 26 as we worked on the house. Lumber came from the mill where my father worked as an accountant. Fireplace bricks came from a demolished building from the local university where my parents first met.

Summers were especially wonderful, as my Aunt and Uncle would travel with my cousins from outside of Oregon to the Coast while my Aunt sought treatment for rheumatoid arthritis at the Rinehart Clinic in Wheeler. Days were spent jumping waves, bowling at the local bowling alley, penny candy and comic books from the grocery store. Nights were spent camping out in the forts we built amongst the gigantic driftwood logs that lodged up against the rocks fronting our house. Or curled up in the old army bunks, falling asleep to the sound of the quiet laughter and conversation of our parents.

The beach meant home. And would always play a part in my history, past and future.

My name is Eric Bergstrom. I first visited the Neahkahnie area in 1984 when my girlfriend (now wife) introduced me to her most favorite place on earth: her family's beach house and the surrounding area. I spent the first part of 1986 commuting to the beach on weekends from Seattle to plant a lawn and build decks. Kim and I married in August of 1986 on that lawn next to the beach, joined by family, friends, and local community neighbors. Those neighbors pitched in

to help. Neighbor's driveways were offered for guest parking. Our next door neighbor hid my car in their garage so my family couldn't "decorate" it, as was their tradition. It was perfect.

In 1996 we purchased our beloved beach house from Kim's father, who was retiring and downsizing. In order to afford the house and keep it in our family, we decided to rent the house to others for vacations, to share with others the experience we loved so much. Before doing so, we discussed this with our neighbors and came up with a plan that would work for all of us.

It was a wonderful experience. Most of our guests became regular guests. They planned their yearly getaways far in advance with much anticipation. They thought of our house as their very own beach house and treated it as such. We'd often find our guests had left gifts behind to add to the house; artwork, games, kitchen accessories. They were mainly families or couples, sometimes solo travelers, all looking for the peace and relaxation of the Coast.

We ultimately purchased additional properties, one at a time, lovingly updating them but keeping the small beach community character we cherished. Like our own house, we put love, sweat into each of them, doing or supervising much of the work ourselves. Each of these houses had been STRs before we purchased them.

We've been following the issues in the community concerning livability. We hear a lot of people state the community has changed due to short term rentals. Actually, we'd like to disagree with that premise. Transient housing is not new. The majority of our community has always been transient housing. The only difference is that more people are having the opportunity to visit and enjoy. More people have access.

But we do agree that the community has changed. No longer is the norm small beach cottages that are within financial reach for many families. Huge houses with landscaped yards have replaced vacation cabins. Our kids learned to ride their bikes on quiet roads. People walked along the road, stopping to talk to neighbors. Drivers watched out for pedestrians. This is no longer the case. It's interesting that people move to our area because they enjoyed the community, but after living here they want to change it.

Governor Oswald West fought for open beaches for all. It seems the new community feeling is based on exclusivity. Blame rather than working together to find a solution for all. Neighbors used to speak directly to each other, they now communicate frustration via certified letter, email or text. Often anonymous.

The current unhappy local sentiment is that STRs take away affordable housing for locals. Communities along the beach are actually no longer affordable for many people. However, not because of STRs. The 2023 median price for a house in Neahkahnie is \$929,000. The Neahkahnie / Manzanita Beach area has skyrocketed in popularity, as has the whole North Oregon Coast. The cessation of STRs would not decrease the median housing cost. What it would do is create more exclusivity.

We have and always will support equitable STR regulations. Balancing the needs of both property owners and residents is a challenging task, but absolutely must be done using the best fact based evidence available. We therefore support lawful regulations based on full disclosure of fact, with reasonable modalities of enforcement. Regulations should be fair, unbiased, and need to apply to **all** property owners, whether resident housing, long term rentals, transient homes, or transient STRs.

We were interested in the formation of the Tillamook County Short Term Rental Advisory Committee, which appeared to have been created to take a realistic look at many of the pressing issues in the County. However the seemingly unbiased nature of the group was soon upended when the County hired attorney Daniel Kearns to advise the Committee. As many are aware, Daniel Kearns has created his niche in Oregon Law as an "expert" on anti-STR law. In reference, you'll note Mr. Kearns worked against STR interests in Hood River, Banks, Bend, Clatsop County, Port Orford, and other Oregon communities.

Recently, Mr. Kearns represented 15 neighborhoods in the Lincoln County contentious STR issue. People familiar with the issue will recall that Mr. Kearns and the anti-STR group 15 neighborhoods were instrumental in getting ballot Measure 21-23 passed. It requires the phasing out of STRs in unincorporated Lincoln County residential areas in five years, bans new licenses in those same areas, and imposes additional operational restrictions on STRs. Measure 21-23 was quickly struck down by the Land Use Board of Appeals (LUBA).

In August 2022, Mr. Kearns sat on a panel as an expert at the Oregon State Bar Real Estate and Land Use Section of the Annual Summer Conference. The panel's subject was "Not in My Weekend Back Yard: Licensing, Land Use, and Litigation of Vacation Rentals," furthering his reputation as an anti-STR regulation expert.

If Tillamook County wished to find an unbiased solution that worked for all, and they truly wished to work with Mr. Kearns with his clear historical ties to anti-STR interests, the County would also have sought representation from an attorney with ties to the interests of STR property owners. Barring that, the County could have sought advice from an attorney with ties to neither anti-STR or pro-STR interests to help craft unbiased Regulations.

Which brings us to today and the proposed Ordinance 84. Obviously, Tonkon Torp's aforementioned Jun 8, 2023 letter to the County Board of Commissioners details the issues with the Ordinance better than either of us could. Suffice it to say that we support the comments and legal concerns outlined in their letter. However, we do have comments specific to our own situation.

The County plans to replace existing Permits with Licenses, trying to skirt land use rights of the STR owners. This concept was also attempted in the Lincoln County Measure 21-23 ballot measure struck down by LUBA. It appears that Mr. Kearns is leading the County into a similar

action that will ultimately end up in another LUBA appeal, costing taxpayers unnecessary expenditures for an issue previously adjudicated.

Our personal rights as current STRs permit holders are also jeopardized by Ordinance 84. The Ordinance plans to restrict the operations of our STRs. One example is by imposing arbitrary occupancy restrictions. This attempt by the County to restrict our STRs occupancy maximums would be financially onerous and detrimental to our STR properties. Our occupancies are similar to what they were before we purchased them, dating from long ago. While provisions have been made in Ordinance 84 for so-called "Estate Homes," the proposed occupancy restrictions, both for Estate and non-Estate STRs, are burdensome and should remain at the maximum occupancy level set forth in our current permits issued by Tillamook County. This includes maximum occupancy during daytime and overnight hours. It is our understanding that restrictions on STR operations in Tillamook County are unlawful, as Oregon State law allows us to continue nonconforming use at all levels of current operations.

It is our understanding, also noted in the Lincoln County LUBA Opinion and Order, that property owners cannot lose property rights solely based on the conduct of someone else. In other words, guests staying at a STR. This provision in the Ordinance is particularly burdensome. We have always gone above and beyond to make sure our visitors adhere to Tillamook County's STR policies. For our STRs, we require guests to sign an eight page Rental Agreement. Within that Agreement, visitors are educated and agree to all the points of the Tillamook County Good Neighbor policies, and more. They are made very aware of policies such as Quiet Hours, available parking spaces, no RVs or camping, no on street parking, etc. And yes, we have many complaints from visitors that our Rental Agreement is too long and restrictive.

Ordinance 84 stipulates Noise restrictions, Quiet Hours, On Street Parking requirements, and more. Again, arbitrarily placed on the County STRs rather than the common sense solution of creating Ordinances for all County residents, transient properties, STRs and visitors. We can cite numerous examples of non-STR neighbors causing excessive noise, including during "Quiet Hours." Non-STR neighbors with excessive dog barking, both indoors and out. Roaming unleashed neighbor's dogs depositing waste on our lawns. Recreational vehicles parked in resident and transient housing driveways. Visiting cars at those properties, parked so they spill out from driveways and impede street traffic. Unsecured garbage cans at those properties tipped over into the streets. The list goes on. Wouldn't it make more sense to create across the board, common sense regulations that the whole of Tillamook County could follow in order to be good neighbors?

Also extremely burdensome is the Ordinance 84 requirement to resolve complaints within 30 minutes of receipt. Which, I understand, is faster than the County Sheriff's average response time. This certainly does not sound like common sense regulation, rather an end run attempt to reduce the number of STRs. Especially as the complaint may be unwarranted, or, in fact, an effort by a disgruntled neighbor to enact the three strikes provision which would jeopardize an STR permit.

To give you an example, Kim received a call a while ago of a transient neighbor loudly complaining about guests at our neighboring STR. The complaint consisted of an accusation that our visitors were holding an outdoors party with loud music; that there were tents pitched in the backyard; that their pit bull was freely roaming the neighborhood terrorizing others; that the guests were freely smoking marijuana in the backyard (this was prior to the legalization in Oregon). This caller wanted us to put a stop to it.

Kim thanked the caller for bringing this to our attention, then immediately contacted our local security service, Northcoast Watchman Service, and they investigated. What they found was that this situation was occurring at a different property on the block. That, in fact, our own guests – a couple with a toddler – had confined themselves inside our STR to avoid the situation. They were scared to cross our yard to the beach. While we're sure the caller didn't have bad intentions, we actually appreciated the call. However, if that call had occurred after the passage of Ordinance 84, it would have been a larger issue. We think you'll find many examples by County STR owners where they were blamed for issues not related to their property.

The proposed Ordinance 84 provision regarding complaints is troublesome on many many levels. And again, it is not based on facts. It appears there were 489 complaints regarding STRs in Tillamook County, and the overwhelming majority were regarding signage. Hardly an issue that requires a punitive 30 minute response deadline. The new proposal for handling complaints also insists on an in-person response with no provisions for dangerous situations or back up. Local STR owners have reported instances where the County Sheriff's department has declined to help with a worrisome or precarious situation. The proposed Ordinance also requires STRs to pay a local person to monitor calls non-stop, 24/7. For years we have worked with a local security service, in addition to a local maintenance person and a local house cleaner that is always helpful and on top of any issues that may arise. We have a system in place that does work.

Further, the County has failed to offer evidence supporting the need for such an oppressive regulation. As with other requests for facts and figures, the general answer to questions regarding supporting statistics has been that the County does not have the staff nor time to research and obtain the facts and figures on important issues. Besides the point that it seems to be bad form to create Ordinances and Regulations which are not based on factual information, it begs the question regarding how the County intends to implement such an over broad and burdensome Ordinance if it does not have sufficient time to base regulations on facts?

Speaking of facts, we have not seen supporting evidence that Ordinance 84 will not cause harm to the local economy. Personally, we have long economic connections to our area. For instance, we earlier referenced our local security service, Northcoast Watchman Services. It's interesting to note that my father worked with the previous owner of Northcoast way back when, and after we purchased the property in 1996 we continued our working relationship. We buy hardware and building supplies from the lumber stores in Manzanita in Nehalem. We also have an account at Rosenberg Supply in Tillamook for items not available at our local stores. We work exclusively with local yard and house maintenance services, and cleaners. We shop locally. Our

guests shop locally. The taxes the County collects is quite extensive. What is the economic impact of the possible passage of Ordinance 84 and the promised next phase of stricter regulations? For 2021 the County collected \$7,540,366 in Transient Lodging Taxes alone. How is the County planning to cover any resulting shortfall caused by the passage of Ordinance 84?

At the June 3, 2023 Oceanside Citizen Advisory Committee meeting, a County representative made the following statement:

There is no obligation as a property right to use your home as a short-term rental.¹

We respectfully disagree. As did LUBA in their Final Opinion and Order regarding Lincoln County's Measure 21-23. We fear Tillamook County is being led in a direction that can only result in further legal action. We request the County take whatever time it needs to gather relevant facts pertinent to the actual situation and work on reasonable legal regulations for all parties. And not single out STR owner's land use rights.

Sincerely,



Kimberly Bergstrom



Eric Bergstrom

37750 Beulah Reed Road, Nehalem OR 97131
37395 Beulah Reed Road, Nehalem OR 97131
37345 Beulah Reed Road, Nehalem OR 97131
37335 Beulah Reed Road, Nehalem OR 97131
37325 Beulah Reed Road, Nehalem OR 97131

¹ Sarah Absher, Director of Tillamook County Community Development

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 4:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Annette Nickels Dhein

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Neskowin Short Term Rental

-----Original Message-----

From: Halina Kowalski <halkowalski@yahoo.com>
Sent: Tuesday, June 13, 2023 4:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Neskowin 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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Halina Kowalski
4390 sheridan Ave. neskowin, OR 97149 And undeveloped land currently zoned for development Tillamook County
Landowner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Halina Kowalski and I am Tillamook County Landowner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since Build in 1970. Besides owning a STR in Neskowin that is the childhood home I was born and grew up in, my family also owns some of the last developable land in the area, just across the highway above Neskowin. My Parents purchased the land from my Grandparents in the 70's who acquired the land before that in the 50's and were also long time and original/early residents of Neskowin. My parents purchased the property as current residents of Neskowin, hoping to one day be able to develop it and count on it to help fund their retirement. My father devoted himself to that land and worked for over 30 years to change the zoning to allow urban growth and develop necessary infrastructure. Now at 81 years old, my parents, having not yet realized their dreams for their land and their retirement (indeed dreams that my Grandparents had for them too!) are faced with losing some of the property rights that would make owning a beach house property possible for most people - the potential to STR any homes that might get developed there. This would create yet another Major obstacle that would thwart a potential investor or developer's interest and potentially block years of work, literally a life's work from realizing a multi-generational dream and legacy. Beyond the land, our home in Neskowin village is my most cherished retreat. It's where I grew up and where most of my happiest childhood memories took place with my Sister, who died young at age 16 shortly after we moved to

McMinnville. Like many other STR owners, once the house is passed down to me, there will be no way for me to keep it financially without the possibly of renting to subsidize its costs. Our house has been a rental on and off for over 30 years and has created thousand of memories for renters and friends and family alike who would not otherwise be able to access the Oregon Coast. Growing up in this community it's always been known to be largely a second home and vacation community and it will detrimentally change the history, culture, economy and charm of Neskowin to put unnecessary STR caps on it. Thank you for hearing my concerns.

These are my top 3 general concerns:

Neskowin has always been a vacation community - STR caps need to be reasonable to reflect that Restrictions on growth aimed at existing permit holders are unlawful No evidence to support restrictive new regulations - only 9 violations in 4+ years Replacement of current permits with licenses

These are my top 3 operational specific concerns:

24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus. Parking: owners can not enforce rules against parking on public streets If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Halina Kowalski

Halina Kowalski, MA, LPC, NCC
Licensed Professional Counselor
Owner: Gather Sauna House

61525 Aaron Way
Bend, Oregon
503-830-6393

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Tyson and Michele Smith
36380 Brooten Mountain Road, Pacific City, OR 97135
Short Term Rental Owner

Re: Legal concerns regarding proposed legislation limiting property rights for Short Term Rentals

My name is Tyson Smith and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

It has been a lifelong dream to own a home at the coast for us that we can share. We were blessed enough to buy our Townhome in 2021 and we have shared the opportunity to stay at our home for others as an STR. We enjoy hearing about the family experiences that our guests have while staying at our home. But most importantly we get to spend at least a weekend a month at the coast. We feel like we are truly part-time residents of this community. We have made friends in the neighborhood. We enjoy and purchase services from local providers. We have concerns regarding our property rights and values as it relates to the onerous legislation that is proposed.

These are my top 3 general concerns:

- Property owners cannot lose property rights solely based on the conduct of someone else.
- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful

These are my top 3 operational specific concerns:

- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first responders (Fire, Sheriff, and Ambulance) cannot respond that quickly every time. A \$100 charge to change the contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration that allows owners or property managers to log in and update the contact person in real-time is an ideal solution that can be integrated with Granicus.

- Provision is needed to protect STRs from harassment via unfounded complaints.

We support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Tyson and Michele Smith
Kingfisher Getaway in Pacific City

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Gus Castaneda
930 Bearberry Lane - Oceanside
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Gus Castaneda and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2004. It was built together with family funds for our kids to grow and enjoy, it has become that and much more. Our children have endless memories gatherings throughout the years. Our guest book is filled with similar stories from guests who have enjoyed the house.

I know that the amount of money we spend in groceries alone for each stay have significantly impacted the local Safeway and convenience store - not to count the number of other guests. It would be a personal and financial loss for all to restrict its use. .

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Vacation rentals have always been allowed in Tillamook County
- Any classification of STRs as commercial or business use is not accurate - STRs are residential use.

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.
- Requiring exterior lighting to direct downwards requires a modification contrary to state building code. Lighting is often a safety feature for guests in an unfamiliar place to prevent trips & falls. Allow motion sensing lights.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.



Gus Castaneda

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment from Tyson and Michele Smith

From: Tyson Smith <tyson.wa@gmail.com>
Sent: Tuesday, June 13, 2023 4:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment from Tyson and Michele Smith

[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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Tyson and Michele Smith
36380 Brooten Mountain Road, Pacific City, OR 97135
Short Term Rental Owner

Re: Legal concerns regarding proposed legislation limiting property rights for Short Term Rentals

My name is Tyson Smith and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

It has been a lifelong dream to own a home at the coast for us that we can share. We were blessed enough to buy our Townhome in 2021 and we have shared the opportunity to stay at our home for others as an STR. We enjoy hearing about the family experiences that our guests have while staying at our home. But most importantly we get to spend at least a weekend a month at the coast. We feel like we are truly part-time residents of this community. We have made friends in the neighborhood. We enjoy and purchase services from local providers. We have concerns regarding our property rights and values as it relates to the onerous legislation that is proposed.

These are my top 3 general concerns:

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- Property owners cannot lose property rights solely based on the conduct of someone else.

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- Replacement of current permits with licenses
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-
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- Restrictions on transferring property with the STR permit intact are unlawful
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These are my top 3 operational specific concerns:

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- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
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- 24/7 Contact Person - The immediate response requirement is unreasonable; even first responders (Fire, Sheriff, and Ambulance) cannot respond that quickly every time. A \$100 charge to change the contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration that allows owners or property managers to log in and update the contact person in real-time is an ideal solution that can be integrated with Granicus.
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- Provision is needed to protect STRs from harassment via unfounded complaints.
-

We support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Tyson and Michele Smith

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Dick Binns
1770 Rosenberg Loop, Oceanside, OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Dick Binns and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

We built our weekend/vacation house in Oceanside in 1993 when our daughters were seven and eight and spent many happy weekends in Oceanside. We chose Oceanside because we'd always loved the steep hill with the small town nestled in it that comes up from the Pacific and the panoramic view south to Netarts and Cape Lookout. Because we no longer live nearby in Portland we would not be able to keep this family getaway spot were we unable to operate it as an STR.

These are my top 3 general concerns about the proposed new regulations:

- Replacement of current permits with licenses
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Oregon's beaches are proudly public, and restricting STRs will limit public access to the beach, especially in areas with no hotels

Our top 3 operational specific concerns are:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures. It would prohibit our four kid bunkroom that has been in place since 1993.
- If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Thank you for your time and attention and the opportunity to comment on the draft proposal.

Sincerely,

Dick Binns

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:32 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Nick Petersen <nick@traskbox.com>
Sent: Tuesday, June 13, 2023 4:36 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

Skyler Veek and Nick Petersen have lived in Tillamook County for over 40 years and have run several successful small businesses and developed over 100 real estate properties(including workforce housing, long-term rentals, motels, and short term rentals)including workforce housing, long-term rentals, motels and short-term rental). We would like to think our opinion is valuable among the commissioners because we have considerable influence in this community.

You and your counsel are making a mistake by limiting short term rentals and putting restrictions on property owners. You are opening yourselves up to liabilities that are easily avoidable. Ordinance 84 needed some minor adjustments regarding safety, parking and noise issues that could be easily resolved as well. You have wasted taxpayers money, time and resources to suffice a very small group of people who live on Neah-Kah-Nie mountain.

The restrictions that you are proposing to limit short term rentals may make sense in counties like Clatsop or Lincoln, where there are numerous motel and hotel rooms available, but Tillamook only has a fraction of those rooms available and rely on visitors to spend the night economically.

I own \$1 million property, my neighbor just sold their property for \$400,000 and rented it log truck driver. Every morning I get to hear a log truck start up at 3:30 AM. Waking up at 3:30 AM to a log truck is not ideal, but he has the right to do so. The constitution allows these kind of things to happen in a capitalistic free country. My point here, is that you are picking on short term rentals. You have selected one economic group that happens to make money off their houses and you are limiting it. It is unconstitutional and unfair.

We trust that you will make appropriate and ethical decisions about ordinance 84 to support local business owners like ourselves. Sincerely, Nick Petersen and Skyler Veek.

Lynn Tone

From: Bar Barry <bbusybees@yahoo.com>
Sent: Tuesday, June 13, 2023 8:38 PM
To: Lynn Tone
Subject: EXTERNAL: Re: public testimony

[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 Lynn,

I was unable to testify online this evening, so I'm attaching copy of my 2 minute opinion. Got home late from a Water District Board meeting, but what I got to see of the BOC meeting was interesting. Thanks for providing public access - the miracles of modern communication systems! Maybe I'll just copy it into this email:

Hi, my name is Barbara Rippey,

I am a resident of the Neahkahnie community. I feel that we should be given the opportunity to determine how STRs are administered here.

In keeping with our neighbor, Manzanita, I request that a maximum cap of 17% be placed on the number of STRs allowed in the Neahkahnie area. According to Tillamook County, Neahkahnie has around 404+/- dwelling units. The gated "Meadows" community with restrictive covenants disallowing STRs, has about 68+/- lots, with about half of them built. The houses there should be deleted from the overall numbers so that an accurate percentage-STR density is reflected in our neighborhoods.

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. David Boone's comment letter of 4/14/23 is worth a re-read as it details how this small community is impacted by STR's in the realm of water usage. We are both members on the board of the Neahkahnie Water District and I agree with him that the current level of STR occupancy creates a significant challenge to our water supply in the summer. I believe that we need to be able to regulate according to our capacity.

We have livability issues specific to our area:

- *Our streets are frail.*
- *Our sewers are designed for single family use.*
- *Water has and will be an issue in the future.*
- *The Tillamook County Sheriff lacks coverage for increased problems.*
- *We lack walkways out of the paved lanes for cars, pedestrians and their dogs, strollers, kids etc.*
- *Short term rentals threaten to over-run both public and private domains if left unchecked.*

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.

Thank you for the opportunity to give my input.
Barbara Rippey

On Tuesday, June 13, 2023 at 01:42:47 PM PDT, Lynn Tone <ltone@co.tillamook.or.us> wrote:

Hello, will you be providing testimony at tonight's hearing in person or virtually?



Lynn Tone | Office Specialist II

TILLAMOOK COUNTY | Surveyor's Office/Community Development

1510 3rd Street Ste C

Tillamook, OR 97141

Phone (503) 842-3423

ltone@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.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Pro short term rental - Neskowin

From: Lindley Leahy <lindleyleahy@gmail.com>
Sent: Tuesday, June 13, 2023 4:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Pro short term rental - Neskowin

[**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

Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lindley Leahy
5400 N Breakers Blvd Neskowin
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Lindley Leahy and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. Neskowin OR can be shared with visitors via short term rentals. Neskowin needs to offer a variety of accommodation to meet visitors' needs. We plan to use our new construction home as part of our tourism related business as well as passive income for ourselves going into retirement as well as vacation home for our own family. .

These are my top 3 general concerns:

Restrictions on transferring property with the STR permit intact are unlawful
Replacement of current permits with licenses
Restrictions on growth aimed at existing permit holders are unlawful

These are my top 3 operational specific concerns:

Parking: owners can not enforce rules against parking on public streets

Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair. 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lindley Leahy

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public comment for STR's

From: Sora Stay <sorastayllc@gmail.com>
Sent: Tuesday, June 13, 2023 3:27 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public comment for 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Jana Nazir & Krista Miller
34860, Cape Kiwanda Dr
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Jana Nazir & Krista Miller and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. It took a long time to save up for a house on the coast. I own the house with my mom and sister as we all contributed to the downpayment and repairs the house needed. This house will hopefully be our forever home and be a place for many memories for my family and our extended family. Currently my sister and I live and work in Portland and my mom and extended family live in Minnesota. .

These are my top 3 general concerns:

-
-

- Restrictions on transferring
- property with the STR permit intact are unlawful
-
-
-
- Provisions
- to lose property rights over a licensing lapse are unlawful
-
-
-
- Restrictions on growth
- aimed at existing permit holders are unlawful
-

These are my top 3 operational specific concerns:

-
-
- 24/7 Contact Person
- - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements.
- An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-
-
-
- Requiring exterior
- lighting to direct downwards requires a modification contrary to state building code. Lighting is often a safety feature for guests in an unfamiliar place to prevent trips & falls. Allow motion sensing lights.
-
-
-
- Provision is needed
- to protect STRs from harassment via unfounded complaints.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Jana Nazir, Krista Miller and our extended families

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

From: Brandon Gray <bgray052299@yahoo.com>
Sent: Tuesday, June 13, 2023 3:26 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

[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 Brandon Gray and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. We have lived in Oregon our entire lives and grew up going to the coast. Our home in PC is expensive to maintain and pay taxes and insurance. We rent out our home a few times during the summer when we have other plans to help offset some of these costs. With the permit fees and extra water utility fees we only make a few thousand per year, like less than \$5k. That doesn't even cover the property taxes. Our neighbors have never had a complaint. I don't believe we need new rules, we need the existing rules to be enforced. These new suggestions will drastically reduce real estate values..

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Restrictions on transferring property with the STR permit intact are unlawful
- State building code prohibits forcing historic buildings to "come up to code"

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Provision is needed to protect STRs from harassment via unfounded complaints.
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Brandon Gray
6755 Nestucca Ridge Rd, Pacific City, OR
Short Term Rental Owner

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Brandon Gray <bgray052299@yahoo.com>
Sent: Tuesday, June 13, 2023 3:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

My wife and I have lived in Oregon all of our lives. We grew up going to the coast and always dreamed of owning a home at the beach. We purchased a house, 6755 Nestucca Ridge Rd, Pacific City, in 2021. We were excited to get a str permit to allow us to rent it out a few times a year to help with taxes, insurance, and maybe a little maintenance. We don't even cover 1/3 of our fixed costs with the high permit fee and extra water utility fee (I guarantee our house uses way less water than full time residents, it makes no sense to just tack on a huge fee because it is a str). Regardless, we've felt the str permit and option to get one help keep real estate values high. We pay for garbage service year round and probably put out a can out 10 weeks.

The existing ordinance works fine if it is followed. We have never had a complaint. Any complaint I've heard of would have addressed with current rules, if they were enforced. Proposed rules are a massive over reach of property rights and will drive down values and tourism. It feels like Tillamook county is taking notes from Multnomah county instead of using common sense to drive reasonable progress and growth. Ideas of requiring str's to be in compliance with current codes, downward lighting, septic inspections, etc, while a full time resident or owner is allowed to let their homes be completely run down, over crowded, and a nuisance, is really ridiculous. I have multiple pictures of either residents or long term rentals with cars parked on the streets, in the grass, the whole house in disrepair, and large exterior floodlights. If you want to make a bunch of rules, then make them apply to all homes equally, and then enforce it. Or allow people that used their hard earned money to buy property to use the property as they see fit. STR's are the nicest kept and maintained properties in the neighborhoods because they want people to enjoy coming to them.

Thank you,

Brandon Gray
503-869-2985

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Jami Gresham <jamigresham@gmail.com>
Sent: Tuesday, June 13, 2023 2:49 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Jami

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84 Public Comments

From: TOM FOELLER <tmfoeller@comcast.net>
Sent: Saturday, June 17, 2023 8:48 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Cc: Jim & Diane <djducks@centurylink.net>; Daniel Foeller <dan.foeller@gmail.com>
Subject: EXTERNAL: Ordinance 84 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.]

Dear Sarah Absher, Lynn Tone; and Commissioners Skarr, Bell and Yamamoto,

My sister, brother and myself are owners of a Family legacy duplex on Watseco beach. We support the goal of a balanced, fair, common sense, enforceable, and reasonable approach to the STR ordinance that promotes family values and togetherness, livability, fair housing, and economic development. We appreciate the time and effort everyone has invested in this latest amendment to the Ordinance.

Please consider our comments that pertain to the STR licensing of our duplex and other multi-family properties. Our duplex is located at 18254 and 18260 Hwy 101 N, Watseco Beach, which is located West across 101 from the border between the Twin Rocks Friends Camp and the Sanitary District.

Background:

Our families have been coming to Tillamook County as their prime vacation spot for well over 100 years. My siblings and I have vacationed here for over 70 years. Our Grandparents lived in Barview when our grandfather was a sawyer in Garibaldi. We love Tillamook County and feel we're part of the community and are vested here.

Purpose/Location: Our family was fortunate to find and build on a duplex zoned 1-acre lot between Hwy 101 and the Pacific Ocean that has Watseco creek running through it. We wanted to carry on family traditions and share the beach with others. We sit together with three other duplexes on a gravel road. A few other mostly single-family vacation homes are located further down the dead-end road. Early on we hoped our parents would move into the one side of the duplex and leave the other side for the rest of the family to use. Times changed, and with some money from our parent's estate we designed, built, and manage the property. We preserved and enhanced as much of the original forested character of the property as possible, while being good neighbors and environmental stewards.

In recent years it's been necessary to share the duplex with vacationers and we've obtained two SRT permits in order to financially maintain the property. We did not build it as an investment but to pass it on as a family gathering place for Foeller generations to come. We've never taken out rental income and proceeds are reinvested in repairs and improvements. We and our renters trade heavily in Tillamook County where we prefer to hire local contractors, housekeepers, etc., whenever and wherever it's possible. We feel we're good Tillamook County ambassadors for vacationers and visitors from around the U.S.

Our plea: Help us protect and preserve our SRT status for future generations and visitors by considering the following draft Ordinance comments and suggestions:

- **.020 Purpose and Scope:** We suggest inserting a #7 clause that says something like "Provides an ordinance and subsequent implementation of rules that minimizes costs, enforcement, complexity, labor, appeals and other processes while maximizing understanding and readability". The ordinance reads pretty well but we think it could get a little better!
- **.030 Definitions, DD. "Transfer":** Ensure that STR licenses can be passed on through death, divorce, marriage, or inheritance, and (add something like) any legal form of ownership that serves the same purpose.
- **.060 License renewal, B. Transferability of Licenses:** Clarify and ensure this section is consistent with the "Transfer" Definition in .030 above. These two sections could be read to create some confusion with each other.
- **.080 Operational Requirements....., J. Contact Information:** Allow some leeway in the requirement "that a contact person be able to arrive on site within 30 minutes to address complaints that cannot be handled over the phone". The owners and most of our families live in the Portland area and it takes them about 2 hours to drive to Watseco, IF and when Highway 6 is clear!
- **.100 Additional Requirements,,,,,, B. Complaints, 2. STR Hotline:** In addition to allowing some leeway for a 30-minute on-site response time, consider developing another ordinance requiring ALL owners in unincorporated Tillamook County be subject to the same type of complaint process and a hotline, not just STR's. We believe it's unfair and unreasonable to require a hotline only for STR's where the number of complaints is likely to be much higher for non-SRT housing county wide. Initiating an amended requirement for response time in this ordinance, and developing a similar complaint hotline for all other kinds of housing is the right, non-discriminatory thing to do!

Sincerely, and thanks for listening to our considerations and suggestions,

Tom Foeller,
and on behalf of my sibling co-owners Diane Foeller Miller, and Dan Foeller
tmfoeller@comcast.net
cell/text 503-803-0390

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Tim Richardson <trich125@gmail.com>
Sent: Saturday, June 17, 2023 3:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Lynn Tone

From: TOM FOELLER <tmfoeller@comcast.net>
Sent: Saturday, June 17, 2023 8:48 PM
To: Sarah Absher; Lynn Tone; Public Comments
Cc: Jim & Diane; Daniel Foeller
Subject: EXTERNAL: Ordinance 84 Public Comments

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Dear Sarah Absher, Lynn Tone; and Commissioners Skarr, Bell and Yamamoto,

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Purpose/Location: Our family was fortunate to find and build on a duplex zoned 1-acre lot between Hwy 101 and the Pacific Ocean that has Watseco creek running through it. We wanted to carry on family traditions and share the beach with others. We sit together with three other duplexes on a gravel road. A few other mostly single-family vacation homes are located further down the dead-end road. Early on we hoped our parents would move into the one side of the duplex and leave the other side for the rest of the family to use. Times changed, and with some money from our parent's estate we designed, built, and manage the property. We preserved and enhanced as much of the original forested character of the property as possible, while being good neighbors and environmental stewards.

In recent years it's been necessary to share the duplex with vacationers and we've obtained two SRT permits in order to financially maintain the property. We did not build it as an investment but to pass it on as a family gathering place for Foeller generations to come. We've never taken out rental income and proceeds are reinvested in repairs and improvements. We and our renters trade heavily in Tillamook County where we prefer to hire local contractors, housekeepers, etc., whenever and wherever it's possible. We feel we're good Tillamook County ambassadors for vacationers and visitors from around the U.S.

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- **.100 Additional Requirements,,,,,, B. Complaints, 2. STR Hotline:** In addition to allowing some leeway for a 30-minute on-site response time, consider developing another ordinance requiring ALL owners in unincorporated Tillamook County be subject to the same type of complaint process and a hotline, not just STR's. We believe it's unfair and unreasonable to require a hotline only for STR's where the number of complaints is likely to be much higher for non-SRT housing county wide. Initiating an amended requirement for response time in this ordinance, and developing a similar complaint hotline for all other kinds of housing is the right, non-discriminatory thing to do!

Sincerely, and thanks for listening to our considerations and suggestions,

Tom Foeller,
and on behalf of my sibling co-owners Diane Foeller Miller, and Dan Foeller
tmfoeller@comcast.net
cell/text 503-803-0390

County Commissioners, Ms Abshar,

My name is Carol Hoke. I am a homeowner in Neskowin and a full time resident.

I am speaking today in full support of the adoption of Amended draft Ordinance #84.

I recognize that this draft is a result of many hours of hard work performed by a dedicated group of Tillamook County residents with a broad range of opinions and experiences. I have attended many of the committee meetings virtually and have observed the often robust discussions over each and every item of this document. A consensus was actually met by the committee on each vote and documented.

I do not think that all of the important issues required to satisfy the stated purpose and scope of the ordinance have yet been resolved with this draft. It is, however, a reasonable, negotiated compromise and I do support the changes which are significant steps in the right direction.

Occupancy guidelines, parking, garbage and noise are the issues that most obviously impact the liveability of our community, but health and safety are equally important. As a South Tillamook County Volunteer Corp neighborhood Captain, I appreciate the attention given to septic systems, fire & safety and emergency ingress and egress.

I implore you to approve the adoption of this draft to protect the "character of the established unincorporated neighborhoods to ensure compatibility and livability".

Thank you for your time and consideration.

Lynn Tone

From: susankpeters@comcast.net
Sent: Friday, June 16, 2023 10:24 PM
To: Lynn Tone
Subject: EXTERNAL: STR Issues

[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 could not get the new quick template to work so am sending this email to document my support of the Oregon Coast Hosts group's position in the current County effort to change the STR system. I attended the June 13 hearing, and sent a letter several months ago but I note that one must have submitted comments or spoken at current hearings in order to join in any future litigation that may occur when the County makes changes that appear to be illegal. I currently have 2 STR permits for two units at 1260 Tillamook Ave., Oceanside, Or. 97134. Thank you, Susan K. Peters

Lynn Tone

From: mark roberts <mandm-roberts@comcast.net>
Sent: Saturday, June 17, 2023 6:50 AM
To: Sarah Absher
Cc: Kurt Heckeroth; Gale Ousele; Don LaFrance; Guy Sievert; chadvictor76@gmail.com; Megan Gillas; Lynn Tone
Subject: EXTERNAL: Re: June 22 Planning Commission Packet Link

[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

As previously stated, I'll be unable to participate since I'm still traveling - back very soon in the USA

I've attached some interesting images for contemplating from here in northern Italy

First, lots of multi family dwellings here. Below is a six-plex ... which looks pretty nice to me. NOT an instant slum.



Second, many clever public investments. Below is a 'pocket park' probably 15'x100' with 10 pieces of play equipment



Third, there is a pedestrian/bikeway adjacent to the two above properties... which I use to get to the center of the village - visible adjacent to the pocket park, above

Fourth, zoning is mixed and specific. Adjacent to both the multi plex and the park is a farm. There must be more than just here, but this location had its grass cut today ... and a cow is surrounded by an electric fence





Finally, while admittedly I've been traveling in touristy places for the past 31 days and five countries, I've seen only one homeless person and zero tents on public roadways or spaces.

Mark

Sent from my iPad

On Jun 17, 2023, at 1:40 AM, Sarah Absher <sabsher@co.tillamook.or.us> wrote:

Good Afternoon Commission Members,

Here is the virtual link to the hearing

packet: https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/project/83653/planning_commission_packet_june_15_2023.pdf

Packets were mailed out yesterday afternoon. June 22nd meeting begins at 7:00pm.

Sincerely,

<image001.jpg>

Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Sunday, June 18, 2023 8:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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To the Tillamook Board of County Commissioners:

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Please refer to my previously submitted public comments, in which I have outlined my objections to the proposed changes regarding STR regulations, such as limiting the number of transfers of one's STR permit, imposing distance limits between vacation rental homes, reducing number of rental days allowed, etc.

I believe the changes you are considering are an impermissible taking, and a constraint upon my rights as a property owner with an existing legal STR permit.

Since your time to review the numerous public comments is limited, I will not repeat all of my comments here, but I want you to understand that my coastal home (7855 Brooten Mt. Loop, Pacific City, OR. 97135) was purchased with a family member (not a large corporation) when I retired, and we would not be able to maintain it if our ability to rent it to others was curtailed in the many ways you have proposed.

Thank you for your consideration of my remarks, and for your service to Tillamook County.

Sincerely,

Carol Herzog
Ziola F. Herzog Land Co. L.P.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 2:35 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Fwd: Comments to STR draft ordinance

From: Robin Eubanks <eubanks.robin@gmail.com>
Sent: Tuesday, June 20, 2023 2:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Fwd: Comments to STR draft 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'm writing to provide comments from the perspective of a vacation rental owner.

We have been coming to the Oregon Coast for the past several years as a way to escape the heat. We have always stayed in STRs, and have now decided that we would like to purchase our own place that we can use for 1/3 of the year and rent for 2/3 of the year, and ultimately plan to live fulltime in Oceanside when we retire in a few years. We are currently under contract to purchase a property in Oceanside which has an existing STR permit, and we are planning to close in the next few weeks.

We would not have been able to purchase the house had the existing permit not been transferrable. As such, I am a strong proponent for continuing to allow the permits to be transferred. I know the proposed ordinance permits a 1 time transfer, however, in lieu of trying to limit permits based on transfers, the permits could be limited through the "use it or lose it" model. If I, or a future buyer, are not able to transfer the permit, that has a direct effect on the marketability of my property, which has historically been a vacation rental. It is a huge benefit to know that I can continue to operate the STR as a way to offset the expense of buying a home on the coast and I would not otherwise be able to afford the house. **I would ask that the commission consider the following revisions to the draft ordinance:** (i) people under contract to purchase a STR or with pending transfer applications at the time the ordinance is passed should not be counted as the "1" transfer being permitted and (ii) transfers of an existing license should be permitted without restriction so long as the home is being operated as a STR within 45 days prior to the date of transfer.

It is also an undue burden on a property owner to force the property owner to update its currently permitted STR to comply with new building codes. Is this requirement going to be required for all other commercial uses, including hotels? If the property passes the inspection and was built to code at the time of construction and with respect to any remodeling, there should be no additional updates required, or if they are required, the law should fairly apply this requirement to all commercial uses, hotels, etc. as to be uniform in its application and not single out one class of property owner.

I understand the need for the moratorium on new permits, however, instead of implementing this on a county wide basis it may make more sense to look at the area and township to see how many STRs are within the area and come up with a system that allows areas that are underserved with STRs to have permits first. This could even be done on a block by block basis (no more than x per block permitted).

I understand that the commission has the difficult job of weighing the desires of the long-time residents with the STR owners. I would ask that the commission remember that some STR owners (such as myself) would love to be residents, but may not be able to afford it at the time of purchase, and having a STR is a vehicle that permits me to have ownership and involvement in the community. Not all STR owners are absentee, and many love the community and spend time there in addition to renting their property.

I respectfully ask that the commission consider my requests.

Thanks,
Robin Eubanks

This is a personal public comment & not on behalf of any group.

Thank you for adding a 3rd public hearing. I am submitting additional public comment in lieu of verbal public comment. Written comments have repeatedly mentioned specific and valid concerns with the draft which have gone unaddressed. Families are facing continued financial harm by missing out on a second summer of prime renting season due to the pause.

Short-Term Rental Advisory Committee (STRAC)

The BOCC order extending the pause has misinformation. Section G states that County staff & the STRAC "have been studying livability issues" and "have made recommendations to the Board of Commissioners for the replacement of Ordinance No. 84 with a new regulatory program..." The STRAC has read public comments and discussed livability. We requested data regarding livability to better understand the impact of STR guests, residents, guests of residents, and day visitors in our communities, but no study on livability has been done. At no time did the STRAC recommend replacement of Ordinance #84. This effort has been driven by the county, and as a member of the STRAC I respectfully ask that the county not continue to signal that these extreme efforts be credited to the STRAC. We were given a draft ordinance to review. The STRAC worked very conscientiously with thoughtful discussions, though limited in scope by the county. This process has been ongoing for 18+ months, only meeting roughly once a month, and STRs are simply not on par with public health emergencies which include disasters such as tsunamis, earthquakes, wildfires, hurricanes, tornados, and pandemics. A 1% growth limit is essentially a continued moratorium as working with each community will takes years.

24-7 Contact Person

At public hearing #1 Commissioner Bell asked about the ability of STR owners to list more than one contact person with Granicus. The Community Development Director responded, "Yes." Unfortunately, this does not match the answer I was given when I recently reached out to the permit technician to provide backup contact info due to travel. Here are several iterations of the resulting conflicting response from the County:

"While the account was updated only one number can show ... and that number is yours."

"This fact is beyond our control as the system we use has limitations."

"Having multiple contacts would not help you in this situation."

"The Granicus system only has one slot for a number, so the answer is no and that is beyond our control..."

Despite saying otherwise at the public hearing, it appears STR permit holders may only have one contact number listed with Granicus, so having backup contact people is entirely useless. Additionally, the county is introducing a minimum \$100 fee to change a contact person. This is cost-prohibitive and will disincentivize people to have correct contact information when short periods of temporary coverage are needed. I again encourage the County to join the digital age and have an online directory where owners can log in and change their contact person with an immediate update via software being linked to Granicus. If the County truly prioritizes compliance over punishing owners, then an online directory is an excellent solution.

30 Minute Response

At public hearing #2 it was noted that the 30 minute response requirement is not new. The requirement for a 30 minute *in-person* response is new. Further, Commissioner Skaar explained that a phone response is required within 30 minutes, and then in-person within 60 minutes if the concern is not remedied. I agree that this is the intention of the proposed regulation, however the ordinance does not clearly state this:

- "The contact person shall respond/answer immediately..., failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation" (.080 H)

An important missing piece of data is the number of STR complaints that have not been able to be resolved without an in-person response. For example, knowing how many of the 27 complaints in all of unincorporated Tillamook County from 2019-2022 required an in-person response to resolve would be very valuable information when making regulations. With only one single violation county-wide from 2019-2022, this new regulation is simply not warranted.

Resort Community

It's a fact that the 2019 *Tillamook County Housing Needs Analysis* referred to Neskowin as a "resort" community simply due to our high percentage of seasonal homeownership. This designation is straight from Tillamook County and is not an opinion ("Most new housing construction has occurred in coastal "resort" towns, such as Manzanita, Neskowin, Pacific City and Rockaway Beach, where 66%-80% of the total housing stock is now owned by part-time residents" [p.10](#)). STRs make up only a fraction of the homes owned by part-time residents. I have no doubt that Neskowin has seen many changes through the decades, but I can assure Tillamook County that Neskowin's "character" does not need "protection" from my STR as stated in the Purpose & Scope of the draft ordinance. My cottage has contributed to the character of Neskowin for nearly 100 years. Some of the loudest voices protesting STRs in Neskowin are from people who moved to Neskowin within the last few years. Choosing to move to a "resort" area with STRs already in place, and then decrying the existence of STRs doesn't align well with respecting the historical nature of our community where STRs have been prevalent for many decades.

Neskowin STR Violations

STRs in Neskowin had zero violations in 2019, 2020, 2021 & 2022.

Profitability

I encourage the BOCC to review the economic data provided by Tillamook Coast Visitor's Association regarding average income for homes with STR permits. For a large majority of homeowners, STRs are not a money making venture. Speaking from experience, this is a labor of love. Even during 2021's record high occupancy due to the pandemic, I did not break even. My income from renting goes back into my home in the form of hiring local businesses for ongoing projects.

Corporate Ownership & Multiple-Homes Ownership

I have repeatedly asked for facts to back up the claim so often repeated about corporate ownership of STRs in Tillamook County. The County has not provided this information, yet the BOCC referred to corporate ownership as not only a fact, but a concern. I can tell you from evaluating the STR permit list that approximately 93% of homeowners with STR permits have only one single permit in Tillamook County. The BOCC stated that "mom & pop" STRs are not the problem, but we are certainly paying the price. Only a handful of families have 4-5 STR permits. It would be helpful to have facts to back up these statements instead of regurgitating the "boutique hotel" misconception. One would hope that our commissioners would be well-informed and not perpetuate rhetoric in disregard for facts. The number of homes which may fall into the sole investment category appears to be very small. If the BOCC would like to pick one growth management tool, then limiting future ownership seems like the best fit to address this concern instead of caps in neighborhoods which are historically seasonal.

Permit vs License

Tillamook County cannot rewrite history in an attempt to change the narrative. Current STRs have permits. A strikethrough of 'permit' here or there and replacement with 'license' isn't retroactive. The switch on annual permit renewal receipts to licenses in May 2023 is meaningless. The ongoing dialog which has shifted from referring to current permits as licenses is further highlighting that there is an important difference between the two terms. I don't agree with Dan Kearns on much, but I will agree with his statement that a permit is a defined term under state land use law. The fact that the last "permit" verbiage in the proposed draft to be changed was in the actual title of the ordinance speaks volumes. It's simply not that easy to remove permits in reality.

Golden Ticket

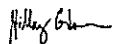
I heard loud & clear that the Commissioners do not want current permit holders to have Golden Tickets (the value added by a transferable STR permit upon home sale). This is a legal issue, and should not be in the hands of the BOCC. I respect their opinion to avoid Golden Tickets, but they are essentially creating Golden Tickets by limiting STRs. There are many ways to boost one's home value: Ocean view, primary bedroom suite, updated kitchen & bathrooms, enhanced landscaping etc... A permit is no different from any other home feature that can increase value. The free market does not require homeowners to diminish their property value to maintain affordability below market value in a highly sought after location such as the Oregon Coast.

Current STR Permits

At the end of the day, it may be best for Tillamook County to simply acknowledge that the current STR permits have land use rights and need to be legally allowed to continue in accordance with the law. In the grand scheme of things, the permit list will shrink, though I have no doubt that many homes which have always been STRs will continue to serve that essential role along the Oregon Coast moving forward. New licenses under Amendment 2 may have new regulations, but current STR permits have legal rights under Amendment 1 which need to continue, including transferability in perpetuity. My cottage has historical use as an STR which should not be limited by any type of percentage cap, or distance limit.

Rules & Regulations

Regulations need to be simple, fair, and balanced. A mechanism for false complaints needs to be included. STR owners need clarification on violations. As written, it appears one's right to rent may be lost with one single infraction's domino effect. If the contact person is not up to date (violation), so there's no response (violation), and there's a valid complaint (violation), is that one single violation, or did someone just lose their ability to operate an STR with three strikes? The entire draft is disorganized, has too many overreaching rules, vague regulations, and conflicting information in addition to significant legal concerns. Tillamook County should consider alternative solutions.



Hillary Gibson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 11:09 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for comments and legal concerns submitted by Oregon Coast Hosts

From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Tuesday, June 20, 2023 8:01 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: linda.h@lloydhayne.com
Subject: EXTERNAL: Support for comments and legal concerns submitted by Oregon Coast Hosts

[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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lloyd & Linda Hayne
250 Reeder St
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

We, Lloyd and Linda Hayne, are Short Term Rental Owners in Avalon West. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then we support litigation to protect our property rights.

We are both retired and purchased the property in 2020 as a vacation home for ourselves and family. This is our retirement vacation home. We and our children use it regularly when not rented. We rely on the income from our short term rental guests to be able to afford our home.

These are our top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses
- State building code prohibits forcing historic buildings to “come up to code”

These are our top 3 operational specific concerns:

- Parking: Owners can not enforce rules against parking on public streets

- Exterior Signs - Requiring expiration dates on exterior signage is unnecessary and wasteful as it will necessitate new signage annually and may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.
- Provision is needed to protect STRs from harassment via unfounded complaints.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lloyd Hayne
Linda Hayne

Lynn Tone

From: Sarah Absher
Sent: Tuesday, June 20, 2023 8:52 AM
To: Lynn Tone
Subject: FW: STR Public Comments 84 Suggested Edits
Attachments: 84.word.pdf

Please include the email and attachment as public record.

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

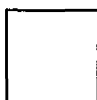
From: Hillary Gibson <hillary.gibson@me.com>
Sent: Tuesday, June 20, 2023 8:22 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Bill Sargent - Personal <bill@williamksargent.com>
Cc: Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>
Subject: EXTERNAL: 84 Suggested Edits

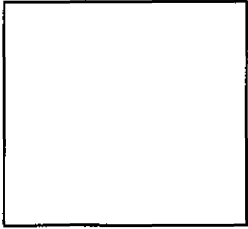
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Sending this separately as it is not intended to be official *public comment* but merely specific feedback for consideration as the draft is updated.

I think a fresh start with a clean slate may be best, but if the county insists on going with this draft, then please consider some edits.

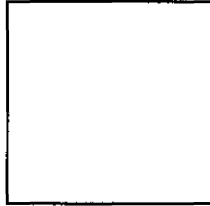
Thanks so much,
Hillary Gibson



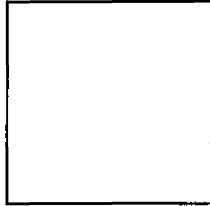


HILLARY GIBSON

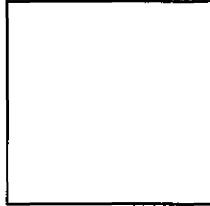
BREAKERS END LLC, VACATION RENTAL HOME



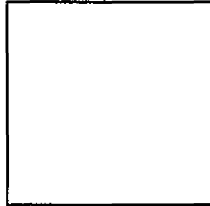
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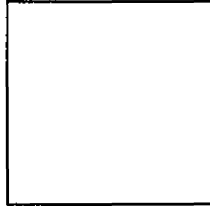
@neskowinbeachcottage on instagram



info@BreakersEnd.com



www.BreakersEnd.com



NESKOWIN VILLAGE, OREGON COAST

suggested edits for consideration

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR

TILLAMOOK COUNTY, OREGON

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

ORDINANCE #84
AMENDMENT #2

Legally cannot simply strike through "permit" and rename it a "license"
Current permit holders may legally retain STR permits under Ord 84 - Amendment 1

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

The Board of Commissioners for Tillamook County ORDAINS as follows:

- .10 Title.** The provisions contained in this Ordinance are intended to authorize and regulate the short-term rental use of residential dwelling units on properties in unincorporated Tillamook County and shall be known as the Tillamook County Short Term Rental Ordinance.
 - A. Repeal. Tillamook County Ordinance 84, Amendment 1 (adopted April 19, 2019) (Tillamook County Short Term Rental Ordinance) is hereby repealed in its entirety. Current STR permit holders should continue under Amendment 1 & new licenses could be under Amendment 2
 - B. Adoption. The following sections are hereby adopted and shall be entitled the "Tillamook County Short-Term Rental Ordinance," as set forth herein, and are collectively referred to as "this Ordinance."

.20 Purpose and Scope.

- A. This Ordinance provides reasonable and necessary regulations for the licensing of short-term rental use of residential dwelling units, the purposes of which are to:
1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County.
 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.
 3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options.
 4. Recognize the need to limit short-term rentals within neighborhoods to ensure compatibility with and livability of, established owner-occupied neighborhoods, while recognizing the benefits of short-term rentals in providing recreation and employment Opportunities, as well as transitional housing and business or hospital related short stays. With Tillamook County defining some areas as "resort" areas due to high percentage of seasonal home ownership, this purpose is off target. How does the county define an established owner-occupied neighborhood?
 5. Protect the character of the County's established neighborhoods by limiting the number, concentration, and scale of full-time short-term rentals in residential neighborhoods.

Why does this ordinance apply to all STRs when it targets full-time STRs?
How is a full-time STR defined?
How does the county define "established" neighborhoods?
 6. Provide funding support for County housing development initiatives to address local affordable and workforce housing needs and increase availability of housing for people who want to live/work in Tillamook County.

PURPOSE & SCOPE - suggested simplification

The purpose of this Ordinance is to reasonably regulate STRs in Unincorporated Tillamook County, with the following goals recommended as key to preserving the health, safety, and general welfare of the community:

1. Clearly define STRs.
 2. Manage growth of STRs.
 3. Establish basic safety regulations for visitors renting STRs.
 4. Promote active enforcement of evidence based rules & regulations.
 5. Balance livability in residential neighborhoods with the rights of property owners.
 6. Preserve character of traditional vacation destination locations.
 7. Mitigate potential nuisance concerns related to STR activity and promote solutions for compliance.
 8. Recognize benefits including tourism economy and providing local employment opportunities.
 9. Ensure a variety of accommodations to promote public beach access in alignment with Oregon Beach Bill.
- B. With the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the livability of those neighborhoods. Therefore, special regulation of dwelling units used for short-term rental, transient or vacation occupancy, is necessary to ensure these uses will be compatible with surrounding residential neighborhoods and will not materially alter the livability of the neighborhoods in which they are located. *Please reference data to support this - not opinions. In historical neighborhoods with high seasonal use, one may say that full-time residences are altering the neighborhoods. Maybe we need a cap on full-time residences which are incompatible with*

resort areas (rhetorical question to illustrate how illogical that sounds when the tables are turned).

- C. A short-term rental license is revocable permission to operate a short-term rental, but only as provided in this Ordinance. A license may be terminated, revoked or not renewed if the standards of this Ordinance are not met. This Ordinance provides the administrative framework for certification and the operation of short-term rentals and provides a process by which owners can appeal County decisions related to short-term rentals.
- D. This Ordinance only applies to dwellings during times of use as an STR. Owners and their non-paying visitors are not bound by these regulations. *[Suggest adding this text to make it crystal clear that homeowners themselves are not subject to STR standards including occupancy, noise, parking etc., as this is a frequently asked question]*
- E. The regulations in this Ordinance are not intended to permit any violation of the provisions of any other law or regulation. Any exemptions allowed by this Ordinance shall not exempt the short-term rental from any other applicable requirement, regulation or ordinance adopted by Tillamook County.
- F. The requirements of this Ordinance are not "land use regulations" as defined in ORS 197.015 or 195.300(14). The regulations contained in this Ordinance are not intended to, nor do they, implement the Tillamook County Comprehensive Plan, the Tillamook County Land Use Ordinance, nor do they implement any of the State-wide Planning Goals.
- G. The short-term rental use of a dwelling unit does not, in itself, require a home occupation permit.
- H. *Administrative Rules.* The County's STR Administrator shall have the authority to establish administrative procedures and regulations consistent with the provisions of this Ordinance for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the provisions of this Ordinance. A copy of such administrative procedures and regulations shall be on file in the Office of the County Clerk and shall be posted on the County's website. Any such administrative rules and regulations shall be binding upon any owner, operator or registrant of a short-term rental and upon the Hearings Officer under Section .140.
- .030 Definitions.** The following definitions shall apply to this Ordinance, its interpretation; application and enforcement; otherwise, ordinary dictionary definitions shall apply unless the context indicates otherwise.
- A. "Adoption of this Ordinance" means the date on which this Ordinance takes effect after adoption by the Board of County Commissioners.
- B. "Applicant" means an owner of a dwelling unit who applies to the County for a Short-Term Rental License.
- C. "Authorized agent" is a property management company or other entity or person who has been designated by the property owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- D. "Bedroom" means a room intended and permitted to be used for sleeping purposes (ORSC R202) that has all of the following attributes:
- Light, ventilation, and heating (ORSC R303.1)
 - A minimum of 70 square feet of floor space and not less than 7 feet in any horizontal dimension (ORSC R304.1). Does not account for small cottages
 - An emergency escape and rescue opening (ORSC R310)
 - A built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage

- unit. How is this relevant to safety? County even said a "basket" would suffice.
- A smoke alarm (ORSC R314.3) where required.
 - A carbon monoxide detector (ORSC R315.3) where required. Where is that - conflicting info
 - All sleeping areas used as a bedroom in a short-term rental must be permitted for that use, and no areas may be converted to a bedroom without demonstration of compliance with this Ordinance.
- E. "Change of Property Ownership" means the transfer of title from one person to another.
- F. "Contact Person" means the owner or the owner's designated agent for the Short-Term Rental, authorized to act for the owner on their behalf.
- G. "County" means Tillamook County, Oregon.
- H. "County STR Administrator" means the Director of the Department of Community Development *vested* with authority to administer, interpret and enforce the provisions of this Ordinance, or that person's designee.
- I. "Daytime Occupancy" means the hours between 7:00am and 10:00pm. "Daytime occupants" mean the guests who may occupy a short-term rental during a daytime occupancy.
- J. "Department" means the Tillamook County Department of Community Development.
- K. "Dwelling unit" means a lawfully established single unit that provides complete independent living facilities for one or more people including permanent provisions for living, sleeping, eating, sanitation and one cooking area. "Dwelling unit" includes a single-family dwelling and a factory-built or manufactured dwelling that bears a valid certification of compliance with applicable manufactured dwelling standards. For purposes of this Ordinance, "dwelling unit" does not include an accessory dwelling unit (ADU), yurt, recreational vehicle or similar mobile structure, or motorized vehicle designed and built for temporary vacation use.
- L. "Enforcement Officer" means the Director of the Department of Community Development, County Building Official or their designee authorized to administer and enforce the County's civil ordinances and permits. Officer also includes the Tillamook County Sheriff, and the deputies and authorized representatives of these officials.
- M. "Estate Home" means a single-family dwelling with *five* (5) or more bedrooms.
- N. "Good Cause" for the purposes of denial, suspension, revocation, imposition of conditions, renewal and reinstatement of a Short-Term Rental License means (1) the Applicant, Owner or Contact Person has failed to comply with any of the terms, conditions, or provisions of this Ordinance or any relevant provision of a County code, State law, or any other rule or regulation [*vague*] promulgated thereunder; (2) the Applicant, Owner or Contact Person has failed to comply with any special conditions placed upon the Short-Term Rental License; or (3) the Short-Term Rental has been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the Short-Term Rental is located.
- O. "Good Neighbor Policy" means a policy furnished by the County STR Administrator that summarizes general rules of conduct, consideration and respect, and includes without limitation provisions of this Ordinance applicable to or expected of guests occupying the Short-Term Rental.
- P. "Nighttime Occupancy" means overnight occupancy between the hours of 10:00pm and 7:00am the next day. "Nighttime occupants" means the guests who may occupy a short-term rental overnight.
- Q. "Non-transient rental" means to rent a dwelling unit or room(s) for compensation on a month-to-month or longer basis.

- R. "Onsite Wastewater Division" means the Onsite Wastewater Division of the Department of Community Development.
- S. "Onsite Wastewater Treatment System" means any existing treatment and dispersal system of residential wastewater.
- T. "Owner" means the natural person or legal entity that owns and holds legal or equitable title to the property.
- U. "Registrant" means the owner of a dwelling unit who holds a Short-Term Rental License.
- V. "Renter" means a person who rents a short-term rental or is an occupant in the short-term rental. Renter includes the term "tenant".
- W. "Road Authority" means the Tillamook County Public Works Department and the Oregon Department of Transportation (ODOT).
- X. "Road Right-of-Way" means a public or private way that is created to provide ingress or egress for persons to one or more properties. The terms "street", "access drive" and "highway" for the purposes of this Ordinance shall be synonymous with the term "road right-of-way".
- Y. "Serious Fire or Life Safety Risk" means a building code or ordinance violation involving those construction, protection and occupancy features necessary to minimize danger to life from fire, including smoke, fumes or panic, as well as other considerations that are essential to life safety.
- Z. "Short-Term Rental" or "STR" means the transient rental of a dwelling unit in its entirety *to any person on a day to day basis for a consecutive period less than 30 days per month ["per reservation" or simply "less than 30 consecutive days" - some 30+ days stays are spread over two months so this language creates discrepancy with law by adding "per month"]* but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-term rental use is a type of "vacation occupancy" as defined in ORS 90.100.
- AA. "Short-Term Rental License" means the annual license required by Section .040, described in this Ordinance, and referred to as a "license."
- BB. "Short-Term Rental Hearings Officer" means the impartial judicial decision maker appointed by the Board of County Commissioners to hear and decide any alleged civil infraction under this ordinance and to render the County's final decision in any civil enforcement matter.
- CC. "Subject Property" means the property on which the short-term rental is located.
- DD. "Transfer" means a change in ownership of the property where the dwelling licensed as a Short-Term Rental is located that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.
- EE. "Transient rental" means to rent a dwelling unit for compensation on a less than a month-to-month basis.
- FF. "Daytime" means between the hours of 7:00 am to 10:00 pm.
- GG. "Overnight" means between the hours of 10:00 pm to 7:00 am the following day.

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

- A. *License Must Be Obtained and Maintained.* A Short-Term Rental License shall be obtained, maintained and renewed as prescribed in this Ordinance before a dwelling unit may be offered, advertised or used as a short-term rental. A Short-Term Rental License in unincorporated Tillamook County may be revoked for failure to operate a short-term rental in accordance with all requirements of the license or otherwise comply with the requirements of this Ordinance. It is a violation of this Ordinance to operate a short-term rental without a valid license.
- B. *No Nonconforming Status Conferred.* The fact that an owner of property or other entity may hold a license on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid license or STR permit under Ordinance 84 - Amendment 1.
- C. *Cap on Number of STR Licenses In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries.* The County shall establish a limit (*a cap*) on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County *and shall establish those caps by Board Order.* If at the time of STR application for a new STR license there is not room within the applicable subarea cap to accommodate the new STR license, the County will return the application and place the applicant's name on a waiting list in order of application. After that, the County STR Administrator will contact each STR applicant on the waiting list in order as soon as there is room within the applicable subarea cap to admit a new STR application. The STR license application fee shall not be collected if there is not room within the applicable cap to accommodate the STR; however, the applicant shall pay a \$100 fee to be placed on a waiting list.

.50 License Application and Fees

- A. The applicant or authorized agent shall provide and certify the following information to be true and correct at the time of initial application and upon annual renewal of a Short-Term Rental License thereafter:
 - 1. *Owner/Applicant Information.* Applicant's name, permanent residence address, telephone number, and the short-term rental address and telephone number.
 - 2. *Representative Information.* The applicant shall provide the name, working telephone number, address and email of the contact person (authorized agent) who can be contacted concerning use of the property or complaints related to the short-term rental, as set forth in Section .070. Multiple contacts for back-up should be allowed due to 24/7 coverage mandate & this information should be in online database that owners can login to update. June 16, county says only one contact at a time allowed with Granicus.
 - 3. *Site plan and floor plan.* The site plan shall be a scale drawing, which can be hand-drawn, showing property boundaries, building footprint, location and dimensions of parking spaces. The floor plan shall show in rough dimensions the locations and dimensions of all bedrooms in the dwelling unit or single-family dwelling.
 - 4. *Proof of Liability Insurance.*
 - 5. Proof of Garbage Service. unless not available by franchise hauler

6. *Proof of Access.* The applicant shall provide proof of an approved road approach for the subject property from the local road authority where applicable. *Where is this applicable - How do applicants know?*
 7. *Notice to Neighbors.* The applicant shall provide notice of use of a property as a short-term rental to owners of neighboring properties adjacent to the rental property. Notification can be completed by mail or distributed by hand and shall contain the address of the rental property, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental. A written statement confirming notice to neighbors has been completed shall be submitted to the Department prior to issuance of a Short-Term Rental License. Upon issuance of a new Short-Term Rental License or upon receipt of notification of change of the name of the contact person and/or representative responsible for the rental, the Department of Community Development shall provide notice to all properties within 150-feet of the rental property within 30 days of issuance of a new or updated license,
 8. *Documentation of Compliance with Operational Standards.* To be deemed complete, an application shall include documentation that the short-term rental meets the operational standards in Sections .080 and .100.
 9. *Transient Lodging Tax Registration.* Evidence of transient lodging tax registration with the County for the short-term rental.
 10. *Executed Indemnification and Hold Harmless Agreement.* An agreement on a form furnished by the Department of Community Development stating that the property owner agrees to indemnify, save, protect, hold harmless, and defend Tillamook County [overreach], individually and collectively, and the County's representatives, officers, officials, employees, agents and volunteers from any and all claims, demands, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising, out of the Owner's actions or inaction in the operation, occupancy, use, and/or maintenance of the property.
 11. Such other information as the County's STR Administrator deems reasonably necessary to administer this Ordinance.
- B. *Inspections.* The applicant shall specifically acknowledge and grant permission for the County's STR Administrator to perform an inspection of the short-term rental.
1. The County's STR Administrator may conduct a site visit upon *receipt of* an application for a Short-Term Rental License or renewal to confirm the number of bedrooms stated on the application, the number, location, availability and usability of off-street parking spaces, and compliance with all other application and operational requirements of this Ordinance. The site visit will be coordinated with the applicant, conducted during normal business hours, and with reasonable notice.
 2. The County's STR Administrator may visit and inspect the site of a short-term rental at any time during the operation of the short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Violations of this Ordinance shall be processed in accordance with Section .120.
- C. *Incomplete Application.* If a short-term rental application does not include all required information and documentation, the application will be considered incomplete and the County will notify the applicant, in writing, explaining the deficiencies. If the applicant provides the

missing required information within 21 calendar days of the date of the incomplete notice, the application will be reviewed. If the applicant does not provide the required information within 21 days of notice, the application will be deemed null and void.

- D. Licensing Fees. The fee for application for a Short-Term Rental License, license renewal or alteration of an existing license shall be as established by Board Order.

Fees can be set by BOCC, but they need to be capped at 5% increase per year as stated in Ordinance #84 - otherwise fees can skyrocket to be used as a tool to reduce STRs.

Re-inspections should be every 5 years - this aligns with septic tank pumping guidelines, and the inspectors are currently understaffed and repeatedly missing appointments.

.60 Term of Annual License and Renewal

- A. *Term*. A Short-Term Rental License is valid for one year (12 months) and shall automatically expire if not renewed on or before the *last day of the month of the anniversary date of each ensuing year*. If the contact person (authorized agent) changes during the 12-month period, the property owner or authorized agent shall notify the County in writing of the change within thirty (30) days of the change and provide all new contact and tax payment information. Change of contact person is an alteration to an existing Short-Term Rental License and shall be subject to a fee established by Board Order.

Add 30 day grace period after renewal due date

\$100 minimum to update a mailing address or contact person - Exorbitant. If there will be a fee, then there needs to be an online option for owners to update their own profile for free.

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

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

- A. *Application Required*. Applications for a Short-Term Rental License shall be on forms provided by the County, demonstrating the application meets the standards required by this Ordinance.
- B. *Burden of Proof*. The applicant has the burden of proof to demonstrate compliance with applicable requirements for initial approval or annual renewal of the Short-Term Rental License. The applicable requirements also operate as continuing code compliance obligations of the owner/contact person. County staff may verify evidence submitted and statements made in support of an application, and the applicant shall cooperate fully in any such inquiries. For the initial application renewal every three five years thereafter, the applicant must also comply with the requirements of Subsection .090.

C. *Responsibility.* The applicant shall certify that all information provided is correct and truthful. It is the applicant's responsibility to assure that the short-term rental is and remains in compliance with all applicable codes regarding fire, building, health and safety regulations, and all other relevant laws.

D. *Parking.* Proof of required off-street parking shall be required as follows:

1. One (1) all-weather travel surface parking space shall be provided for every bedroom in the dwelling unit. If a garage is used to meet the parking requirement, a photo of the interior of the garage shall be submitted at the time of application and renewal to show the garage is available and large enough for vehicle parking. [Photo unnecessary - will be visible upon inspection] All required parking shall be on-site (off-street) except as follows:
 - a. Required parking may be permitted on another or different property within 500 feet of the subject property with a legally binding shared parking agreement or proof of legal parking access that remains valid for the length of time the subject property has a Short-Term Rental License. *Off-site parking is subject to the requirements of .0B0(E).*
 - b. Up to two (2) required parking spaces may be satisfied with on-street parking provided on-street parking is within 100-feet of the subject property boundaries and authorized by the Tillamook County Public Works Department. On-street parking spaces shall be a minimum size of 8-feet by 20-feet each, *or a lesser dimension authorized by the Tillamook County Public Works Director.* On-street parking proposals shall be reviewed by the Tillamook County Public Works Department. Written authorization of the parking spaces shall be submitted to the Department at the time of application submittal.
 - c. Designated parking is available for guests within a private development where authorization for use of parking in conjunction with a STR has been granted by the development Homeowner's Association (HOA). Written authorization from the HOA confirming use of off-site parking shall be submitted to the Department at the time of application submittal. The number and location of parking spaces authorized to be utilized in conjunction with the STR shall be included in the written authorization.
2. Each off-street parking space shall be a minimum of 8-feet by 16-feet and configured in a manner that ensures parking spaces are accommodated within the property boundaries.
3. No STR property shall have more than six (6) parking spaces total for overnight guests. Two (2) additional parking spaces may be allowed for daytime guests. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. [This is unfair to current STRs which are currently *required* to have as many as 10 parking spaces - currently permitted STRs should be able to continue under Ordinance 84 Amendment 1]
4. Access to approved parking spaces shall be designed to limit access onto the property through the defined road approach. Alterations to the road approach for purposes of off-street parking is subject to review and approval by the local road authority.

5. A parking diagram of the approved parking spaces shall be provided to renters and shall be posted in a prominent location within the short-term rental dwelling unit. The contact person shall direct renters to the parking diagram for the rental property to ensure use of off-street parking are prioritized when using the short-term rental. This is correct & agreed upon by STRAC, which is different from "requiring" off-street parking referenced .080 E

- E. *Transient Lodging Tax Compliance.* The property owner shall be in compliance with Tillamook County Transient Lodging Tax Ordinances 74 (as amended) and 75 (as amended) and subject to the Tax Administrator's authority provided therein.
- F. *License Approval and Annual Renewal Standards.* To receive approval, license renewal, or maintain a license, an applicant must demonstrate with a preponderance of credible relevant evidence that all of the requirements and standards in Section .080 are satisfied.
- G. *Initial and Every Third Fifth Year Renewal Inspections.* To merit approval of an initial (first year) Short-Term Rental License following adoption of this Ordinance and at the time of renewal request every third fifth year thereafter, the applicant must obtain and provide to the County evidence of the satisfactory inspections described in Section .090.

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

- A. *Maximum Occupancy.* The maximum nighttime occupancy for a short-term rental shall be limited to two (2) persons per bedroom plus two (2) additional persons, [plus up to three (3) children, age 12 or under - this info is in the example following, but omitted from max occupancy description]. For example, a two-bedroom short-term rental is permitted a maximum nighttime occupancy of six (6) people plus up to three (3) children, age 12 or under, to occupy the short-term rental in addition to the maximum number of occupants otherwise provided in this Subsection. The number of bedrooms of a short-term rental shall be verified at the time of license renewal and upon physical inspection of the short-term rental. *Personally, I think easiest to stick to 2 per bedroom + 2 and not count guests age 5 and under. Also, county needs to note that the 3 extra children do not count towards occupancy calculations with Operator License Fee. KEEP IT SIMPLE - Ditch the Estate Home classification and just do 2 per bedroom + 2 extra, guests age 5 + under don't count, max total 16 guests over age 5. (currently permitted STRs continue under Ordinance 84 Amendment 1 with no required reductions in occupancy - many homes have already voluntarily lowered occupancy).*
- B. Regardless of the number of bedrooms [contradicts Estate Homes], the maximum nighttime occupancy of an STR *[with 4 bedrooms or less]* shall not exceed 10 (ten) persons plus three (3) children aged twelve (12) and under.
- C. The owner of an Estate Home shall be exempt from subsection (B) of this section and is allowed a maximum nighttime occupancy of up to fourteen (14) persons plus up to three (3) children, age 12 or under, to occupy the short-term rental.
- D. The maximum daytime occupancy for any short-term rental shall be limited to the nighttime maximum occupancy plus six (6) additional people. For example, a two-bedroom dwelling unit is permitted for a maximum daytime occupancy of twelve (12) people.

Off-street Parking Spaces Required. One (1) off-street vehicle parking space is required per bedroom in accordance with Section .070 of this Ordinance. All of the required notices and placards required by this Ordinance shall require the renters to park on-site and to not park on the street, even if on-street parking is otherwise available. [Owners can't restrict or enforce parking in any public right of way & this contradicts previous verbiage agreed upon by STRAC to prioritize off-street instead of prohibit on-street .70 D5] The property owner of a short-term rental may contract with owners of other property within 500 feet of the perimeter of the rental property and enter into a shared parking agreement to accommodate no more than two (2) parking spaces to satisfy this requirement. Where licensing relies on contractual off-site parking arrangements, the property owner shall provide proof of availability in the form of a legally binding contract for the off-street parking for the duration of time the rental property has a Short-Term Rental License.

If street parking is not SAFE for STR guests, then it is not safe for day visitors or residents. If residents need street parking, then permits or signage should be considered. Public parking cannot be restricted for a select group.

- E. ~~Noise.~~ Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. ~~Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section 130.~~
1. *Quiet Hours.* The hours of 10:00pm to 7:00am the following day are quiet hours, and there shall be no amplified music or ~~other, unreasonable~~ noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property. [The term "other" is too vague - this could be a cough, sneeze, car, AC unit, baby crying etc... noise must be unreasonable & sustained to be a nuisance - if Tillamook County won't enact a noise ordinance then it needs to be more reasonable here in the absence of decibel limits] *The owner or contact person shall respond to all [valid] noise complaints during quiet hours within 30 minutes of when the County's STR complaint dispatch center sends a message about a received complaint regarding the short-term rental. Failure to respond shall be considered a violation [only for valid complaints]* of this ordinance [in addition to an actual noise violation - is this creating two violations for one issue, or just one single violation?] and subject to the provisions of Section 130. There should not be a penalty if the noise complaint is not valid within more specific parameters. Allowing "other noise" during quiet hours to be a possible violation in a county without a noise ordinance is a very slippery slope for STRs to be targeted by neighbors, which we are already seeing.

Suggested Edit: From 10pm-7am there shall be no amplified music, no loud singing, no loud talking and no other audible noise by guests shall exceed forty (40) decibels for more than five (5) minutes during quiet hours at any property line of the STR. There are free mobile apps available to measure decibels.

- F. *Zoning Compliance.* The property shall be in compliance with all applicable County zoning requirements and any development permits related to the subject property *at time of construction*. If the property owner claims any sort of non-conforming use status for any aspect of the property or structures thereon, the property owner shall obtain a nonconforming use verification for those aspects through an appropriate land use decision making process. In no event shall this Ordinance be construed as a land use or development regulation, nor does prior operation of a short-term rental give rise to a nonconforming use right under the

County's land use ordinance.

- G. *No unpermitted improvements or bedrooms.* All electrical, structural, plumbing, venting, mechanical and other improvements made to a licensed short-term rental *which require a permit* shall be fully permitted. Any sleeping area [there are no more "sleeping areas" - just bedrooms] used as a bedroom shall be inspected and permitted in accordance with the *requirements* of this Ordinance. Areas not approved for use as a bedroom shall be locked [nonsensical - all homes have "areas" which are not bedrooms - I believe the county means non-compliant bedrooms] and secured as deemed appropriate by the STR Administrator, and shall not be utilized as part of the short-term rental. Areas not approved for use as a bedroom shall not be included in the maximum occupancy calculation for the short-term rental. The contact person shall notify every renter, in writing, that the non-compliant bedroom may not be used for sleeping. [A cottage with 2 bedrooms that are both less than 70 sq feet would need to lock the bedrooms and essentially lose use as an STR? What is the solution in this case that doesn't involve bulldozing an original cottage?]

H. *Contact Information.* Each registrant shall provide the name and contact information of a contact person [we need to be allowed to provide a list of backups that can be contacted due to challenge of 24/7 coverage] that will be available to be contacted about use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week). The contact person shall respond/answer immediately [immediately is not the same as 30 minutes] to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems. [On-site within 30 or 60 minutes? The intention is 60 minutes, so please be clear] The registrant may change the contact person from time to time during the term of licensing, but only by revising the license information with the County at least 14 days prior to the change's effective date, except when the failure to do so is beyond the registrant's control. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance. [A single violation or three individual violations? If one complaint results in a single failure to have current contact info, resulting in no immediate response, and then a resulting violation does that mean an owner could lose their permit in one fell swoop with 3 violations from a single event? Please make this clear that is not the intention.]

I. *Fire and Life Safety.* A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual short-term rental license application and renewal. The contact person or owner, or owner's representative shall be responsible for completing the fire safety checklist as part of the renewal process to ensure continued compliance. A copy of the signed fire safety checklist shall be submitted to the Department (prior to issuance or renewal of a Short-Term Rental License and may require further demonstration or proof for a renewal at the County STR Administrator's discretion.

1. At least one functioning fire extinguisher shall be accessibly located within the short-term rental dwelling unit. Extinguisher must be in a visible and placed in a secured location to ensure it is accessible to renters at all times.
2. All electrical outlets and light switches shall have face plates.
3. The electrical panel shall have all circuits labeled.
4. Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
5. Smoke detectors shall be placed and maintained in each bedroom, outside each bedroom in its immediate vicinity and in each additional story and basement without a bedroom.
6. A carbon monoxide detector/alarm device shall be placed and maintained in each bedroom and within 15 feet outside of each bedroom door [A 2 bedroom cottage may need 4 carbon monoxide alarms?].

The International Association of Fire Chiefs recommends a carbon monoxide detector on every floor of your home, including the basement. A detector should be located within 10 feet of each bedroom door and there should be one near or over any attached garage.

7. All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly

installed and vented.

8. All interior and exterior stairways with 4 or more steps and that are attached to the structure, shall be equipped with a handrail.
9. All interior and exterior guardrails, such as deck railings, shall be able to withstand a 200-pound impact force.
10. Exterior hot tubs shall have adequate structural support and shall have a locking cover or other barrier to adequately protect against potential drowning when a hot tub is not available for permissive use.
11. Exterior lighting shall be directed in a downward direction to prevent glare onto adjacent properties. Lighting can be an important safety feature to prevent trips & falls in unfamiliar areas - motion sensor lights should be allowed without needing to face downward. Dark Skies initiative could be considered community-wide to have intended impact.
12. The house number shall be prominently displayed and maintained, and be visible from the street *road right-of-way*.

J. Emergency Escape and Rescue Openings for bedrooms:

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

K. *Solid Waste Collection - minimum service requirements.* The property owner shall subscribe to and pay for weekly solid waste collection service by the local franchise hauler with assisted pick-up *[not always needed]* provided by the franchise *[on-call service is sufficient - weekly can be cost prohibitive for STRs that are not high volume & not all of county has franchise hauler]*. ~~For the purposes of this section, assisted pick-up means the collection driver retrieves the cart from the driveway, rolls it out for service, and then places it back in its original location. *[Assisted pick up can be an extra cost which varies by franchise & county should consider requiring only as needed]*.~~ The owner shall provide garbage containers with securable covers in compliance with franchise requirements that ensure the collected solid waste is not susceptible to wildlife intrusion and weather elements. All placards and notices to renters shall include the requirement that renters shall dispose of all household garbage in the containers and keep them covered/secured. Garbage, recycling or any other waste products shall not be placed outside of designated carts/cans. [BOCC - Bring curbside recycling to Tillamook County!]

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

within the interior of the dwelling unit adjacent to the front door [front door is not always most common entry - suggest modifying this to requiring posting near primary point of entry]. Mandatory postings include the following:.

1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration [Why? The County does not provide this annually for permits - adding expiration dates will necessitate annual replacement of postings]. The license shall include the following information:
 - a. The number of bedrooms and maximum occupancy permitted for the short-term rental;
 - b. The number of approved parking spaces;
 - c. Any required information and conditions specific to the Short-Term Rental License;
 - d. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental. [Why would a guest need the STR hotline on the interior mandatory posting? They're going to call it with questions for the owner or manager and that will frustrate everyone.]
2. For those properties located within a tsunami inundation zone, a copy of an Oregon Department of Geology and Mineral Industries (DOGAMI) Tsunami Evacuation Brochure shall be posted in a visible location as close as possible to the main entrance of the short-term rental. The brochure shall be furnished by the Tillamook County Department of Community Development at the time of Short-Term Rental License issuance and renewal [suggest every 5 years with reinspection - wasteful for county to mail a new map annually].
3. Good Neighbor Policy and Guidelines. The property owner and contact person shall acknowledge the County's Good Neighbor Policy, and shall post them in every short-term rental [County should provide if requiring posting]
0. Exterior Mandatory Posting. Exterior signage shall be installed outside of the dwelling unit and shall be of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way: [An online directory would be a great alternative which would remove the need for all STRs to be marked with large exterior signage which can invite trespassers and detract from neighborhood character. The County should consider a single sign with STR hotline at various neighborhood entry points, instead of hundreds of individual signs]
 1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration; [Why is expiration date needed? This means a new sign would need to be purchased annually \$\$\$.]
 2. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental;
 3. The property address;

Optional:

4. The name of the contact person (or entity) [name should be optional as different people may share 24/7 coverage from a single number - unclear if name & number are optional, or if just the number is optional] and a telephone number (optional).
- P. No recreational vehicle, yurt, travel trailer, tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including a recreational vehicle is permitted in conjunction with a short-term rental.
- Q. No Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental.

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

- A. *Inspection Required.* The owner of the short-term rental dwelling unit shall obtain an inspection by the *County Building Inspector* to inspect the dwelling unit and determine compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural, and ventilation requirements at time of dwelling construction. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector.
- B. *Reinspection Requirements.* In any case where an inspection is not approved by the County Building Inspector, the County Building Inspector shall allow thirty (30) days for minor repairs or sixty (60) days for major repairs, at the completion of which the owner or authorized agent must call the Tillamook County Department of Community Development for a re-inspection. The re-inspection fee adopted in the Community Development fee schedule shall apply. If the repairs identified in the original inspection are not rectified at the time of re-inspection and within the specified timeframe, the application shall be invalidated, and the property owner must reapply and pay the requisite application and inspection fees. [60 days is too short - 60 days should be time in which homeowner contracts with a professional to rectify major repairs - homeowners need more time as work can be difficult to complete in such a short timeline. Minor repairs 60 days.]

[Several reinspection appointments have been no-shows by the County in 2023, which is a significant inconvenience and expense for homeowners and property managers. If a confirmed reinspection appointment is missed, then a 30 day clock for reinspection shall reset and the reinspection fee shall be waived. This is another reason why 5 year reinspections should be considered - it appears the county is not equipped to handle a 3 year rotation]

- C. *On-site Septic System Inspection.* Unless the dwelling unit is served by a public or community sanitary sewer system, the existing on-site wastewater treatment system (*septic system*) must be capable of handling the wastewater flows expected to be generated based on the allowed number of bedrooms in the dwelling unit and the maximum number of occupants. Demonstration of system adequacy is required at the time of STR application submittal.

1. If the system was installed more than five (5) years from the time of STR application submittal, the property owner shall obtain an Authorization Notice (AN) from the Department Onsite Wastewater Division. Included in the authorization must be information to allow a calculation of the number of allowed bedrooms based on the capacity of the septic system. Final determination of the capacity and suitability of the septic system shall be made by the Onsite Environmental Program Manager (or their designee) and will share the determination with the County STR Administrator. An ESER (Existing System Evaluation Report) meeting these standards and conducted within five (5) years of the date of the Short-Term Rental application or renewal may be submitted to fulfill this requirement.
2. If the Onsite Environmental Program Manager identifies any deficiencies in the system, the property owner shall cure/correct the deficiencies within 60 days of the date of review of an ESER or AN, or within the specified timeframe for completion of the reinspection as specified in subsection B above, whichever occurs first. A Short-Term Rental License shall not be issued under this section until after repairs are made and approved by the County. If the owner fails to cure the deficiencies within the time required, the Short-Term Rental application shall be denied.
3. The initial AN or ESER for an existing short-term rental is required in accordance with a phasing plan adopted by the County, but no later than December 31, 2024. After an initial AN or ESER is obtained, the property owner shall thereafter be required to conduct periodic maintenance of the system, undertaken by a DEQ authorized contractor, which at a minimum shall include inspection of the system (and as needed, pumping or repairs) prior to renewal of the Short-Term Rental License. [This need for ANNUAL inspection was agreed to be too often by the county and intended to be a desk review, but the text was not updated and continues to require annual inspection which is only needed once every 5 years]. The Onsite Wastewater Division is the delegated authority to determine the periodic maintenance requirements, specific to the types of systems in use, including the intervals at which the maintenance will be required. These requirements shall be made available to the public, registrants/property owners and DEQ authorized contractors. The required report on maintenance shall be provided to the Onsite Waste Division for review in a format as developed by the Division. The report shall be required before the owner can renew certification of the dwelling unit.

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

- A. *Advertising and Short-Term Rental License Registration Number.* The property owner or contact person shall put the annual registration number on all advertisements for the specific property wherever it is advertised for rent.
- B. *Complaints.*
 1. *Response to Complaints.* The contact person shall respond to neighborhood questions [Why would anyone need to be available 24/7 for neighborhood questions - what is that?], concerns, or complaints in a reasonably timely manner [vague] depending on the circumstances and shall ensure to the best of their ability [vague - owners can't be responsible for behavior of other people, but can make the rules known] that the renters and guests of the short-term rental do not create unreasonable noise, disturbances, engage in disorderly conduct, or violate the provisions of local ordinances or any state law [do LTR landlords have this same requirement for their tenants?].

2. *STR Hotline.* The contact person shall respond by telephone within thirty (30) minutes to complaints from or through the Hotline and shall respond in-person within thirty (30) minutes to any additional or successive complaints regarding the condition, operation, or conduct of occupants of the short-term rental. Unresolved complaints determined by the STR Administrator to be a violation of this Ordinance shall be subject to Section .130 [Please match other language about response time to this vs "immediate" and clarify that the time for in-person is 60 minutes total. Please allow owners or managers to note to Granicus or the County if an in-person response was not possible due to personal safety concern - this was discussed as an option by the STRAC for a rare situation that may be better handled by law enforcement. Owners/Managers should not place themselves in harm's way for fear of a violation].
 3. *Record of Response.* The property owner or contact person shall maintain a record of complaints and the actions taken in response to the complaint, if relevant, in an electronic or written manner deemed reasonable to document the interaction. This record shall be made available for County inspection upon request to investigate all complaints.
 4. *False Complaints.* Complaints need to be made in good faith and not with the intent to harass STR owners. Individuals who make more than 3 unverified or false complaints per year shall be required to participate in mediation by Tillamook County. Fees to individuals for false complaints shall be set at the same level as fees for violations to owners. Anonymous complaints are not valid. [please consider adding suggested text in response to STR owners being targeted - sometimes unfairly].
- C. *Inspection.* Upon application for a Short-Term Rental License, all short-term rentals shall be subject to inspection by the County STR Administrator for compliance with this section.
1. The County's STR Administrator may conduct a site visit upon an application for operation of a short-term rental to confirm the number of bedrooms (as defined by this Ordinance) stated on the application and the number, location and availability and usability of off-street parking spaces. The site visit will be coordinated with the applicant or contact person, shall be conducted during the normal business hours, and with reasonable notice.
 2. The County's STR Administrator may visit and inspect the site of a short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Code violations shall be processed in accordance with Section .120 and the County's Civil Enforcement procedures.
- D. *Specific Prohibitions.* The following activities are prohibited on the premises of a short-term rental during periods of transient rental:
1. *Events.* Events and activities that exceed maximum overnight or daytime occupancy limits.
 2. Events and activities for which a Temporary Use Permit is required and has not been issued.
 3. *Unattended barking dogs.* [This should simply fall under a noise violation, or community standards for all visitors and residents]

4. Activities that exceed noise limitations contained in this Ordinance [redundant]

.110 Implementation of this Ordinance and Application to Short-Term Rentals Licensed on the Date of its Adoption [There are NO licensed STRs on the date of adoption - there are only STRs with PERMITS]. All new/initial Short-Term Rental Licenses issued after the date this Ordinance is adopted shall implement and comply with all provisions in this Ordinance. This section shall govern the implementation and applicability of this Ordinance to short-term rentals that are lawfully established, licensed and operating on the date of adoption of this Ordinance (Lawful Pre-Existing Short-Term Rentals).

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

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

.130 Penalties;

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

1. Failure to renew a Short-Term Rental License as required by Section .060 while continuing to operate a short-term rental. [Remove because a 30 day grace period is being added]
2. Three (3) or more verified violations of any local ordinance, state or federal regulation within a 12-month period [violations should be limited to this Ordinance].
3. The discovery of material misstatements or that the license application included false information for a Short-Term Rental License or renewal shall be grounds for immediate revocation of the license [needs to be intentionally false to merit removal - owners & managers should have opportunity to correct false info before revocation]
4. Such other violations of this Ordinance of sufficient severity in the reasonable judgment of the STR Administrator, so as to provide reasonable grounds for immediate revocation of the license. [Could this be more vague?!]
5. Upon an emergency suspension or revocation of a Short-Term Rental License deemed necessary by the STR Administrator for public health and/or safety reasons, short-term rental activity shall cease immediately. If suspended, the short-term rental shall not be rented or used as a short-term rental until the emergency that exists has been resolved to the satisfaction of the STR Administrator.

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

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

- A. *Filing Requirements . Notice.* The property owner or authorized agent may appeal a decision to approve, renew, deny or revoke a Short-Term Rental License.
- B. *Authority to Decide Appeal.* The STR Hearings Officer shall be responsible for deciding all appeals under this Ordinance.
- C. *Time for Filing.* A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional, and late filings shall not be accepted.
- D. *Fee for Appeal.* The County shall establish a fee for filing and appeal hearing of not less than \$500 under this section, payment of which shall be a jurisdictional requirement.
- E. *Procedures.* The County's STR Administrator may establish administrative procedures to implement the appeal process provided in this section, including any required forms. The STR Administrator may adopt procedures for hearings not in conflict with this section, including but not limited to time limitations on oral testimony and on written argument.
- F. *Hearing.* Within 35 days of receiving the notice of appeal, the STR Administrator shall

schedule a hearing on the appeal before the STR Hearings Officer. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant.

- G. *The Record on Appeal.* The STR Hearings Officer's decision shall be based upon the record, which shall include all written documents associated with the file that is the subject of the appeal, including all Transient Lodging Tax records, and complaints about the short-term rental operation.
- H. *Standard of Review and Decision.* The STR Hearings Officer shall determine whether the County's decision was based on a preponderance of the evidence or the correct interpretation of the requirements of this Ordinance. A decision of the STR Hearings Officer shall be based on the evidence in the record and be issued in writing within 30 days after the record closes. The STR Hearings Officer may uphold the County's decision, uphold the decision with modifications or reverse the County's decision. If the STR Hearings Officer upholds a decision to revoke the Short-Term Rental License, the Hearings Officer shall order the property owner to discontinue operation of the dwelling unit as a short-term rental immediately. If the Hearings Officer reverses a decision to revoke the Short-Term Rental License, operation of the short-term rental may continue under the Short-Term Rental License.
- I. *Finality.* The STR Hearings Officer's decision shall be final on the date the decision is mailed to the appellant. The STR Hearings Officer's decision is the County's final decision on the matter and is appealable only by writ of review to Tillamook County Circuit Court.

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

.160 Effective Date

The Board of Commissioners finds that the enactment of this Ordinance is necessary for the public health, safety and general welfare, that an emergency exists [what data or facts back up this "emergency" declaration?] and this Ordinance shall take effect immediately upon passage by the Board of County Commissioners on the date of its adoption.

Date of First Reading: May 30, 2023. Date of

Second Reading: June 13, 2023.

ADOPTED this ____ day of _____ 2023.

BOARD OF COUNTY COMMISSIONERS FOR
TILLAMOOK COUNTY, OREGON

Mary Faith Bell, Vice Chair David

Yamamoto, Commissioner

Erin D. Skaar, Chair

..• Aye Nay Abstain/Absent

_____/_____
_____/_____
_____/_____
_____/_____

ATTEST: Tassi O'Neil, County Clerk

APPROVED AS TO FORM:

By _____

Special Deputy

William K. Sargent, County Counsel

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 2:38 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: draft ordinance comments

From: shannon johnson <boogabean@gmail.com>
Sent: Thursday, June 29, 2023 11:45 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: draft 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.]

i'm sending in this comment for my family who owns an STR in neskowin at sahhali.

we are in support of oregon coast hosts.

we have owned our property since 2010. my father manages it from lincoln city where he lives, full time. we use it for family visits and rent when its not occupied.

this article might be of interest to the commissioners:

<https://www.forbes.com/sites/rogervaldez/2022/10/06/housing-scapegoat-short-term-rentals-arent-the-problem/>

"Instead, across the country, people who have used the platforms to build small businesses on short term rentals find that being crushed. Do they rent their homes to local workers? Hardly. A short-term rental usually has a mortgage and other costs like taxes, and often the rents would be too high for locals. Instead, owners of short-term rentals simply sell their home or condo to an owner who will occupy the unit. This does nothing to help local workers. Steamboat Springs leaders need to stop picking on short term rentals and solve the real problem: lack of permits for more rental apartments. Let more rental housing be built and rents will go down."

in short:

- rules should apply to everyone, not just STRS, with regard to noise, parking, garbage, and occupancy.
- if you want to solve the housing crisis for service workers, build more affordable housing. i am highly in favor of this!
- luxury coastal housing is not affordable housing. period.
- false violation reports need to have consequences. its getting ridiculous.

thank you,
bari johnson
shannon johnson

heron view drive
Neskowin, OR

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 2:38 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Su B <solidrock242@gmail.com>
Sent: Thursday, June 29, 2023 11:16 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.]

Tillamook Board of County Commissioners,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

- regulations re lighting garbage service and parking need to apply to all homes equally not STR's only

Thank you
Susan Bohrer
Manzantia



David J. Petersen
david.petersen@tonkon.com
Admitted in Oregon and California

Danny Newman
danny.newman@tonkon.com
Admitted in Oregon and Texas

503.802.2054 direct
503.221.1440 main

503.802.2089 direct
503.221.1440 main

June 29, 2023

VIA E-MAIL - ltone@co.tillamook.or.us; publiccomments@co.tillamook.or.us

Tillamook County Board of Commissioners
201 Laurel Avenue
Tillamook, OR 97141

Re: Tillamook County Ordinance 84 Revisions - Supplemental Written Testimony

Dear Commissioners:

On this important topic, we greatly appreciate the Board's willingness to carefully consider all testimony and examine the issues adequately. Unfortunately, we believe that the comments from the County's private counsel Mr. Kearns at the meeting on June 13, 2023 did not fully consider all of the relevant issues at hand, so we offer this supplemental testimony to respond to those comments and to provide insight on some of the statements from the Board to date. Specifically, we highlight the significant litigation and financial risk posed by the County's current path.

Mr. Kearns conceded that current "permit" holders and vested rights owners have real land use rights today, and for that reason he advocates a change to non-land use "licenses." This path invites litigation because the proposed amendment would explicitly end land use permits and rights protected under state law. The County will almost assuredly lose (as Lincoln County did) an appeal to LUBA if the amended Ordinance is adopted as currently proposed. And even if the County wins an appeal to LUBA, it will then be exposed to extremely expensive financial damages under state law for a successful Ordinance change. This latter topic has not yet been discussed, and we believe the Board deserves the opportunity to weigh and consider all consequences before making a change.

In our view, there are simple changes that the Commissioners can make to avoid litigation, and we urge you to do so. As such, this letter will highlight *six* issues:¹

- (1) The draft ordinance is a land use decision because it amends a land use regulation and purports to alter zoning and land use rights of property owners with existing STR permits.

¹ For the avoidance of doubt, the issues discussed in this letter do not mean we abandon all of the other issues raised in our previous testimony. We raise them here because they are most pertinent to the Commissioners' next meeting and to items discussed at the last one.

- (2) For that reason, current permitholders must be allowed to maintain their permits, which grant property rights, not licenses.
- (3) Despite your reasonable intentions, state law forbids a limitation on the number of times the permits can be transferred.
- (4) Current permitholders and those holding vested rights are vested into the County's current requirements regarding discontinuance of a nonconforming use, and the County cannot retroactively alter those requirements with a "use it or lose it policy."
- (5) Even if we are wrong and the County prevails at LUBA, the County's prize will be triggering a legal obligation to pay a raft of Measure 49 claims to the tune of millions of dollars, for lost property values. Several Commissioners have identified the so-called "Golden Ticket;" the loss of these tickets will be compensable to each individual owner who lost their land use STR rights for the difference in value of the property before and after the tickets were taken away.
- (6) Rather than just being critical, we outline how the County can lawfully make changes to its land use policy and ordinance without violating the statutory and constitutional rights of property owners, and thus avoid litigation.

I. The Draft Ordinance is a Land Use Decision

Mr. Kearns argues that the amendments to Ordinance 84 are not land use decisions because the draft ordinance does not say "land use" anywhere and does not amend or adopt a comprehensive plan.

The definition of land use decision in ORS 197.015(10) is (among other things) "a final decision or determination made by a local government or special district that concerns the adoption, **amendment** or **application** of: (a) the [statewide planning] goals, (b) **a comprehensive plan provision**, (c) **a land use regulation**, or (d) a new land use regulation." There is no doubt that current Ordinance 84 is a land use regulation. And, as was stated on the record dozens of times by members of the public and Commissioners at the last two meetings, the draft ordinance amends Ordinance 84. Arguments that the absence of certain magic words or calling the new permits "licenses" somehow makes an amendment of Ordinance 84 not a land use decision under state law are wrong. LUBA will look to the substance of the change, not simply the label.

The amended ordinance is also a land use decision because it applies the Tillamook Comprehensive Plan ("Plan") and Land Use Ordinance ("LUO"). Tillamook's Goal 10 housing element acknowledges that housing needs for the "community" have long included both the "permanent" population and the "seasonal" population, and the Plan requires the County to account for both types of housing "for the citizens of the state." The housing element shows that Tillamook County has long provided housing for both permanent and visiting populations, and that one group does not get legal preference over the other. Short term rentals provide housing for seasonal visitors and are protected by the Plan. Thus, the "locals only" approach to housing and community needs in the findings and purpose of the proposed Ordinance violates the Plan.

The disconnect is obvious and right in front of you. Any amendments you adopt to Ordinance 84 is a land use decision that could potentially impact land use rights. Any argument from Mr. Kearns that followed his flawed reasoning regarding whether this is a land use decision has no force. To the contrary (and as Mr. Kearns admitted in his comments), STR permits and vested rights are land use rights and, if the land use regulation under which they were promulgated changes the allowed use, the permits cannot be altered under ORS 215.130(5).² We implore you to see through Mr. Kearns' bad logic and come to grips with the fact that you are making a land use decision, or at least ask him what the repercussions are if he is wrong. That is the only way to avoid needless and costly litigation here.

II. Current Permitholders Must Maintain Their Permits and Cannot Have Them Replaced by Licenses

The proposed ordinance purports to end land use rights and replace the existing land use permitting scheme with a business licensing system for which no land use rights would be recognized. This approach is futile when applied retroactively to existing permitholders and those with vested rights to a land use permit. The reason is that *ending* a land use right is the very process that triggers the protections of ORS 215.130(5) for nonconforming uses.

In our previous letter, we explained how the Court of Appeals struck down an ordinance for this exact reason in *Morgan v. Jackson County*, 290 Or App 111 (2018) (the right to continue a nonconforming use, protected by ORS 215.130(5), could not

² For ease of reference, again, ORS 215.130(5) provides "The lawful use of any building, structure or land at the time of the enactment or amendment of any zoning ordinance or regulation may be continued.... Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this subsection when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted."

be interrupted by a business licensing lapse). Mr. Kearns' entire response was to wave this away on the grounds that the proposed amendment of Ordinance 84 is not a land use decision. For reasons stated above, that is wrong, but in any event misses the point. Property owners with a property right to a short term rental have that right *in spite of* any business licensing ordinance. Under *Morgan*, a business licensing violation cannot end a property owner's land use right, so the County cannot change the scheme governing those permitholders to business licenses. If the Commissioners go that route, we will sue and the County will lose.

III. State Law Forbids a Limit on Transfer of Land Use Permits

ORS 215.130(5) requires counties to allow legal nonconforming uses to transfer to new owners indefinitely. Indeed, LUBA explicitly held in the *Briggs* case that property owners with STR nonconforming uses could not be subject to any limitation on transfer whatsoever, whether it be a number of transfers or some limitation on amount of time in which the transfer has to occur. *Briggs* also established that if a County's zoning ordinance is "silent" as to short term rental of dwellings, that activity is allowed as an outright land use of a dwelling.

The Commission's attempts to try to strike a balance on this issue makes sense, but is outside the range of its discretion. State law prohibits any restriction on transfers for current permitholders whatsoever, and whether the Commissioners think that is good policy or not is of no moment. Therefore, if the Commission keeps the restriction on number of transfers for current permitholders (whether the number be one, three, or ten), or imposes other restrictions on transfer, we will appeal and the County will lose.

IV. Current Permitholders Cannot Be Subject to a New "Use It or Lose It" Policy

It is undisputed that counties have the authority to establish a time frame after which an unused legal nonconforming use is abandoned. ORS 215.130(7)(a). Tillamook County has already established such a time frame: a nonconforming use must be discontinued *for a period of one year* before nonconforming use status is lost, and there are more relaxed standards if the owner has a medical or family medical leave or illness. LUO 7.020(6). It is possible that the County may be able to amend its current rules and impose a more stringent "use it or lose it" on permits issued in the future. However, current permitholders are vested into the current rules, and the County cannot subject them to a new policy that would cause them to lose their STR permits due to nonuse for a period of less than one year, or for other reasons not already articulated in the LUO.

V. A Win At LUBA for this Ordinance Only Means the County Will Have to Pay Millions in Measure 49 Claims

For the reasons stated above, if the Commission moves forward with the planned amendments to Ordinance 84 as currently proposed, we will have no choice but to sue, and the County will almost certainly lose. However, even on the off chance the County prevails at LUBA, the result will be that the County will have to potentially pay millions of dollars in compensation under Measure 49.

Measure 49 provides that if a public entity enacts one or more regulations that restrict the residential use of private real property and reduces the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations. There is no question here that the proposed amendment to Ordinance 84 restricts the use of private property and consequently reduces the fair market value of the properties. In fact, the Commissioners discussed that their goal and intent was to (1) decrease property values, and (2) end the "golden ticket" that permit holders have that make their properties more valuable than their neighbors. The record already contains evidence that the proposed amendment will reduce property values through the restriction of use of STR properties, which is exactly what needs to be demonstrated for a successful Measure 49 claim.

Thus, even if Mr. Kearns is correct and the County were to win at LUBA and an amended ordinance takes effect, the County will be promptly rewarded with potentially over a thousand Measure 49 claims for lost property values. Each claim could result in an award for hundreds of thousands of dollars *per property*. Each claim is provable by a simple appraisal accounting for the lost property value, and owners have several years to prepare their claims. Allowing the risk of this, when it could all be avoided by simply making a few changes, is an injustice to constituents, who would be much better served by their taxpayer dollars being spent elsewhere.

VI. The Best Path for the County to Avoid a LUBA Appeal and Measure 49 Claims

We understand that enacting land use regulations can be cumbersome, but following the land use process appropriately and without taking short-cuts is the best path to implementing long term policy changes. The bottom line is that the County has always allowed short term rentals of dwellings as a use permitted outright, and trying to rewrite history will be a futile and potentially costly endeavor. If the Board wants to prospectively change its policy, it can, but it must follow all substantive and procedural laws that safeguard and protect current property owners and vested rights holders from the illegal, retroactive application of the new policy.

Tillamook County Board of Commissioners
June 29, 2023
Page 6

If the County wishes to avoid a LUBA appeal, the best practice is as follows. First, follow all applicable procedural requirements for the County to change its land use ordinance, so that all property owners have a fair opportunity to participate in proceedings that could affect their rights. Second, acknowledge that new restrictions require nonconforming use protections for permitholders as of the effective date, and that nonconforming STR permits and uses continue under Ordinance 84 in effect today, indefinitely. Third, reevaluate the proposed prospective regulation of vacation occupancy based on the actual evidence, not prejudice or speculation, and revise any regulations to target actual problems while avoiding unnecessary responses to problems that don't exist. Fourth, share the burdens of community harmony more equitably across the entire community rather than targeting specific groups. And last, refrain from enacting or extending unlawful moratoria on STR permits.

Please enter this letter into the record in this matter.

Sincerely,



David J. Petersen



Danny Newman



Heather Brann
Heather A. Brann PC

DJP/DN/HB/djp

cc: OCH Board of Directors
William Sargent
Daniel Kearns

043463\00002\16319826v3



Lynn Tone

From: Sarah Johnson <sarahaveryjohnson@gmail.com>
Sent: Thursday, June 29, 2023 10:42 AM
To: Lynn Tone
Subject: EXTERNAL: STR comment for July 6 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 the Commissioners: I am a long-time resident of Neahkahnie (37395 Second Street), and I have closely followed the current process for refining the County's STR policies. I write to reiterate my earlier requests for tightened management and control of short term rental growth in this community.

I also want to add a quick story to the many concerns already raised in the STR debate. I know you will see the irony. Last winter, a neighbor and I attended a meeting of the County Roads Advisory Committee to discuss the increasing erosion of our street in Neahkahnie. The Roads Department Director responded to our concern by describing a correlation between priorities for road repair in an area and the number of homeowners in that area who have registered their cars in Tillamook County. In other words, a lower number of registered cars = a lower priority for road repair or repaving. But of course there are fewer locally-registered cars in Neahkahnie! That's because there are more absentee property owners who are in the STR business, which, by its very nature, generates increased road traffic which, in turn, adds to degradation of our roads. It is a vicious circle. I hope that you will take steps to break it.

My thanks for your continued work on this community conundrum. You are appreciated.

Sarah Avery Johnson

503-799-3063

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 3:56 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----

From: Lyn Frisch <whoagirl5@comcast.net>
Sent: Tuesday, June 27, 2023 12:58 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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Tillamook Board of County Commissioners,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you,
Lyn Frisch

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 3:56 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Alicia Harck <ajharck01@gmail.com>
Sent: Tuesday, June 27, 2023 12:08 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits

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Tillamook Board of County Commissioners,

My husband and I own a STR in Neskowin. In the 3 years we have had our permit, we have never had a complaint. STRs benefit the community in so many ways. In addition to the much needed tourist dollars our guests spend in Tillamook county supporting local small business, we personally also support local businesses. Since we purchased the home in 2019 we have done a complete cosmetic update. We used a local GC licensed in Tillamook County, his subcontractors, including plumbers, flooring installers, electricians and painters were all local to the county. And we used local suppliers for our new windows, gutters, and furnishings. These upgrades have improved the neighborhood and make Neskowin a more attractive location.

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you.

Alicia Harck and Scott Petersen
property address:
4920 Hilltop Lane
Neskowin OR

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for short term rentals in Tillamook County

From: Paula O'Gorman <paula.pogo0111@gmail.com>
Sent: Tuesday, June 27, 2023 10:47 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for short term rentals in Tillamook County

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Tillamook Board of County Commissioners,

We have owned a home in Tillamook County since 2000. We love going to Pacific City and Terra del Mar. We have supported the local businesses and we can do this because we are able to rent our home short term and help off-set the cost of home ownership. I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you, Paula O'Gorman

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----

From: Michael O'Gorman <ogo302@gmail.com>
Sent: Tuesday, June 27, 2023 10:19 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.]

Tillamook Board of County Commissioners,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you

Michael & Paula O'Gorman

5770 Austin Ave.
Tierra Del Mar, OR

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits



Debi Garland, Board Assistant
TILLAMOOK COUNTY|BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403 x3303
dgarland@co.tillamook.or.us

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From: susan prulhiere <nancyslookout@gmail.com>
Sent: Monday, June 26, 2023 11:38 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 lived in Netarts for the majority of my life. I own an STR in Oceanside. Part of wanting to own an STR and possibly multiple STRs is that I would like to ensure that my children can also live here in the future. In addition I personally appreciate the changes we have seen in the last few years which are a direct result due to the increase in tourism. We have more restaurants, stores, and activities available to us in the Tillamook area. This is an exciting time to live here. The house that I own was an eyesore on the verge of needing to be demolished. It is now a lovely well maintained home in the heart of Oceanside. Tillamook Board of County Commissioners, I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you,
Susan Prulhiere

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts



Debi Garland, Board Assistant
TILLAMOOK COUNTY|BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403 x3303
dgarland@co.tillamook.or.us

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From: Caroline Jaffee <carolinejw8@gmail.com>
Sent: Monday, June 26, 2023 10:26 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

~ Caroline Jaffee
Pacific City, OR

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits



Debi Garland, Board Assistant
TILLAMOOK COUNTY BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403 x3303
dgarland@co.tillamook.or.us

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From: Jason Muth <jason_muth@hotmail.com>
Sent: Monday, June 26, 2023 8:29 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.]

Tillamook Board of County Commissioners,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you,
Jason Muth

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:19 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits from Susan K Peters



Debi Garland, Board Assistant
TILLAMOOK COUNTY|BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403 x3303
dgarland@co.tillamook.or.us

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From: susankpeters@comcast.net <susankpeters@comcast.net>
Sent: Monday, June 26, 2023 6:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STR Permits from Susan K Peters

[**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,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you. Change in STR permits and use should not be applied to existing STR permit holders as they should be grandfathered into the existing program as it has been for many years and continue with the transferability and policies that are connected to prior-issued permits. It appeared from the June 13 hearing that I attended that the vast majority of the folks who wanted change were from Neahkanie and Neskowin...perhaps it makes more sense for the owners in those areas to make changes by democratic processes that if passed would allow more for STRs than are required as general County rules.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 27, 2023 11:18 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comments for July 6th BOCC Hearing



Debi Garland, Board Assistant
TILLAMOOK COUNTY|BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403 x3303
dgarland@co.tillamook.or.us

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From: Candice & Gregory Miller <gandcm@gmail.com>
Sent: Monday, June 26, 2023 2:09 PM
To: Lynn Tone <ltone@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comments for July 6th BOCC Hearing

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

Dear Commissioners,

We have the following comments regarding lifting the pause on new STR licenses:

Commissioner Yamamoto mentioned that it will take time and be a bumpy road to get to acceptable cap limits on STR licenses. And we agree with that.

However, if the County decides to approve a 1% increase of new licenses, that will not only add more STRs to many communities, like Neskowin, that are already over saturated; it will also make it more difficult to reach a lower and sensible cap limit in an equitable timeframe. Why do this?

Put simply, unincorporated neighborhoods, such as Neskowin, cannot absorb any additional new STRs. How is our community going to move toward a cap, if the county keeps moving the goal posts by approving and adding new licenses? What about full time residents that have to continue to put up with MORE STRs? The BOCC should seriously consider the livability issues and regulation controls in these communities.

A few items to consider are:

- Do a gradual rollout of new licenses; not a blanket one time approval process. A controlled rollout will allow the county to investigate owners who do not use their licenses; who just applied for one to hold it as a golden carrot when they eventually decide to sell their home.
- Propose a minimum number of days a STR property should be rented, 30-45 days, in order to retain/renew a license. This seems fair and adequate for the property owner and county TLT income.
If any license holder has not rented their property for a minimum of 45 days, in a one year term or designated timeframe; their license should not be

renewed. This will open a slot for someone on the waitlist because of the pause that was implemented last July. This will also fulfill the County's consideration of approving a 1% increase of new licenses and help reduce a community's chance of exceeding a cap set at 20% or less.

- Properties that were under construction prior to or when the hold was implemented **should not be considered** for a new license until the County can determine the amount of prospective applications there are in that community. Just automatically granting these properties a license when you do not consider the impact in that neighborhood is irresponsible and unfair to residents of that neighborhood
- Properties that receive new licenses this year should be regulated and follow the rules put in place in the updated Ordinance 84 and not the 2022 version. This should be made clear to each applicant. That all new ordinance regulations relating to licenses and transfer of licenses must comply with the revised version of Ordinance 84 (2023).
- If the County should decide that applications made prior to the pause from last year are not under the jurisdiction of the new amendments being added this year, these scenarios are possible:
 1. Someone or group who already have one or more licenses, will be able to apply for one or more new licenses.
 2. Properties will be able to have unlimited license transfers.This would be unacceptable and set a bad precedent.

Sincerely,

Candice and Gregory Miller
Neskowin

Lynn Tone

From: Mike Cook <mikerusts@gmail.com>
Sent: Monday, June 26, 2023 8:10 AM
To: Lynn Tone
Subject: EXTERNAL: 7/6 STR Ordinance testimony

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Commissioners

As the Board considers this ordinance over the next 60 days of pause extension, I urge a new slant. The work of the committee has focused on balancing livability and property rights. In this ongoing balancing I see no end to this wave of growing visitor base. A focus on sustainability might be more measurable..sustainability of community (best defined by the individual communities) and sustainability of the county, a County vision really.

In managing this growth, we on the Oregon Coast have Cascadia and other risks here that require a culture of preparedness, ultimately a fully engaged community...a community that is not just supplied and trained, but with a mutual sense of neighborly and community responsibility and caring, ready to work together when required. That requires a dominant, stable, diverse residential population..not just us old folk. It means volunteers for cultural, recreational, governmental organizations, emergency responders, local business owners and their help.

With this in mind, certainly for Neahkahnie and Nehalem Bay communities, I urge the Board to set caps at their original pre-pause order level and then to retain other tools considered by your committee to allow individual communities to get us there by adopting transfer restrictions, use-it-or-lose-it, rental night limits and owner permit limits.

Thank you for your continued, thoughtful consideration.

Respectfully,

Mike Cook
37335 1st Street, Nehalem (Neahkahnie)
503-706-7390

To: Tillamook County Commissioners and Community Development Staff

From: Dave Holt, resident of Neahkahnie, Oregon

June 13, 2023

Good evening.

I would like to thank the Commissioners and the Community Development staff for the work they have been doing around this challenging situation. I also appreciate the opportunity to share a few of my thoughts on the new STR ordinance for Tillamook County.

I would like to focus my remarks on three topics – **Enforcement, Emergency Preparedness and Transferability.**

The County needs to be sure that they are collecting sufficient STR fees to fully cover the “hidden” costs for adequate STR enforcement and emergency prep supplies for our STR visitors. The County will need to be sure that these STR fees include the funding of proper **management** of both enforcement and emergency prep program for our STR visitors. Currently, enforcement is the responsibility of the county sheriff’s department, of which there are two sheriffs to oversee the entire unincorporated Tillamook County. We shouldn’t expect our under-staffed sheriffs’ department to be the solution for STR regulations enforcement.

Currently, any costs related to STR enforcement and emergency preparedness are part of the hidden costs that are being borne by property owners at large and not by revenues coming directly from the STR industry.

Lastly, I would like to state that I believe that any transferability of STR licenses under the new ordinance would be unfair. Extending the future transferability of these licenses under the new ordinance creates an **inequitable** situation for homeowners in our county who currently **do not** have an STR license and the additional value that it provides in terms of resale. Having a license to rent your home on a short-term basis appears to be a profitable business which should be rewarding enough.

Thank you for your time.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 2:16 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public comments on draft STR ordinance

From: emily draper <emilydraper.pdx@gmail.com>
Sent: Tuesday, June 13, 2023 2:11 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public comments on 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 STR committee and County Commissioners,

I will be giving public comment tonight, but since the time limit is only 2 minutes I'm expanding on part of my thoughts below in purple.

+ + +

I discovered Oceanside when a camping trip to Cape Meares was thwarted by a storm. I found a little house to rent nearby, and instantly fell in love with the area. I purchased my A-frame cabin with a transferable STR permit which provided assurance that I would be able to rent out the home when not occupied by my family in order to make the dream feasible for a single mom. The 2 previous owners had done the same, since the 1980's if not before. Like most beach houses in Oceanside village, my little A-frame has never been a full-time home for anyone.

Existing, lawful permit holders like myself should be able to maintain their permits and transfer rights. Permit holders should be subject to parking, zoning and building codes per the provisions at the time their permit was obtained. Eliminating permits through Mr. Kearns' proposal would be nothing but an uphill legal battle, a waste of valuable time, county resources, and taxpayer money.

I do believe that updated regulations and caps should apply to new STRs moving forward – but there are problems with Mr. Kearns' proposal as written:

1. The vague / confusing language around non-conforming zoning issues, building code conformance and inspections needs to be revamped.

Zoning Compliance: Following is in regards to the following passage from Mr. Kearns's proposal:

H. Zoning Compliance. The property shall be in compliance with all applicable County zoning requirements and any development permits related to the subject property. If the property owner claims any sort of non-

conforming use status for any aspect of the property or structures thereon, the property owner shall obtain a nonconforming use verification for those aspects through an appropriate land use decision making process.

I imagine that most STR permit holders, (85% of them are non-investors) will be stumped by the process of going through a land use review process to correct zoning non conformities. Many of the coastal homes like mine were built prior to the zoning code being adopted, and may have legal, yet non-conforming issues in regards to setbacks, lot sizes being too small, and even use (mine is a duplex for instance.) Typically the legal non conforming issues are not forced to come into zoning conformity unless additions are being made outside of the current building footprint, substantial improvements of a certain dollar amount are made, or if the use is being changed. Therefore it would be appropriate for a new applicant for an STR to comply with current zoning standards or correct non-conformities when obtaining a new license as use is changing - but unprecedented for current permit holders if the land use is not changing.

I have already gone through a pre-application meeting with the County to understand the path and triggers for correcting my non-conforming issues, I happen to be a licenced architect and am familiar with these procedures - but it is vague and confusing to our legal team. I am trying to imagine the number of calls and meetings the community development would be overwhelmed with if hundreds of current permit holders were going through the same process of research. Additionally, the ordinance states that upon inspection, "major corrections" will only have 60 days to be corrected. 60 days is not enough time for a land use procedure should one be required.

Building code and inspections: I appreciate that Mr. Kearns' latest draft has removed the text about meeting CURRENT building code; but it still says an inspection & certification "shall include compliance with electrical, structural and ventilation requirements"... however what the requirements are is not defined. I suggest ~~modifying to should say~~ something to the effect of 'requirements per the governing building code at the time of construction' for existing permit holders.

Additionally, inspecting "all structural, electrical and ventilation systems" of a finished building is something that is simply not done in the AEC industry. These inspections are done before being covered with finishes. It is hard to imagine the strain on the building inspector having to inspect all building systems for 1000+ permit holders with existing, finished homes...

Egress window requirement: I appreciate that the egress window requirement was modified, granting a little flexibility to existing homes rather than stating all egress windows must meet current code dimensions: "for dwelling units constructed prior to adoption of this ordinance, every bedroom shall have at least one operable emergency escape and rescue opening pursuant to the Oregon Residential Specialty Code" Again this is vague as different years of the code have different requirements. There are many different versions of the code and ORSC, for instance we currently use the 2019 ORSC for new construction, which is more stringent than the first version, 2003 ORSC. Before that, the building code was CABO (Council of American Building Officials) in the 80's and 90's and a different code system before that. So again, if not referring to the current code, Mr. Kearns should be using language like 'the governing building code at the time of construction'

2. It is illegal to require STR owners to indemnify the county.

3. It is unreasonable burden for owner-managed properties to have a contact person on call 24/7

when large portions of the county do not even have cell coverage. A 30 minute, in-person response is faster than our sheriff can usually achieve. An on-call response requirement should only apply to STR owners whom have had multiple complaints or violations.

Finally, an update to the zoning ordinance is long overdue and would be the appropriate way to set caps. Consider creating "buffer" zones near beach access and commercial zones that can handle a higher density of STRs, like Oceanside Village; while limiting caps outside of these areas to protect residential neighborhoods and work force housing.

The county is vast and varied, a one-size-all approach serves no one.

Thank you for your time.

Lynn Tone

From: Candice & Gregory Miller <gandcm@gmail.com>
Sent: Monday, June 26, 2023 2:09 PM
To: Lynn Tone; Public Comments
Subject: EXTERNAL: Comments for July 6th BOCC Hearing

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

Dear Commissioners,

We have the following comments regarding lifting the pause on new STR licenses:

Commissioner Yamamoto mentioned that it will take time and be a bumpy road to get to acceptable cap limits on STR licenses. And we agree with that.

However, if the County decides to approve a 1% increase of new licenses, that will not only add more STRs to many communities, like Neskowin, that are already over saturated; it will also make it more difficult to reach a lower and sensible cap limit in an equitable timeframe. Why do this?

Put simply, unincorporated neighborhoods, such as Neskowin, cannot absorb any additional new STRs. How is our community going to move toward a cap, if the county keeps moving the goal posts by approving and adding new licenses? What about full time residents that have to continue to put up with MORE STRs? The BOCC should seriously consider the livability issues and regulation controls in these communities.

A few items to consider are:

- Do a gradual rollout of new licenses; not a blanket one time approval process. A controlled rollout will allow the county to investigate owners who do not use their licenses; who just applied for one to hold it as a golden carrot when they eventually decide to sell their home.
- Propose a minimum number of days a STR property should be rented, 30-45 days, in order to retain/renew a license. This seems fair and adequate for the property owner and county TLT income.
If any license holder has not rented their property for a minimum of 45 days, in a one year term or designated timeframe; their license should not be renewed. This will open a slot for someone on the waitlist because of the pause that was implemented last July. This will also fulfill the County's consideration of approving a 1% increase of new licenses and help reduce a community's chance of exceeding a cap set at 20% or less.
- Properties that were under construction prior to or when the hold was implemented **should not be considered** for a new license until the County can determine the amount of prospective applications there are in that community. Just automatically granting these properties a license when you do not consider the impact in that neighborhood is irresponsible and unfair to residents of that neighborhood
- Properties that receive new licenses this year should be regulated and follow the rules put in place in the updated Ordinance 84 and not the 2022 version. This should be made clear to each applicant. That all new ordinance regulations relating to licenses and transfer of licenses must comply with the revised version of Ordinance 84 (2023).
- If the County should decide that applications made prior to the pause from last year are not under the jurisdiction of the new amendments being added this year, these scenarios are possible:
 1. Someone or group who already have one or more licenses, will be able to apply for one or more new licenses.
 2. Properties will be able to have unlimited license transfers.

This would be unacceptable and set a bad precedent.

Sincerely,

Candice and Gregory Miller
Neskowin

Lynn Tone

From: Public Comments
Sent: Monday, June 26, 2023 2:04 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84

-----Original Message-----

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Monday, June 26, 2023 9:53 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; dyamamoto@co.tillamook.oro.us; eskaar@co.tillmook.or.us; sabsher@co.tillmook.or.us
Subject: EXTERNAL: 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, My name is Michael Booker and I am a resident of Neahkahnie Beach and registered voter in Tillamook County. Thank your for your work on this challenging issue.

My main concern is that commercial enterprises do not belong in areas zoned residential. We do not have the infrastructure to support the properties that have become motels essentially. The County does not supply our water. Neahkahnie Water district has taken out loans of approximately \$2,000,000 to buy our water sources. In July and August we have run extremely low on water and the rentals that sleep as much as a small motel use significantly more water than full time residents. This has been proven by studies done by the water district. When we run out, we all run out of water together so the feeling that high users like STRs will just pay more in water bills will not hold water. Pun intended. The needs of residents regarding a limited resource like water take precedence over business interests of some homeowners. Since you do not provide water, you may feel this is not a County issue. But in the larger context, you should acknowledge that your decisions have consequences for what you do not provide or control. Neahkahnie Beach had more control over it's development in the past. Now that the County has taken over this responsibility, it should not ignore local issues like water which is local issue and not a County issue.

A reasonable solution allowing for use of a family home as a rental to supplement costs of owning a property is achievable. Please close the loopholes that allow for STRs to be built and used as "motels". Please put a cap on the number of STRs. Maybe make them local so Neahkahnie Beach can match it's neighbor Manzanita with the same cap of STRs. That way local conditions would be similar and not encourage another loophole that adversely affects residents.

I hope to attend the next meeting in person as I will be on jury duty for the County.

Michael Booker

Lynn Tone

From: Mike Cook <mikerusts@gmail.com>
Sent: Monday, June 26, 2023 8:10 AM
To: Lynn Tone
Subject: EXTERNAL: 7/6 STR Ordinance testimony

[**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

As the Board considers this ordinance over the next 60 days of pause extension, I urge a new slant. The work of the committee has focused on balancing livability and property rights. In this ongoing balancing I see no end to this wave of growing visitor base. A focus on sustainability might be more measurable..sustainability of community (best defined by the individual communities) and sustainability of the county, a County vision really.

In managing this growth, we on the Oregon Coast have Cascadia and other risks here that require a culture of preparedness, ultimately a fully engaged community...a community that is not just supplied and trained, but with a mutual sense of neighborly and community responsibility and caring, ready to work together when required. That requires a dominant, stable, diverse residential population..not just us old folk. It means volunteers for cultural, recreational, governmental organizations, emergency responders, local business owners and their help.

With this in mind, certainly for Neahkahnie and Nehalem Bay communities, I urge the Board to set caps at their original pre-pause order level and then to retain other tools considered by your committee to allow individual communities to get us there by adopting transfer restrictions, use-it-or-lose-it, rental night limits and owner permit limits.

Thank you for your continued, thoughtful consideration.

Respectfully,

Mike Cook
37335 1st Street, Nehalem (Neahkahnie)
503-706-7390

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Nanette Stevenson
37380 4th St Nehalem, Or
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Nanette Stevenson and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2018. Our property is a dream come true that we rent to make ends meet but also to share a piece of the Oregon Coast. We built our home using all local contractors and our renters support the local economy. .

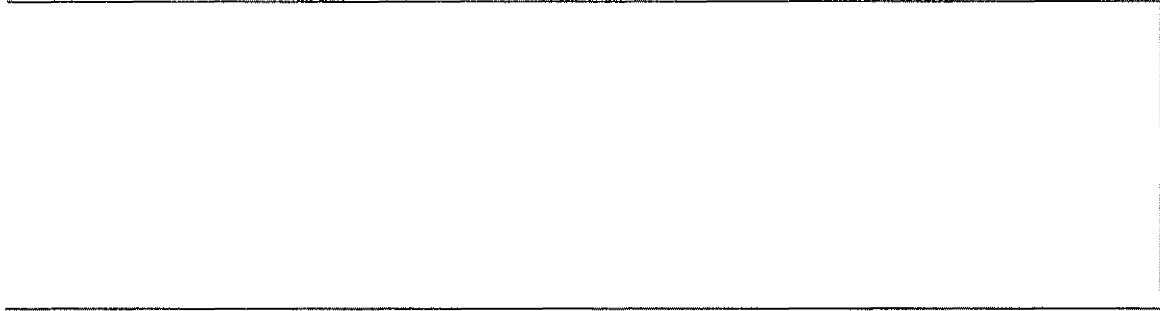
These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- Some parts of Tillamook County have no franchised garbage service, so the existing ordinance language should be preserved. Did you know Recology has to approve valet service? There are certain criteria that have to be met. You can't force a person to get a service they can't get approved for. Also, I'm currently paying \$51.31 a month. This service would cost me \$78.62 a month.
- Provision is needed to protect STRs from harassment via unfounded complaints. Complaints are nearly non-existent.

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- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Nanette Stevenson

Lynn Tone

From: Jeff Welty <raleighworld@earthlink.net>
Sent: Sunday, June 25, 2023 12:15 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.]

Greetings to the board of Commissioners,

I am writing again in support of the revised ordinance to regulate STR in unincorporated Tillamook County. I am a home owner in the Neahkahnie Beach neighborhood and will point out again some of the negative impacts of the current state of short term rentals in my neighborhood.

Neahkahnie beach is a residential area with no immediate support services or infrastructure to support the rapidly growing number of STR that have arrived on our doorstep. The area has one narrow road in and was not designed to accommodate the level of traffic and parking that we are now experiencing. This will slow the response of civic services such as fire and police protection.

There is a movement now for a single owner to acquire adjoining properties when they come on the market, effectively creating a commercial motel zone. I do not believe that this is in keeping with the spirit of a homeowner renting out a room, or the whole home during part of the year to defray the cost of owning their home. They are a business now operating in a residential community. Stopping the transfer of STR licenses attached to a property is very important, as by default that STR and its license artificially inflates the value that property, taking it out of reach of an individual who wishes to purchase it as a single family dwelling. It also keeps others who may wish to rent their property from being able to do so as there is no chance to acquire a license.

There needs to be a meaningful cap on the amount of STR licenses available and it should be area specific. Some areas within the county can accommodate more, or less STR properties than others by virtue of their physical location and access to services. Neahkahnie Beach has a higher percentage of homes now as STR than Manzanita, which has a cap on STR. Neahkahnie Beach already has more STR that it can reasonably manage and should at best should not have a greater number that what seems to work well for the city of Manzanita.

There are many other realistic reasons to regulate by area, but for Neahkahnie Beach perhaps one of the best is the stress on a very limited water supply, particularly in the summer high rental season. The water district has the numbers to support this use argument. Neahkahnie Water District is a small district designed to supply water for our small residential area. It doesn't have the resources to produce the large quantities of water required to service the higher demands imposed by the number of people staying in these rentals. A single family home that "sleeps 20" is not the definition of single family home. A single family home that "sleeps 10" is still not what the water district was built to support. Water is a finite resource and simply charging higher rates for larger users does not increase the actual amount of water available. A cap on the number of rentals that reflects this reality is necessary.

Finally, I support the reasonable life and safety requirements proposed, as well establishment of operational requirements such as parking, noise, owner-operator contact and enforceable consequences for disturbances. I would also urge that the fees gathered by the county be earmarked for the area that generates them to improve roads and other county infrastructure.

Thank you for your time and consideration in this important matter.

Jeff Welty
raleighworld@earthlink.net

Lynn Tone

From: Public Comments
Sent: Thursday, June 8, 2023 7:49 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comments for STR BOCC Meeting June 13th 2023

From: Pete Stone <psphoto@comcast.net>
Sent: Wednesday, June 7, 2023 4:15 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comments for STR BOCC Meeting June 13th 2023

[**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 BOCC:

My name is Pete Stone, I am an STR owner in Nedonna Beach (have been for over 10 years with no complaints), and these are my views, and don't represent any other group or organization.

SUBJECT: The new proposed Draft Ordinance #84

TITLE: The Good, The Bad, and The Ugly....

#1: "A Horse by another Name"

Calling the new DO (Draft Ordinance) a "License" rather that a Permit doesn't change it into something it's not.

And....saying it's not Land Use ("No Nonconforming Status Conferred") won't mean that...in the eyes of the law....LUBA will see it the County's way.

If there's a legal challenge, the Courts, and or LUBA, will look at what this Draft Ordinance really IS....not what it **says** it is.

Looks like a Duck, Quacks like a Duck.....

So....for **existing Permit holders**, the new DO should **continue** to be described as a **Permit**. That means that **full transferability of permits** should remain upon property transfer or sale (**Do restaurants or bars or hotels lose their ability to operate simply due to such a transfer of ownership, even if they are in full compliance with OLCC and health and safety laws?**).

It's not the responsibility of the County to **disallow a previously permitted nonconforming use**, despite they're being others who want to compete as STR owners.

This is nothing more than **interference in the property rental market** that should be outside the purview of the County.

A **reasonable Cap** system for **FUTURE STR** permits, if flexible enough to handle Tourism growth and demand for overnight accommodation seems a **more reasoned approach**....possibly a **2% cap on top of current STR levels** in the County or identified Communities, with **review after 3 years** to see if Tourist demand is being accommodated.

Tourism spending has historically been **growing at 3%** in the County, so **much less** than that simply won't keep up with demand and be a **drag on job growth and economic development**.

#2: "Sorry you built that...cuz we're not letting you use it"

There are a handful of STR homes (**Estate Homes with 5+ bedrooms**) that should be allowed to be reviewed separately in terms of allowable occupancy, parking, etc.

These homes are few in number, but are **unique enough in character and size** that the Department of Community Development should be able to assess them separately to see if allowable Ordinance limits regarding **occupancy and parking can be exceeded** safely to provide multifamily accommodation in the County.

If so....a "**variance**" should be provided, as many cities and counties do for special situations.

#3: "To Have and to Hold Harmless"

The "Executed and Hold Harmless Agreement" is **overly broad**, and despite claims by Sarah Absher, appears on only one other type of permit application seen on the Tillamook County Department of Community Development forms (I know....I looked!).....the one for a **Temporary Use Permit**, which makes sense, **since such use may involve County property**. Why do STR owners need to indemnify the County....don't you have your own liability insurance?

In addition to what I've said here.....I believe this Hold Harmless agreement is **preempted** by the State Tort Claims Act ORS 30.260.

#4: " Help!....I Really Need Somebody..."

The plan to have a **Hotline** serviced by Granicus is a good idea.....and they should **collect data** about every call.

Response times should be measured **based on the time that Granicus contacts an owner** or listed responsible party for a particular STR.

30 mins seems reasonable for a call to respond to a complaint (Tier 1 or 2...see below).....except in rare situations where no cell service is available (e.g. Tillamook to Portland Hwy 6) temporarily.

A **time of 30-45 mins** also seems reasonable for an **in person** response if a call doesn't solve the issue (Tier 1 only, Tier 2 should allow 2 hours max for an in person response, since they aren't urgent), so that would be a **total of 1-1.25 hours to correct a complaint (if a call doesn't solve the problem)**. The County should consider **possible allowances** for road closures, weather, electrical failure (common event here!), and **give some flexibility here**.

Emergency services in the county often can't respond within a guaranteed 30 minute window of time....so STRs should not have to be held to a higher standard.

There are quite a few issues concerning complaints here that have **not been well thought out**, however.....

Will Granicus call the complaining party back?

How will a **complaint be verified**?

Should the County include language that would require some form of **documentation** of a complaint? (cellphone recording with time stamp?)

What if the guest is **off property** (i.e. a loud beach party) when a complaint ensues?

Should all complaints require the same “rapid response?” Obviously an over occupancy frat party at 2:00am should require a rapid response, but should a small bag of trash left next to a garbage can require it? **Should minor violations be treated the same?**

I believe there should be Tier 1 and Tier 2 level complaints. Different complaints require different response times.

Tier 1 would be disturbances from 10:00pm to 7:00am: Sustained noise, over occupancy, wild parties, significant overflow parking, etc.

Tier 2 would be daytime minor issues: dog barking, excess garbage next to can, 1 car or less parked incorrectly, etc.

Also.....there should be language allowing for **more than one contact person** for response. An owner might want to be the phone contact, but have **someone else locally be the in-person respondent.**

Property Management companies may have different people on call at different times.....especially since **no single “respondent” actually works 24/7.** There needs to be flexibility for this.....perhaps a **primary and secondary contact**, as well as an allowance for a Property Management company to assign internally a particular contact person depending on their timetable.

Additionally, the fee (**\$100**) for **simply changing the name** of the “Contact Person” seems arbitrary and excessive.

#5: “You could hear a pin drop...”

Noise is a tricky one, especially since the County doesn’t currently have a noise Ordinance. Any regulation in this regard has to **allow for “reasonable” noise.....**such as a few people having a BBQ on the deck, children playing in the sand and laughing, a family having a few drinks watching the sunset. All things that EVERYONE should be able to enjoy during **daytime hours.**

Between 10:00pm and 7:00am, more stringent rules are needed.

Unfortunately, the DO has gone overboard here, saying **“there shall be no amplified music or other noise during quiet hours that can be heard beyond the property lines”.**

The problem with this is that people often arrive late to check in, or return after an evening dinner out after 10:00pm. The very fact that a car drives on to my property on my gravel driveway, and the opening and closing of car doors **creates some noise, means they would be in violation of this Ordinance!**

My neighbor lives right next to me, and would certainly hear these activities if they were standing on their deck! The words that need to be added are **SUSTAINED NOISE..... not a few brief unavoidable sounds.** Many STR properties are right next to other properties, so the standard should be fair and reasonable.

Frankly, the County should look at the regulations adopted by Marion County for ALL residents in Unincorporated areas.....See:

<https://www.co.marion.or.us/SO/Operations/CodeEnforcement/Documents/noise1.pdf>

Here’s their standards: **“ Generally speaking, maximum sound levels are 55 dBA during the day and 45dBA at night for residential noise”.**

There’s a reliable and **free App** for both iPhones, and Android Phones to **measure sound levels** from the National Institute of Occupational Safety and Health (NIOSH) called the NIOSH Sound Level Meter that’s available for those who need to document unreasonable sound levels....and it **saves and produces documentation** of time and place of a particular recording.

There’s also WiFi connected devices to monitor on-property sound levels if needed....such as Minut or NoiseAware.....which could be good for previously “problem” properties.

See:

#6: “Hey! You can’t park there!”

The County really should have done a survey on **available parking** at STR properties to see just how **diverse** each parking situation really is! Some properties barely have enough parking for a couple of cars on property, **some could park a whole assortment of cars, boats, trailers...whatever!**

Having maximum limits on vehicles seems unfair without an actual parking availability review. **Reasonable minimums** for on-property parking based on accommodation levels seems good, but asking STR owners to enforce on-street parking limits seems absurd....**how can we enforce ANYTHING people do once they are off property?**

We can REQUEST they park according to what the County wants, but until we get deputized by the Sheriff, really can’t make any enforceable demands on guests staying with us. It would certainly seem **unfair for daytrippers and locals to be allowed to park on street, but not STR guests.**

The better way to address this is with **good signage with time limits** for parking (2 hour, no overnight, etc), that way everyone is treated fairly with this limited “resource”.

#7 “You can’t flush your problems away”

Quite simply, unless the County can show that STRs have more issues with their septic systems than other residential dwellings, **the rules should be the same for all** in terms of inspections, permitting, etc. If a property was built and approved with an allowable occupancy level, and their STR permit doesn’t exceed that level, then the effective septic system permit and inspection standard should still apply. There **should’t be an arbitrary new higher standard based on zero data**, and no identifiable level of failure here. This is a classic case of a **solution in search of a problem**. If the County decides to enforce higher septic system standards, they should apply to ALL residential dwellings, not just STRs.

#8: “Sign? What Sign?”

Here’s the standard for readability of signage from a distance:

“ A good rule of thumb is that **for every 10’ between your reader and your signage, add 1” to the height of your letters** . A 1” tall character can easily be read by most people from a distance of 10’, but **from 40’ away, you will need your type to be at least 4” tall for optimal readability.**”

My house sits approximately 100 feet back from the road. According to this readability standard, the 5 or so lines of information required would **need a sign at least 4.5 FEET in height to be readable from the road right of way** if attached to my house! Do we really need signage...with all this info, including the property address, since the house number is already required separately to be “prominently displayed” on the outside of the property and visible from the road right of way?

Either STR owners are going to have to attach signs **4x5 FEET** in size to their properties, or go with smaller free standing signs on their front lawns, that may very well get knocked or blown over.

A better compromise would be to only require the following:

Contact Name: John Smith (Optional ph#)
Permit XXX-XXXX
County STR Hotline: 800-555-1212

I guarantee any neighbor who is calling in a complaint KNOWS the general address the property has, and **only needs the house number** to fully identify the property in question.

And... **why is the permit expiration date needed?** What purpose does it serve for a complaint? The County, having issued the Permit, certainly knows if a permit is current. Would Granicus, or whoever else handles the hotline, need that information? I can think of **no situation** where it could be a determining factor, except if someone who no longer rented left the sign up with an out of date permit listed.

That would seem counterproductive to all involved! If someone was trying to rent "under the radar"....I would think they wouldn't have a "fake" or incorrect sign out at all! The sign compliance officer already know the addresses (and presumably permit numbers and exp. dates) of STRs they are going to check....t **hey don't need a sign** to find them.

There are a few other issues with the current Draft Ordinance, but these are the one's that have stood out for me.

I do hope the BOCC looks at the issues mentioned here carefully, and **considers all aspects of possible "UNINTENDED CONSEQUENCES" going forward.**

Thanks,

Pete Stone
11354 NW Placido Ct
Portland, Or. 97229

tel: 503-740-6170
[email: psphoto@comcast.net](mailto:psphoto@comcast.net)

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

From: Florin Dragu <fdragu@gmail.com>
Sent: Wednesday, June 28, 2023 11:20 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.]

Tillamook Board of County Commissioners,

I support some limits on the number of STRs per person (owner of LLCs or family trusts for people hiding behind trusts) and use it or lose it (minimum days to be determined), but I do not support distance or density limits as those don't make much sense (ocean front properties like mine will likely be more STRs on the street than other further back streets, so I don't see how this affects anyone on my street or community negatively since most houses on the street are already STRs).

It is also a known fact that STR booking and rates are dropping a lot and 2021/2022 were abnormal and things will go back to before Covid (2019 or earlier). This will limit the amount of STRs by itself and I expect some STRs bought at a high price will be sold in the near future. Let this play out and see where things stand on STRs before implementing new regulations that will hurt everyone in the community in the long run.

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

I own and manage one STR in the Neahkahnie Beach area on Beulah Reed Rd.

Thank you,
Florin Dragu

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment re: STR Pause & Ordinance 84 Updates

Importance: High

From: Mark Roberts <mandm-roberts@comcast.net>
Sent: Wednesday, June 28, 2023 9:59 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Cc: Lynn Tone <ltone@co.tillamook.or.us>; Dustin L. Burdick <dburdick@co.tillamook.or.us>; Jacki Hinton <hintonjacki56@gmail.com>; Babbitt Karen <wcgarden@gmail.com>
Subject: EXTERNAL: Public Comment re: STR Pause & Ordinance 84 Updates
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.]

Sarah Absher, Director, Community Development
Mary Faith Bell, Commissioner
David Yamamoto, Commissioner
Erin Skaar, Commissioner

Balance

We've been seeking 'balance' in many qualities regarding Short-Term Rentals in Tillamook County for months and months.

Significant progress toward 'balance' in many requirements and practices has been achieved, too.

Many technical issues have been worked out to a level which most parties can accept. This was hard, good work – good job!

However, 'balance' has NOT been achieved regarding important fundamentals regarding limits to the number or percentage of STRs in Tillamook County and how or whether STR licenses have unique rights.

'Balance' is eluding us because a small minority of very motivated, financially oriented, and highly-organized parties demand no limit to STRs. These parties are not seeking 'balance' – they insist,

including threats, to have no compromise nor community 'balance'. Their way ... or 'see you in Court'.

Balance is the key to achieving a livable degree of commercial tourism in our residential neighborhoods. We know this to be true. We started this process seeking balance and livability in Tillamook County.

To the majority of County residents who do not have a financial stake in this rental industry, 'balance' means caps and or practices comparable to those of adjoining municipalities or other communities.

Further, 'balance' means being fair and equitable to all those interested in renting their properties ... not merely enabling forever those who happened to be first when the STR Ordinance first legally provided for STRs. There should be a process where licenses, limited in number, are made available overtime – NOT granted in perpetuity.

The County Board of Commissioners are tasked with making a public policy decision for the whole of Tillamook County – not merely the highly focused, financially oriented *small* minority of the STR industry.

The Board must seek 'balance' with their decisions.

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 8:23 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STR Permits

-----Original Message-----

From: Norman Scott <nescott215@msn.com>
Sent: Wednesday, June 28, 2023 7:49 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.]

Tillamook Board of County Commissioners,

I support Oregon Coast Hosts. Owners with current STR permits have legal property rights, including transferability, and should continue to be regulated under Ordinance #84 Amendment #1. If the county would like to switch new STRs to a license program going forward, that may be done under Amendment #2. New regulations need to be balanced and based on facts. Many of our communities have historically high numbers of seasonal dwellings which should not be at risk of losing property rights.

Thank you

Norm and Marilyn Scott
49790 Nescove Dr.
Neskowin, Oregon 97149
Sent from my iPhone

Kimberly & Eric Bergstrom
Owners of Tillamook County Short Term Rentals
June 28, 2023

Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyama moto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

Re: Further Comments Regarding Tillamook County Ordinance 84 Revisions, and in Support of Tonkin Torp / Oregon Coast Hosts June 8, 2023 to the Tillamook County Board of of Commissioners

To Whom It May Concern:

We are Kimberly and Eric Bergstrom, and we own Short Term Rentals (STRs) in the Neahkahnne area of Tillamook County. We are writing further comments in addition to our June 12, 2023 letter to the Tillamook Board of County Commissioners and the Tillamook County Community Development (collectively, the "County").


On June 13, 2023 we sent an email to be included in the public comments that apparently didn't make it onto the County's record. We'd like to again submit the June 13, 2023 comment:

Further to our public comment submitted yesterday, below [the June 12, 2023 letter from Kimberly and Eric Bergstrom] we had an interesting situation occur today. We received a call from the County that there had been a complaint about a guest at one of our houses parking in such a way to impede traffic.

It just so happened Eric was working two houses away and arrived to check out the situation in three minutes. Below is Eric's reply regarding the complaint, and a photo taken, again, three minutes after receiving the complaint. You'll see there is a car parked on the side to the south of our house. According to our guests, they had not parked any cars on the street.

This is the perfect example of why provisions within [the draft] Ordinance 84 are burdensome and deny property owners due process. Further, it is another example why regulations need to be applied to *all* community members.

What's more, while there are provisions in the proposed ordinance that detail harsh consequences for STR owners regarding ordinance violations, there is absolutely no provision in the ordinance which provides consequences for complaints that are nuisance complaints, complaints that are not based on facts, nor complaints that are lodged in order to have an adverse effect on STR owner's permits.

 Erie Bergstrom
For Election Committee

2023/07/23
12

**Car Parked in Roadway near 37275
Reed Road**

Dear Sir, thank you so much for contacting me regarding the car parked in the road. I visited the house but found the car below parked in front of the house immediately to the south of our house as you can see in the photograph below. There were not any cars parked in the road in front of our house. You can see our STR sign in the photo on the left. We do not know whose vehicle this is. Regardless, I spoke with our guests and reminded them to only park in the off street driveway parking.

If you have any questions, please do not hesitate to contact me.



Regarding the June 13, 2023 meeting of the Tillamook Board of County Commissioners, we submit the following comments.

Commissioner(s) at the meeting questioned whether individuals should be allowed to hold more than one STR permit. We are among the group that does hold more than one STR permit. We obtained those permits with the approval of the County. Further, to arbitrarily take away the permits issued lawfully to us would cause an undue burden to us and be financially detrimental to our family. We have complied with all previous requirements implemented by the County. To threaten to take away our lawfully obtained permits is not only unfair and harmful, it's our understanding that a regulatory take, also known as inverse condemnation, is when a government regulation deprives a property owner of all economically viable use of the property. It's our further understanding that in those circumstances, we as property owners must be paid compensation for that action.

Also at the June 13, 2023 meeting, one or more of the Commissioners brought up the non-factual hearsay that STRs are responsible for the housing shortage. It is my understanding that this general allegation came from a report prepared for the City of Portland, and submitted to the Short Term Rental Advisory Committee by ORLA

(Oregon Restaurant and Lodging Association). Which, is important to note, describes itself on their own website, as follows:

Oregon Restaurant & Lodging Association (ORLA)

ORLA is the leading business association for the foodservice and lodging industry in Oregon. A not-for-profit trade organization, ORLA represents over 3,000 member units and advocates for over 10,000 foodservice locations and over 2,400 lodging establishments in Oregon

In other words, they represent the hotel industry. The hotel industry has long held a contentious relationship with STRs. Back in 2017, the New York Times published an article entitled *Inside the Hotel Industry's Plan to Combat Airbnb* <https://www.nytimes.com/2017/04/16/technology/inside-the-hotel-industrys-plan-to-combat-airbnb.html>

Within the article, they reference a 2016 document created by the American Hotel and Lodging Association:

"Objective: Build on the success of 2016 efforts to ensure comprehensive legislation in key markets around the country and create a receptive environment to launch a wave of strong bills at the state level while advancing a national narrative that furthers the focus on reining in commercial operators and the need for commonsense regulations on short-term rentals."

Read the [original document](#). [emphasis added by The New York Times]

It appears that County members are working to appease the few who would prefer exclusivity at the Oregon Coast, rather than finding a reasonable and equitable solution. As mentioned in the Oregon Coast Hosts June 8, 2023 letter to the County, nearby data has been ignored by the STR Advisory Committee and the County:

Clatsop County's May 18, 2022 Short-Term Rental Data Report concluded that there is "not a correlation" between STR permits and housing prices in Clatsop County.

There is a reasonable correlation between the figures of Clatsop County and Tillamook County, rather than between Portland Oregon and Tillamook County. Similar factual data has also been shown in other parts of the county. In an October, 2022 article published by Forbes, entitled *Housing Scapegoat: Short Term Rentals Aren't the Problem*:

Short term rentals, often referred to by a brand name, "Airbnbs," are loathed by a diverse set of people. First, hotel workers hate them; they take away hotel jobs. Second, single-family neighbors hate them; they take away parking spaces and make them uncomfortable. Third, non-profit housing advocates and the left hate them; short term rentals "take away" housing from real people who need longer term rentals. A recent controversy in Steamboat Springs, Colorado highlights the problem perfectly; **short term rentals aren't the problem, high costs of production and expensive land choke production, creating scarcity with short term rentals taking the blame.** [emphasis added]

<https://www.forbes.com/sites/rogervaldez/2022/10/06/housing-scapegoat-short-term-rentals-arent-the-problem/>

We are confused as to why the County is considering making Ordinance changes based on hearsay and gossip rather than factual information.

One interesting example is another topic of hearsay circulating around the County: that STRs constitute an undue burden on community water resources. These are rumors not based on factual evidence. Specifically mentioned in the June 13, 2023 Tillamook Board of County Commissioners meeting was STR water "over usage" in the Neahkahnie community. In fact, on April 6, 2023, the Neahkahnie Water Board and District presented the following chart documenting water usage which disputes those allegations:

WHO WILL BE AFFECTED?

| <u>July/Aug 2022</u> | <u>Total Users</u> | <u>Full Time</u> | <u>Part Time</u> | <u>STR</u> | <u>OOR</u> | <u>Other</u> |
|----------------------|--------------------|------------------|------------------|------------|------------|--------------|
| 0-8000 Gal | 224 | 43 | 150 | 24 | 7 | |
| 8001-16000 Gal | 105 | 33 | 34 | 37 | 1 | |
| 16001-24000 Gal | 32 | 13 | 6 | 12 | 1 | |
| 24000 Gal + | 30 | 9 | 12 | 9 | | |

Median Full Time Resident Used 9700 gallons

Median Use By Water Board Members: 11,820 gallons

From the above chart, you'll note the rumor being tossed around that STRs are the community water guzzlers is unfounded.

Water is not mentioned in the draft Ordinance, but if water is now an issue, it is important to note that the Neahkahnie water district has been hinging their water availability and forecast based on an engineering report paid for and submitted approximately 30 years ago by the developer of Neahkahnie Meadows – the very person at the June 13, 2023 County Commissioners meeting who complained about STR water usage. Neahkahnie building permits have been granted for the last 30 years based on the supposed water supply as stated in a report paid for by the developer of Neahkahnie Meadows, at the time an outside investor with personal and financial interest in unlimited growth in the area. This was brought to the attention of the Neahkahnie Water Board when the developer's report was submitted, the facts of which were rebutted by an experienced civil engineer specializing in municipal water systems.

In dealing with facts, it's important to note the County should responsibly investigate the impact of the reduction of current Tillamook County STR permits. The current downturn in STR revenue is real. What will be the financial impact on the County? Not just from tax and fee revenues. You'll note the following data supplied by the website AllTheRooms, documenting the STR revenue downturn throughout the country:



The Airbnb collapse is real.

Revenues are down nearly 50% in cities like Phoenix and Austin.

Watch out for a wave of forced selling from Airbnb owners later this year in the areas hit hardest by the revenue collapse.

| Rank | Metro, State | RevPAL May 2022 | RevPAL May 2023 | % Drop |
|------|------------------|-----------------|-----------------|--------|
| 1 | Sevierville, TN | \$6,228 | \$3,266 | -47.6% |
| 2 | Phoenix, AZ | \$5,669 | \$2,939 | -47.2% |
| 3 | Austin, TX | \$4,825 | \$2,491 | -46.1% |
| 4 | Myrtle Beach, SC | \$3,125 | \$1,717 | -45.1% |
| 5 | San Antonio, TX | \$3,346 | \$1,879 | -43.8% |
| 6 | Asheville, NC | \$3,360 | \$1,932 | -42.5% |
| 7 | Salisbury, MD | \$1,490 | \$904 | -39.3% |
| 8 | Nashville, TN | \$5,755 | \$3,510 | -39.0% |
| 9 | Denver, CO | \$3,374 | \$2,071 | -38.6% |
| 10 | Breckenridge, CO | \$4,193 | \$2,633 | -37.2% |
| 11 | New Orleans, LA | \$4,172 | \$2,626 | -37.0% |
| 12 | Lakeland, FL | \$3,413 | \$2,195 | -35.7% |
| 13 | Seattle, WA | \$2,783 | \$1,802 | -35.2% |
| 14 | Panama City, FL | \$3,404 | \$2,215 | -34.9% |
| 15 | Orlando, FL | \$3,534 | \$2,305 | -34.8% |

Calculated as 3-month average revenue per listing for May 2023 compared to May 2022

We urge the County to consider any Ordinance 84 revisions based on facts, based on the interests of all the community and the property owners rather than the few, and not based on false STR conspiracy theories.

Sincerely,

/s/ Kimberly Bergstrom

/s/ Eric Bergstrom

37750 Beulah Reed Road, Nehalem OR 97131
37395 Beulah Reed Road, Nehalem OR 97131
37345 Beulah Reed Road, Nehalem OR 97131
37335 Beulah Reed Road, Nehalem OR 97131
37325 Beulah Reed Road, Nehalem OR 97131

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 8:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance 84 Update

-----Original Message-----

From: Gary Billingsley <gary_billingsley@sbcglobal.net>
Sent: Wednesday, June 28, 2023 7:07 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Ordinance 84 Update

[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,

I want to express my support for strengthened regulation of short term rentals in Tillamook county and I am in favor of the recent changes to STR Ordinance 84.

Thank You,

Gary Billingsley
Neskowin

Lynn Tone

From: Mark Roberts <mandm-roberts@comcast.net>
Sent: Wednesday, June 28, 2023 9:59 PM
To: Sarah Absher; Public Comments
Cc: Lynn Tone; Dustin L. Burdick; Jacki Hinton; Babbitt Karen
Subject: EXTERNAL: Public Comment re: STR Pause & Ordinance 84 Updates

Importance: High

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Sarah Absher, Director, Community Development
Mary Faith Bell, Commissioner
David Yamamoto, Commissioner
Erin Skaar, Commissioner

Balance

We've been seeking 'balance' in many qualities regarding Short-Term Rentals in Tillamook County for months and months.

Significant progress toward 'balance' in many requirements and practices has been achieved, too.

Many technical issues have been worked out to a level which most parties can accept. This was hard, good work – good job!

However, 'balance' has NOT been achieved regarding important fundamentals regarding limits to the number or percentage of STRs in Tillamook County and how or whether STR licenses have unique rights.

'Balance' is eluding us because a small minority of very motivated, financially oriented, and highly-organized parties demand no limit to STRs. These parties are not seeking 'balance' – they insist, including threats, to have no compromise nor community 'balance'. Their way ... or 'see you in Court'.

Balance is the key to achieving a livable degree of commercial tourism in our residential neighborhoods. We know this to be true. We started this process seeking balance and livability in Tillamook County.

To the majority of County residents who do not have a financial stake in this rental industry, 'balance' means caps and or practices comparable to those of adjoining municipalities or other communities.

Further, 'balance' means being fair and equitable to all those interested in renting their properties ... not merely enabling forever those who happened to be first when the STR Ordinance first legally provided for STRs. There should be a process where licenses, limited in number, are made available overtime – NOT granted in perpetuity.

The County Board of Commissioners are tasked with making a public policy decision for the whole of Tillamook County – not merely the highly focused, financially oriented *small* minority of the STR industry.

The Board must seek 'balance' with their decisions.

Lynn Tone

From: chiphall75@gmail.com
Sent: Thursday, June 29, 2023 8:35 AM
To: Lynn Tone
Subject: EXTERNAL: STR NKN, citizen 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.]

STR Committee/County Commissioners,
June 29, 2023

We local citizens here in NKN have just protected our drinking water from an ill advised development offering 30 ocean view sites with septic fields leaching into our drinking water.

Through litigation and science we were able to stop this out of state development, save this invaluable property, the source of our drinking water, and now we are buying the land from whence springs our invaluable drinking water.

Yet what recourse do we have against the onslaught of STR developers, from usually acceptable local startups to world wide conglomerates, bringing the worst the world has to offer, unceasing exploitation into our communities, neighborhoods and lives?

Is it true that we can only rely on the decisions of this committee and/or the county commissioners to protect unincorporated Tillamook County from outside interlopers from using up our drinking water and without redress destroying our way of life?

STR advocates, local and around the world have found a source of very easy money and a ton of it. Look at how it works... People invest in properties but ask every local individual, family and neighborhood, to give up their privacy to strangers who being on vacation have assumed every right over all others.

You would have to live next door or even near to an STR to understand. If you haven't invested your life into the property of your dreams then have a motel open next door or there's a row of three big remodeled jobs, packed with vehicles and naturally the most wasteful, irresponsible, and self important people on the planet, then you really don't understand the issues and impacts of the STR explosion.

Have you noticed what has happened to Manzanita at a 17.5 rate of STR expansion?

Houses built with terrifying urgency, mostly by all out of town builders, so tourists can walk the crowded streets in search of ice cream and driven dreams of cotton candy and congealing fish and chips.

Now having witnessed firsthand, Manzanita's so called success, lets set the STR rate for NKN at one point higher than the prevailing rate of present expansion, how absurd is that? As the rate of 17.5% has ravaged our sister community Manzanita we should expect our local government leaders to provide greater protection to unincorporated communities given the precedent set in Manzanita. Is it really our only recourse to politely ask the county for protection from the onslaught of the money changers and corporate greed heads?

The committee has done respectable work establishing some rules and guidelines but setting a rate above 17.5% is patently absurd and totally negligent in addressing the overall issues at hand.

(See Manzanita.)

Does the county value the greed of Vacasa, AvantStay and other untold conglomerates over your local neighbors, taxpayers and community minded citizens?

Charles Hall
Tarri Butler
8465 San Dune Road
Neahkahnie

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Wednesday, June 28, 2023 12:38 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Ordinance 84

-----Original Message-----

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Wednesday, June 28, 2023 7:12 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: sabsher@co.tillamook.or.us
Subject: EXTERNAL: Re: 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.]

> On Jun 26, 2023, at 9:52 AM, Michael Booker <doc-holladay@earthlink.net> wrote:

>

> Hello, My name is Michael Booker and I am a resident of Neahkahnie Beach and registered voter in Tillamook County. Thank your for your work on this challenging issue.

>

> My main concern is that commercial enterprises do not belong in areas zoned residential. We do not have the infrastructure to support the properties that have become motels essentially. The County does not supply our water. Neahkahnie Water district has taken out loans of approximately \$2,000,000 to buy our water sources. In July and August we have run extremely low on water and the rentals that sleep as much as a small motel use significantly more water than full time residents. This has been proven by studies done by the water district. When we run out, we all run out of water together so the feeling that high users like STRs will just pay more in water bills will not hold water. Pun intended. The needs of residents regarding a limited resource like water take precedence over business interests of some homeowners. Since you do not provide water, you may feel this is not a County issue. But in the larger context, you should acknowledge that your decisions have consequences for what you do not provide or control. Neahkahnie Beach had more control over it's development in the past. Now that the County has taken over this responsibility, it should not ignore local issues like water which is local issue and not a County issue.

>

> A reasonable solution allowing for use of a family home as a rental to supplement costs of owning a property is achievable. Please close the loopholes that allow for STRs to be built and used as "motels". Please put a cap on the number of STRs. Maybe make them local so Neahkahnie Beach can match it's neighbor Manzanita with the same cap of STRs. That way local conditions would be similar and not encourage another loophole that adversely affects residents.

>

> I hope to attend the next meeting in person as I will be on jury duty for the County.

>

> Michael Booker

Lynn Tone

From: Public Comments
Sent: Thursday, June 29, 2023 10:22 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84 Amendment 2 - Enforcement

From: Steve Wecks <wexcellent@gmail.com>
Sent: Thursday, June 29, 2023 10:00 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Ordinance 84 Amendment 2 - Enforcement

[**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 overwhelming conclusion and consensus by the committee and community members is that the Department must engage in active enforcement of Ordinance #84" Sarah Absher, Tillamook Headlight Herald, Jan 2, 2019. Parking and Noise nuisances were the two primary enforcement issues identified by that STR Advisory Committee as affecting livability.

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 and Development Department has had 4 years to implement enforcement of those rules, yet lack of enforcement of them remains the main concern expressed in 2022/2023 surveys of unincorporated communities.

ORDINANCE 84 AMENDMENT 2 REMOVES ALL REFERENCES TO COUNTY ENFORCEMENT AGAINST RENTERS FOR VIOLATING PARKING OR NOISE RULES THAT ARE CONTAINED IN THE EXISTING ORDINANCE. Instead, the responsibility for real time enforcement of County parking and noise rules with renters is effectively placed entirely on property owners, who have no legal authority to enforce them in real time.

A review of short-term rental laws in the state of Oregon revealed that **NO OTHER JURISDICTIONS** within the state had a requirement for in person response to renters by owners or their agents for noise and other violations. In many jurisdictions owners are required to notify renters of local

rules, and may be required to try and resolve complaints by phone, but in person enforcement of local rules on renters in real time is never suggested.

The City of Bend goes so far as to clarify that the intent of having a contact person is not "that the owner, agent or representative act as a peace officer or code enforcement officer or put themselves in an at-risk situation."

Under State Law the County cannot require private citizens to enforce a County Ordinance on others (ORS 203.065).

Requiring private citizens to physically confront renters who have been notified in writing of the county noise laws that apply exclusively to them and who have been verbally warned via telecommunication to abide by those laws could easily result in a physical altercation with legal repercussions for the County.

Furthermore, contrary to Commissioner Skaar's comments at the last public meeting indicating that if a "contact person" was going to be unavailable to respond in person they could make arrangements for someone else to respond in their absence, the proposed ordinance **specifically does not allow for this**. The requirement is stated very clearly twice that the "contact person" must be the individual making the in person response or the owner will be in violation of the ordinance. The contact person can only be changed with 14 days notice and it is physically impossible for an individual person to be on call 365/24/7 to respond in person within 30 minutes in a rural area. Even if they lived on site, they would never be able to leave the immediate vicinity to do anything or travel in local areas without cell service without risking being in violation. As written this provision is objectively unreasonable and subject to judicial review as such (ORS 203.060).

In Conclusion, this provision is but one reason that I fully oppose replacement of Ordinance 84 with this new ordinance and I object to the process by which the Commissioners arrived at it. It was not developed by the STR Advisory Committee, they were only invited to comment on it after the fact. It made dramatic changes to even the most basic parts of Ordinance 84, effectively setting aside much of their work, as well as the work of the Citizen Advisory Committees before them. It was drafted by an outspoken opponent of STRs and is full of experimental rule making in the form of provisions that are/were either blatantly illegal (like the building codes provisions I addressed in my first public comment) or probably illegal (like those outlined by the lawyers representing Oregon Coast Hosts and including in person real time response). Replacing the collaborative work of the STR Advisory Committees with this new top-down and clearly anti-STR ordinance moved the debate from working together towards reasonable solutions and compromise as a community, to an all out fight by STR owners with their neighbors and ultimately with the County to preserve their basic individual and property rights as codified in Oregon Law. At this point a battle in the courts seems inevitable, the question is how far ranging that battle will be if the commissioners decide to include legally suspect provisions like the one addressed in this comment.

Sincerely,

Steve Wecks, Barview

I am a 57 year old 4th generation Oregonian whose family owns or has owned properties in Sand Lake, Oceanside, Cape Meares, Barview and Rockaway Beach with a mix of uses including second home, long-term rental, short-term rental, and primary residence.

June 29, 2023

To: Tillamook County Board of Commissioners

Subject: Proposed Amendments to Ordinance 84 for the Regulation of STRs

After listening to the testimony at the June 13 hearing about the impacts of STR growth on the livability in several communities and then your conversation recognizing that the situation has gone too far and truly damaged the livability in some areas, it was disheartening to hear you say that you will probably allow an increase above current levels.

Is the policy driver to increase county revenues at the expense of helping us restore our neighborhood to some semblance of a residential community? Grandfathering keeps STR levels in our community too high and increasing the number of STRs sets us back even further. Our immediate neighborhood already is saturated with unreasonably high double digit occupancy STRs including two licensed for 20 and another for 18.

We understand the benefits of STR revenues and accept you cannot slash the numbers to a fraction of their current level, but we do ask you to recognize the reality that unchecked STR growth has had devastating impacts on affordable housing and neighborhood livability (issues recognized and successfully addressed by many other communities).

We also understand the legal ramifications of these issues and you have received good legal counsel. Please don't make decisions based on fear of litigation. Stand up for your community residents rather than out of county investors. We regularly receive offers from companies to buy our property for cash. Neahkahnie is threatened by unchecked STR growth and rampant speculation.

During the last year, we have requested balanced STR regulation. Our true "mom and pop" STR neighbors agree they would like there still to be a neighborhood when they do retire to the coast and live in their home. Please reject proposals to allow an increase of STRs above current levels.

Sincerely,

Mike Woodin
Amy Bell
37635 Beulah Reed Rd
Neahkahnie

Lynn Tone

From: helhe at hotmail <helhe@hotmail.com>
Sent: Tuesday, June 27, 2023 7:34 PM
To: Lynn Tone
Subject: EXTERNAL: Ordinance 84 Comments from Full Time 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.]

Dear Commissioners,

I am a full time resident of the NeahKahNie area in Tillamook County and have been following the sessions and meetings of Ordinance 84 carefully. I admit that my hopes for stricter regulation and control of this burgeoning STR problem have been dashed. As I recall, this matter was brought to you by the residents of Tillamook County, seeking relief from the increasing numbers and conditions of STRs.

I believe that the North County Coastal areas have the highest concentration of STRs in the state of Oregon. Continued growth must be carefully managed, always with an eye to the future. As residents, we can do little to curb the swell of short-term rentals, so we turn to you, our elected Representatives, to keep our communities safe, desirable & livable.

It has already been well established that STRs create negative consequences to our local communities and have driven a wedge between us. Two distinct sides seem to have emerged: Residents who seek limitation and more governmental controls versus the STR owners who have hired lawyers and are fund-raising alongside commercial management businesses. It baffles me that these organized STRs are not considered commercial enterprises and governed as such, with zoning and appropriate codes. Even residential cottage industries have more stringent codes to adhere to from the County.

The funding the County receives from these STRs is the obvious "carrot on the stick" but why not limit the numbers and increase the cost of the permits? Other permits (building) have increased recently - why not these too? Fewer STR numbers would bring in the same amount of revenue, while also sparing our road beds, water resources and density issues.

I live here and I vote. Please consider the concerns of you constituents when you decide on this pivotal matter. Please represent me. Thank you for your time, your consideration and hopefully your wisdom. Thank you. Helen Gourde, NeahKahNie

Lynn Tone

From: Megan Liz Cole <meganliz@nehalem.tel.net>
Sent: Thursday, June 29, 2023 3:24 PM
To: Lynn Tone
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.]

To the Board of Commissioners,

I am a full-time resident of Neahkahnne and am concerned about reasonable control of short term rentals in unincorporated Tillamook County.

My concerns are mirrored in many others' comments: noise, light spill, too many cars and too little parking, impeded emergency services, increased water use, transfers of property, overall safety on our small streets. These and other points are legitimate points of debate.

I have written you before. Now I want simply to say:

This is all about COMMUNITY.

Neahkahnne is our small, beloved community that was designed for single occupancy residences, not for the rapid growth of STRs we are now seeing.

It is the lack of limits on growth that is undermining the character and sustainability of our community.

STRs are good; uncontrolled numbers of STRs are not.

Nobody here wants to eliminate STRs; rather, we hope you will provide a reasonable cap on growth that takes into account the livability of our cherished community.

This is a solvable problem.

And the solutions are in your hands.

Please: Let's put the emphasis on COMMUNITY.

Sincerely,
and with my thanks for all you do,

Liz Cole
38465 Reed Road
Neahkahnne

Lynn Tone

From: Gregory Hightower <ghightower70@gmail.com>
Sent: Thursday, June 29, 2023 4:47 PM
To: Lynn Tone
Cc: Jacki Hinton; Kathie Hightower
Subject: EXTERNAL: Letter to County Commissioners concerning 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 County Commissioners,

As full time residents of the Neahkahnie community, we would like to further comment on the adverse impacts to community livability from too many STRs. We understand the Neahkahnie community's current STR numbers are about 24% of the current structures.

We are at a juncture where the feeling of a community is being lost.

Rather than going over water, safety, infrastructure, and community involvement issues in depth again (two previous letters), we would like to ask how the county plans to address some of these issues that will become even more critical in the future.

Let us just focus, for the sake of argument, on Beulah Reed Road. Currently seven of the first eight houses on the beginning of Beulah Reed are STRs, several with high density capacities (essentially hotels). The speed limit for this county road is 25 MPH. People commonly cross the street to go to the beach without looking for traffic, not looking left or right before they step into the street. Beulah Reed Road has become not a county road for vehicles as it was designed, but a running path, a walking path, a bike path, a baby stroller path, and a dog walking path for the many vacationers who rent STRs. In many cases the above pedestrians take over the whole road and are offended if you ask them to share the road. Why? Because, they are on vacation and if you are on vacation, all rules are off. Taking over the county road is OK. We wonder if the county has any plans to actually make a path along Beulah Reed Road for the above pedestrians before a tragedy occurs. This is even more critical at the blind curves further up the road.

The city of Manzanita has found it necessary to hire a full-time short-term rental code enforcement officer, and their cap on STRs is lower than the proposed county cap. Is the county considering the same requirements?

It is clear to us, that the STR owners and managers or should we say "THE MONEY" are going to be the big winners here. The more STRs they can get the more money they'll make and that is what matters to them. I don't think the STR owner up the street who lives in Chicago really cares about any of this as long as he gets his rent money. In the meantime we full time residents lose our sense of community and our livability standards. And we live in fear of being involved in an accident where we might not be at fault but will live with the consequences forever.

Thank you for listening to our concerns.

Greg and Kathie Hightower

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Amie Achtymichuk
1455 alder street Oceanside OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Amie Achtymichuk and I am Short Term Rental Owner. I am not a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2016. This is our familys second home that we spend many summer nights at. Having it STR when we are not using it is the only way we can afford to keep this home. Losing the STR would be losing our ability to own this home and enjoy with our family and future family members to come..

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- Provision is needed to protect STRs from harassment via unfounded complaints.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Amie Achtymichuk

Lynn Tone

From: baltizaar09@gmail.com
Sent: Thursday, June 15, 2023 11:07 AM
To: Lynn Tone
Cc: Tiffanie Hoffmeyer
Subject: EXTERNAL: Re: EXTERNAL: Admission for 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.]

Thank you Ms Tone,
Here is
My written testimony:-

Hello everyone, I wanted to give our story of our newly purchased small STR in an unincorporated area of Nehalem, placed in the hands of the voting community. After reading a lot of the email comments it's very soul wrenching to witness such anger & venom towards STR owners. My wife is an emergency room nurse saving lives every day in 12 hour shifts & I have worked in kitchens since I was 13 years old in Europe. I'm now 57! We have saved & put every penny into our STR home. I have never done any remodeling or tiling but to save money I studied, you tubed, tiled, floored, gardened, painted, fenced, every day throughout the winter months and yesterday just put the finishing touches to hopefully begin renting to visitors. I want our guests to have an incredible experience in our area, promoting all of the local Stores, restaurants, bakeries retail shops etc. I have visited all our neighbours and hosted a barbecue 'thank you party' for them and anyone who had helped advise & support me. My name & phone is Posted big & bold outside the home and if anyone should have any disturbance, I will be 100% accountable & immediately involved. I will monitor all of the incoming guests to make sure they are the right fit. This is not about greed or disregard for my community of which many write! This is my only income! My body is broken from too many years serving in the hospitality industry, I am 100% involved in making my home work in the community.

Several folk have written if I did not have an additional Home then a local could have bought it! This home was on the market for over 6 months & no local came forward. It needed fixing up and I did that work!

Next response is 'well if we take away the STR then you would rent to a local'. Again misinformed, I would need to cover my mortgage and taxes and expenses. There is a house next door to my home for rent since February and has ONLY just rented out to new arrivals into the area, so where are the locals grabbing these opportunities!

This is an expensive area similar to Napa Valley, where I was a chef instructor. I drove an hour and half each way from an apartment and area I could afford. So please all you 'haters' out there, please take into consideration folk such as myself & wife. Please vote for this regulation to pass so we can continue respectfully with our STR business & fine heavily those owners who do not respect the unincorporated areas or any neighbours for this matter, so everyone is held accountable. Personally I would be very upset if a mismanaged STR opened up Next to my Home. Everyone has to take responsibility for our community & neighbours whether it's dogs barking, noise pollution etc.

I thank you for reading the other side & please vote to continue STR's and bring more revenue to our much needed area. The next small hamlet over is Wheeler which is almost bankrupt, with no STR's, few stores, lots of closed store fronts & little Revenue! Thank you with much gratitude & hope & love for my area & county.

Sarah Frances
International Culinary Chef
Maitre d' Instructor
Private Cooking Classes

> On Jun 15, 2023, at 10:52 AM, Lynn Tone <ltone@co.tillamook.or.us> wrote:
>

> You can submit written testimony to directly to me.

>

> -----Original Message-----

> From: baltizaar09@gmail.com <baltizaar09@gmail.com>

> Sent: Thursday, June 15, 2023 10:14 AM

> To: Lynn Tone <ltone@co.tillamook.or.us>

> Subject: EXTERNAL: Admission for 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.]

>

> Good morning Ms Tone,

>

> As we

> Missed the deadline for in person admissions for the STR votes, could you please give the info on how to submit a written statement.

>

> Thank you kindly

>

> Sarah Frances

> International Culinary Chef

> Maitre d' Instructor

> Private Cooking Classes

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 11:28 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR comments

From: Steve <swoods.home@aol.com>
Sent: Wednesday, June 14, 2023 10:17 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR comments

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Stephen Woods
Lot 211 in south beach neskowin
Tillamook County Landowner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Stephen Woods and I am a Tillamook County Landowner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2015. My property is 42 acres bordering Cascade Head with a magnificent view of the Oregon Coast.

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses
- Vacation rentals have always been allowed in Tillamook County

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage

frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide “highest and best” use.
- Provision is needed to protect STRs from harassment via unfounded complaints.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Stephen Woods

Lynn Tone

From: Sarah Absher
Sent: Wednesday, June 14, 2023 9:45 AM
To: Chris Silkowski; Lynn Tone
Subject: STR public hearing

Thank You Chris,

And thank you for your time serving on the Neskowin CAC.

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

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

Dear Ms. Tone

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

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

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

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

Best regards,
Chris Silkowski

Sarah Absher, CFM Director
Tillamook County Department of Community Development
1501-B Third Street
Tillamook, Oregon 97141

June 12, 2023

RE: Public Comments on Proposed Short Term Rental Permit Ordinance #84, Amendment #2,
DRAFT Dated 5/30/23
33580 Madrona St, Pacific City, TL# 4S1124AD1300

Dear Ms. Absher,

Please accept this letter as public comments on the draft Tillamook County Short Term Rental (STR) Permit Ordinance #84, Amendment #2 dated 5/30/23.

As reference, we would like to bring attention to our letter dated 2/25/23 concerning a previous draft version of the ordinance that we submitted for inclusion into the written record, as many comments in that letter also pertain to the current draft, Amendment #2. Per the previous letter, we own property at 33580 Madrona St, Pacific City, TL# 4S1124AD1300 and have a valid STR permit on the property.

Concerning the current draft, Amendment #2 we have the following comments and suggestions:

ISSUE: STR rules should apply ONLY during short-term rental use.

QUESTION: When occupying and residing in our house and property any time during the year when the house is not rented on a short-term basis, do STR rules apply to us? In our case, we currently lease the house on a short-term basis only for about 12 weeks a year during the summer season. In the remainder of the year or at any time during the year that it is not rented are we and our family members required to meet the standards outlined for short term renters? From our reading, it appears the draft ordinance is written so that short term use is regulated even if the dwelling is not being rented. This is problematic and an attempt to implement land use regulations under the guise of a business license supposedly regulating a specific activity (renting a dwelling for less than 30 days). Why should our property rights be infringed during our personal use and we be held to a different standard than another property owner who occupies or resides in their house for issues such as parking, noise, number of bedrooms, number of people in the dwelling, requirement for trash service etc. simply because we have a STR license during the time that we are not exercising the activity the license regulates (renting for 30 days or less)?

ISSUE: Amend various sections of the proposed ordinance so the County **IS NOT** enacting land use regulations under the guise of a STR License.

- Per section 0.020.C: *Purpose and Scope: "A short term-rental license is a revocable permission to operate a short-term rental but only as provided in the Ordinance".*

SUGGESTION: Amend the ordinance to make it clear that standards for STR's apply only during the licensed activity, i.e. during short-term rental of the property.

COMMENT: If STR regulations are applied to properties that hold STR licenses while the property is occupied by the owner for personal use and is not rented, the county is clearly applying land use rules but only to certain properties not uniformly under the guise of a revocable license. In our opinion, under that scenario it is likely property owners will have a takings claim regardless of the County claim it can avoid the takings risk by calling the STR permit a license. A business license such as the proposed STR license can regulate that activity (short-term rental of dwellings), but it cannot regulate land use when the activity (short-term rental of dwellings) is not occurring. STR's as a license with revocable permission cannot apply land use regulations to property owners when they use and reside on their property or lend their property to others for use without receiving rent.

- Section 0.030.Z *Short Term Rental Definition: ""Short-Term-Rental" or "STR" means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-Term rental use is a type of "vacation occupancy" as defined in ORS 90.100."*
- Section 0.040 *Annual Short-Term Rental License Required, Basic Requirements for a License, Nonconforming Use Status Conferred: "No owner of property in unincorporated Tillamook County may advertise, offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a Short-Term Rental License."*
- Section 0.120.B *Violations: "Representing, advertising or holding-out a dwelling unit as available for occupancy or rent as a short-term rental where the owner does not hold a valid Short-Term Rental License issued under this Ordinance."*

COMMENT: These sections together stipulate that no property owner can let their family and friends etc. use their house for 30 or fewer days even if no money or other valuable consideration is exchanged unless they have a STR license. A revocable license can regulate the activity but cannot regulate use of the land when the licensed activity is not occurring. In the case of STR's the activity is dwelling rental for 30 days or less. Of course, a property owner has the right to let family and friends use their house for as short or long as they wish without the requirement of obtaining a STR and they are not restricted to the

requirements contained within a STR license so long as they do not receive rent. The County has stated that STR use will be a business license, not a land use action or rules. If that is the case then changes to the draft ordinance are necessary because otherwise the County is clearly restricting property rights and enacting land use rules under the guise of a STR License.

SUGGESTION:

Amend Section 0.030.Z Short Term Rental Definition to read: *“Short-Term-Rental” or “STR” means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler’s accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering to lease or rent a dwelling unit for a period of 30 or fewer nights. Short-Term rental use is a type of “vacation occupancy” as defined in ORS 90.100.”*

AND

Strike the following words from Section 0.040 *“.. or otherwise make available or allow any other person to make available for occupancy or use”*

AND

Amend Section 0.110.B to read: *“Representing, advertising, leasing, renting or receiving money for occupancy of a dwelling unit as a short-term rental where the owner does not hold a valid Short-Term Rental Licensed issued under this Ordinance”*

ISSUE: The definition of a Bedroom needs to be modified because it isn’t broad enough:

- Section 0.030 Definitions:

D. *“Bedroom”*: under the definition a bedroom is require to have *“... A built in closet, clothing closet organizer, amorie or similar clothing rack or clothing storage unit.”*

COMMENT: This portion of the definition should be eliminated as many STR’s have lofts that are clearly sleeping areas, were originally designed as a sleeping area and they don’t contain a closet. Further, we are talking about short-term occupancy, several days or a week, so it is not necessary for such use to have a closet. Many motels, hotels etc. have beds in rooms that do not meet this definition.

SUGGESTION: Eliminate this sentence in the definition of bedroom as it is not necessary and not pertinent. STR rules pertaining to the number of people allowed in the dwelling are sufficient to address concerns.

ISSUE: The transfer of an existing STR License to a family member of the original STR Permit holder that preexisted this ordinance SHOULD BE ALLOWED WITHOUT RESTRICTION which we believe is the intent of this draft, however, a modification to the definition of “*Transfer*” is needed to cover all the possibilities of family to same family STR transfers.

COMMENT: Families who own beach property on the Oregon coast typically need some STR income during the year to be able afford the property. The STR income helps pay property taxes and insurance and if enough income is generated, some income can be set aside to pay for maintenance and upkeep such as roof and siding replacement and repairs as coastal dwellings take a beating. This is certainly the case for us. Many folks have the goal to keep their property within the family when they pass. We believe the intent of the draft ordinance is to honor families who previously obtained a STR permit and wish to maintain their property. Many families create “Trusts” or “LLC’s” as generation ownership becomes diluted from the original parent to protect and provide use equity to all family members due to legal issues associated with cotenant ownership. The definition of “*Transfer*” should be broadened to cover transfer of family ownership to a family Trust or family LLC or similar legal entity. We do not otherwise object to the proposed transfer rules.

- Section 0.030.DD “*Transfer*”: “*Transfer*” means a change in ownership of the property where the dwelling licenses as a Short-Term Rental is located that that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.”

COMMENT: The definition of transfer does not go far enough to protect families trying to maintain their property and STR within their family for a family to same family transfer.

SUGGESTION: Amend the second sentence to read: “A change in ownership does not include a change in owners resulting from death, divorce, marriage, inheritance or to an entity in which the STR Licensee is a member.”

ISSUE: Caps on the number of STR Licenses make sense in many locations, but not in all locations, especially where the majority of properties have historically been used for short-term occupancy. THERE SHOULD BE SOME NEIGHBORHOODS in the County WITH NO CAPS on STR LICENSES.

- Section 0.040.C Cap on Number of STR Licenses: “... The County has established a limit on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County”

COMMENT: Thus far in the process the County has not divulged where caps will be applied and what they will be. We assume and hope after adoption of the STR ordinance that there will be a public process the County will go through to establish caps, that property owners will have the opportunity to comment and the decision on location and cap numbers will be made by the Board of Commissioners, not established administratively.

Our neighborhood in Pacific City has historically been a neighborhood of short-term occupancy, not a neighborhood of permanent residents. We have owned our property for 30+ years (since 1992) and during that entire time there have never been more than 3 or 4 houses occupied by permanent residents out of a total of approximately 80 parcels in our immediate neighborhood bounded by the Cape Kiwanda parking lot, ocean, Cape Kiwanda Dr. and Shorepine Village property. Roughly 90 to 95% of the properties in our neighborhood have always been short-term occupancy use throughout the years. Further, of all the places in Tillamook County and in Pacific City, our neighborhood is best suited for full STR occupancy due to the proximity of the ocean, Cape Kiwanda, the Pelican Pub, separation from other neighborhoods by Cape Kiwanda Drive and the ability to walk to most things a visitor may want to utilize in Pacific City. We think that it makes sense to establish a no STR cap area for our neighborhood and we propose extending the no STR cap area south of our neighborhood to the extension of Pacific Avenue from the river bridge to the ocean.

SUGGESTION: There should be a public process to develop locations and numbers to cap STR's. The final decision on location and caps should be made by the County Board of Commissioners, not administratively. The County should not limit or cap the number of STR licenses allowed in the area bounded by Cape Kiwanda on the north, Pacific Ocean on the west, the extension of Pacific Avenue from the bridge over the Nestucca River to the ocean on the south and Cape Kiwanda Drive on the east.

ISSUE: Noise standards in the draft ordinance are subjective, arbitrary and not measurable. The County needs to enact a countywide noise ordinance that applies to all if it wishes to apply noise standards to STR's.

- Section 0.080.F *"Noise": "Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of section 0.130."*
- Section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

COMMENT: There are a whole host of issues and problems with the text of section 0.080.F. There is no defined noise standard. What is called out as a noise standard is subjective, arbitrary and not measurable. We understand and agree that unreasonable noise can be an issue, but the same applies to everyone. What is unreasonable to one person may be reasonable to another or the majority of folks. Why are STR's singled out? What about my STR guests? Why should they be subjected to the noise of a neighbor's party and music from a non-STR dwelling with no recourse because the County doesn't have a noise regulations that apply to anyone except STR's. Why should my STR guests be subjected to an unattended barking dog on a non-STR dwelling and we have no recourse because the County only prohibits unattended barking dogs on STR's. The statement that there is a violation if the contact person

fails to respond to a complaint within 30 minutes is ridiculous. What if the complaint is completely bogus? Again, what is unreasonable to one person is not necessarily unreasonable to another and there is no standard in the text for how loud the sound must be to trigger a violation. In America, one is presumed innocent until proven guilty, but this provision assumes that the STR owner is guilty if they are not able to respond within 30 minutes to a non-emergency nuisance which is a standard no County Department is able to meet for a non-emergency in Pacific City. After all, it's a 40-minute drive from county offices in Tillamook to Pacific City where our STR is located. In addition, according to the current wording, a crying baby, a dory boat preparing their boat for dawn launch at a STR, most construction activity on your property etc. could be considered a noise violation by some folks.

SUGGESTION:

Amend section 0.080.to read: *"The STR shall adhere to the County Noise Ordinance."*

- Eliminate section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

The County needs to develop a noise ordinance with objective and measurable standards if it wants to enforce noise at STR's. Noise provisions that are subjective, arbitrary and have non-measurable standards such as the proposed text will be tossed out by Courts. Additionally, Courts will toss out this section on noise unless it also applies to adjacent non STR residences simply because it is blatant discrimination. It is discriminatory to single out a STR licensee for noise regulation when the same standards do not apply to adjacent non STR licensed homes. Similarly, courts won't look kindly on this provision if there is no noise regulation of condos, apartments, motels, hotels, lodges, campgrounds etc.. Tillamook County does not have a legitimate argument that it is unable to develop a countywide noise ordinance and doesn't have the resources or ability to measure noise and enforce standards. The County has speed guns that their law enforcement officials are able operate to measure vehicular speed and determine if there is a traffic violation. A decibel meter is not more complicated to operate to measure noise than a speed gun is for measurement of vehicular speed. Many other Oregon counties and governmental entities have noise ordinances that their officials enforce with the assistance of a decibel meter. Marion County has a reasonable noise ordinance that Tillamook County could use as a guide while developing an ordinance. The Marion County noise ordinance is easily available for download with a click from their website.

ISSUE: Special building permit and construction requirements SHOULD NOT be required for STR's. STR's SHOULD BE required to obtain and meet whatever building and zoning permits and requirements normally apply to their building type.

- Section 0.080.I *"No unpermitted improvements or bedrooms": ".. Electrical work shall be performed by a State of Oregon licensed electrician."*

COMMENT: Why is electrical work in STR's singled out for requiring a licensed contractor? Why not structural or plumbing etc.? Are you aware how difficult it is to get an electrician to do any work in Tillamook County? There aren't enough electricians working in the County and construction is their focus

not small minor work at a STR. This requirement is a big burden. Besides, why are STR's being singled out to meet standards for permits and work if those standards are not required by the permit covering the work?

SUGGESTION: Strike the sentence requiring that electrical work be performed by a licensed electrician from section 0.080.I. Doing so will not change the requirement that STR's obtain building, electrical, plumbing permits etc. and meet the requirements of those permits which are in place to insure safety concerns.

ISSUE: The required minimum response time by the contact person should be reasonable and realistic. 30 minutes per the draft IS NOT REALISTIC NOR REASONABLE. A STR complaint IS NOT an emergency and shouldn't be treated as such. A STR complaint is a nuisance issue.

- Section 0.080.J *Contact Information:* “.. The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems.” AND “.. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance.”

COMMENT: An STR complaint isn't an emergency by anyone's definition. At worst, an STR violation is a nuisance issue. It is our experience that no Tillamook County Department including the Sheriff is able to respond to non-emergency complaints within 30 minutes, so why are STR owners being singled out to do something the County itself isn't able to do? The response required by the contact person should be the same that is expected by a County official for a nuisance complaint. Since the County is not willing or able to provide a time period for their resolution of nuisance complaints, we don't believe it is fair or appropriate to apply a different standard to the STR contact. There isn't perfect, complete or always reliable cell coverage throughout the county and people have the right to live their lives without sitting in cell coverage on the remote chance there will be a complaint. The County's complaint records of past STR issues show that the proposed 30 minute response requirement is unreasonable.

SUGGESTION: Amend the first sentence to read: “ The contact person will respond to the complaint within a reasonable time period and attempt to resolve the complaint as soon as possible with a goal of resolution within 24 hours.” Strike the last sentence completely as it is unnecessary, repetitive and unreasonable.

ISSUE: It is unreasonable to require STR's upgrade their building at each STR inspection and meet the current International Building Code (IBC) requirements in place at that time since those requirements change over time. STR's SHOULD MEET the IBC requirements in place when building permits are obtained for the structure but SHOULD NOT BE REQUIRED to constantly upgrade their buildings in order to meet the latest IBC requirement in place at STR inspection.

- Section 0.090.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 meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit as a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural and ventilation requirements. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector."

COMMENT: We think the intent here is for dwellings to meet building codes which is appropriate, however, no property owner is required to continually meet International Building Codes which change over time including motels, hotels, restaurants, stores, schools, hospitals, government buildings etc. let alone single or multi-family residences that house STR's so why is this a requirement of STR's? It is appropriate to require building, electrical, plumbing, mechanical etc. permits and the dwelling will conform to the IBC and other appropriate codes in place at that time.

SUGGESTION: Amend this section to read: "A Short-Term Rental license shall not be issued until the dwelling passes inspection by the County Building Inspector certifying that the dwelling meets the requirements of the STR Ordinance and obtained required County building permits, inspections and met standards in force at the time the dwelling was constructed."

ISSUE: The time limit for filing an appeal SHOULD BE REASONABLE and 14 days IS NOT reasonable. Property owners should be given AT LEAST 45 DAYS to file an appeal to a STR complaint. A STR complaint IS NOT an emergency and shouldn't be treated as such.

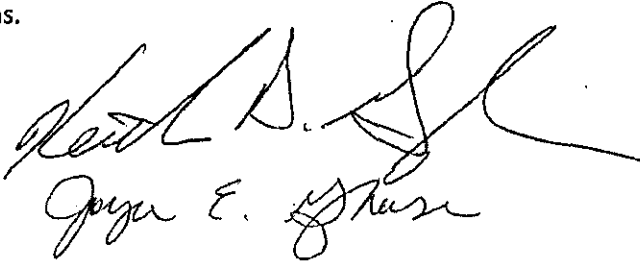
- Section 0.140.C *Time for Filing:* "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

COMMENT: 14 days to file an appeal is unreasonable. Tenants who refuse to pay rent and squat on your property have more rights and time to respond to the complaint during eviction. Why are STR licensees who provide a huge economic benefit to the County not given the same respect and rights? A property owner appealing a decision has the right to legal council and the right to develop a legal basis in a reasonable time frame. Its impossible to obtain legal council and file a legal basis within 14 days.

SUGGESTION: Amend this section to read: "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 45 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

Thank you for the opportunity to comment and discuss our concerns about proposed changes to STR regulations.

Regards,

Handwritten signatures of Keith D. and Joyce E. Garlinghouse. The signature of Keith D. is on top, and Joyce E. is below it.

Keith D. and Joyce E. Garlinghouse

Tillamook County Property Address: 33580 Madrona St, Pacific City, OR 97135

Mailing Address: 21830 Abiqua Rd NE, Scotts Mills, OR, 97375, Keith: kdg873@yahoo.com (email), Joyce: jeg873@yahoo.com (email)

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:34 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STVR

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 5:02 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 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.]

I own a home in Nedonna Beach, Rockaway where my family has been visiting for five generations. I recently learned the majority of the Nedonna Beach neighborhood is governed by Rockaway Beach, but our home lies within Unincorporated Tillamook County and 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 of being at the beach. Since Covid the increased number of visitors has allowed restaurants to be open more days of the week along with the opening of new venues.

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 backwards for our beach communities.

Some of my neighbors spoke negatively about STVR at our July 2022 annual homeowners meeting, however, their points were not based in fact. For instance, one said they didn't know who to call IF there was an issue with noise but the homeowner/management company phone number is clearly provided on each home. Similarly, one talked about more cars parked in the neighborhood, but the home they used as an example is a private resident and all the cars were their own visiting family members!

Maintaining a positive environment is important so regulations concerning parking capacities, noise and 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 the economic opportunity while providing livability for all.

Sincerely,
Leslie Nickels

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STVR- public comment

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 5:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STVR- public comment

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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.

1. 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.
2. 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.
3. 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.
4. 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

Kimberly & Eric Bergstrom
Owners of Tillamook County Short Term Rentals
Jun 12, 2023

Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
sabsher@co.tillamook.or.us

Re: Tillamook County Ordinance 84 Revisions, and in Support of Tonkin Torp / Oregon Coast Hosts June 8, 2023 to the Tillamook County Board of of Commissioners

To Whom It May Concern:

My name is Kim Bergstrom. My husband and I own Short Term Rentals (STRs) in the Neahkahnie area of Tillamook County (the County). My history with this area goes back long before I was born. My Grandfather worked on the Southern Pacific Railroad, and was a supervisor for the area that ran through Tillamook County and the northern Oregon Coast. He, in turn, introduced the love of the Coast to my father. It was his dream to build a house on the Coast, and that dream came true in 1962 with the completion of our house. My family's free time was spent traveling back and forth on Hwy 26 as we worked on the house. Lumber came from the mill where my father worked as an accountant. Fireplace bricks came from a demolished building from the local university where my parents first met.

Summers were especially wonderful, as my Aunt and Uncle would travel with my cousins from outside of Oregon to the Coast while my Aunt sought treatment for rheumatoid arthritis at the Rinehart Clinic in Wheeler. Days were spent jumping waves, bowling at the local bowling alley, penny candy and comic books from the grocery store. Nights were spent camping out in the forts we built amongst the gigantic driftwood logs that lodged up against the rocks fronting our house. Or curled up in the old army bunks, falling asleep to the sound of the quiet laughter and conversation of our parents.

The beach meant home. And would always play a part in my history, past and future.

My name is Eric Bergstrom. I first visited the Neahkahnie area in 1984 when my girlfriend (now wife) introduced me to her most favorite place on earth: her family's beach house and the surrounding area. I spent the first part of 1986 commuting to the beach on weekends from Seattle to plant a lawn and build decks. Kim and I married in August of 1986 on that lawn next to the beach, joined by family, friends, and local community neighbors. Those neighbors pitched in

to help. Neighbor's driveways were offered for guest parking. Our next door neighbor hid my car in their garage so my family couldn't "decorate" it, as was their tradition. It was perfect.

In 1996 we purchased our beloved beach house from Kim's father, who was retiring and downsizing. In order to afford the house and keep it in our family, we decided to rent the house to others for vacations, to share with others the experience we loved so much. Before doing so, we discussed this with our neighbors and came up with a plan that would work for all of us.

It was a wonderful experience. Most of our guests became regular guests. They planned their yearly getaways far in advance with much anticipation. They thought of our house as their very own beach house and treated it as such. We'd often find our guests had left gifts behind to add to the house; artwork, games, kitchen accessories. They were mainly families or couples, sometimes solo travelers, all looking for the peace and relaxation of the Coast.

We ultimately purchased additional properties, one at a time, lovingly updating them but keeping the small beach community character we cherished. Like our own house, we put love, sweat into each of them, doing or supervising much of the work ourselves. Each of these houses had been STRs before we purchased them.

We've been following the issues in the community concerning livability. We hear a lot of people state the community has changed due to short term rentals. Actually, we'd like to disagree with that premise. Transient housing is not new. The majority of our community has always been transient housing. The only difference is that more people are having the opportunity to visit and enjoy. More people have access.

But we do agree that the community has changed. No longer is the norm small beach cottages that are within financial reach for many families. Huge houses with landscaped yards have replaced vacation cabins. Our kids learned to ride their bikes on quiet roads. People walked along the road, stopping to talk to neighbors. Drivers watched out for pedestrians. This is no longer the case. It's interesting that people move to our area because they enjoyed the community, but after living here they want to change it.

Governor Oswald West fought for open beaches for all. It seems the new community feeling is based on exclusivity. Blame rather than working together to find a solution for all. Neighbors used to speak directly to each other, they now communicate frustration via certified letter, email or text. Often anonymous.

The current unhappy local sentiment is that STRs take away affordable housing for locals. Communities along the beach are actually no longer affordable for many people. However, not because of STRs. The 2023 median price for a house in Neahkahnie is \$929,000. The Neahkahnie / Manzanita Beach area has skyrocketed in popularity, as has the whole North Oregon Coast. The cessation of STRs would not decrease the median housing cost. What it would do is create more exclusivity.

We have and always will support equitable STR regulations. Balancing the needs of both property owners and residents is a challenging task, but absolutely must be done using the best fact based evidence available. We therefore support lawful regulations based on full disclosure of fact, with reasonable modalities of enforcement. Regulations should be fair, unbiased, and need to apply to **all** property owners, whether resident housing, long term rentals, transient homes, or transient STRs.

We were interested in the formation of the Tillamook County Short Term Rental Advisory Committee, which appeared to have been created to take a realistic look at many of the pressing issues in the County. However the seemingly unbiased nature of the group was soon upended when the County hired attorney Daniel Kearns to advise the Committee. As many are aware, Daniel Kearns has created his niche in Oregon Law as an "expert" on anti-STR law. In reference, you'll note Mr. Kearns worked against STR interests in Hood River, Banks, Bend, Clatsop County, Port Orford, and other Oregon communities.

Recently, Mr. Kearns represented 15 neighborhoods in the Lincoln County contentious STR issue. People familiar with the issue will recall that Mr. Kearns and the anti-STR group 15 neighborhoods were instrumental in getting ballot Measure 21-23 passed. It requires the phasing out of STRs in unincorporated Lincoln County residential areas in five years, bans new licenses in those same areas, and imposes additional operational restrictions on STRs. Measure 21-23 was quickly struck down by the Land Use Board of Appeals (LUBA).

In August 2022, Mr. Kearns sat on a panel as an expert at the Oregon State Bar Real Estate and Land Use Section of the Annual Summer Conference. The panel's subject was "Not in My Weekend Back Yard: Licensing, Land Use, and Litigation of Vacation Rentals," furthering his reputation as an anti-STR regulation expert.

If Tillamook County wished to find an unbiased solution that worked for all, and they truly wished to work with Mr. Kearns with his clear historical ties to anti-STR interests, the County would also have sought representation from an attorney with ties to the interests of STR property owners. Barring that, the County could have sought advice from an attorney with ties to neither anti-STR or pro-STR interests to help craft unbiased Regulations.

Which brings us to today and the proposed Ordinance 84. Obviously, Tonkon Torp's aforementioned Jun 8, 2023 letter to the County Board of Commissioners details the issues with the Ordinance better than either of us could. Suffice it to say that we support the comments and legal concerns outlined in their letter. However, we do have comments specific to our own situation.

The County plans to replace existing Permits with Licenses, trying to skirt land use rights of the STR owners. This concept was also attempted in the Lincoln County Measure 21-23 ballot measure struck down by LUBA. It appears that Mr. Kearns is leading the County into a similar

action that will ultimately end up in another LUBA appeal, costing taxpayers unnecessary expenditures for an issue previously adjudicated.

Our personal rights as current STRs permit holders are also jeopardized by Ordinance 84. The Ordinance plans to restrict the operations of our STRs. One example is by imposing arbitrary occupancy restrictions. This attempt by the County to restrict our STRs occupancy maximums would be financially onerous and detrimental to our STR properties. Our occupancies are similar to what they were before we purchased them, dating from long ago. While provisions have been made in Ordinance 84 for so-called "Estate Homes," the proposed occupancy restrictions, both for Estate and non-Estate STRs, are burdensome and should remain at the maximum occupancy level set forth in our current permits issued by Tillamook County. This includes maximum occupancy during daytime and overnight hours. It is our understanding that restrictions on STR operations in Tillamook County are unlawful, as Oregon State law allows us to continue nonconforming use at all levels of current operations.

It is our understanding, also noted in the Lincoln County LUBA Opinion and Order, that property owners cannot lose property rights solely based on the conduct of someone else. In other words, guests staying at a STR. This provision in the Ordinance is particularly burdensome. We have always gone above and beyond to make sure our visitors adhere to Tillamook County's STR policies. For our STRs, we require guests to sign an eight page Rental Agreement. Within that Agreement, visitors are educated and agree to all the points of the Tillamook County Good Neighbor policies, and more. They are made very aware of policies such as Quiet Hours, available parking spaces, no RVs or camping, no on street parking, etc. And yes, we have many complaints from visitors that our Rental Agreement is too long and restrictive.

Ordinance 84 stipulates Noise restrictions, Quiet Hours, On Street Parking requirements, and more. Again, arbitrarily placed on the County STRs rather than the common sense solution of creating Ordinances for all County residents, transient properties, STRs and visitors. We can cite numerous examples of non-STR neighbors causing excessive noise, including during "Quiet Hours." Non-STR neighbors with excessive dog barking, both indoors and out. Roaming unleashed neighbor's dogs depositing waste on our lawns. Recreational vehicles parked in resident and transient housing driveways. Visiting cars at those properties, parked so they spill out from driveways and impede street traffic. Unsecured garbage cans at those properties tipped over into the streets. The list goes on. Wouldn't it make more sense to create across the board, common sense regulations that the whole of Tillamook County could follow in order to be good neighbors?

Also extremely burdensome is the Ordinance 84 requirement to resolve complaints within 30 minutes of receipt. Which, I understand, is faster than the County Sheriff's average response time. This certainly does not sound like common sense regulation, rather an end run attempt to reduce the number of STRs. Especially as the complaint may be unwarranted, or, in fact, an effort by a disgruntled neighbor to enact the three strikes provision which would jeopardize an STR permit.

To give you an example, Kim received a call a while ago of a transient neighbor loudly complaining about guests at our neighboring STR. The complaint consisted of an accusation that our visitors were holding an outdoors party with loud music; that there were tents pitched in the backyard; that their pit bull was freely roaming the neighborhood terrorizing others; that the guests were freely smoking marijuana in the backyard (this was prior to the legalization in Oregon). This caller wanted us to put a stop to it.

Kim thanked the caller for bringing this to our attention, then immediately contacted our local security service, Northcoast Watchman Service, and they investigated. What they found was that this situation was occurring at a different property on the block. That, in fact, our own guests – a couple with a toddler – had confined themselves inside our STR to avoid the situation. They were scared to cross our yard to the beach. While we're sure the caller didn't have bad intentions, we actually appreciated the call. However, if that call had occurred after the passage of Ordinance 84, it would have been a larger issue. We think you'll find many examples by County STR owners where they were blamed for issues not related to their property.

The proposed Ordinance 84 provision regarding complaints is troublesome on many many levels. And again, it is not based on facts. It appears there were 489 complaints regarding STRs in Tillamook County, and the overwhelming majority were regarding signage. Hardly an issue that requires a punitive 30 minute response deadline. The new proposal for handling complaints also insists on an in-person response with no provisions for dangerous situations or back up. Local STR owners have reported instances where the County Sheriff's department has declined to help with a worrisome or precarious situation. The proposed Ordinance also requires STRs to pay a local person to monitor calls non-stop, 24/7. For years we have worked with a local security service, in addition to a local maintenance person and a local house cleaner that is always helpful and on top of any issues that may arise. We have a system in place that does work.

Further, the County has failed to offer evidence supporting the need for such an oppressive regulation. As with other requests for facts and figures, the general answer to questions regarding supporting statistics has been that the County does not have the staff nor time to research and obtain the facts and figures on important issues. Besides the point that it seems to be bad form to create Ordinances and Regulations which are not based on factual information, it begs the question regarding how the County intends to implement such an over broad and burdensome Ordinance if it does not have sufficient time to base regulations on facts?

Speaking of facts, we have not seen supporting evidence that Ordinance 84 will not cause harm to the local economy. Personally, we have long economic connections to our area. For instance, we earlier referenced our local security service, Northcoast Watchman Services. It's interesting to note that my father worked with the previous owner of Northcoast way back when, and after we purchased the property in 1996 we continued our working relationship. We buy hardware and building supplies from the lumber stores in Manzanita in Nehalem. We also have an account at Rosenberg Supply in Tillamook for items not available at our local stores. We work exclusively with local yard and house maintenance services, and cleaners. We shop locally. Our

guests shop locally. The taxes the County collects is quite extensive. What is the economic impact of the possible passage of Ordinance 84 and the promised next phase of stricter regulations? For 2021 the County collected \$7,540,366 in Transient Lodging Taxes alone. How is the County planning to cover any resulting shortfall caused by the passage of Ordinance 84?

At the June 3, 2023 Oceanside Citizen Advisory Committee meeting, a County representative made the following statement:

There is no obligation as a property right to use your home as a short-term rental.¹

We respectfully disagree. As did LUBA in their Final Opinion and Order regarding Lincoln County's Measure 21-23. We fear Tillamook County is being led in a direction that can only result in further legal action. We request the County take whatever time it needs to gather relevant facts pertinent to the actual situation and work on reasonable legal regulations for all parties. And not single out STR owner's land use rights.

Sincerely,



Kimberly Bergstrom



Eric Bergstrom

37750 Beulah Reed Road, Nehalem OR 97131
37395 Beulah Reed Road, Nehalem OR 97131
37345 Beulah Reed Road, Nehalem OR 97131
37335 Beulah Reed Road, Nehalem OR 97131
37325 Beulah Reed Road, Nehalem OR 97131

¹ Sarah Absher, Director of Tillamook County Community Development

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Annette Dhein <annettedhein1@gmail.com>
Sent: Tuesday, June 13, 2023 4:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Annette Nickels Dhein

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Neskowin Short Term Rental

-----Original Message-----

From: Halina Kowalski <halkowalski@yahoo.com>
Sent: Tuesday, June 13, 2023 4:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Neskowin Short Term Rental

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Halina Kowalski
4390 sheridan Ave. neskowin, OR 97149 And undeveloped land currently zoned for development Tillamook County
Landowner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Halina Kowalski and I am Tillamook County Landowner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since Build in 1970. Besides owning a STR in Neskowin that is the childhood home I was born and grew up in, my family also owns some of the last developable land in the area, just across the highway above Neskowin. My Parents purchased the land from my Grandparents in the 70's who acquired the land before that in the 50's and were also long time and original/early residents of Neskowin. My parents purchased the property as current residents of Neskowin, hoping to one day be able to develop it and count on it to help fund their retirement. My father devoted himself to that land and worked for over 30 years to change the zoning to allow urban growth and develop necessary infrastructure. Now at 81 years old, my parents, having not yet realized their dreams for their land and their retirement (indeed dreams that my Grandparents had for them too!) are faced with losing some of the property rights that would make owning a beach house property possible for most people - the potential to STR any homes that might get developed there. This would create yet another Major obstacle that would thwart a potential investor or developer's interest and potentially block years of work, literally a life's work from realizing a multi-generational dream and legacy. Beyond the land, our home in Neskowin village is my most cherished retreat. It's where I grew up and where most of my happiest childhood memories took place with my Sister, who died young at age 16 shortly after we moved to

McMinnville. Like many other STR owners, once the house is passed down to me, there will be no way for me to keep it financially without the possibly of renting to subsidize its costs. Our house has been a rental on and off for over 30 years and has created thousand of memories for renters and friends and family alike who would not otherwise be able to access the Oregon Coast. Growing up in this community it's always been known to be largely a second home and vacation community and it will detrimentally change the history, culture, economy and charm of Neskowin to put unnecessary STR caps on it. Thank you for hearing my concerns.

These are my top 3 general concerns:

Neskowin has always been a vacation community - STR caps need to be reasonable to reflect that Restrictions on growth aimed at existing permit holders are unlawful No evidence to support restrictive new regulations - only 9 violations in 4+ years Replacement of current permits with licenses

These are my top 3 operational specific concerns:

24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus. Parking: owners can not enforce rules against parking on public streets If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Halina Kowalski

Halina Kowalski, MA, LPC, NCC

Licensed Professional Counselor

Owner: Gather Sauna House

61525 Aaron Way

Bend, Oregon

503-830-6393

[https://us-east-](https://us-east-2.protection.sophos.com?d=gathersaunahouse.com&u=d3d3LmdhdGhlcnNhdW5haG91c2UuY29t&i=NjBjYWw1MjU1ZT YxYzYwZjQ5ZGYxNGMz&t=eHJ3b001OSt0RFITOGZHQ3hHNS9jUjIjGN3dtMUw5RGd4U2ZWNEFwQ0lxZz0=&h=2edc4a2891 524aa18a0a274e5ff0db12&s=AVNPUEhUTONFTkNSWVVBUSVZz4JLk6affnk3ICLB3N2cEg8akTqE1VLwWZlt8JsgFcw @gather_saunahouse)

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Tyson and Michele Smith
36380 Brooten Mountain Road, Pacific City, OR 97135
Short Term Rental Owner

Re: Legal concerns regarding proposed legislation limiting property rights for Short Term Rentals

My name is Tyson Smith and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

It has been a lifelong dream to own a home at the coast for us that we can share. We were blessed enough to buy our Townhome in 2021 and we have shared the opportunity to stay at our home for others as an STR. We enjoy hearing about the family experiences that our guests have while staying at our home. But most importantly we get to spend at least a weekend a month at the coast. We feel like we are truly part-time residents of this community. We have made friends in the neighborhood. We enjoy and purchase services from local providers. We have concerns regarding our property rights and values as it relates to the onerous legislation that is proposed.

These are my top 3 general concerns:

- Property owners cannot lose property rights solely based on the conduct of someone else.
- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful

These are my top 3 operational specific concerns:

- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first responders (Fire, Sheriff, and Ambulance) cannot respond that quickly every time. A \$100 charge to change the contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration that allows owners or property managers to log in and update the contact person in real-time is an ideal solution that can be integrated with Granicus.

- Provision is needed to protect STRs from harassment via unfounded complaints.

We support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Tyson and Michele Smith
Kingfisher Getaway in Pacific City

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Gus Castaneda
930 Bearberry Lane - Oceanside
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Gus Castaneda and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2004. It was built together with family funds for our kids to grow and enjoy, it has become that and much more. Our children have endless memories gatherings throughout the years. Our guest book is filled with similar stories from guests who have enjoyed the house.

I know that the amount of money we spend in groceries alone for each stay have significantly impacted the local Safeway and convenience store - not to count the number of other guests. It would be a personal and financial loss for all to restrict its use. .

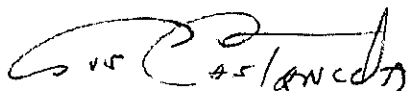
These are my top 3 general concerns:

- Replacement of current permits with licenses
- Vacation rentals have always been allowed in Tillamook County
- Any classification of STRs as commercial or business use is not accurate - STRs are residential use.

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.
- Requiring exterior lighting to direct downwards requires a modification contrary to state building code. Lighting is often a safety feature for guests in an unfamiliar place to prevent trips & falls. Allow motion sensing lights.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.



Gus Castaneda

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:33 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment from Tyson and Michele Smith

From: Tyson Smith <tyson.wa@gmail.com>
Sent: Tuesday, June 13, 2023 4:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment from Tyson and Michele Smith

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Short Term Rental Owner

Re: Legal concerns regarding proposed legislation limiting property rights for Short Term Rentals

My name is Tyson Smith and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

It has been a lifelong dream to own a home at the coast for us that we can share. We were blessed enough to buy our Townhome in 2021 and we have shared the opportunity to stay at our home for others as an STR. We enjoy hearing about the family experiences that our guests have while staying at our home. But most importantly we get to spend at least a weekend a month at the coast. We feel like we are truly part-time residents of this community. We have made friends in the neighborhood. We enjoy and purchase services from local providers. We have concerns regarding our property rights and values as it relates to the onerous legislation that is proposed.

These are my top 3 general concerns:

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- Property owners cannot lose property rights solely based on the conduct of someone else.

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- Replacement of current permits with licenses
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- Restrictions on transferring property with the STR permit intact are unlawful
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These are my top 3 operational specific concerns:

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- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
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- 24/7 Contact Person - The immediate response requirement is unreasonable; even first responders (Fire, Sheriff, and Ambulance) cannot respond that quickly every time. A \$100 charge to change the contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration that allows owners or property managers to log in and update the contact person in real-time is an ideal solution that can be integrated with Granicus.
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- Provision is needed to protect STRs from harassment via unfounded complaints.
-

We support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Tyson and Michele Smith

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Dick Binns
1770 Rosenberg Loop, Oceanside, OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Dick Binns and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

We built our weekend/vacation house in Oceanside in 1993 when our daughters were seven and eight and spent many happy weekends in Oceanside. We chose Oceanside because we'd always loved the steep hill with the small town nestled in it that comes up from the Pacific and the panoramic view south to Netarts and Cape Lookout. Because we no longer live nearby in Portland we would not be able to keep this family getaway spot were we unable to operate it as an STR.

These are my top 3 general concerns about the proposed new regulations:

- Replacement of current permits with licenses
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Oregon's beaches are proudly public, and restricting STRs will limit public access to the beach, especially in areas with no hotels

Our top 3 operational specific concerns are:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures. It would prohibit our four kid bunkroom that has been in place since 1993.
- If the BOCC will be setting the permit fees, then any annual increase from the current level should be limited to a maximum of 5%, and STR inspection fees should not be priced higher than other building inspections - This is outlined in the current STR ordinance, and has been removed.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Thank you for your time and attention and the opportunity to comment on the draft proposal.

Sincerely,

Dick Binns

Lynn Tone

From: Public Comments
Sent: Wednesday, June 14, 2023 7:32 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Nick Petersen <nick@traskbox.com>
Sent: Tuesday, June 13, 2023 4:36 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

Skyler Veek and Nick Petersen have lived in Tillamook County for over 40 years and have run several successful small businesses and developed over 100 real estate properties(including workforce housing, long-term rentals, motels, and short term rentals)including workforce housing, long-term rentals, motels and short-term rental). We would like to think our opinion is valuable among the commissioners because we have considerable influence in this community.

You and your counsel are making a mistake by limiting short term rentals and putting restrictions on property owners. You are opening yourselves up to liabilities that are easily avoidable. Ordinance 84 needed some minor adjustments regarding safety, parking and noise issues that could be easily resolved as well. You have wasted taxpayers money, time and resources to suffice a very small group of people who live on Neah-Kah-Nie mountain.

The restrictions that you are proposing to limit short term rentals may make sense in counties like Clatsop or Lincoln, where there are numerous motel and hotel rooms available, but Tillamook only has a fraction of those rooms available and rely on visitors to spend the night economically.

I own \$1 million property, my neighbor just sold their property for \$400,000 and rented it log truck driver. Every morning I get to hear a log truck start up at 3:30 AM. Waking up at 3:30 AM to a log truck is not ideal, but he has the right to do so. The constitution allows these kind of things to happen in a capitalistic free country. My point here, is that you are picking on short term rentals. You have selected one economic group that happens to make money off their houses and you are limiting it. It is unconstitutional and unfair.

We trust that you will make appropriate and ethical decisions about ordinance 84 to support local business owners like ourselves. Sincerely, Nick Petersen and Skyler Veek.

Lynn Tone

From: Barbarry <bbusybees@yahoo.com>
Sent: Tuesday, June 13, 2023 8:38 PM
To: Lynn Tone
Subject: EXTERNAL: Re: public testimony

[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 Lynn,

I was unable to testify online this evening, so I'm attaching copy of my 2 minute opinion. Got home late from a Water District Board meeting, but what I got to see of the BOC meeting was interesting. Thanks for providing public access - the miracles of modern communication systems! Maybe I'll just copy it into this email:

Hi, my name is Barbara Rippey,

I am a resident of the Neahkahnie community. I feel that we should be given the opportunity to determine how STRs are administered here.

In keeping with our neighbor, Manzanita, I request that a maximum cap of 17% be placed on the number of STRs allowed in the Neahkahnie area. According to Tillamook County, Neahkahnie has around 404+/- dwelling units. The gated "Meadows" community with restrictive covenants disallowing STRs, has about 68+/- lots, with about half of them built. The houses there should be deleted from the overall numbers so that an accurate percentage-STR density is reflected in our neighborhoods.

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. David Boone's comment letter of 4/14/23 is worth a re-read as it details how this small community is impacted by STR's in the realm of water usage. We are both members on the board of the Neahkahnie Water District and I agree with him that the current level of STR occupancy creates a significant challenge to our water supply in the summer. I believe that we need to be able to regulate according to our capacity.

We have livability issues specific to our area:

- *Our streets are frail.*
- *Our sewers are designed for single family use.*
- *Water has and will be an issue in the future.*
- *The Tillamook County Sheriff lacks coverage for increased problems.*
- *We lack walkways out of the paved lanes for cars, pedestrians and their dogs, strollers, kids etc.*
- *Short term rentals threaten to over-run both public and private domains if left unchecked.*

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.

Thank you for the opportunity to give my input.
Barbara Rippey

On Tuesday, June 13, 2023 at 01:42:47 PM PDT, Lynn Tone <ltone@co.tillamook.or.us> wrote:

Hello, will you be providing testimony at tonight's hearing in person or virtually?



Lynn Tone | Office Specialist II

TILLAMOOK COUNTY | Surveyor's Office/Community Development

1510 3rd Street Ste C

Tillamook, OR 97141

Phone (503) 842-3423

ltone@co.tillamook.or.us

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Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Pro short term rental - Neskowin

From: Lindley Leahy <lindleyleahy@gmail.com>
Sent: Tuesday, June 13, 2023 4:12 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Pro short term rental - Neskowin

[**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

Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lindley Leahy
5400 N Breakers Blvd Neskowin
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Lindley Leahy and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. Neskowin OR can be shared with visitors via short term rentals. Neskowin needs to offer a variety of accommodation to meet visitors' needs. We plan to use our new construction home as part of our tourism related business as well as passive income for ourselves going into retirement as well as vacation home for our own family. .

These are my top 3 general concerns:

Restrictions on transferring property with the STR permit intact are unlawful
Replacement of current permits with licenses
Restrictions on growth aimed at existing permit holders are unlawful

These are my top 3 operational specific concerns:

Parking: owners can not enforce rules against parking on public streets

Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair. 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lindley Leahy

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:24 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public comment for STR's

From: Sora Stay <sorastayllc@gmail.com>
Sent: Tuesday, June 13, 2023 3:27 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public comment for 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Jana Nazir & Krista Miller
34860, Cape Kiwanda Dr
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Jana Nazir & Krista Miller and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. It took a long time to save up for a house on the coast. I own the house with my mom and sister as we all contributed to the downpayment and repairs the house needed. This house will hopefully be our forever home and be a place for many memories for my family and our extended family. Currently my sister and I live and work in Portland and my mom and extended family live in Minnesota. .

These are my top 3 general concerns:

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- Restrictions on transferring
- property with the STR permit intact are unlawful
-
-
- Provisions
- to lose property rights over a licensing lapse are unlawful
-
-
-
- Restrictions on growth
- aimed at existing permit holders are unlawful
-

These are my top 3 operational specific concerns:

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-
- 24/7 Contact Person
- - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements.
- An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-
-
-
- Requiring exterior
- lighting to direct downwards requires a modification contrary to state building code. Lighting is often a safety feature for guests in an unfamiliar place to prevent trips & falls. Allow motion sensing lights.
-
-
-
- Provision is needed
- to protect STRs from harassment via unfounded complaints.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Jana Nazir, Krista Miller and our extended families

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

From: Brandon Gray <bgray052299@yahoo.com>
Sent: Tuesday, June 13, 2023 3:26 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

[**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 Brandon Gray and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. We have lived in Oregon our entire lives and grew up going to the coast. Our home in PC is expensive to maintain and pay taxes and insurance. We rent out our home a few times during the summer when we have other plans to help offset some of these costs. With the permit fees and extra water utility fees we only make a few thousand per year, like less than \$5k. That doesn't even cover the property taxes. Our neighbors have never had a complaint. I don't believe we need new rules, we need the existing rules to be enforced. These new suggestions will drastically reduce real estate values..

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Restrictions on transferring property with the STR permit intact are unlawful
- State building code prohibits forcing historic buildings to "come up to code"

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Provision is needed to protect STRs from harassment via unfounded complaints.
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Brandon Gray
6755 Nestucca Ridge Rd, Pacific City, OR
Short Term Rental Owner

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Brandon Gray <bgray052299@yahoo.com>
Sent: Tuesday, June 13, 2023 3:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

My wife and I have lived in Oregon all of our lives. We grew up going to the coast and always dreamed of owning a home at the beach. We purchased a house, 6755 Nestucca Ridge Rd, Pacific City, in 2021. We were excited to get a str permit to allow us to rent it out a few times a year to help with taxes, insurance, and maybe a little maintenance. We don't even cover 1/3 or our fixed costs with the high permit fee and extra water utility fee (I guarantee our house uses way less water than full time residents, it makes no sense to just tack on a huge fee because it is a str). Regardless, we've felt the str permit and option to get one help keep real estate values high. We pay for garbage service year round and probably put out a can out 10 weeks.

The existing ordinance works fine if it is followed. We have never had a complaint. Any complaint I've heard of would have addressed with current rules, if they were enforced. Proposed rules are a massive over reach of property rights and will drive down values and tourism. It feels like Tillamook county is taking notes from Multnomah county instead of using common sense to drive reasonable progress and growth. Ideas of requiring str's to be in compliance with current codes, downward lighting, septic inspections, etc, while a full time resident or owner is allowed to let their homes be completely run down, over crowded, and a nuisance, is really ridiculous. I have multiple pictures of either residents or long term rentals with cars parked on the streets, in the grass, the whole house in disrepair, and large exterior floodlights. If you want to make a bunch of rules, then make them apply to all homes equally, and then enforce it. Or allow people that used their hard earned money to buy property to use the property as they see fit. STR's are the nicest kept and maintained properties in the neighborhoods because they want people to enjoy coming to them.

Thank you,

Brandon Gray
503-869-2985

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 4:23 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Jami Gresham <jamigresham@gmail.com>
Sent: Tuesday, June 13, 2023 2:49 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Jami

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84 Public Comments

From: TOM FOELLER <tmfoeller@comcast.net>
Sent: Saturday, June 17, 2023 8:48 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Cc: Jim & Diane <djducks@centurylink.net>; Daniel Foeller <dan.foeller@gmail.com>
Subject: EXTERNAL: Ordinance 84 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.]

Dear Sarah Absher, Lynn Tone; and Commissioners Skarr, Bell and Yamamoto,

My sister, brother and myself are owners of a Family legacy duplex on Watseco beach. We support the goal of a balanced, fair, common sense, enforceable, and reasonable approach to the STR ordinance that promotes family values and togetherness, livability, fair housing, and economic development. We appreciate the time and effort everyone has invested in this latest amendment to the Ordinance.

Please consider our comments that pertain to the STR licensing of our duplex and other multi-family properties. Our duplex is located at 18254 and 18260 Hwy 101 N, Watseco Beach, which is located West across 101 from the border between the Twin Rocks Friends Camp and the Sanitary District.

Background:

Our families have been coming to Tillamook County as their prime vacation spot for well over 100 years. My siblings and I have vacationed here for over 70 years. Our Grandparents lived in Barview when our grandfather was a sawyer in Garibaldi. We love Tillamook County and feel we're part of the community and are vested here.

Purpose/Location: Our family was fortunate to find and build on a duplex zoned 1-acre lot between Hwy 101 and the Pacific Ocean that has Watseco creek running through it. We wanted to carry on family traditions and share the beach with others. We sit together with three other duplexes on a gravel road. A few other mostly single-family vacation homes are located further down the dead-end road. Early on we hoped our parents would move into the one side of the duplex and leave the other side for the rest of the family to use. Times changed, and with some money from our parent's estate we designed, built, and manage the property. We preserved and enhanced as much of the original forested character of the property as possible, while being good neighbors and environmental stewards.

In recent years it's been necessary to share the duplex with vacationers and we've obtained two SRT permits in order to financially maintain the property. We did not build it as an investment but to pass it on as a family gathering place for Foeller generations to come. We've never taken out rental income and proceeds are reinvested in repairs and improvements. We and our renters trade heavily in Tillamook County where we prefer to hire local contractors, housekeepers, etc., whenever and wherever it's possible. We feel we're good Tillamook County ambassadors for vacationers and visitors from around the U.S.

Our plea: Help us protect and preserve our SRT status for future generations and visitors by considering the following draft Ordinance comments and suggestions:

- **.020 Purpose and Scope:** We suggest **inserting a #7 clause** that says something like **"Provides an ordinance and subsequent implementation of rules that minimizes costs, enforcement, complexity, labor, appeals and other processes while maximizing understanding and readability"**. The ordinance reads pretty well but we think it could get a little better!
- **.030 Definitions, DD. "Transfer":** Ensure that ST R licenses can be passed on through death, divorce, marriage, or inheritance, **and (add something like) any legal form of ownership that serves the same purpose.**
- **.060 License renewal, B. Transferability of Licenses:** Clarify and ensure this section is **consistent with the "Transfer" Definition in .030 above.** These two sections could be read to create some confusion with each other.
- **.080 Operational Requirements,,,,, J. Contact Information:** **Allow some leeway** in the requirement "that a contact person be able to arrive on site within 30 minutes to address complaints that cannot be handled over the phone". The owners and most of our families live in the Portland area and it takes them about 2 hours to drive to Watseco, IF and when Highway 6 is clear!
- **.100 Additional Requirements,,,,,, B. Complaints, 2. STR Hotline:** In addition to allowing some leeway for a 30-minute on-site response time, **consider developing another ordinance requiring ALL owners in unincorporated Tillamook County be subject to the same type of complaint process and a hotline**, not just STR's. We believe it's unfair and unreasonable to require a hotline only for STR's where the number of complaints is likely to be much higher for non-SRT housing county wide. Initiating an amended requirement for response time in this ordinance, and developing a similar complaint hotline for all other kinds of housing is the right, non-discriminatory thing to do!

Sincerely, and thanks for listening to our considerations and suggestions,

Tom Foeller,
and on behalf of my sibling co-owners Diane Foeller Miller, and Dan Foeller
tmfoeller@comcast.net
cell/text 503-803-0390

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Tim Richardson <trich125@gmail.com>
Sent: Saturday, June 17, 2023 3:00 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Lynn Tone

From: TOM FOELLER <tmfoeller@comcast.net>
Sent: Saturday, June 17, 2023 8:48 PM
To: Sarah Absher; Lynn Tone; Public Comments
Cc: Jim & Diane; Daniel Foeller
Subject: EXTERNAL: Ordinance 84 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.]

Dear Sarah Absher, Lynn Tone; and Commissioners Skarr, Bell and Yamamoto,

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Background:

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Purpose/Location: Our family was fortunate to find and build on a duplex zoned 1-acre lot between Hwy 101 and the Pacific Ocean that has Watseco creek running through it. We wanted to carry on family traditions and share the beach with others. We sit together with three other duplexes on a gravel road. A few other mostly single-family vacation homes are located further down the dead-end road. Early on we hoped our parents would move into the one side of the duplex and leave the other side for the rest of the family to use. Times changed, and with some money from our parent's estate we designed, built, and manage the property. We preserved and enhanced as much of the original forested character of the property as possible, while being good neighbors and environmental stewards.

In recent years it's been necessary to share the duplex with vacationers and we've obtained two SRT permits in order to financially maintain the property. We did not build it as an investment but to pass it on as a family gathering place for Foeller generations to come. We've never taken out rental income and proceeds are reinvested in repairs and improvements. We and our renters trade heavily in Tillamook County where we prefer to hire local contractors, housekeepers, etc., whenever and wherever it's possible. We feel we're good Tillamook County ambassadors for vacationers and visitors from around the U.S.

Our plea: Help us protect and preserve our SRT status for future generations and visitors by considering the following draft Ordinance comments and suggestions:

- **.020 Purpose and Scope:** We suggest inserting a #7 clause that says something like "Provides an ordinance and subsequent implementation of rules that minimizes costs, enforcement, complexity, labor, appeals and other processes while maximizing understanding and readability". The ordinance reads pretty well but we think it could get a little better!
- **.030 Definitions, DD. "Transfer":** Ensure that STR licenses can be passed on through death, divorce, marriage, or inheritance, and (add something like) any legal form of ownership that serves the same purpose.
- **.060 License renewal, B. Transferability of Licenses:** Clarify and ensure this section is consistent with the "Transfer" Definition in .030 above. These two sections could be read to create some confusion with each other.
- **.080 Operational Requirements,,,,, J. Contact Information:** Allow some leeway in the requirement "that a contact person be able to arrive on site within 30 minutes to address complaints that cannot be handled over the phone". The owners and most of our families live in the Portland area and it takes them about 2 hours to drive to Watseco, IF and when Highway 6 is clear!
- **.100 Additional Requirements,,,,,, B. Complaints, 2. STR Hotline:** In addition to allowing some leeway for a 30-minute on-site response time, consider developing another ordinance requiring ALL owners in unincorporated Tillamook County be subject to the same type of complaint process and a hotline, not just STR's. We believe it's unfair and unreasonable to require a hotline only for STR's where the number of complaints is likely to be much higher for non-SRT housing county wide. Initiating an amended requirement for response time in this ordinance, and developing a similar complaint hotline for all other kinds of housing is the right, non-discriminatory thing to do!

Sincerely, and thanks for listening to our considerations and suggestions,

Tom Foeller,
and on behalf of my sibling co-owners Diane Foeller Miller, and Dan Foeller
tmfoeller@comcast.net
cell/text 503-803-0390

County Commissioners, Ms Abshar,

My name is Carol Hoke. I am a homeowner in Neskowin and a full time resident.

I am speaking today in full support of the adoption of Amended draft Ordinance #84.

I recognize that this draft is a result of many hours of hard work performed by a dedicated group of Tillamook County residents with a broad range of opinions and experiences. I have attended many of the committee meetings virtually and have observed the often robust discussions over each and every item of this document. A consensus was actually met by the committee on each vote and documented.

I do not think that all of the important issues required to satisfy the stated purpose and scope of the ordinance have yet been resolved with this draft. It is, however, a reasonable, negotiated compromise and I do support the changes which are significant steps in the right direction.

Occupancy guidelines, parking, garbage and noise are the issues that most obviously impact the liveability of our community, but health and safety are equally important. As a South Tillamook County Volunteer Corp neighborhood Captain, I appreciate the attention given to septic systems, fire & safety and emergency ingress and egress.

I implore you to approve the adoption of this draft to protect the "character of the established unincorporated neighborhoods to ensure compatibility and livability".

Thank you for your time and consideration.

Lynn Tone

From: susankpeters@comcast.net
Sent: Friday, June 16, 2023 10:24 PM
To: Lynn Tone
Subject: EXTERNAL: STR Issues

[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 could not get the new quick template to work so am sending this email to document my support of the Oregon Coast Hosts group's position in the current County effort to change the STR system. I attended the June 13 hearing, and sent a letter several months ago but I note that one must have submitted comments or spoken at current hearings in order to join in any future litigation that may occur when the County makes changes that appear to be illegal. I currently have 2 STR permits for two units at 1260 Tillamook Ave., Oceanside, Or. 97134. Thank you, Susan K. Peters

Lynn Tone

From: mark roberts <mandm-roberts@comcast.net>
Sent: Saturday, June 17, 2023 6:50 AM
To: Sarah Absher
Cc: Kurt Heckerth; Gale Ousele; Don LaFrance; Guy Sievert; chadvictor76@gmail.com; Megan Gillas; Lynn Tone
Subject: EXTERNAL: Re: June 22 Planning Commission Packet Link

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Sarah

As previously stated, I'll be unable to participate since I'm still traveling - back very soon in the USA

I've attached some interesting images for contemplating from here in northern Italy

First, lots of multi family dwellings here. Below is a six-plex ... which looks pretty nice to me. NOT an instant slum.



Second, many clever public investments. Below is a 'pocket park' probably 15'x100' with 10 pieces of play equipment



Third, there is a pedestrian/bikeway adjacent to the two above properties... which I use to get to the center of the village - visible adjacent to the pocket park, above

Fourth, zoning is mixed and specific. Adjacent to both the multi plex and the park is a farm. There must be more than just here, but this location had its grass cut today ... and a cow is surrounded by an electric fence





Finally, while admittedly I've been traveling in touristy places for the past 31 days and five countries, I've seen only one homeless person and zero tents on public roadways or spaces.

Mark

Sent from my iPad

On Jun 17, 2023, at 1:40 AM, Sarah Absher <sabsher@co.tillamook.or.us> wrote:

Good Afternoon Commission Members,

Here is the virtual link to the hearing packet: https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/project/83653/planning_commission_packet_june_15_2023.pdf

Packets were mailed out yesterday afternoon. June 22nd meeting begins at 7:00pm.

Sincerely,

<image001.jpg>

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: Tuesday, June 20, 2023 7:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Sunday, June 18, 2023 8:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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:

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Please refer to my previously submitted public comments, in which I have outlined my objections to the

proposed changes regarding STR regulations, such as limiting the number of transfers of one's STR permit,

imposing distance limits between vacation rental homes, reducing number of rental days allowed, etc.

I believe the changes you are considering are an impermissible taking, and a constraint upon my rights

as a property owner with an existing legal STR permit.

Since your time to review the numerous public comments is limited, I will not repeat all of my comments

here, but I want you to understand that my coastal home (7855 Brooten Mt. Loop, Pacific City, OR. 97135)

was purchased with a family member (not a large corporation) when I retired, and we would not be able to maintain it if our ability to rent it to others was curtailed in the many ways you

have proposed.

thank you for your consideration of my remarks, and for your service to Tillamook County.

Sincerely,

Carol Herzog
Ziola F. Herzog Land Co. L.P.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 2:35 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Fwd: Comments to STR draft ordinance

From: Robin Eubanks <eubanks.robin@gmail.com>
Sent: Tuesday, June 20, 2023 2:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Fwd: Comments to STR draft 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'm writing to provide comments from the perspective of a vacation rental owner.

We have been coming to the Oregon Coast for the past several years as a way to escape the heat. We have always stayed in STRs, and have now decided that we would like to purchase our own place that we can use for 1/3 of the year and rent for 2/3 of the year, and ultimately plan to live fulltime in Oceanside when we retire in a few years. We are currently under contract to purchase a property in Oceanside which has an existing STR permit, and we are planning to close in the next few weeks.

We would not have been able to purchase the house had the existing permit not been transferrable. As such, I am a strong proponent for continuing to allow the permits to be transferred. I know the proposed ordinance permits a 1 time transfer, however, in lieu of trying to limit permits based on transfers, the permits could be limited through the "use it or lose it" model. If I, or a future buyer, are not able to transfer the permit, that has a direct effect on the marketability of my property, which has historically been a vacation rental. It is a huge benefit to know that I can continue to operate the STR as a way to offset the expense of buying a home on the coast and I would not otherwise be able to afford the house. **I would ask that the commission consider the following revisions to the draft ordinance:** (i) people under contract to purchase a STR or with pending transfer applications at the time the ordinance is passed should not be counted as the "1" transfer being permitted and (ii) transfers of an existing license should be permitted without restriction so long as the home is being operated as a STR within 45 days prior to the date of transfer.

It is also an undue burden on a property owner to force the property owner to update its currently permitted STR to comply with new building codes. Is this requirement going to be required for all other commercial uses, including hotels? If the property passes the inspection and was built to code at the time of construction and with respect to any remodeling, there should be no additional updates required, or if they are required, the law should fairly apply this requirement to all commercial uses, hotels, etc. as to be uniform in its application and not single out one class of property owner.

I understand the need for the moratorium on new permits, however, instead of implementing this on a county wide basis it may make more sense to look at the area and township to see how many STRs are within the area and come up with a system that allows areas that are underserved with STRs to have permits first. This could even be done on a block by block basis (no more than x per block permitted).

I understand that the commission has the difficult job of weighing the desires of the long-time residents with the STR owners. I would ask that the commission remember that some STR owners (such as myself) would love to be residents, but may not be able to afford it at the time of purchase, and having a STR is a vehicle that permits me to have ownership and involvement in the community. Not all STR owners are absentee, and many love the community and spend time there in addition to renting their property.

I respectfully ask that the commission consider my requests.

Thanks,

Robin Eubanks

This is a personal public comment & not on behalf of any group.

Thank you for adding a 3rd public hearing. I am submitting additional public comment in lieu of verbal public comment. Written comments have repeatedly mentioned specific and valid concerns with the draft which have gone unaddressed. Families are facing continued financial harm by missing out on a second summer of prime renting season due to the pause.

Short-Term Rental Advisory Committee (STRAC)

The BOCC order extending the pause has misinformation. Section G states that County staff & the STRAC "have been studying livability issues" and "have made recommendations to the Board of Commissioners for the replacement of Ordinance No. 84 with a new regulatory program..." The STRAC has read public comments and discussed livability. We requested data regarding livability to better understand the impact of STR guests, residents, guests of residents, and day visitors in our communities, but no study on livability has been done. At no time did the STRAC recommend replacement of Ordinance #84. This effort has been driven by the county, and as a member of the STRAC I respectfully ask that the county not continue to signal that these extreme efforts be credited to the STRAC. We were given a draft ordinance to review. The STRAC worked very conscientiously with thoughtful discussions, though limited in scope by the county. This process has been ongoing for 18+ months, only meeting roughly once a month, and STRs are simply not on par with public health emergencies which include disasters such as tsunamis, earthquakes, wildfires, hurricanes, tornados, and pandemics. A 1% growth limit is essentially a continued moratorium as working with each community will takes years.

24-7 Contact Person

At public hearing #1 Commissioner Bell asked about the ability of STR owners to list more than one contact person with Granicus. The Community Development Director responded, "Yes." Unfortunately, this does not match the answer I was given when I recently reached out to the permit technician to provide backup contact info due to travel. Here are several iterations of the resulting conflicting response from the County:

"While the account was updated only one number can show ... and that number is yours."

"This fact is beyond our control as the system we use has limitations."

"Having multiple contacts would not help you in this situation."

"The Granicus system only has one slot for a number, so the answer is no and that is beyond our control..."

Despite saying otherwise at the public hearing, it appears STR permit holders may only have one contact number listed with Granicus, so having backup contact people is entirely useless. Additionally, the county is introducing a minimum \$100 fee to change a contact person. This is cost-prohibitive and will disincentivize people to have correct contact information when short periods of temporary coverage are needed. I again encourage the County to join the digital age and have an online directory where owners can log in and change their contact person with an immediate update via software being linked to Granicus. If the County truly prioritizes compliance over punishing owners, then an online directory is an excellent solution.

30 Minute Response

At public hearing #2 it was noted that the 30 minute response requirement is not new. The requirement for a 30 minute *in-person* response is new. Further, Commissioner Skaar explained that a phone response is required within 30 minutes, and then in-person within 60 minutes if the concern is not remedied. I agree that this is the intention of the proposed regulation, however the ordinance does not clearly state this:

- "The contact person shall respond/answer immediately..., failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation" (.080 H)

An important missing piece of data is the number of STR complaints that have not been able to be resolved without an in-person response. For example, knowing how many of the 27 complaints in all of unincorporated Tillamook County from 2019-2022 required an in-person response to resolve would be very valuable information when making regulations. With only one single violation county-wide from 2019-2022, this new regulation is simply not warranted.

Resort Community

It's a fact that the 2019 *Tillamook County Housing Needs Analysis* referred to Neskowin as a "resort" community simply due to our high percentage of seasonal homeownership. This designation is straight from Tillamook County and is not an opinion ("Most new housing construction has occurred in coastal "resort" towns, such as Manzanita, Neskowin, Pacific City and Rockaway Beach, where 66%-80% of the total housing stock is now owned by part-time residents" p.10). STRs make up only a fraction of the homes owned by part-time residents. I have no doubt that Neskowin has seen many changes through the decades, but I can assure Tillamook County that Neskowin's "character" does not need "protection" from my STR as stated in the Purpose & Scope of the draft ordinance. My cottage has contributed to the character of Neskowin for nearly 100 years. Some of the loudest voices protesting STRs in Neskowin are from people who moved to Neskowin within the last few years. Choosing to move to a "resort" area with STRs already in place, and then decrying the existence of STRs doesn't align well with respecting the historical nature of our community where STRs have been prevalent for many decades.

Neskowin STR Violations

STRs in Neskowin had zero violations in 2019, 2020, 2021 & 2022.

Profitability

I encourage the BOCC to review the economic data provided by Tillamook Coast Visitor's Association regarding average income for homes with STR permits. For a large majority of homeowners, STRs are not a money making venture. Speaking from experience, this is a labor of love. Even during 2021's record high occupancy due to the pandemic, I did not break even. My income from renting goes back into my home in the form of hiring local businesses for ongoing projects.

Corporate Ownership & Multiple-Homes Ownership

I have repeatedly asked for facts to back up the claim so often repeated about corporate ownership of STRs in Tillamook County. The County has not provided this information, yet the BOCC referred to corporate ownership as not only a fact, but a concern. I can tell you from evaluating the STR permit list that approximately 93% of homeowners with STR permits have only one single permit in Tillamook County. The BOCC stated that "mom & pop" STRs are not the problem, but we are certainly paying the price. Only a handful of families have 4-5 STR permits. It would be helpful to have facts to back up these statements instead of regurgitating the "boutique hotel" misconception. One would hope that our commissioners would be well-informed and not perpetuate rhetoric in disregard for facts. The number of homes which may fall into the sole investment category appears to be very small. If the BOCC would like to pick one growth management tool, then limiting future ownership seems like the best fit to address this concern instead of caps in neighborhoods which are historically seasonal.

Permit vs License

Tillamook County cannot rewrite history in an attempt to change the narrative. Current STRs have permits. A strikethrough of 'permit' here or there and replacement with 'license' isn't retroactive. The switch on annual permit renewal receipts to licenses in May 2023 is meaningless. The ongoing dialog which has shifted from referring to current permits as licenses is further highlighting that there is an important difference between the two terms. I don't agree with Dan Kearns on much, but I will agree with his statement that a permit is a defined term under state land use law. The fact that the last "permit" verbiage in the proposed draft to be changed was in the actual title of the ordinance speaks volumes. It's simply not that easy to remove permits in reality.

Golden Ticket

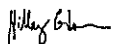
I heard loud & clear that the Commissioners do not want current permit holders to have Golden Tickets (the value added by a transferable STR permit upon home sale). This is a legal issue, and should not be in the hands of the BOCC. I respect their opinion to avoid Golden Tickets, but they are essentially creating Golden Tickets by limiting STRs. There are many ways to boost one's home value: Ocean view, primary bedroom suite, updated kitchen & bathrooms, enhanced landscaping etc... A permit is no different from any other home feature that can increase value. The free market does not require homeowners to diminish their property value to maintain affordability below market value in a highly sought after location such as the Oregon Coast.

Current STR Permits

At the end of the day, it may be best for Tillamook County to simply acknowledge that the current STR permits have land use rights and need to be legally allowed to continue in accordance with the law. In the grand scheme of things, the permit list will shrink, though I have no doubt that many homes which have always been STRs will continue to serve that essential role along the Oregon Coast moving forward. New licenses under Amendment 2 may have new regulations, but current STR permits have legal rights under Amendment 1 which need to continue, including transferability in perpetuity. My cottage has historical use as an STR which should not be limited by any type of percentage cap, or distance limit.

Rules & Regulations

Regulations need to be simple, fair, and balanced. A mechanism for false complaints needs to be included. STR owners need clarification on violations. As written, it appears one's right to rent may be lost with one single infraction's domino effect. If the contact person is not up to date (violation), so there's no response (violation), and there's a valid complaint (violation), is that one single violation, or did someone just lose their ability to operate an STR with three strikes? The entire draft is disorganized, has too many overreaching rules, vague regulations, and conflicting information in addition to significant legal concerns. Tillamook County should consider alternative solutions.



Hillary Gibson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 20, 2023 11:09 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for comments and legal concerns submitted by Oregon Coast Hosts

From: Lloyd Hayne <lloyd@lloydhayne.com>
Sent: Tuesday, June 20, 2023 8:01 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: linda.h@lloydhayne.com
Subject: EXTERNAL: Support for comments and legal concerns submitted by Oregon Coast Hosts

[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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lloyd & Linda Hayne
250 Reeder St
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

We, Lloyd and Linda Hayne, are Short Term Rental Owners in Avalon West. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then we support litigation to protect our property rights.

We are both retired and purchased the property in 2020 as a vacation home for ourselves and family. This is our retirement vacation home. We and our children use it regularly when not rented. We rely on the income from our short term rental guests to be able to afford our home.

These are our top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses
- State building code prohibits forcing historic buildings to “come up to code”

These are our top 3 operational specific concerns:

- Parking: Owners can not enforce rules against parking on public streets

- Exterior Signs - Requiring expiration dates on exterior signage is unnecessary and wasteful as it will necessitate new signage annually and may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.
- Provision is needed to protect STRs from harassment via unfounded complaints.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lloyd Hayne
Linda Hayne

Lynn Tone

From: Sarah Absher
Sent: Tuesday, June 20, 2023 8:52 AM
To: Lynn Tone
Subject: FW: STR Public Comments 84 Suggested Edits
Attachments: 84.word.pdf

Please include the email and attachment as public record.

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: Hillary Gibson <hillary.gibson@me.com>
Sent: Tuesday, June 20, 2023 8:22 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Bill Sargent - Personal <bill@williamksargent.com>
Cc: Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>
Subject: EXTERNAL: 84 Suggested Edits

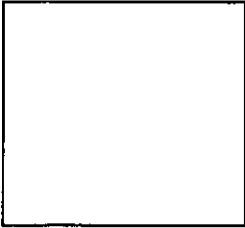
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Sending this separately as it is not intended to be official *public comment* but merely specific feedback for consideration as the draft is updated.

I think a fresh start with a clean slate may be best, but if the county insists on going with this draft, then please consider some edits.

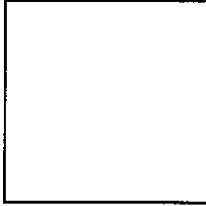
Thanks so much,
Hillary Gibson



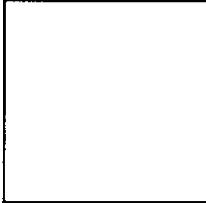


HILLARY GIBSON

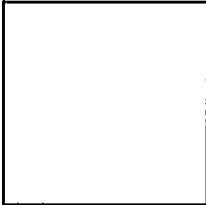
BREAKERS END LLC, VACATION RENTAL HOME



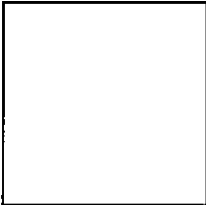
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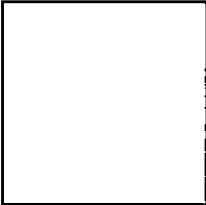
@neskowinbeachcottage on instagram



info@BreakersEnd.com



www.BreakersEnd.com



NESKOWIN VILLAGE, OREGON COAST

suggested edits for consideration

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR

TILLAMOOK COUNTY, OREGON

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

Legally cannot simply strike through "permit" and rename it a "license"
Current permit holders may legally retain STR permits under Ord 84 - Amendment 1

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

The Board of Commissioners for Tillamook County ORDAINS as follows:

- .10 Title.** The provisions contained in this Ordinance are intended to authorize and regulate the short-term rental use of residential dwelling units on properties in unincorporated Tillamook County and shall be known as the Tillamook County Short Term Rental Ordinance.
 - A. Repeal. Tillamook County Ordinance 84, Amendment 1 (adopted April 19, 2019) (Tillamook County Short Term Rental Ordinance) is hereby repealed in its entirety. Current STR permit holders should continue under Amendment 1 & new licenses could be under Amendment 2
 - B. Adoption. The following sections are hereby adopted and shall be entitled the "Tillamook County Short-Term Rental Ordinance," as set forth herein, and are collectively referred to as "this Ordinance."

.20 Purpose and Scope.

- A. This Ordinance provides reasonable and necessary regulations for the licensing of short-term rental use of residential dwelling units, the purposes of which are to:
1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County.
 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.
 3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options.
 4. Recognize the need to limit short-term rentals within neighborhoods to ensure compatibility with, and livability of, established owner-occupied neighborhoods, while recognizing the benefits of short-term rentals in providing recreation and employment Opportunities, as well as transitional housing and business or hospital related short stays. With Tillamook County defining some areas as "resort" areas due to high percentage of seasonal home ownership, this purpose is off target. How does the county define an established owner-occupied neighborhood?
 5. Protect the character of the County's established neighborhoods by limiting the number, concentration, and scale of full-time short-term rentals in residential neighborhoods.

Why does this ordinance apply to all STRs when it targets full-time STRs?
How is a full-time STR defined?
How does the county define "established" neighborhoods?
 6. Provide funding support for County housing development initiatives to address local affordable and workforce housing needs and increase availability of housing for people who want to live/work in Tillamook County.

PURPOSE & SCOPE - suggested simplification

The purpose of this Ordinance is to reasonably regulate STRs in Unincorporated Tillamook County, with the following goals recommended as key to preserving the health, safety, and general welfare of the community:

1. Clearly define STRs.
 2. Manage growth of STRs.
 3. Establish basic safety regulations for visitors renting STRs.
 4. Promote active enforcement of evidence based rules & regulations.
 5. Balance livability in residential neighborhoods with the rights of property owners.
 6. Preserve character of traditional vacation destination locations.
 7. Mitigate potential nuisance concerns related to STR activity and promote solutions for compliance.
 8. Recognize benefits including tourism economy and providing local employment opportunities.
 9. Ensure a variety of accommodations to promote public beach access in alignment with Oregon Beach Bill.
- B. With the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the livability of those neighborhoods. Therefore, special regulation of dwelling units used for short-term rental, transient or vacation occupancy, is necessary to ensure these uses will be compatible with surrounding residential neighborhoods and will not materially alter the livability of the neighborhoods in which they are located. *Please reference data to support this - not opinions. In historical neighborhoods with high seasonal use, one may say that full-time residences are altering the neighborhoods. Maybe we need a cap on full-time residences which are incompatible with*

resort areas (rhetorical question to illustrate how illogical that sounds when the tables are turned).

- C. A short-term rental license is revocable permission to operate a short-term rental, but only as provided in this Ordinance. A license may be terminated, revoked or not renewed if the standards of this Ordinance are not met. This Ordinance provides the administrative framework for certification and the operation of short-term rentals and provides a process by which owners can appeal County decisions related to short-term rentals.
 - D. This Ordinance only applies to dwellings during times of use as an STR. Owners and their non-paying visitors are not bound by these regulations. *[Suggest adding this text to make it crystal clear that homeowners themselves are not subject to STR standards including occupancy, noise, parking etc., as this is a frequently asked question]*
 - E. The regulations in this Ordinance are not intended to permit any violation of the provisions of any other law or regulation. Any exemptions allowed by this Ordinance shall not exempt the short-term rental from any other applicable requirement, regulation or ordinance adopted by Tillamook County.
 - F. The requirements of this Ordinance are not "land use regulations" as defined in ORS 197.015 or 195.300(14). The regulations contained in this Ordinance are not intended to, nor do they, implement the Tillamook County Comprehensive Plan, the Tillamook County Land Use Ordinance, nor do they implement any of the State-wide Planning Goals.
 - G. The short-term rental use of a dwelling unit does not, in itself, require a home occupation permit.
 - H. *Administrative Rules.* The County's STR Administrator shall have the authority to establish administrative procedures and regulations consistent with the provisions of this Ordinance for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the provisions of this Ordinance. A copy of such administrative procedures and regulations shall be on file in the Office of the County Clerk and shall be posted on the County's website. Any such administrative rules and regulations shall be binding upon any owner, operator or registrant of a short-term rental and upon the Hearings Officer under Section .140.
- .030 Definitions.** The following definitions shall apply to this Ordinance, its interpretation; application and enforcement; otherwise, ordinary dictionary definitions shall apply unless the context indicates otherwise.
- A. "Adoption of this Ordinance" means the date on which this Ordinance takes effect after adoption by the Board of County Commissioners.
 - B. "Applicant" means an owner of a dwelling unit who applies to the County for a Short-Term Rental License.
 - C. "Authorized agent" is a property management company or other entity or person who has been designated by the property owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
 - D. "Bedroom" means a room intended and permitted to be used for sleeping purposes (ORSC R202) that has all of the following attributes:
 - Light, ventilation, and heating (ORSC R303.1)
 - A minimum of 70 square feet of floor space and not less than 7 feet in any horizontal dimension (ORSC R304.1). Does not account for small cottages
 - An emergency escape and rescue opening (ORSC R310)
 - A built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage

- unit. How is this relevant to safety? County even said a "basket" would suffice.
- A smoke alarm (ORSC R314.3) where required.
 - A carbon monoxide detector (ORSC R315.3) where required. Where is that - conflicting info
 - All sleeping areas used as a bedroom in a short-term rental must be permitted for that use, and no areas may be converted to a bedroom without demonstration of compliance with this Ordinance.
- E. "Change of Property Ownership" means the transfer of title from one person to another.
- F. "Contact Person" means the owner or the owner's designated agent for the Short-Term Rental, authorized to act for the owner on their behalf.
- G. "County" means Tillamook County, Oregon.
- H. "County STR Administrator" means the Director of the Department of Community Development *vested* with authority to administer, interpret and enforce the provisions of this Ordinance, or that person's designee.
- I. "Daytime Occupancy" means the hours between 7:00am and 10:00pm. "Daytime occupants" mean the guests who may occupy a short-term rental during a daytime occupancy.
- J. "Department" means the Tillamook County Department of Community Development.
- K. "Dwelling unit" means a lawfully established single unit that provides complete independent living facilities for one or more people including permanent provisions for living, sleeping, eating, sanitation and one cooking area. "Dwelling unit" includes a single-family dwelling and a factory-built or manufactured dwelling that bears a valid certification of compliance with applicable manufactured dwelling standards. For purposes of this Ordinance, "dwelling unit" does not include an accessory dwelling unit (ADU), yurt, recreational vehicle or similar mobile structure, or motorized vehicle designed and built for temporary vacation use.
- L. "Enforcement Officer" means the Director of the Department of Community Development, County Building Official or their designee authorized to administer and enforce the County's civil ordinances and permits. Officer also includes the Tillamook County Sheriff, and the deputies and authorized representatives of these officials.
- M. "Estate Home" means a single-family dwelling with *five* (5) or more bedrooms.
- N. "Good Cause" for the purposes of denial, suspension, revocation, imposition of conditions, renewal and reinstatement of a Short-Term Rental License means (1) the Applicant, Owner or Contact Person has failed to comply with any of the terms, conditions, or provisions of this Ordinance or any relevant provision of a County code, State law, or any other rule or regulation [vague] promulgated thereunder; (2) the Applicant, Owner or Contact Person has failed to comply with any special conditions placed upon the Short-Term Rental License; or (3) the Short-Term Rental has been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the Short-Term Rental is located.
- O. "Good Neighbor Policy" means a policy furnished by the County STR Administrator that summarizes general rules of conduct, consideration and respect, and includes without limitation provisions of this Ordinance applicable to or expected of guests occupying the Short-Term Rental.
- P. "Nighttime Occupancy" means overnight occupancy between the hours of 10:00pm and 7:00am the next day. "Nighttime occupants" means the guests who may occupy a short-term rental overnight.
- Q. "Non-transient rental" means to rent a dwelling unit or room(s) for compensation on a month-to-month or longer basis.

- R. "Onsite Wastewater Division" means the Onsite Wastewater Division of the Department of Community Development.
- S. "Onsite Wastewater Treatment System" means any existing treatment and dispersal system of residential wastewater.
- T. "Owner" means the natural person or legal entity that owns and holds legal or equitable title to the property.
- U. "Registrant" means the owner of a dwelling unit who holds a Short-Term Rental License.
- V. "Renter" means a person who rents a short-term rental or is an occupant in the short-term rental. Renter includes the term "tenant".
- W. "Road Authority" means the Tillamook County Public Works Department and the Oregon Department of Transportation (ODOT).
- X. "Road Right-of-Way" means a public or private way that is created to provide ingress or egress for persons to one or more properties. The terms "street", "access drive" and "highway" for the purposes of this Ordinance shall be synonymous with the term "road right-of-way".
- Y. "Serious Fire or Life Safety Risk" means a building code or ordinance violation involving those construction, protection and occupancy features necessary to minimize danger to life from fire, including smoke, fumes or panic, as well as other considerations that are essential to life safety.
- Z. "Short-Term Rental" or "STR" means the transient rental of a dwelling unit in its entirety *to any person on a day to day basis for a consecutive period less than 30 days per month ["per reservation" or simply "less than 30 consecutive days" - some 30+ days stays are spread over two months so this language creates discrepancy with law by adding "per month"]* but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting, or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-term rental use is a type of "vacation occupancy" as defined in ORS 90.100.
- AA. "Short-Term Rental License" means the annual license required by Section .040, described in this Ordinance, and referred to as a "license."
- BB. "Short-Term Rental Hearings Officer" means the impartial judicial decision maker appointed by the Board of County Commissioners to hear and decide any alleged civil infraction under this ordinance and to render the County's final decision in any civil enforcement matter.
- CC. "Subject Property" means the property on which the short-term rental is located.
- DD. "Transfer" means a change in ownership of the property where the dwelling licensed as a Short-Term Rental is located that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.
- EE. "Transient rental" means to rent a dwelling unit for compensation on a less than a month-to-month basis.
- FF. "Daytime" means between the hours of 7:00 am to 10:00 pm.
- GG. "Overnight" means between the hours of 10:00 pm to 7:00 am the following day.

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

- A. *License Must Be Obtained and Maintained.* A Short-Term Rental License shall be obtained, maintained and renewed as prescribed in this Ordinance before a dwelling unit may be offered, advertised or used as a short-term rental. A Short-Term Rental License in unincorporated Tillamook County may be revoked for failure to operate a short-term rental in accordance with all requirements of the license or otherwise comply with the requirements of this Ordinance. It is a violation of this Ordinance to operate a short-term rental without a valid license.
- B. *No Nonconforming Status Conferred.* The fact that an owner of property or other entity may hold a license on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid license or STR permit under Ordinance 84 - Amendment 1.
- C. *Cap on Number of STR Licenses In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries.* The County shall establish a limit (a cap) on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County and shall establish those caps by Board Order. If at the time of STR application for a new STR license there is not room within the applicable subarea cap to accommodate the new STR license, the County will return the application and place the applicant's name on a waiting list in order of application. After that, the County STR Administrator will contact each STR applicant on the waiting list in order as soon as there is room within the applicable subarea cap to admit a new STR application. The STR license application fee shall not be collected if there is not room within the applicable cap to accommodate the STR; however, the applicant shall pay a \$100 fee to be placed on a waiting list.

.50 License Application and Fees

- A. The applicant or authorized agent shall provide and certify the following information to be true and correct at the time of initial application and upon annual renewal of a Short-Term Rental License thereafter:
 - 1. *Owner/Applicant Information.* Applicant's name, permanent residence address, telephone number, and the short-term rental address and telephone number.
 - 2. *Representative Information.* The applicant shall provide the name, working telephone number, address and email of the contact person (authorized agent) who can be contacted concerning use of the property or complaints related to the short-term rental, as set forth in Section .070. Multiple contacts for back-up should be allowed due to 24/7 coverage mandate & this information should be in online database that owners can login to update. June 16, county says only one contact at a time allowed with Granicus.
 - 3. *Site plan and floor plan.* The site plan shall be a scale drawing, which can be hand-drawn, showing property boundaries, building footprint, location and dimensions of parking spaces. The floor plan shall show in rough dimensions the locations and dimensions of all bedrooms in the dwelling unit or single-family dwelling.
 - 4. *Proof of Liability Insurance.*
 - 5. Proof of Garbage Service. unless not available by franchise hauler

6. *Proof of Access.* The applicant shall provide proof of an approved road approach for the subject property from the local road authority where applicable. *Where is this applicable - How do applicants know?*
 7. *Notice to Neighbors.* The applicant shall provide notice of use of a property as a short-term rental to owners of neighboring properties adjacent to the rental property. Notification can be completed by mail or distributed by hand and shall contain the address of the rental property, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental. A written statement confirming notice to neighbors has been completed shall be submitted to the Department prior to issuance of a Short-Term Rental License. Upon issuance of a new Short-Term Rental License or upon receipt of notification of change of the name of the contact person and/or representative responsible for the rental, the Department of Community Development shall provide notice to all properties within 150-feet of the rental property within 30 days of issuance of a new or updated license,
 8. *Documentation of Compliance with Operational Standards.* To be deemed complete, an application shall include documentation that the short-term rental meets the operational standards in Sections .080 and .100.
 9. *Transient Lodging Tax Registration.* Evidence of transient lodging tax registration with the County for the short-term rental.
 10. *Executed Indemnification and Hold Harmless Agreement.* An agreement on a form furnished by the Department of Community Development stating that the property owner agrees to indemnify, save, protect, hold harmless, and defend Tillamook County [overreach], individually and collectively, and the County's representatives, officers, officials, employees, agents and volunteers from any and all claims, demands, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising, out of the Owner's actions or inaction in the operation, occupancy, use, and/or maintenance of the property.
 11. Such other information as the County's STR Administrator deems reasonably necessary to administer this Ordinance.
- B. *Inspections.* The applicant shall specifically acknowledge and grant permission for the County's STR Administrator to perform an inspection of the short-term rental.
1. The County's STR Administrator may conduct a site visit upon receipt of an application for a Short-Term Rental License or renewal to confirm the number of bedrooms stated on the application, the number, location, availability and usability of off-street parking spaces, and compliance with all other application and operational requirements of this Ordinance. The site visit will be coordinated with the applicant, conducted during normal business hours, and with reasonable notice.
 2. The County's STR Administrator may visit and inspect the site of a short-term rental at any time during the operation of the short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Violations of this Ordinance shall be processed in accordance with Section .120.
- C. *Incomplete Application.* If a short-term rental application does not include all required information and documentation, the application will be considered incomplete and the County will notify the applicant, in writing, explaining the deficiencies. If the applicant provides the

missing required information within 21 calendar days of the date of the incomplete notice, the application will be reviewed. If the applicant does not provide the required information within 21 days of notice, the application will be deemed null and void.

- D. Licensing Fees. The fee for application for a Short-Term Rental License, license renewal or alteration of an existing license shall be as established by Board Order.

Fees can be set by BOCC, but they need to be capped at 5% increase per year as stated in Ordinance #84 - otherwise fees can skyrocket to be used as a tool to reduce STRs.

Re-inspections should be every 5 years - this aligns with septic tank pumping guidelines, and the inspectors are currently understaffed and repeatedly missing appointments.

.60 Term of Annual License and Renewal

- A. *Term*. A Short-Term Rental License is valid for one year (12 months) and shall automatically expire if not renewed on or before the *last day of the month of the anniversary date of each ensuing year*. If the contact person (authorized agent) changes during the 12-month period, the property owner or authorized agent shall notify the County in writing of the change within thirty (30) days of the change and provide all new contact and tax payment information. Change of contact person is an alteration to an existing Short-Term Rental License and shall be subject to a fee established by Board Order.

Add 30 day grace period after renewal due date

\$100 minimum to update a mailing address or contact person - Exorbitant. If there will be a fee, then there needs to be an online option for owners to update their own profile for free.

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

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

- A. *Application Required*. Applications for a Short-Term Rental License shall be on forms provided by the County, demonstrating the application meets the standards required by this Ordinance.
- B. *Burden of Proof*. The applicant has the burden of proof to demonstrate compliance with applicable requirements for initial approval or annual renewal of the Short-Term Rental License. The applicable requirements also operate as continuing code compliance obligations of the owner/contact person. County staff may verify evidence submitted and statements made in support of an application, and the applicant shall cooperate fully in any such inquiries. For the initial application renewal every three five years thereafter, the applicant must also comply with the requirements of Subsection .090.

C. *Responsibility.* The applicant shall certify that all information provided is correct and truthful. It is the applicant's responsibility to assure that the short-term rental is and remains in compliance with all applicable codes regarding fire, building, health and safety regulations, and all other relevant laws.

D. *Parking.* Proof of required off-street parking shall be required as follows:

1. One (1) all-weather travel surface parking space shall be provided for every bedroom in the dwelling unit. If a garage is used to meet the parking requirement, a photo of the interior of the garage shall be submitted at the time of application and renewal to show the garage is available and large enough for vehicle parking. [Photo unnecessary - will be visible upon inspection] All required parking shall be on-site (off-street) except as follows:
 - a. Required parking may be permitted on another or different property within 500 feet of the subject property with a legally binding shared parking agreement or proof of legal parking access that remains valid for the length of time the subject property has a Short-Term Rental License. *Off-site parking is subject to the requirements of .0B0(E).*
 - b. Up to two (2) required parking spaces may be satisfied with on-street parking provided on-street parking is within 100-feet of the subject property boundaries and authorized by the Tillamook County Public Works Department. On-street parking spaces shall be a minimum size of 8-feet by 20-feet each, *or a lesser dimension authorized by the Tillamook County Public Works Director.* On-street parking proposals shall be reviewed by the Tillamook County Public Works Department. Written authorization of the parking spaces shall be submitted to the Department at the time of application submittal.
 - c. Designated parking is available for guests within a private development where authorization for use of parking in conjunction with a STR has been granted by the development Homeowner's Association (HOA). Written authorization from the HOA confirming use of off-site parking shall be submitted to the Department at the time of application submittal. The number and location of parking spaces authorized to be utilized in conjunction with the STR shall be included in the written authorization.
2. Each off-street parking space shall be a minimum of 8-feet by 16-feet and configured in a manner that ensures parking spaces are accommodated within the property boundaries.
3. No STR property shall have more than six (6) parking spaces total for overnight guests. Two (2) additional parking spaces may be allowed for daytime guests. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. [This is unfair to current STRs which are currently *required* to have as many as 10 parking spaces - currently permitted STRs should be able to continue under Ordinance 84 Amendment 1]
4. Access to approved parking spaces shall be designed to limit access onto the property through the defined road approach. Alterations to the road approach for purposes of off-street parking is subject to review and approval by the local road authority.

5. A parking diagram of the approved parking spaces shall be provided to renters and shall be posted in a prominent location within the short-term rental dwelling unit. The contact person shall direct renters to the parking diagram for the rental property to ensure use of off-street parking are prioritized when using the short-term rental. This is correct & agreed upon by STRAC, which is different from "requiring" off-street parking referenced .080 E

- E. *Transient Lodging Tax Compliance.* The property owner shall be in compliance with Tillamook County Transient Lodging Tax Ordinances 74 (as amended) and 75 (as amended) and subject to the Tax Administrator's authority provided therein.
- F. *License Approval and Annual Renewal Standards.* To receive approval, license renewal, or maintain a license, an applicant must demonstrate with a preponderance of credible relevant evidence that all of the requirements and standards in Section .080 are satisfied.
- G. *Initial and Every Third Fifth Year Renewal Inspections.* To merit approval of an initial (first year) Short-Term Rental License following adoption of this Ordinance and at the time of renewal request every third fifth year thereafter, the applicant must obtain and provide to the County evidence of the satisfactory inspections described in Section .090.

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

- A. *Maximum Occupancy.* The maximum nighttime occupancy for a short-term rental shall be limited to two (2) persons per bedroom plus two (2) additional persons, [plus up to three (3) children, age 12 or under - this info is in the example following, but omitted from max occupancy description]. For example, a two-bedroom short-term rental is permitted a maximum nighttime occupancy of six (6) people plus up to three (3) children, age 12 or under, to occupy the short-term rental in addition to the maximum number of occupants otherwise provided in this Subsection. The number of bedrooms of a short-term rental shall be verified at the time of license renewal and upon physical inspection of the short-term rental. *Personally, I think easiest to stick to 2 per bedroom + 2 and not count guests age 5 and under. Also, county needs to note that the 3 extra children do not count towards occupancy calculations with Operator License Fee. KEEP IT SIMPLE - Ditch the Estate Home classification and just do 2 per bedroom + 2 extra, guests age 5 + under don't count, max total 16 guests over age 5. (currently permitted STRs continue under Ordinance 84 Amendment 1 with no required reductions in occupancy - many homes have already voluntarily lowered occupancy).*
- B. Regardless of the number of bedrooms [contradicts Estate Homes], the maximum nighttime occupancy of an STR [*with 4 bedrooms or less*] shall not exceed 10 (ten) persons plus three (3) children aged twelve (12) and under.
- C. The owner of an Estate Home shall be exempt from subsection (B) of this section and is allowed a maximum nighttime occupancy of up to fourteen (14) persons plus up to three (3) children, age 12 or under, to occupy the short-term rental.
- D. The maximum daytime occupancy for any short-term rental shall be limited to the nighttime maximum occupancy plus six (6) additional people. For example, a two-bedroom dwelling unit is permitted for a maximum daytime occupancy of twelve (12) people.

Off-street Parking Spaces Required. One (1) off-street vehicle parking space is required per bedroom in accordance with Section .070 of this Ordinance. All of the required notices and placards required by this Ordinance shall require the renters to park on-site and to not park on the street, even if on-street parking is otherwise available. [Owners can't restrict or enforce parking in any public right of way & this contradicts previous verbiage agreed upon by STRAC to prioritize off-street instead of prohibit on-street .70 D5] The property owner of a short-term rental may contract with owners of other property within 500 feet of the perimeter of the rental property and enter into a shared parking agreement to accommodate no more than two (2) parking spaces to satisfy this requirement. Where licensing relies on contractual off-site parking arrangements, the property owner shall provide proof of availability in the form of a legally binding contract for the off-street parking for the duration of time the rental property has a Short-Term Rental License.

If street parking is not SAFE for STR guests, then it is not safe for day visitors or residents. If residents need street parking, then permits or signage should be considered. Public parking cannot be restricted for a select group.

- E. ~~Noise. Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section .130.~~

1. *Quiet Hours.* The hours of 10:00pm to 7:00am the following day are quiet hours, and there shall be no amplified music or ~~other unreasonable~~ noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property. [The term "other" is too vague - this could be a cough, sneeze, car, AC unit, baby crying etc... noise must be unreasonable & sustained to be a nuisance - if Tillamook County won't enact a noise ordinance then it needs to be more reasonable here in the absence of decibel limits] *The owner or contact person shall respond to all [valid] noise complaints during quiet hours within 30 minutes of when the County's STR complaint dispatch center sends a message about a received complaint regarding the short-term rental. Failure to respond shall be considered a violation [only for valid complaints] of this ordinance [in addition to an actual noise violation - is this creating two violations for one issue, or just one single violation?] and subject to the provisions of Section 130. There should not be a penalty if the noise complaint is not valid within more specific parameters. Allowing "other noise" during quiet hours to be a possible violation in a county without a noise ordinance is a very slippery slope for STRs to be targeted by neighbors, which we are already seeing.*

Suggested Edit: From 10pm-7am there shall be no amplified music, no loud singing, no loud talking and no other audible noise by guests shall exceed forty (40) decibels for more than five (5) minutes during quiet hours at any property line of the STR. There are free mobile apps available to measure decibels.

- F. *Zoning Compliance.* The property shall be in compliance with all applicable County zoning requirements and any development permits related to the subject property *at time of construction.* If the property owner claims any sort of non-conforming use status for any aspect of the property or structures thereon, the property owner shall obtain a nonconforming use verification for those aspects through an appropriate land use decision making process. In no event shall this Ordinance be construed as a land use or development regulation, nor does prior operation of a short-term rental give rise to a nonconforming use right under the

County's land use ordinance.

- G. *No unpermitted improvements or bedrooms.* All electrical, structural, plumbing, venting, mechanical and other improvements made to a licensed short-term rental *which require a permit* shall be fully permitted. Any sleeping area [there are no more "sleeping areas" - just bedrooms] used as a bedroom shall be inspected and permitted in accordance with the *requirements* of this Ordinance. Areas not approved for use as a bedroom shall be locked [nonsensical - all homes have "areas" which are not bedrooms - I believe the county means non-compliant bedrooms] and secured as deemed appropriate by the STR Administrator, and shall not be utilized as part of the short-term rental. Areas not approved for use as a bedroom shall not be included in the maximum occupancy calculation for the short-term rental. The contact person shall notify every renter, in writing, that the non-compliant bedroom may not be used for sleeping. [A cottage with 2 bedrooms that are both less than 70 sq feet would need to lock the bedrooms and essentially lose use as an STR? What is the solution in this case that doesn't involve bulldozing an original cottage?]

H. **Contact Information.** Each registrant shall provide the name and contact information of a contact person [we need to be allowed to provide a list of backups that can be contacted due to challenge of 24/7 coverage] that will be available to be contacted about use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week). The contact person shall respond/answer immediately [immediately is not the same as 30 minutes] to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems. [On-site within 30 or 60 minutes? The intention is 60 minutes, so please be clear] The registrant may change the contact person from time to time during the term of licensing, but only by revising the license information with the County at least 14 days prior to the change's effective date, except when the failure to do so is beyond the registrant's control. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance. [A single violation or three individual violations? If one complaint results in a single failure to have current contact info, resulting in no immediate response, and then a resulting violation does that mean an owner could lose their permit in one fell swoop with 3 violations from a single event? Please make this clear that is not the intention.]

I. **Fire and Life Safety.** A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual short-term rental license application and renewal. The contact person or owner, or owner's representative shall be responsible for completing the fire safety checklist as part of the renewal process to ensure continued compliance. A copy of the signed fire safety checklist shall be submitted to the Department (prior to issuance or renewal of a Short-Term Rental License and may require further demonstration or proof for a renewal at the County STR Administrator's discretion.

1. At least one functioning fire extinguisher shall be accessibly located within the short-term rental dwelling unit. Extinguisher must be in a visible and placed in a secured location to ensure it is accessible to renters at all times.
2. All electrical outlets and light switches shall have face plates.
3. The electrical panel shall have all circuits labeled.
4. Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
5. Smoke detectors shall be placed and maintained in each bedroom, outside each bedroom in its immediate vicinity and in each additional story and basement without a bedroom.
6. A carbon monoxide detector/alarm device shall be placed and maintained in each bedroom and within 15 feet outside of each bedroom door [A 2 bedroom cottage may need 4 carbon monoxide alarms?].

The International Association of Fire Chiefs recommends a carbon monoxide detector on every floor of your home, including the basement. A detector should be located within 10 feet of each bedroom door and there should be one near or over any attached garage.

7. All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly

installed and vented.

8. All interior and exterior stairways with 4 or more steps and that are attached to the structure, shall be equipped with a handrail.
9. All interior and exterior guardrails, such as deck railings, shall be able to withstand a 200-pound impact force.
10. Exterior hot tubs shall have adequate structural support and shall have a locking cover or other barrier to adequately protect against potential drowning when a hot tub is not available for permissive use.
11. Exterior lighting shall be directed in a downward direction to prevent glare onto adjacent properties. Lighting can be an important safety feature to prevent trips & falls in unfamiliar areas - motion sensor lights should be allowed without needing to face downward. Dark Skies initiative could be considered community-wide to have intended impact.
12. The house number shall be prominently displayed and maintained, and be visible from the street *road right-of-way*.

J. Emergency Escape and Rescue Openings for bedrooms:

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

K. *Solid Waste Collection - minimum service requirements.* The property owner shall subscribe to and pay for weekly solid waste collection service by the local franchise hauler with assisted pick-up *[not always needed]* provided by the franchise *[on-call service is sufficient - weekly can be cost prohibitive for STRs that are not high volume & not all of county has franchise hauler]*. ~~For the purposes of this section, assisted pick up means the collection driver retrieves the cart from the driveway, rolls it out for service, and then places it back in its original location. *[Assisted pick up can be an extra cost which varies by franchise & county should consider requiring only as needed]*.~~ The owner shall provide garbage containers with securable covers in compliance with franchise requirements that ensure the collected solid waste is not susceptible to wildlife intrusion and weather elements. All placards and notices to renters shall include the requirement that renters shall dispose of all household garbage in the containers and keep them covered/secured. Garbage, recycling or any other waste products shall not be placed outside of designated carts/cans. [BOCC - Bring curbside recycling to Tillamook County!]

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

within the interior of the dwelling unit adjacent to the front door [front door is not always most common entry - suggest modifying this to requiring posting near primary point of entry]. Mandatory postings include the following:

1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration [Why? The County does not provide this annually for permits - adding expiration dates will necessitate annual replacement of postings]. The license shall include the following information:
 - a. The number of bedrooms and maximum occupancy permitted for the short-term rental;
 - b. The number of approved parking spaces;
 - c. Any required information and conditions specific to the Short-Term Rental License;
 - d. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental. [Why would a guest need the STR hotline on the interior mandatory posting? They're going to call it with questions for the owner or manager and that will frustrate everyone.]
 2. For those properties located within a tsunami inundation zone, a copy of an Oregon Department of Geology and Mineral Industries (DOGAMI) Tsunami Evacuation Brochure shall be posted in a visible location as close as possible to the main entrance of the short-term rental. The brochure shall be furnished by the Tillamook County Department of Community Development at the time of Short-Term Rental License issuance and renewal [suggest every 5 years with reinspection - wasteful for county to mail a new map annually].
 3. Good Neighbor Policy and Guidelines. The property owner and contact person shall acknowledge the County's Good Neighbor Policy, and shall post them in every short-term rental [County should provide if requiring posting]
0. Exterior Mandatory Posting. Exterior signage shall be installed outside of the dwelling unit and shall be of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way: [An online directory would be a great alternative which would remove the need for all STRs to be marked with large exterior signage which can invite trespassers and detract from neighborhood character. The County should consider a single sign with STR hotline at various neighborhood entry points, instead of hundreds of individual signs]
1. The Short-Term Rental License registration number to confirm a license has been issued by Tillamook County, with the date of expiration; [Why is expiration date needed? This means a new sign would need to be purchased annually \$\$\$.]
 2. The non-emergency telephone number for the County's STR Hotline in the event of any problems at, or complaints about, the short-term rental;
 3. The property address;

Optional:

4. The name of the contact person (or entity) [name should be optional as different people may share 24/7 coverage from a single number - unclear if name & number are optional, or if just the number is optional] and a telephone number (optional).
- P. No recreational vehicle, yurt, travel trailer, tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including a recreational vehicle is permitted in conjunction with a short-term rental.
- Q. No Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental.

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

- A. *Inspection Required.* The owner of the short-term rental dwelling unit shall obtain an inspection by the *County Building Inspector* to inspect the dwelling unit and determine compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural, and ventilation requirements at time of dwelling construction. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector.
- B. *Reinspection Requirements.* In any case where an inspection is not approved by the County Building Inspector, the County Building Inspector shall allow thirty (30) days for minor repairs or sixty (60) days for major repairs, at the completion of which the owner or authorized agent must call the Tillamook County Department of Community Development for a re-inspection. The re-inspection fee adopted in the Community Development fee schedule shall apply. If the repairs identified in the original inspection are not rectified at the time of re-inspection and within the specified timeframe, the application shall be invalidated, and the property owner must reapply and pay the requisite application and inspection fees. [60 days is too short - 60 days should be time in which homeowner contracts with a professional to rectify major repairs - homeowners need more time as work can be difficult to complete in such a short timeline. Minor repairs 60 days.]

[Several reinspection appointments have been no-shows by the County in 2023, which is a significant inconvenience and expense for homeowners and property managers. If a confirmed reinspection appointment is missed, then a 30 day clock for reinspection shall reset and the reinspection fee shall be waived. This is another reason why 5 year reinspections should be considered - it appears the county is not equipped to handle a 3 year rotation]

- C. *On-site Septic System Inspection.* Unless the dwelling unit is served by a public or community sanitary sewer system, the existing on-site wastewater treatment system (*septic system*) must be capable of handling the wastewater flows expected to be generated based on the allowed number of bedrooms in the dwelling unit and the maximum number of occupants. Demonstration of system adequacy is required at the time of STR application submittal.

1. If the system was installed more than five (5) years from the time of STR application submittal, the property owner shall obtain an Authorization Notice (AN) from the Department Onsite Wastewater Division. Included in the authorization must be information to allow a calculation of the number of allowed bedrooms based on the capacity of the septic system. Final determination of the capacity and suitability of the septic system shall be made by the Onsite Environmental Program Manager (or their designee) and will share the determination with the County STR Administrator. An ESER (Existing System Evaluation Report) meeting these standards and conducted within five (5) years of the date of the Short-Term Rental application or renewal may be submitted to fulfill this requirement.
2. If the Onsite Environmental Program Manager identifies any deficiencies in the system, the property owner shall cure/correct the deficiencies within 60 days of the date of review of an ESER or AN, or within the specified timeframe for completion of the reinspection as specified in subsection B above, whichever occurs first. A Short-Term Rental License shall not be issued under this section until after repairs are made and approved by the County. If the owner fails to cure the deficiencies within the time required, the Short-Term Rental application shall be denied.
3. The initial AN or ESER for an existing short-term rental is required in accordance with a phasing plan adopted by the County, but no later than December 31, 2024. After an initial AN or ESER is obtained, the property owner shall thereafter be required to conduct periodic maintenance of the system, undertaken by a DEQ authorized contractor, which at a minimum shall include inspection of the system (and as needed, pumping or repairs) prior to renewal of the Short-Term Rental License. [This need for ANNUAL inspection was agreed to be too often by the county and intended to be a desk review, but the text was not updated and continues to require annual inspection which is only needed once every 5 years]. The Onsite Wastewater Division is the delegated authority to determine the periodic maintenance requirements, specific to the types of systems in use, including the intervals at which the maintenance will be required. These requirements shall be made available to the public, registrants/property owners and DEQ authorized contractors. The required report on maintenance shall be provided to the Onsite Waste Division for review in a format as developed by the Division. The report shall be required before the owner can renew certification of the dwelling unit.

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

- A. *Advertising and Short-Term Rental License Registration Number.* The property owner or contact person shall put the annual registration number on all advertisements for the specific property wherever it is advertised for rent.
- B. *Complaints.*
 1. *Response to Complaints.* The contact person shall respond to neighborhood questions [Why would anyone need to be available 24/7 for neighborhood questions - what is that?], concerns, or complaints in a reasonably timely manner [vague] depending on the circumstances and shall ensure to the best of their ability [vague - owners can't be responsible for behavior of other people, but can make the rules known] that the renters and guests of the short-term rental do not create unreasonable noise, disturbances, engage in disorderly conduct, or violate the provisions of local ordinances or any state law [do LTR landlords have this same requirement for their tenants?].

2. *STR Hotline.* The contact person shall respond by telephone within thirty (30) minutes to complaints from or through the Hotline and shall respond in-person within thirty (30) minutes to any additional or successive complaints regarding the condition, operation, or conduct of occupants of the short-term rental. Unresolved complaints determined by the STR Administrator to be a violation of this Ordinance shall be subject to Section .130 [Please match other language about response time to this vs "immediate" and clarify that the time for in-person is 60 minutes total. Please allow owners or managers to note to Granicus or the County if an in-person response was not possible due to personal safety concern - this was discussed as an option by the STRAC for a rare situation that may be better handled by law enforcement. Owners/Managers should not place themselves in harm's way for fear of a violation].
 3. *Record of Response.* The property owner or contact person shall maintain a record of complaints and the actions taken in response to the complaint, if relevant, in an electronic or written manner deemed reasonable to document the interaction. This record shall be made available for County inspection upon request to investigate all complaints.
 4. *False Complaints.* Complaints need to be made in good faith and not with the intent to harass STR owners. Individuals who make more than 3 unverified or false complaints per year shall be required to participate in mediation by Tillamook County. Fees to individuals for false complaints shall be set at the same level as fees for violations to owners. Anonymous complaints are not valid. [please consider adding suggested text in response to STR owners being targeted - sometimes unfairly].
- C. *Inspection.* Upon application for a Short-Term Rental License, all short-term rentals shall be subject to inspection by the County STR Administrator for compliance with this section.
1. The County's STR Administrator may conduct a site visit upon an application for operation of a short-term rental to confirm the number of bedrooms (as defined by this Ordinance) stated on the application and the number, location and availability and usability of off-street parking spaces. The site visit will be coordinated with the applicant or contact person, shall be conducted during the normal business hours, and with reasonable notice.
 2. The County's STR Administrator may visit and inspect the site of a short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Code violations shall be processed in accordance with Section .120 and the County's Civil Enforcement procedures.
- D. *Specific Prohibitions.* The following activities are prohibited on the premises of a short-term rental during periods of transient rental:
1. *Events.* Events and activities that exceed maximum overnight or daytime occupancy limits.
 2. Events and activities for which a Temporary Use Permit is required and has not been issued.
 3. *Unattended barking dogs.* [This should simply fall under a noise violation, or community standards for all visitors and residents]

4. Activities that exceed noise limitations contained in this Ordinance [redundant]

.110 Implementation of this Ordinance and Application to Short-Term Rentals Licensed on the Date of its Adoption *[There are NO licensed STRs on the date of adoption - there are only STRs with PERMITS].* All new/initial Short-Term Rental Licenses issued after the date this Ordinance is adopted shall implement and comply with all provisions in this Ordinance. This section shall govern the implementation and applicability of this Ordinance to short-term rentals that are lawfully established, licensed and operating on the date of adoption of this Ordinance (Lawful Pre-Existing Short-Term Rentals).

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

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

.130 Penalties;

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

1. Failure to renew a Short-Term Rental License as required by Section .060 while continuing to operate a short-term rental. [Remove because a 30 day grace period is being added]
2. Three (3) or more verified violations of any local ordinance, state or federal regulation within a 12-month period [violations should be limited to this Ordinance].
3. The discovery of material misstatements or that the license application included false information for a Short-Term Rental License or renewal shall be grounds for immediate revocation of the license [needs to be intentionally false to merit removal - owners & managers should have opportunity to correct false info before revocation]
4. Such other violations of this Ordinance of sufficient severity in the reasonable judgment of the STR Administrator, so as to provide reasonable grounds for immediate revocation of the license. [Could this be more vague?!]
5. Upon an emergency suspension or revocation of a Short-Term Rental License deemed necessary by the STR Administrator for public health and/or safety reasons, short-term rental activity shall cease immediately. If suspended, the short-term rental shall not be rented or used as a short-term rental until the emergency that exists has been resolved to the satisfaction of the STR Administrator.

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

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

- A. *Filing Requirements . Notice.* The property owner or authorized agent may appeal a decision to approve, renew, deny or revoke a Short-Term Rental License.
- B. *Authority to Decide Appeal.* The STR Hearings Officer shall be responsible for deciding all appeals under this Ordinance.
- C. *Time for Filing.* A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional, and late filings shall not be accepted.
- D. *Fee for Appeal.* The County shall establish a fee for filing and appeal hearing of not less than \$500 under this section, payment of which shall be a jurisdictional requirement.
- E. *Procedures.* The County's STR Administrator may establish administrative procedures to implement the appeal process provided in this section, including any required forms. The STR Administrator may adopt procedures for hearings not in conflict with this section, including but not limited to time limitations on oral testimony and on written argument.
- F. *Hearing.* Within 35 days of receiving the notice of appeal, the STR Administrator shall

schedule a hearing on the appeal before the STR Hearings Officer. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant.

G. *The Record on Appeal.* The STR Hearings Officer's decision shall be based upon the record, which shall include all written documents associated with the file that is the subject of the appeal, including all Transient Lodging Tax records, and complaints about the short-term rental operation.

H. *Standard of Review and Decision.* The STR Hearings Officer shall determine whether the County's decision was based on a preponderance of the evidence or the correct interpretation of the requirements of this Ordinance. A decision of the STR Hearings Officer shall be based on the evidence in the record and be issued in writing within 30 days after the record closes. The STR Hearings Officer may uphold the County's decision, uphold the decision with modifications or reverse the County's decision. If the STR Hearings Officer upholds a decision to revoke the Short-Term Rental License, the Hearings Officer shall order the property owner to discontinue operation of the dwelling unit as a short-term rental immediately. If the Hearings Officer reverses a decision to revoke the Short-Term Rental License, operation of the short-term rental may continue under the Short-Term Rental License.

I. *Finality.* The STR Hearings Officer's decision shall be final on the date the decision is mailed to the appellant. The STR Hearings Officer's decision is the County's final decision on the matter and is appealable only by writ of review to Tillamook County Circuit Court.

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

.160 Effective Date

The Board of Commissioners finds that the enactment of this Ordinance is necessary for the public health, safety and general welfare, that an emergency exists [what data or facts back up this "emergency" declaration?] and this Ordinance shall take effect immediately upon passage by the Board of County Commissioners on the date of its adoption.

Date of First Reading: May 30, 2023. Date of

Second Reading: June 13, 2023.

ADOPTED this ____ day of _____ 2023.

BOARD OF COUNTY COMMISSIONERS FOR
TILLAMOOK COUNTY, OREGON

Mary Faith Bell, Vice Chair David

Yamamoto, Commissioner

Erin D. Skaar, Chair

..• Aye Nay Abstain/Absent

____ / _____

____ / _____

____ / _____

ATTEST: Tassi O'Neil, County Clerk

APPROVED AS TO FORM:

By _____

Special Deputy

William K. Sargent, County Counsel

Sarah Absher, CFM Director
Tillamook County Department of Community Development
1501-B Third Street
Tillamook, Oregon 97141

June 12, 2023

RE: Public Comments on Proposed Short Term Rental Permit Ordinance #84, Amendment #2,
DRAFT Dated 5/30/23
33580 Madrona St, Pacific City, TL# 4S1124AD1300

Dear Ms. Absher,

Please accept this letter as public comments on the draft Tillamook County Short Term Rental (STR) Permit Ordinance #84, Amendment #2 dated 5/30/23.

As reference, we would like to bring attention to our letter dated 2/25/23 concerning a previous draft version of the ordinance that we submitted for inclusion into the written record, as many comments in that letter also pertain to the current draft, Amendment #2. Per the previous letter, we own property at 33580 Madrona St, Pacific City, TL# 4S1124AD1300 and have a valid STR permit on the property.

Concerning the current draft, Amendment #2 we have the following comments and suggestions:

ISSUE: STR rules should apply ONLY during short-term rental use.

QUESTION: When occupying and residing in our house and property any time during the year when the house is not rented on a short-term basis, do STR rules apply to us? In our case, we currently lease the house on a short-term basis only for about 12 weeks a year during the summer season. In the remainder of the year or at any time during the year that it is not rented are we and our family members required to meet the standards outlined for short term renters? From our reading, it appears the draft ordinance is written so that short term use is regulated even if the dwelling is not being rented. This is problematic and an attempt to implement land use regulations under the guise of a business license supposedly regulating a specific activity (renting a dwelling for less than 30 days). Why should our property rights be infringed during our personal use and we be held to a different standard than another property owner who occupies or resides in their house for issues such as parking, noise, number of bedrooms, number of people in the dwelling, requirement for trash service etc. simply because we have a STR license during the time that we are not exercising the activity the license regulates (renting for 30 days or less)?

ISSUE: Amend various sections of the proposed ordinance so the County IS NOT enacting land use regulations under the guise of a STR License.

- Per section 0.020.C: *Purpose and Scope: "A short term-rental license is a revocable permission to operate a short-term rental but only as provided in the Ordinance".*

SUGGESTION: Amend the ordinance to make it clear that standards for STR's apply only during the licensed activity, i.e. during short-term rental of the property.

COMMENT: If STR regulations are applied to properties that hold STR licenses while the property is occupied by the owner for personal use and is not rented, the county is clearly applying land use rules but only to certain properties not uniformly under the guise of a revocable license. In our opinion, under that scenario it is likely property owners will have a takings claim regardless of the County claim it can avoid the takings risk by calling the STR permit a license. A business license such as the proposed STR license can regulate that activity (short-term rental of dwellings), but it cannot regulate land use when the activity (short-term rental of dwellings) is not occurring. STR's as a license with revocable permission cannot apply land use regulations to property owners when they use and reside on their property or lend their property to others for use without receiving rent.

- Section 0.030.Z *Short Term Rental Definition: ""Short-Term-Rental" or "STR" means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering, operating, renting or otherwise making available or allowing any other person to make a dwelling unit available for occupancy or use a dwelling unit for a rental period of 30 or fewer nights. Short-Term rental use is a type of "vacation occupancy" as defined in ORS 90.100."*
- Section 0.040 *Annual Short-Term Rental License Required, Basic Requirements for a License, No Nonconforming Use Status Conferred: "No owner of property in unincorporated Tillamook County may advertise, offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short-term rental without a Short-Term Rental License."*
- Section 0.120.B *Violations: "Representing, advertising or holding-out a dwelling unit as available for occupancy or rent as a short-term rental where the owner does not hold a valid Short-Term Rental Licensed issued under this Ordinance."*

COMMENT: These sections together stipulate that no property owner can let their family and friends etc. use their house for 30 or fewer days even if no money or other valuable consideration is exchanged unless they have a STR license. A revocable license can regulate the activity but cannot regulate use of the land when the licensed activity is not occurring. In the case of STR's the activity is dwelling rental for 30 days or less. Of course, a property owner has the right to let family and friends use their house for as short or long as they wish without the requirement of obtaining a STR and they are not restricted to the

requirements contained within a STR license so long as they do not receive rent. The County has stated that STR use will be a business license, not a land use action or rules. If that is the case then changes to the draft ordinance are necessary because otherwise the County is clearly restricting property rights and enacting land use rules under the guise of a STR License.

SUGGESTION:

Amend Section 0.030.Z Short Term Rental Definition to read: *“Short-Term-Rental” or “STR” means the transient rental of a dwelling unit in its entirety for a period of 30 or fewer nights per month but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler’s accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. Short-term rental includes advertising, offering to lease or rent a dwelling unit for a period of 30 or fewer nights. Short-Term rental use is a type of “vacation occupancy” as defined in ORS 90.100.”*

AND

Strike the following words from Section 0.040 *“.. or otherwise make available or allow any other person to make available for occupancy or use”*

AND

Amend Section 0.110.B to read: *“Representing, advertising, leasing, renting or receiving money for occupancy of a dwelling unit as a short-term rental where the owner does not hold a valid Short-Term Rental License issued under this Ordinance”*

ISSUE: The definition of a Bedroom needs to be modified because it isn’t broad enough:

- Section 0.030 Definitions:

D. *“Bedroom”*: under the definition a bedroom is require to have *“... A built in closet, clothing closet organizer, amorie or similar clothing rack or clothing storage unit.”*

COMMENT: This portion of the definition should be eliminated as many STR’s have lofts that are clearly sleeping areas, were originally designed as a sleeping area and they don’t contain a closet. Further, we are talking about short-term occupancy, several days or a week, so it is not necessary for such use to have a closet. Many motels, hotels etc. have beds in rooms that do not meet this definition.

SUGGESTION: Eliminate this sentence in the definition of bedroom as it is not necessary and not pertinent. STR rules pertaining to the number of people allowed in the dwelling are sufficient to address concerns.

ISSUE: The transfer of an existing STR License to a family member of the original STR Permit holder that preexisted this ordinance SHOULD BE ALLOWED WITHOUT RESTRICTION which we believe is the intent of this draft, however, a modification to the definition of “*Transfer*” is needed to cover all the possibilities of family to same family STR transfers.

COMMENT: Families who own beach property on the Oregon coast typically need some STR income during the year to be able afford the property. The STR income helps pay property taxes and insurance and if enough income is generated, some income can be set aside to pay for maintenance and upkeep such as roof and siding replacement and repairs as coastal dwellings take a beating. This is certainly the case for us. Many folks have the goal to keep their property within the family when they pass. We believe the intent of the draft ordinance is to honor families who previously obtained a STR permit and wish to maintain their property. Many families create “Trusts” or “LLC’s” as generation ownership becomes diluted from the original parent to protect and provide use equity to all family members due to legal issues associated with cotenant ownership. The definition of “*Transfer*” should be broadened to cover transfer of family ownership to a family Trust or family LLC or similar legal entity. We do not otherwise object to the proposed transfer rules.

- Section 0.030.DD “*Transfer*”: “*Transfer*” means a change in ownership of the property where the dwelling licenses as a Short-Term Rental is located that that occurs after the effective date of this ordinance. A change in ownership does not include a change in owners on title resulting from death, divorce, marriage or inheritance.”

COMMENT: The definition of transfer does not go far enough to protect families trying to maintain their property and STR within their family for a family to same family transfer.

SUGGESTION: Amend the second sentence to read: “A change in ownership does not include a change in owners resulting from death, divorce, marriage, inheritance or to an entity in which the STR Licensee is a member.”

ISSUE: Caps on the number of STR Licenses make sense in many locations, but not in all locations, especially where the majority of properties have historically been used for short-term occupancy. THERE SHOULD BE SOME NEIGHBORHOODS in the County WITH NO CAPS on STR LICENSES.

- Section 0.040.C Cap on Number of STR Licenses: “... The County has established a limit on the number of STR Licenses that can be in effect at any one time for defined residential subareas within unincorporated Tillamook County”

COMMENT: Thus far in the process the County has not divulged where caps will be applied and what they will be. We assume and hope after adoption of the STR ordinance that there will be a public process the County will go through to establish caps, that property owners will have the opportunity to comment and the decision on location and cap numbers will be made by the Board of Commissioners, not established administratively.

Our neighborhood in Pacific City has historically been a neighborhood of short-term occupancy, not a neighborhood of permanent residents. We have owned our property for 30+ years (since 1992) and during that entire time there have never been more than 3 or 4 houses occupied by permanent residents out of a total of approximately 80 parcels in our immediate neighborhood bounded by the Cape Kiwanda parking lot, ocean, Cape Kiwanda Dr. and Shorepine Village property. Roughly 90 to 95% of the properties in our neighborhood have always been short-term occupancy use throughout the years. Further, of all the places in Tillamook County and in Pacific City, our neighborhood is best suited for full STR occupancy due to the proximity of the ocean, Cape Kiwanda, the Pelican Pub, separation from other neighborhoods by Cape Kiwanda Drive and the ability to walk to most things a visitor may want to utilize in Pacific City. We think that it makes sense to establish a no STR cap area for our neighborhood and we propose extending the no STR cap area south of our neighborhood to the extension of Pacific Avenue from the river bridge to the ocean.

SUGGESTION: There should be a public process to develop locations and numbers to cap STR's. The final decision on location and caps should be made by the County Board of Commissioners, not administratively. The County should not limit or cap the number of STR licenses allowed in the area bounded by Cape Kiwanda on the north, Pacific Ocean on the west, the extension of Pacific Avenue from the bridge over the Nestucca River to the ocean on the south and Cape Kiwanda Drive on the east.

ISSUE: Noise standards in the draft ordinance are subjective, arbitrary and not measurable. The County needs to enact a countywide noise ordinance that applies to all if it wishes to apply noise standards to STR's.

- Section 0.080.F "Noise": *"Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of section 0.130."*
- Section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

COMMENT: There are a whole host of issues and problems with the text of section 0.080.F. There is no defined noise standard. What is called out as a noise standard is subjective, arbitrary and not measurable. We understand and agree that unreasonable noise can be an issue, but the same applies to everyone. What is unreasonable to one person may be reasonable to another or the majority of folks. Why are STR's singled out? What about my STR guests? Why should they be subjected to the noise of a neighbor's party and music from a non-STR dwelling with no recourse because the County doesn't have a noise regulations that apply to anyone except STR's. Why should my STR guests be subjected to an unattended barking dog on a non-STR dwelling and we have no recourse because the County only prohibits unattended barking dogs on STR's. The statement that there is a violation if the contact person

fails to respond to a complaint within 30 minutes is ridiculous. What if the complaint is completely bogus? Again, what is unreasonable to one person is not necessarily unreasonable to another and there is no standard in the text for how loud the sound must be to trigger a violation. In America, one is presumed innocent until proven guilty, but this provision assumes that the STR owner is guilty if they are not able to respond within 30 minutes to a non-emergency nuisance which is a standard no County Department is able to meet for a non-emergency in Pacific City. After all, it's a 40-minute drive from county offices in Tillamook to Pacific City where our STR is located. In addition, according to the current wording, a crying baby, a dory boat preparing their boat for dawn launch at a STR, most construction activity on your property etc. could be considered a noise violation by some folks.

SUGGESTION:

Amend section 0.080.to read: *"The STR shall adhere to the County Noise Ordinance."*

- Eliminate section 0.100.D.3 Specific Prohibitions: *"Unattended barking dogs"*

The County needs to develop a noise ordinance with objective and measurable standards if it wants to enforce noise at STR's. Noise provisions that are subjective, arbitrary and have non-measurable standards such as the proposed text will be tossed out by Courts. Additionally, Courts will toss out this section on noise unless it also applies to adjacent non STR residences simply because it is blatant discrimination. It is discriminatory to single out a STR licensee for noise regulation when the same standards do not apply to adjacent non STR licensed homes. Similarly, courts won't look kindly on this provision if there is no noise regulation of condos, apartments, motels, hotels, lodges, campgrounds etc.. Tillamook County does not have a legitimate argument that it is unable to develop a countywide noise ordinance and doesn't have the resources or ability to measure noise and enforce standards. The County has speed guns that their law enforcement officials are able operate to measure vehicular speed and determine if there is a traffic violation. A decibel meter is not more complicated to operate to measure noise than a speed gun is for measurement of vehicular speed. Many other Oregon counties and governmental entities have noise ordinances that their officials enforce with the assistance of a decibel meter. Marion County has a reasonable noise ordinance that Tillamook County could use as a guide while developing an ordinance. The Marion County noise ordinance is easily available for download with a click from their website.

ISSUE: Special building permit and construction requirements SHOULD NOT be required for STR's. STR's SHOULD BE required to obtain and meet whatever building and zoning permits and requirements normally apply to their building type.

- Section 0.080.I *"No unpermitted improvements or bedrooms": "... Electrical work shall be performed by a State of Oregon licensed electrician."*

COMMENT: Why is electrical work in STR's singled out for requiring a licensed contractor? Why not structural or plumbing etc.? Are you aware how difficult it is to get an electrician to do any work in Tillamook County? There aren't enough electricians working in the County and construction is their focus

not small minor work at a STR. This requirement is a big burden. Besides, why are STR's being singled out to meet standards for permits and work if those standards are not required by the permit covering the work?

SUGGESTION: Strike the sentence requiring that electrical work be performed by a licensed electrician from section 0.080.I. Doing so will not change the requirement that STR's obtain building, electrical, plumbing permits etc. and meet the requirements of those permits which are in place to insure safety concerns.

ISSUE: The required minimum response time by the contact person should be reasonable and realistic. 30 minutes per the draft IS NOT REALISTIC NOR REASONABLE. A STR complaint IS NOT an emergency and shouldn't be treated as such. A STR complaint is a nuisance issue.

- Section 0.080.J *Contact Information:* “.. *The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems.*” AND “.. *Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone complaint, or failure to arrive at the property within 30 minutes of being summoned shall be a violation of this Ordinance.*”

COMMENT: An STR complaint isn't an emergency by anyone's definition. At worst, an STR violation is a nuisance issue. It is our experience that no Tillamook County Department including the Sheriff is able to respond to non-emergency complaints within 30 minutes, so why are STR owners being singled out to do something the County itself isn't able to do? The response required by the contact person should be the same that is expected by a County official for a nuisance complaint. Since the County is not willing or able to provide a time period for their resolution of nuisance complaints, we don't believe it is fair or appropriate to apply a different standard to the STR contact. There isn't perfect, complete or always reliable cell coverage throughout the county and people have the right to live their lives without sitting in cell coverage on the remote chance there will be a complaint. The County's complaint records of past STR issues show that the proposed 30 minute response requirement is unreasonable.

SUGGESTION: Amend the first sentence to read: “ *The contact person will respond to the complaint within a reasonable time period and attempt to resolve the complaint as soon as possible with a goal of resolution within 24 hours.*” Strike the last sentence completely as it is unnecessary, repetitive and unreasonable.

ISSUE: It is unreasonable to require STR's upgrade their building at each STR inspection and meet the current International Building Code (IBC) requirements in place at that time since those requirements change over time. STR's SHOULD MEET the IBC requirements in place when building permits are obtained for the structure but SHOULD NOT BE REQUIRED to constantly upgrade their buildings in order to meet the latest IBC requirement in place at STR inspection.

- Section 0.090.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 meets current requirements of the International Building Code, including compliance with applicable fire and life safety code requirements for occupancy of the dwelling unit as a short-term rental. Inspection shall also confirm there have been no unpermitted improvements, modifications or additions to the dwelling unit. The inspection and certification shall include compliance with electrical, structural and ventilation requirements. A Short-Term Rental License shall be not issued until the short-term rental passes inspection by the County Building Inspector."

COMMENT: We think the intent here is for dwellings to meet building codes which is appropriate, however, no property owner is required to continually meet International Building Codes which change over time including motels, hotels, restaurants, stores, schools, hospitals, government buildings etc. let alone single or multi-family residences that house STR's so why is this a requirement of STR's? It is appropriate to require building, electrical, plumbing, mechanical etc. permits and the dwelling will conform to the IBC and other appropriate codes in place at that time.

SUGGESTION: Amend this section to read: "A Short-Term Rental license shall not be issued until the dwelling passes inspection by the County Building Inspector certifying that the dwelling meets the requirements of the STR Ordinance and obtained required County building permits, inspections and met standards in force at the time the dwelling was constructed."

ISSUE: The time limit for filing an appeal SHOULD BE REASONABLE and 14 days IS NOT reasonable. Property owners should be given AT LEAST 45 DAYS to file an appeal to a STR complaint. A STR complaint IS NOT an emergency and shouldn't be treated as such.

- Section 0.140.C *Time for Filing:* "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

COMMENT: 14 days to file an appeal is unreasonable. Tenants who refuse to pay rent and squat on your property have more rights and time to respond to the complaint during eviction. Why are STR licensees who provide a huge economic benefit to the County not given the same respect and rights? A property owner appealing a decision has the right to legal council and the right to develop a legal basis in a reasonable time frame. Its impossible to obtain legal council and file a legal basis within 14 days.

SUGGESTION: Amend this section to read: "A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 45 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional and late filings shall not be accepted."

Thank you for the opportunity to comment and discuss our concerns about proposed changes to STR regulations.

Regards,

Handwritten signatures of Keith D. and Joyce E. Garlinghouse in blue ink. The signature of Keith D. is on top, and the signature of Joyce E. is below it.

Keith D. and Joyce E. Garlinghouse

Tillamook County Property Address: 33580 Madrona St, Pacific City, OR 97135

Mailing Address: 21830 Abiqua Rd NE, Scotts Mills, OR, 97375, Keith: kdg873@yahoo.com (email), Joyce: jeg873@yahoo.com (email)

11 11 11

I am Dianne Bloom and I am a full time resident in Neahkahnie for the past 12 years. I am a past 10 year member of the Nehalem Bay Health Center and Pharmacy Board and an active member of the Emergency Volunteer Corp of Neahalem Bay. For the past 11 years, I was the Administrator for the Nehalem Bay Medial Reserve Corp, the medical branch of EVCNB. Our job is to provide emergency planning and medical care for our community in the event of a disaster such as a Tsunami, severe storms or other unanticipated needs. We ran or Staffed Covid Vaccination Clinics for Tillamook County Community Health for well over a year. Our Volunteers came from full and part time community members, not renters.

I applaud the county with addressing Short term rentals. Too many short term rentals are limiting the number of homes available to full time and part time home owners who are willing to invest in our community preparedness. Our volunteers that support our community come from the community, not from vacationers. The workers for our restaurants and stores need homes to rent and buy, our firefighters, policemen and city workers can't afford to live here, because available rental housing is taken up by vacation rentals.

David Boon, in his letter to the STR Committee and the Commissioners dated 5/31/2023, outlined the data in hard cold facts on how short term rentals have adversely affected our Neahkahnie community. With out the limitations listed in Ordinance 84, the quality of life in our community will be greatly affected. I encourage you to accept Ordinance 84, at least it's a start at improving the livability of our community.

Respectfully submitted,

Dianne R Bloom BSN, MSN, CNM
37430 3Rd St
Neahkahnie Beach
Nehalem OR 98131
503-801-4080

STR Statement

STR's are simply an insidious/indirect TAX impose by the most powerful yet greedy lobby in the state - TOURISM. Rather than having the tourism industry pay their fair share of the ware and tear that tourism causes our communities, we have to tithe back to the tourism 70% of the TLT so that they can attract more tourist to grind down our deteriorating infrastructure that now has to be repaired by local citizens out of their local tax dollars.

To feed this averist the Tourism Lobby insists that it has a right to encourage individual private economic enterprise in my private neighborhood with all the economic advantages going to them and we are left to deal with the negative consequences of over crowding, litter, noise, property destruction but worst of all the accelerated depletion of our Natural Resources such as fresh water and worker housing.

It is time to rescind the TLT and focus on actual community development and enterprise requiring real skills that will be of substantial benefit to future generations rather that condemning them to a future of minimum wage tourist jobs.

John M Bloom
37430 3 St
Nehalem, OR 97131

June 13, 2023 BOCC STR Hearing

PUBLIC COMMENT SIGN UP

PLEASE PRINT FULL NAME

add Annie Bishop to next mtg. #1

| | | |
|---|----------------------------|-----------------------------------|
| ✓ | Nicole Twigg | |
| ✓ | Emily Draper | |
| ✓ | Bruce Bishop | ✓ Annie Bishop |
| ✓ | Amy Bell | |
| x | Jacki Hinton | ✓ Jacki Hinton |
| ✓ | Jim Bartels | |
| ✓ | Dave Holt | |
| ✓ | William Busch | ✓ William J Busch |
| ✓ | Pam Zielinski | ✓ Pam Zielinski PANZIELINSKI |
| ✓ | Charles Reeder | |
| ✓ | Heather Brann | ✓ - 6 minutes - time yielded |
| ✓ | Stephen Stewart | |
| ✓ | Joanie Blum | ✓ JOANIE BLUM |
| ✓ | Terri Maragos | ✓ Terri Maragos - ANNE T. MARAGOS |
| x | Elaine Klein | |
| ✓ | Terri Desaro | ✓ - Craig Nurn |
| ✓ | John Steele | |
| ✓ | Maggie Wilson | |
| ✓ | Elizabeth Vitale | |
| ✓ | Andrew Hadeed | |
| ✓ | Helena Birecki | |
| ✓ | Jeffrey Weitzel | |
| ✓ | Diane Bloom | DBB |
| ✓ | John Bloom | Amey |
| ✓ | Dave Benneth | |
| ✓ | Thomas Mock - VIRTUAL | |
| ✓ | Barbara Rippey - VIRTUAL | |
| ✓ | Vicki Prehoditch - VIRTUAL | |
| ✓ | Lloyd Lindley - VIRTUAL | |
| ✓ | Chris Strand - VIRTUAL | |
| ✓ | Meadow Davis - VIRTUAL | |
| ✓ | Doneg McDonough - VIRTUAL | |
| ✓ | Pam Greene - VIRTUAL | |
| ✓ | Darryl Carter - VIRTUAL | |
| x | Elizabeth Arch - VIRTUAL | |
| ✓ | Candace Miller - VIRTUAL | |
| | Carol Hoke - VIRTUAL | |
| | Laurie McCray - VIRTUAL | |
| | Ketzel Levine - VIRTUAL | |
| | Bil Ruecker - VIRTUAL | |
| | Laurie Balzer | |

Brenda Huffstetter - signed up prior

SIGN IN SHEET
PLEASE PRINT FULL NAME

Mary Kay Campbell

John Steele

Bruce Bishop

MIKE COOK

Paul & Patricia Taylor

Rob & April Yungen

JAMES MARRAS

Keith Garlinghouse

JOHN R STEWART.

MARK A. JONES

Brenda Hoffstetter

Brett Ferguson

Theresa MacDonald

Tom Dotson - Vacasa

Terri Desaro

Craig Nern

Isabel Gilda - TDM.

Nate, Minerva Castillo

Pan ZILINSKI

Christy Reeder

Charles Reeder

Tom Foeller

Emily Draper

~~Jeff Frazee~~

Sandy Gubler

Carol Kearns

Jason Chock

Dusty Muth

SIGN IN SHEET
PLEASE PRINT FULL NAME

JACK GIFFEN JR

Guy Sievert

Laurie Koudack

Roger + Joan Wicklund

Gary Billingsley

William H Bush

ANNAMY GIBSON

Jacki Hinton

TERRI MARAGOS

~~KAREN RABBITT~~

Patricia Young Carter

JOANNE BLOM

Norm Scott

Nate Lindell

Barbara Tippett

JAMES CHALOUPKA

Lynn Tone

From: Cathy H <vwccathy1959@yahoo.com>
Sent: Saturday, June 10, 2023 10:22 PM
To: Sarah Absher; Lynn Tone; publiccomment@co.tillamook.or.us; Erin Skaar; Mary Faith Bell; David Yamamoto
Subject: EXTERNAL: Public Comment - STR 84 Ordinance Dated June 6, 2023 - Government Overreach on STR Weekly Solid Waste and Exterior Signage Requirements

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Honorable Commissioners:

I would like to point out two operational areas that need to be corrected as they create an *unnecessary economic impact* on STR owners/operators.

1. Solid Waste Collection

Specifically, Page 15, Section .080 Operational Requirements for Short Term Rentals subsection M.2. *Solid Waste Collection - minimum service requirements.*

" The property owner shall subscribe and pay for **weekly** solid waste collection by the local franchise hauler with assisted pick up provided by the franchise."

Garbage service in Oceanside, Oregon is provided by City Sanitation Service which allows for ad-hoc service requests. When I need garbage pick up I send an email and am placed on their schedule. I pay a premium price for this service. There is no reason to require all STRs to pay for **weekly garbage service** when a property is unoccupied. Proof of garbage service should be required however but the frequency should be left up to the STR owner. This weekly garbage service requirement creates an unnecessary economic impact to STR owners.

2. Signage Requirements

Specifically, Page 16, Section .080 Operational Requirements for Short Term Rentals subsection O *Exterior Mandatory Posting.*

The amount of information to be affixed to an exterior sign in front of an STR property viewable from the road right-of-way contains too much information causing signs to be very large in size. This will create visual blight. An STR owner should not have to replace a STR sign annually to include a license number and an expiration date of their permit. Administrative information such as the license number and expiration date should be made available by Tillamook County in a database. The physical property address is already on the exterior of the house for fire life safety. This requirement to purchase a new sign annually creates an unnecessary economic impact to STR owners.

Thank you for your consideration.

Cathy Hendrix - Oceanside OR

Lynn Tone

From: Daniel Hendrix <911.dan@sbcglobal.net>
Sent: Saturday, June 10, 2023 10:30 PM
To: Public Comments
Cc: Sarah Absher; Lynn Tone; Erin Skaar; Mary Faith Bell; David Yamamoto
Subject: EXTERNAL: Ordinance 84, section .100 B; Requiring Civilians To Respond In a Law Enforcement Capacity To 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.]

Honorable Commissioners et al,

According to Ordinance 84, section .100 B page 18 and 19 **Complaints** 1. *Response to Complaints*. The contact person shall respond to neighborhood questions, concerns, or complaints in a reasonably timely manner depending on the circumstances and shall ensure to the best of their ability that the renters and guests of the short-term rental do not create unreasonable noise disturbances, engage in disorderly conduct or violate the provisions of local ordinances or **any state law**.

Under Oregon **ORS 166.025** Disorderly conduct in the second degree Section 1: A person commits the crime of disorderly conduct in the second degree if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, the person:

(b). Makes unreasonable noise;

By accepting this section of Ordinance 84 the Tillamook County BOCC would be **requiring** STR owners, **CIVILIANS**, to respond to what is clearly a **violation of an Oregon State Law** and should **require a response by a trained law enforcement officer**. Simply put, you don't send a **civilian** to handle a **law enforcement** issue. ***You don't send a civilian to enforce a state law.***

Section .080 subsection J, page 13 Contact Information:

"The contact person shall respond/answer immediately to a phone call complaint about the operation of the short-term rental and must be able **to arrive on site** at the short-term rental within 30 minutes if a phone call is not sufficient to remedy **all** alleged operational problems."

One of the potential "operational problems" might be a loud/noisy or misbehavior complaint such as a loud party. This call/complaint could come from any resident, another STR renter or anyone residing in the area near the violating STR.

If this were to occur, according to this revised Ordinance 84 statement and if accepted by the **BOCC**, Tillamook County would require a STR owner, if it could not be remedied

by a phone call, to respond **on site** within 30 minutes to a loud/noisy party or similar disturbance.

As a 911 public safety dispatcher for nearly 20 years, I have seen a response by law enforcement to such a complaint go sideways when the subjects of the complaint refuse to comply and/or cease and desist the noise and/or confront the responding law enforcement officers. It doesn't happen often but it can and does happen.

If a STR owner, responding to this type of complaint were to be injured or worse because Ordinance 84 and the BOCC required that owner to physically respond, according to section .050 License Application and Fees Subsection A-10 Executed Indemnification and Hold Harmless Agreement page 8 Tillamook County would be held harmless. I believe there are attorneys who would have a field day with that requirement.

Law enforcement response and the county hotline records can be gathered as data for a STR owner who repeatedly rents to non conforming renters and thus can be used to determine if a STR owner's **permit** can or should be revoked.

I urge the Commissioners to seriously reconsider exactly, and in more detail, when an STR owner **must** and how to respond and for what. As to having an STR owner responding to a noise complaint which is a violation of Oregon state law, I do not believe that that is in the best interest of **Public Safety**. *You* are putting that STR owner **at risk!**

Thank you,

Dan Hendrix - Oceanside, OR

To whom it may concern,

We are current property owners and residents of Tillamook County for more than 25 years and would like to provide feedback on the proposed STR regulations. We would like to state that we are not in favor of these new proposed regulations and find these to be unrealistic and cumbersome for existing vacation rental owners.

Many of these properties that will be affected have been vacation rentals for many years, some even decades. We are owners of properties built in the 1960's with the sole purpose to be vacation rentals where visitors locally or from around the country to enjoy the beauty of Oceanside. Our properties are in secluded areas where it does not cause bother to anyone else. These properties are a great example of many where these new proposals are unfeasible such as the new septic and parking regulations, which will only serve to create a financial burden and frustration to us and potentially to nearby residents.

In addition, we would like to share that we are not in favor of removing vacation rental permits and replacing them with licenses. When we purchased the properties, we were promised transferable permits to allow this property to continue its purpose of being a vacation rental. The movement of switching permits to licenses for vacation rental owners will only further limit our rights and create barriers as property owners. We as many property owners have worked hard to invest in these houses and deserve to be heard and taken into consideration when making decisions that will directly impact us as owners.

We understand that there are community members of the opposing group that would like these new regulations implemented but, we are also community members that have worked to follow existing regulations and paid our dues. We also work on maintaining our properties clean and are on-site numerous times during the week for maintenance.

We recommend enforcing existing regulations instead of implementing new regulations that will only serve to create a financial burden for rental owners like us.

- Nate & Minerva Castillo

Lynn Tone

From: Sarah Absher
Sent: Monday, June 12, 2023 8:35 AM
To: Lynn Tone
Subject: STR public comment: please allow those of us shut out for the past year a chance to get a permit

From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Sunday, June 11, 2023 9:53 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: public comment: please allow those of us shut out for the past year a chance to get a permit

[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'm here again - I have written many times and I have attended most of the meetings and have listened to all of them. I implore you to carefully consider the ramifications to property owner's rights as you implement this new board order.

To remind you of our situation - we purchased our lot in Pacific City in March, 2022, with the strict intention to build a home that our two families would use but would also be a short-term rental some of the time to help us pay the bills. We started building immediately and got our certificate of occupancy in December, 2022.

Despite submitting an application in January, 2023 with the assumption it would be approved under the clause for homes in escrow at the time of the pause, which was even processed and received an STR inspection (which was passed), we have not been able to obtain a STR permit. This is causing extreme financial hardship for our families.

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 April 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 April 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. At the June 6 meeting, one board member brought up our predicament but they were quickly shut down as that was "not the purpose of that meeting." We remained extremely concerned that the one year waiting list we have already been on will be extended indefinitely.

The current plan of a 1% increase in allowance of permits in each area is extremely worrisome. That leaves somewhere between 8 and 20 more permits to be allowed in Pacific City, for example, at least per some of the powerpoint materials that were shared. 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 - are we all to camp out at the courthouse the night before? Some of us will definitely still be excluded from obtaining a permit after waiting a year already with this cap. 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 after July 3 - likely to be a decade long I would imagine as how often would one come available? How is this right or fair or part of our property rights that were in place as of March, 2022? We have already been waiting six months, please consider that our waiting period is up.

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, 2022. 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.**

Further, **please expedite this process** so we are not sitting around all summer without a permit, as again, **you personally are financially harming us.** Please take this into consideration as you make your decisions. If the problems truly are Neakahnie (the majority of the negative comments seem to be from that specific area), garbage, parking, and noise, then let's solve those problems and not create new ones in this ordinance. STRs bring in important revenue to the coastal communities, which do tons of positive things for the community.

Thank you again, for your consideration,
Nicole Ralston

Lynn Tone

From: Sarah Absher
Sent: Monday, June 12, 2023 8:36 AM
To: Lynn Tone
Subject: Short Term Vacation Rental Rules

From: Shawn MacDonald <nwsteelheader@hotmail.com>
Sent: Sunday, June 11, 2023 7:18 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Shawn MacDonald <nwsteelheader@hotmail.com>; oregoncoasthosts@gmail.com; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Vacation Rental Rules

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Hello Tillamook County Commission,

I am writing this letter to express my extreme disappointment in your ability to take a balanced approach to the short term vacation rentals in Tillamook County.

Your proposed actions will cause significant harm to the work that I have done over the last 15 years in preparing business opportunities for myself. I own properties that I have spent hundreds of thousands of dollars to obtain, and tens of thousands of dollars to prepare for building Short term rentals in Pacific City.

You are pulling the rug out from underneath the small operating property owners in Tillamook County in favor of perceived problems that have little or no factual support.

Whatever your reasons for choosing to destroy small business opportunities and curtail tourism, your efforts are significantly misguided. You have the opportunity to put in place balanced regulations, but instead are proposing one sided solutions that do all but eliminate the ability to operate a STVR in Tillamook County.

Utterly disappointed in my elected officials,

Shawn MacDonald
Pacific City, Oregon

Lynn Tone

From: Sarah Absher
Sent: Monday, June 12, 2023 8:36 AM
To: Lynn Tone
Subject: Public Comments

From: T H <toddhuegli@gmail.com>
Sent: Sunday, June 11, 2023 4:52 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Public Comments

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Todd Huegli
34290 Ocean Drive, Pacific City
Home Owner and Short-Term Rental Permit Holder

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Todd Huegli and I am a home owner in Kiwanda Shores, Pacific City and a Short-Term Rental permit holder. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there will be litigation.

These proposed restrictions on land use, as drafted, will unnecessarily expose Tillamook County to extreme monetary damages, should the county not prevail in court. The Board needs to be transparent and public with county residents and inform the public of the risks of moving forward with this ordinance, both the legal fees it will incur and the potential liability.

My family has owned our home in Pacific City since 2018. My grandparents lived just south of Pacific City, in Neskowin, for most of my life. As a 3rd generation Oregonian I've spent considerable time at the Oregon coast and I've always dreamed of owning my own house there and some day retiring to it. My ability to purchase this home in 2018 and use it as a rental house, will make this dream come true.

Our home is located in Kiwanda shores which has a high percentage of second homes and rental homes. It is a wonderful and vibrant community. Our home is built directly the sand looking out to the ocean and provides families the opportunity to experience the Oregon coast in an incredibly unique way. Walk out the back door right on to the beach. When we purchased our home, it had been an established vacation rental for many years, as are most of the homes on "the front row" of Kiwanda Shores. Our ability to use the land and home as a rental was the only way we could afford to purchase it.

Any restrictions on how we may use our land would have a dramatic effect on our ability to own it and have significant financial consequences for my family.

We have guests who travel from across the country to visit Pacific City and stay in our home. We provide our guests with extensive information about Pacific City, Tillamook and the surrounding communities. We encourage them to frequent the local businesses and support the community. Our guests have a tremendous positive impact on the local community.

Restricting our ability to rent our home and restrictions on other homes in Pacific City would also affect the local businesses, jobs and livelihoods of the other members of our community.

We are not just “STR owners”, we are home owners and members of the community. Our family of 4 spends considerable time in Pacific City, know many of the year-round residents and summer residents and consider ourselves part of the community as well.

We encourage the board to look towards enforcing current rules and updating as needed in a sensible way. We oppose unnecessary burdensome restrictions on our land which have a primary purpose of limiting the number of rentals in Pacific City simply because a small number of vocal people in other cities oppose rentals in their neighborhoods.

One size does not fit all. Pacific City is a unique community of year-round residents, summer residents and vacationers. Kiwanda Shores is even more unique within the city.

These are my top 3 general concerns:

- Replacement of current land use permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful and would have a huge financial impact on my family
- Discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.

These are my top 3 operational specific concerns:

- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- The noise restrictions are vague and untenable, and treat similarly situated people differently based upon their resident status.
- Still have to comply with all these requirements even in your property is in a commercial zone

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Todd Huegli

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:35 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR ordinance

-----Original Message-----

From: Wayne Ruby <we4ruby@gmail.com>
Sent: Friday, June 9, 2023 4:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 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 Commissioners,

As a private homeowner in Neskowin South Beach Area (49850 South Beach Rd), I feel I am in the smallest minority because I am a full time resident. There are more STR's already in our neighborhood than full time residents. As a full time resident I feel our voices are being drowned out by the more vocal folks who own STR's or want the option to do so in the future. I have the following statements.

1. Full time residents are the glue to the community.
2. Full time residents pick up trash in our neighborhoods and keep our beach clean.
3. Full time residents keep the roads open and clear debris after storms, 4. Full time residents arrange for USPS delivery options when our post office was closed with a 2 week warning.
5. Full time residents clean up from bears getting into trash cans.
6. Full time residents keep eyes on the neighborhood for people that don't belong here and from damage to homes from storms and normal wear and tear.
7. Full time residents support our local businesses 8. Full time residents have to listen to fireworks from party folks, year round.
9. Full time residents try to keep people from speeding past our houses despite 15 mph limits clearly posted.
10. Full time residents help protect bird life and wild life in the region.

In other words, the full time residents maintain what keeps Neskowin its own little corner of paradise. Please, let's enforce rules and limit the STR's which are degrading the neighborhoods with traffic, trash, noise and little regard for the regulars. There is housing created for the purpose of vacations. They are called condominiums. I think some STR's are OK but we need to limit and control them before they ruin the neighborhood.

Wayne Ruby

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:35 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: concerns about the ordinance

-----Original Message-----

From: WENDI SHAFFNER <wendiunited@mac.com>
Sent: Saturday, June 10, 2023 1:13 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: concerns about the 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 bought a small house in Manzanita and improved the land by removing garbage and fixing the decaying house. It is our future retirement home. We spend most of the summer there now. We are able to afford this based on the rules of house sharing at the time of purchase.

Please do not punish the owners that have been planning with the rules that were given at the time. Not only is this unfair it will poorly represent the community!

Sincerely
Wendi Shaffner
9195 Nehalem Road

June 8, 2023

TO: Tillamook Board of County Commissioners
Tillamook County Community Development

From: Dennis & Shelia Clark
4405 Independence Ave
Neskowin, OR

RE: Support for all comments and legal concerns submitted by Oregon Coast Hosts.

We purchased our beach cottage 8/2015 for our family to enjoy the beach, as a sound financial investment in real estate and long term financial planning as a vacation rental, should we choose. My Husband grew up in Seaside/Astoria, we live in Florence so the Oregon Coast is very special to us. With the purchase of our cottage it filled the desire to share the love of the coast with our family.

Our cottage was built in 1920 and was one of 5 cottages that were intended and used solely as beach vacation rentals. Our neighbor has an actual advertisement during that time period for nightly rentals for this cluster of cottages so needless to say our cottage has been a vacation rental from day one.

In good faith, we entered into a contractual agreement with Tillamook County when we obtained our STR permit and now our property rights are being severely threatened.

Neskowin has always been a tourist/vacation/resort destination, well documented from several sources. We now find it ironic that a handful of people who no doubt, vacationed here too, chose to live here full time and now want to completely change the dynamics to meet their criteria while threatening property owner rights.

This serious trajectory the county is on is being driven by a very small minority of people who want to restrict beach access for everyone, supported by a violation record of approx 9 complaints in the past 10 yrs. The data does not support the extreme measures being introduced.

These are the areas of greatest concern to us personally:

1. The outright threat of our property rights – changing from permits to licenses
2. Transfer ability – All permit holders should be able to freely transfer as they choose. This restriction again undermines the rights of property owners.

3. The Proposed Ordinance is unconstitutional and violates state law
4. The Proposed Ordinance discriminates between part time owners, full time owners and renters
5. The Proposed Ordinance clearly discriminates against renters who cannot afford their own expensive beach house and against providing beach access to all, especially in areas where there are no hotels. Oregon public policy is against “locals only” beach access.
6. Bedroom Closet Requirement – when our house was built in 1920 closets were not found in bedrooms. Why does this matter and why is Tillamook County using this as a requirement?

A licensed real estate appraiser does not require a closet to determine if a room is a bedroom. If its obvious that its used for sleeping its deemed a bedroom. Why should Tillamook County be any different? This is outside the scope of STR regulations.

Noise Ordinance – Enact one! Most all other counties have one and there is no reason Tillamook County should be any different. This would alleviate so many problems.

We support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence -based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Dennis & Shelia Clark

Lynn Tone

From: Dave Menne <mennedave@gmail.com>
Sent: Friday, June 9, 2023 7:52 PM
To: Lynn Tone
Cc: Karen Menne
Subject: EXTERNAL: New STR restrictions

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

While I will not be at this meeting it has come to my attention that the county is looking at restricting the population of short term rentals. In my experience, Tillamook County is already one of the most restrictive, strict, and STR taxing counties of many counties I have worked with.

It is because of the county's many restrictions and fees that we previously removed our property from the STR pool. This is un-necessary govt oversight and only serves to placate a vocal minority that don't like STR's in their neighborhood.

Help me understand why this is needed, I'd like to know.

I don't currently agree with this trend of further restrictions on the property rights of home owners.

Respectfully,
Dave Menne

Get [Outlook for iOS](#)

Lynn Tone

From: Elizabeth ARCH <elizabeth.arch@gmail.com>
Sent: Saturday, June 10, 2023 4:42 PM
To: Lynn Tone
Subject: EXTERNAL: STR 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: Short Term Rental Committee and County Commissioners

Since you are the governing body responsible for protecting the livability of those areas of the coast that are not incorporated with their own rules and restriction, it is vital that you pass the STR ordinance. Obviously those whose major concern is to generate money from the STR use of the residences along the coast, and given the restrictions in incorporated areas, they will work hard to keep this ordinance from passing. The ordinance has been carefully constructed not to prohibit short term rentals but simply to control the number and the conditions of use. The unincorporated communities need your protection in order to maintain themselves as communities without being overwhelmed by others' desires to have unrestricted use of those areas to make as much money as possible.

Please support this important ordinance.

Elizabeth C. Arch

37737 Treasure Hunters Lane

NeahKanNie

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Eden and Dave Toner <edtoner@earthlink.net>
Sent: Sunday, June 11, 2023 11:14 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Eden and Dave Toner
Cape Meares

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Rick Lofton
5110 Crab Avenue West
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Rick Lofton and I am Short Term Rental Owner. I am a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2005. We live in a highly populated STR neighborhood in Netarts. There is 17 STR in of mine. Almost all of these homes are very small like cottage homes have been used as 2nd homes and STRs for a very long time. Netarts is a unique place that provides people visiting a place to stay. And those people help support our community. Many people rely on the ability to rent to help afford their once affordable beach home. This right should not be taken away. Parking is also a big concern. Many homes in Netarts must use dedicated public parking in order accommodate parking..

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on operations, such as reducing occupancy, are unlawful
- Any classification of STRs as commercial or business use is not accurate - STRs are residential use.

These are my top 3 operational specific concerns:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- Parking: owners can not enforce rules against parking on public streets
- Requiring either a closet or clothing organizer is outside the scope of STR regulations.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Rick Lofton

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Rick Lofton <lofton.rick@gmail.com>
Sent: Sunday, June 11, 2023 11:32 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Rick Lofton
General Contractor
Certified Master Roofer
503 544 2716 503 801 0769
Po Box 121 Netarts Or 97143
Rick Lofton Home Solutions

Global Shield Inc
Roof Warranty Protection Company
www.roof-warranty.com
1 888 474 GSI LEAK
503 853 2120



To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Christine Eisenschmidt
1865 Pearl St., Netarts, OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Christine Eisenschmidt and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

I am the owner of an amazing property overlooking Netarts Bay that was purchased by my father-in-law, Herb, at auction in 1933. The first lot was won for \$12. Over the following three decades, on weekend visits, two structures were built by him, his wife and their best friends. Only one of the structures remains and that has continually been upgraded over the years. It is a small two-apartment cabin, never intended to be a full time residence. Each unit has one bedroom, just big enough for a bed and nightstands. There are no closets, no room for closets to be built or armoires. There are hooks on the walls for hanging clothes and a luggage bench. The rooms are comfortable. No one has ever complained about this setup. This would not meet the new rule for a bedroom. \

An adjacent lot purchased by Herb was sold in the 70's. Our neighbors built a big house on it which is now also an STR, managed by the same excellent management company as mine. It is less than 250 feet from our house. Neither should be denied a permit because of their proximity to each other. These homes are being put to good use. They are enjoyed by many guests who come to the coast to get away and be recharged by the natural surroundings.

Our guests have been wonderful, interesting people, and respectful of the property. I like to think that Herb would be pleased to see how well maintained and appreciated his little beach cabin is today. He used to call it, "The two-bit house with the million dollar view."

These are my top 3 general concerns:

- State building code prohibits forcing historic buildings to "come up to code"
- Restrictions on transferring property with the STR permit intact are unlawful
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- Requiring either a closet or clothing organizer is outside the scope of STR regulations.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Christine Eisenschmidt

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Beth Redman <redman.beth@yahoo.com>
Sent: Sunday, June 11, 2023 11:47 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Thank you, Beth Redman, STR Owner, 19340 Steelhead Lane, Hebo, Oregon 97122

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Skip (George N.) Patten (Patten Family LLC)
4290 Independence Ave.
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Skip (George N.) Patten (Patten Family LLC) and I am a Short Term Rental Owner. I am a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

Our family has come to Neskowin since 1934, and we have owned property here since 1944.

Our family has owned this property since 1962. Our Neskowin rental house at 4290 independence Avenue was built in 1923 by William S. Walton, the founder of Neskowin. He lived in McMinnville/Salem OR. He built several houses in Neskowin's early days. He rented the house as an STR until 1926 when he sold it to Winifred McNair Hopkins, a school teacher from Forest Grove OR and Spokane WA, she rented the house as an STR until 1942 when she sold it to Mrs. Tweed of Monitor OR, It was Mrs. Tweed's second house in Neskowin and she rented it as an STR until 1946 when she sold it to O. H. Rice of Neskowin, he rented the house as an STR until 1962 when he sold it to Arno Gish of Portland OR. Subsequently Mr. Rice decided to sell his beachfront rental house just west of 4290. Mr. Gish bought the beachfront house, and sold 4290 to our father George F. Patten Jr. All this happened in rapid order in 1962. George F. Patten Jr. rented the house as an STR until his death in 1997. My siblings and I inherited the house from our father and we have rented the house as an STR from late 1997 to the present day. Our rental house has never been lived in full time by any of its owners, it has been what is now termed an STR for all of its 100 year existence; surely unique on the Oregon coast. So we strongly object to the County threatening to regulate away our private property rights which in the case of our rental house have been exercised without interruption for 100 years. This is clearly a "Taking".

We also take issue with the County applying code-like requirements to STRs which will not apply to non-STRs. For example: Sleeping area closet requirements, Parking requirements, Barking dog rule, Downward cast exterior lighting, Event restrictions, Day time occupancy limits, Noise rules, Loss of rental permit penalties, and more. We might agree with some of these ideas, but only if they apply to all. Uber-code requirements are not fair and are probably not legal, as they make second class citizens of STR owners. We also object to the complaint protocol which could encourage neighbors unhappy with STRs in general to pile on and cause an STR owner to lose their Permit/License.

This is a clear case of Creeping Bureaucracy. It started a few years ago with a County Permit to rent, a simple inspection and a \$150/year fee. Then they added a County 10% tax, and then a State 1% tax, then they moved the annual fee to \$250, now they have added an annual Rental License at \$450, and the inspection fee has gone from \$75 to \$84. Not counting the inspection fee, the Permit/License has gone from \$150 to \$700, a 466% increase in nine years. Now to top it all off they want to

harass/limit/restrict/end STRs.

Existing STRs should NOT be given a 5 year waiver and then LOSE their Permits/Licenses and be forced into a free-for-all application process where they may not get a new Permit/License.

In our opinion, existing STRs in Tillamook County should be permanently grandfathered and be transferable. If the County wants to end issuing permits and licenses to NEW STRs, that might be a possibility...Then a buyer of a house would know at the outset their options or lack of them.

I took a walking inventory of the total number of houses as I remember them in 1955. This inventory includes all units from the Salem Street bridge to the gate of Neskowin North which did not exist in 1955. In my count I even included houses that no longer exist. My total came to 177 dwellings. Of these, 65 units were STRs, all of which were commercial enterprises operated in R-1 zones. The number of STRs here does not include any private houses that may have been rented from time to time by their owners. The STRs in my count constitute 36.7% of Neskowin dwellings in 1955. If you include the Neskowin Campground where Proposal Rock Inn now stands, which could accommodate as many as 50 campsites, then the total dwelling spaces increases to 227, and the STRs increase to 115, or an STR percentage of 50.6%.

I can supply a copy of my 1955 STR count with owners names and locations if requested..

These are my top 5 general concerns:

- Vacation rentals have always been allowed in Tillamook County.
- Replacement of current permits with licenses.
- Provisions to lose property rights over a licensing lapse are unlawful.
- Existing STRs must be grandfathered.
- Why should we lose the ability to rent our house as was its original use 100 years ago to today.

These are my top 4 operational specific concerns:

- Provision is needed to protect STRs from harassment via unfounded complaints.
- Parking: owners can not enforce rules against parking on public streets
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- Unfair requirements of STRs which are not required of Non-STRs.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. **To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.**

Sincerely,

Skip (George N.) Patten (Patten Family LLC)

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Jeff Spalding
9919 SW 53rd Ave
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Jeff Spalding and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2000. It is a family home with lots of memories. We need the extra income to afford to continue these memories. .

These are my top 3 general concerns:

- Replacement of current permits with licenses
- State building code prohibits forcing historic buildings to “come up to code”
- Provisions for violations and loss of license are unconstitutionally vague and unclear because they are not specific about which circumstances will cause a loss of property rights.

These are my top 3 operational specific concerns:

- Requiring an annual septic inspection is excessive and cost prohibitive.
- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide “highest and best” use.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Jeff Spalding

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Andy Long <along196362@gmail.com>
Sent: Sunday, June 11, 2023 12:39 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Andy long

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: FRANK H GREENE <CAMARO67SS396@msn.com>
Sent: Sunday, June 11, 2023 12:49 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Frank & Laura Greene
35134 Sunset Dr.
Pacific City, OR

Sent from [Mail](#) for Windows

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Emma & Ralph Heathershaw
41775 LITTLE NESTUCCA RIVER HWY
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Emma Heathershaw and I am Tillamook County Homeowner with an active STR permit. I am a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 1979. This is the home my husband grew up in and the original home of his parents. The property is on a former dairy farm. We no longer milk cows or raise heifers, so this home has become the main source of income for the family. This home helps us cover the cost of expenses on the farm and cover the cost of property taxes. We could not do that if the home was a long term rental and we would have to sell our property that my husband lived in for almost 50 years. We have been renting this home as an STR since 2015 and have not had any complaints or violations. By using it as a short term rental we also have the ability to host my husband's parents when they come to visit, as well as family members and friends, since our home we live in is not large enough to accommodate guests. The home is in a remote area with no impact on neighbors, has plenty of parking to accommodate our licensed capacity and we do have garbage service. We clean the home ourselves which provides us additional income. Losing the ability to operate this home as a short term rental would be devastating for our financial freedom.

These are my top 3 general concerns:

- Vacation rentals have always been allowed in Tillamook County
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- Requiring an annual septic inspection is excessive and cost prohibitive.
- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually, may violate HOA rules, may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.
- Requiring either a closet or clothing organizer is outside the scope of STR regulations.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Emma & Ralph Heathershaw

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lea Anne Clifton Gerst & Cole Gerst
9000 Hillcrest Road
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

Our names are Lea Anne & Cole Gerst and we are Short Term Rental Owners in Neahkahnie. We are saddened to see the latest draft of Ordinance 84 as it does not come close to a fair and balanced approach to addressing the issue. Many of our issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

Our family has owned this property since 2018. Our home was built by local architect Marvin Witt as a vacation home (not a permanent residence) and served as a place for friends and family to gather on the coast. We want to carry on this tradition by sharing our home and his architecture with folks visiting the coast. Our house was inspected prior to us obtaining a STR permit and it was in compliance with all codes when applying for a permit. Bringing our house, or most any house to "current codes" would degrade the architectural significance of many properties.

These are our top 3 general concerns:

- Replacement of current permits with licenses
- Property owners cannot lose property rights solely based on conduct of someone else
- Restrictions on transferring property with the STR permit intact are unlawful

These are our top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Parking: owners can not enforce rules against parking on public streets
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

We believe that STR owners are being treated unfairly and any changes or enforcements in regards to code compliance, parking or issues such as noise should be applied to all property owners, not just the ones that happen to share their home with guests. I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lea Anne Clifton Gerst
Cole Gerst

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: My unique historic Aframe STR:Support for all comments and legal concerns submitted by Oregon Coast Hosts

From: Karen Jackson <manager@awlpropertiesllc.com>
Sent: Sunday, June 11, 2023 2:16 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: My unique historic Aframe STR:Support for all comments and legal concerns submitted by Oregon Coast Hosts

[**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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Karen Jackson
44935 2nd avenue, Arch Cape, OR 97102
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Karen Jackson and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since December 2021. We purchased an adorable 1969 A-Frame in Falcon Cave. It is a unique property, which we lovingly restored to create a remarkable experience for our guests. **Guests favor us because of the unique nature and popularity of A-Frame cabins.**

The cabin was quite neglected by the prior owners and we spent a lot of our retirement funds over 10 months to restore it, including a new septic system and roof amongst many other improvements. We were able to do this as an investment due to being eligible for an STR permit. Tampering with our ability to recoup our investment would be a major financial hardship.

These are my top 3 general concerns:

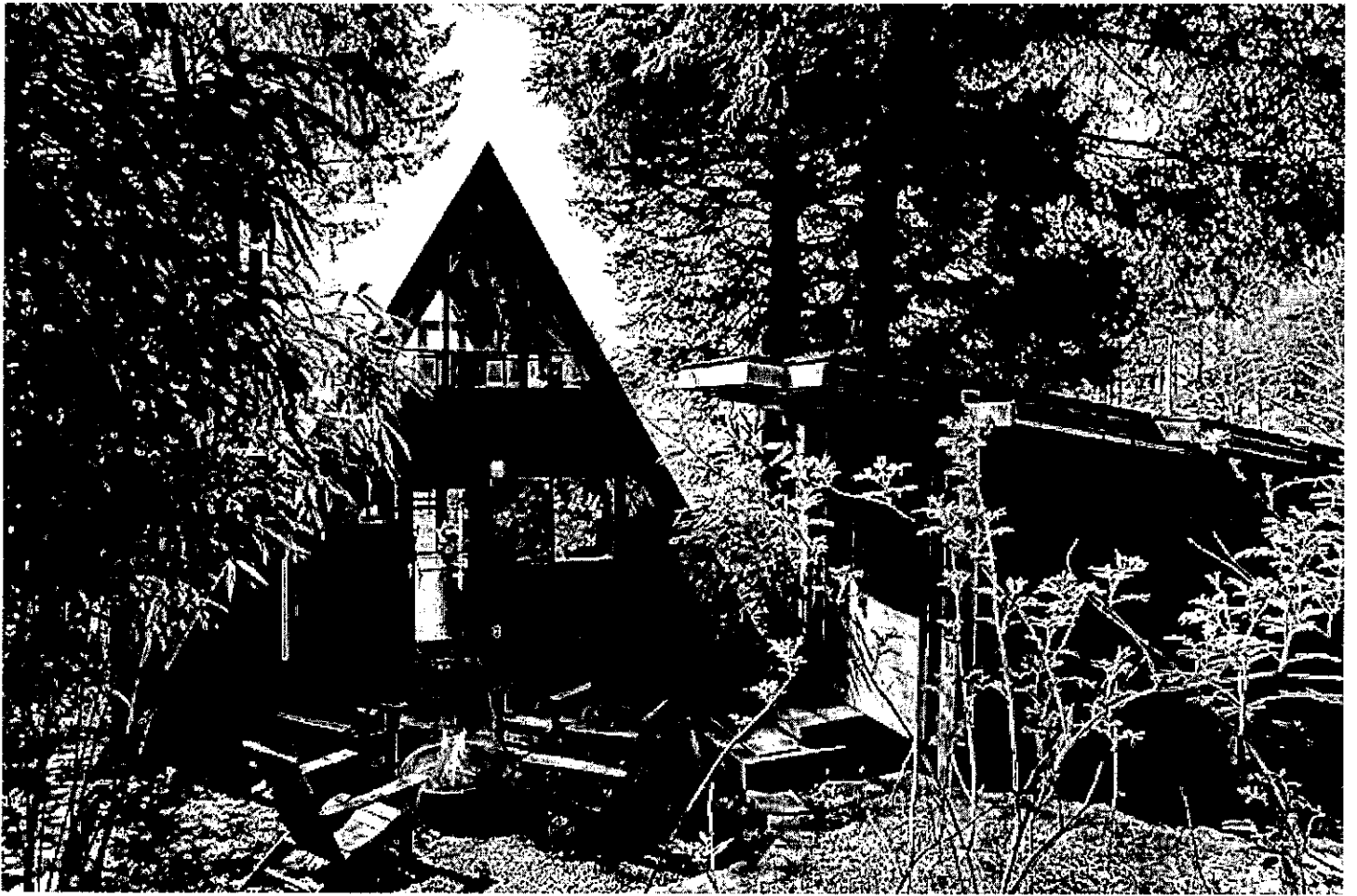
-
-
- State building code
- prohibits forcing historic buildings to “come up to code”
-
-
-
- Restrictions
- on growth aimed at existing permit holders are unlawful
-
-
-
- Oregon’s beaches are
- public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
-

These are my top 3 operational specific concerns:

-
-
- The bedroom minimum
- size requirements run afoul state building code requirements for historic structures.
-
-
-
- Requiring either a
- closet or clothing organizer is outside the scope of STR regulations.
-
-
-
- Provision is needed
- to protect STRs from harassment via unfounded complaints.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,
Karen Jackson





Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: In Support of STRs

From: Barbara Patterson <barkinpat14@gmail.com>
Sent: Sunday, June 11, 2023 2:36 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: In Support 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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Barbara Patterson
5865 Barefoot Lane, Pacific City
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Barbara Patterson and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2000. I have been vacationing in Tillamook county since the early 1960s, mostly in Tierra del Mar and Pacific City. I enjoy being able to share my home with family but by also renting to others it makes it affordable to own. Cape Kiwanda is a very special area, with few hotels but lots of beach. Our STR helps make this beach special for a lot of families other than ours..

These are my top 3 general concerns:

-
-
- Vacation rentals have always been allowed in Tillamook County
-
-
-
- Restrictions on operations, such as reducing occupancy, are unlawful

-
-
-
- Replacement of current permits with licenses
-

These are my top 3 operational specific concerns:

-
-
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
-
-
-
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
-
-
-
- Some parts of Tillamook County have no franchised garbage service, so the existing ordinance language should be preserved.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Barbara Patterson

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: MICHAEL sprando <msprando@msn.com>
Sent: Sunday, June 11, 2023 2:58 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

We built our home in manzanita in 2007 and in order to keep the home while educating our kids we have relied on STR rental income. Over these 16 years we have never had a single complaint from neighbor's. Out of 42 homes on our side of sandpiper lane only 1 is a full time resident!!

I have yet to have anyone show me evidence that there are any problems whatsoever in our Unincorporated area of manzanita. It would appear that a minority of people are threatening our property rights without cause. I implore you to protect our rights and leave the permitting of STR homes as it currently stands. There is no one size fits all solutions... I suggest enforcement of current rules rather than a complete overhaul of the current ordinance.

Manzanita is a vacation destination so please do not make it more difficult for those not as fortunate as myself to enjoy this little piece of coastal paradise !!

Thank you for your consideration,

Michael Sprando
Sent from my iPhone

June 11, 2023

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

My name is Lindsay, and I own a condo in Proposal Rock Inn. It is not an exaggeration to say that I have been coming to Neskowin since I was a baby. My parents began coming to Neskowin in the 1950s when they were kids visiting with my grandparents, before Proposal Rock Inn was built. When I purchased this condo, a personal dream was realized of being able to continue this tradition by bringing my kids to the area as well. However, this dream would not be possible without being able to rent out the unit as an STR to offset the costs. My husband and I both work in the medical field, and have the utmost respect for the Neskowin, and greater Tillamook communities, and I would like to continue to be a good neighbor in these communities – I am the type of respectful neighbor that people want, and I have high expectations of those who rent and utilize my property as well. One of the first rules that I have tried to pass on to our kids is to “leave the beach [and community] better than you found it”. This is both literal and philosophical. I pick up trash on the beach. I pay my taxes and fees on time. I respect my neighbors’ concerns. I support the local economy by employing workers and contractors to help manage my property and pass on these recommendations to others. I strongly support local businesses and have created lists of recommendations for renters for local shops, restaurants, and nearby activities, which drives foot traffic. I appreciate the tremendous amount of work that has been done on this issue thus far, but I have concerns about the present draft of Ordinance 84, and many components of the draft would create an undue financial burden and negatively impact my current property rights without facts or data backing the proposed changes.

Some of these concerns are outlined in the following:

- STR Permits should have continued transferability
- STR Permits may not be replaced with Licenses
- STRs in commercial zones should be exempt from inclusion in any potential percentage cap limit – Proposal Rock Inn has been utilized as a STR hub since it was built 50 years ago (in 1970’s), and my unit was built, and has always been maintained, with short term renting as an option
- Contact Person 24/7 response immediately to phone call and within 30 minutes in-person of any STR-related complaint –This is an undue, potentially unsafe, and unrealistic burden
- Community Equity – Hold all residents to the same standards for noise, parking, safety, garbage, and lighting – if these are truly livability issues, they should be enforced for all types of housing
- There does not appear to be a compliance timeline provided for permitted STRs – making this immediately enforceable without significant lead-in time is not logistically reasonable
- Proposed daytime noise limits are unreasonable and vague.
- Regulating “other noise” during 10 am to 7 pm is tremendously vague
- Requiring expiration date on exterior signage – necessitates annual expenditure

- Requiring external signage viewable from roadway seems excessive and unsightly, as the nearest road to Proposal Rock Inn is at least 100 yards to Highway 101
- Fee no less than \$100 to change Contact Person – financial barrier to compliance
- Requiring STR Permit holders to have rental activity annually – need exemptions for construction, long-term renting, and personal extenuating circumstances
- Executed Indemnification and Hold Harmless Agreement
- Unresolved complaint resulting in immediate violation – needs to be a valid complaint to be a violation

Thank you for your time, and I sincerely hope the County will listen to these reasonable concerns and make the needed adjustments to create a model for STR regulation for this and other communities. Neskowin is such a special place, and I want to continue to support this community as well as be able to enjoy it with my family, as well as share this with guests, as I planned when I made this investment into Neskowin.

Sincerely,

Lindsay McHugh
SeaBeast Properties, LLC.

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: robert steele <riverbob@hotmail.com>
Sent: Sunday, June 11, 2023 4:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Robert Steele, 133 Proposal Rock Inn

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Nancy Falconer <nafalconer@comcast.net>
Sent: Sunday, June 11, 2023 1:41 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Nancy Falconer

Mailing address 474 NE Scott Ave
Gresham, OR 97030
nafalconer@comcast.net

Tillamook properties:
Lola Ott IV LLC, 18550 Pacific, 97136
Falconer Family Trust, 18560 Pacific, 97136

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comments

From: T H <toddhuegli@gmail.com>
Sent: Sunday, June 11, 2023 4:52 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: 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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Todd Huegli
34290 Ocean Drive, Pacific City
Home Owner and Short-Term Rental Permit Holder

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Todd Huegli and I am a home owner in Kiwanda Shores, Pacific City and a Short-Term Rental permit holder. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there will be litigation.

These proposed restrictions on land use, as drafted, will unnecessarily expose Tillamook County to extreme monetary damages, should the county not prevail in court. The Board needs to be transparent and public with county residents and inform the public of the risks of moving forward with this ordinance, both the legal fees it will incur and the potential liability.

My family has owned our home in Pacific City since 2018. My grandparents lived just south of Pacific City, in Neskowin, for most of my life. As a 3rd generation Oregonian I've spent considerable time at the Oregon coast and I've always dreamed of owning my own house there and some day retiring to it. My ability to purchase this home in 2018 and use it as a rental house, will make this dream come true.

Our home is located in Kiwanda shores which has a high percentage of second homes and rental homes. It is a wonderful and vibrant community. Our home is built directly the sand looking out to the ocean and provides families the opportunity to experience the Oregon coast in an incredibly unique way. Walk out the back door right on to the

beach. When we purchased our home, it had been an established vacation rental for many years, as are most of the homes on “the front row” of Kiwanda Shores. Our ability to use the land and home as a rental was the only way we could afford to purchase it.

Any restrictions on how we may use our land would have a dramatic effect on our ability to own it and have significant financial consequences for my family.

We have guests who travel from across the country to visit Pacific City and stay in our home. We provide our guests with extensive information about Pacific City, Tillamook and the surrounding communities. We encourage them to frequent the local businesses and support the community. Our guests have a tremendous positive impact on the local community.

Restricting our ability to rent our home and restrictions on other homes in Pacific City would also affect the local businesses, jobs and livelihoods of the other members of our community.

We are not just “STR owners”, we are home owners and members of the community. Our family of 4 spends considerable time in Pacific City, know many of the year-round residents and summer residents and consider ourselves part of the community as well.

We encourage the board to look towards enforcing current rules and updating as needed in a sensible way. We oppose unnecessary burdensome restrictions on our land which have a primary purpose of limiting the number of rentals in Pacific City simply because a small number of vocal people in other cities oppose rentals in their neighborhoods.

One size does not fit all. Pacific City is a unique community of year-round residents, summer residents and vacationers. Kiwanda Shores is even more unique within the city.

These are my top 3 general concerns:

- Replacement of current land use permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful and would have a huge financial impact on my family
- Discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.

These are my top 3 operational specific concerns:

- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- The noise restrictions are vague and untenable, and treat similarly situated people differently based upon their resident status.
- Still have to comply with all these requirements even in your property is in a commercial zone

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Todd Huegli

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Lena Teplitsky <lteplits@gmail.com>
Sent: Sunday, June 11, 2023 6:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

As a resident, voter, and short-term rental owner in Tillamook County, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Lena Teplitsky
Oceanside, Oregon

To: Tillamook County Board of Commissioners
Fm: John and Maria Meyer
Re: Proposed final STR draft
Date: June 11, 2023

Following summarizes several concerns we have about the proposed STR draft, and specific **recommendations** for improving the draft before it is adopted by the county.

LEGAL: The latest draft ordinance has specific sections and provisions that dramatically reduce STR property rights. Under the guise of amending and fine-tuning Ordinance #84, this draft eliminates important land use protections for STRs that are *guaranteed under state law*. Chief among these are the following: a) restrictions on permit transferability, b) wholesale redesignation of "permit" status to "license" status, c) subjecting STRs to different building codes than the state building code, d) unlawfully proposing community-specific STR caps by Board order at a later time, and e) singling out STRs for livability standards that do not apply to the community as a whole. These legal issues are thoughtfully presented in detail in the letter of June 8, 2023 from Tonkon Torp LLP to you, citing detailed research evidencing at least nine legal deficiencies in the draft proposed ordinance.

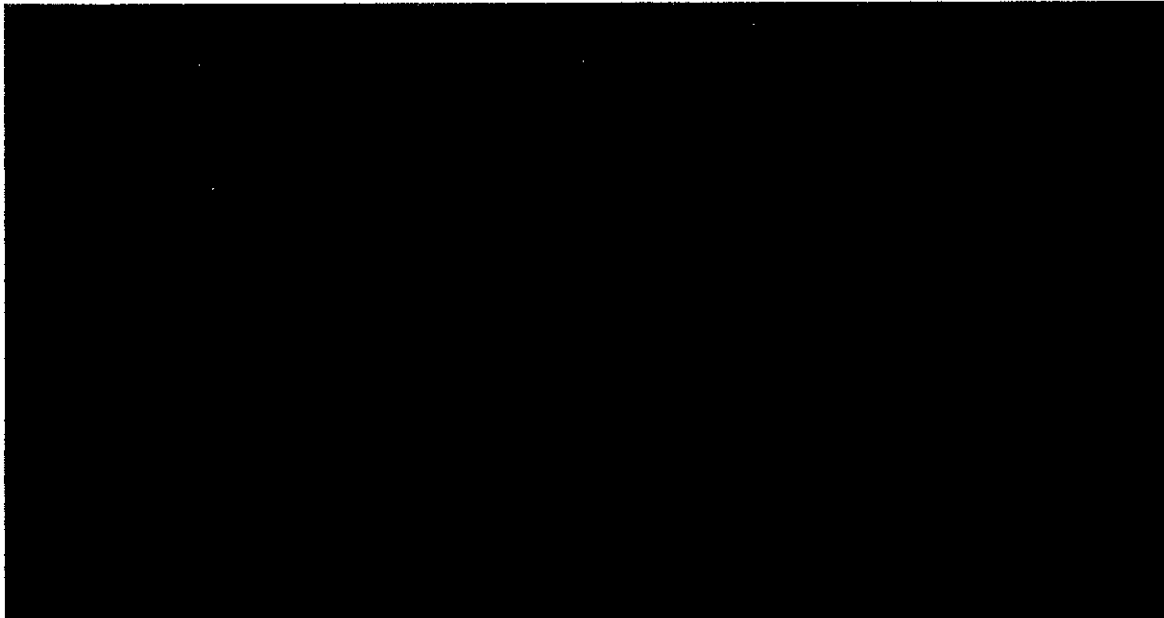
- ***We strongly recommend the BOCC direct staff to work with Tonkon Torp to arrive at a draft ordinance that does not contain obvious legal deficiencies that, uncorrected, will likely lead to costly litigation that will further divide our community. All parties have worked together in good faith; now is not the time to stonewall addressing and correcting serious legal concerns that have been raised.***

SIGNAGE: – We are concerned about the expanding list of information that is required to be put on signs for STR properties. Larger than needed signs filled with data will "commercialize" the residential character of our neighborhoods. In many of our communities, STRs are clustered in areas close to the ocean. Extensive signs will clutter our streets and change the entire character of our communities, defeating the purpose and goal of keeping our communities residential in character. The public will be driving throughout the community, taking note of future rental opportunities the signage advertises.

- ***We recommend the signage standards be revisited by the STR Advisory Committee with the goal of requiring the absolute minimum of essential information for safety and complaints, and revised standards be presented to the BOCC.***

DARK SKY: We would like to see greater emphasis placed on the value of Dark Sky guidelines in our communities. Below is an article from Travel Oregon that provides useful resources for those interested.

Dark Sky:



June 8, 2023
Hamilton

Photo by Joey

Dark Sky & Annular Solar Eclipse Technical Assistance Available

Celebrating, protecting and visiting “dark-sky” areas is a growing worldwide phenomenon – and that’s great news, because, since the invention of electric streetlights and the use of artificial light at night (ALAN), we are losing the natural darkness of night literally at the speed of light. In fact, it’s estimated that 80% of Americans and nearly 33% of all humanity can no longer see the Milky Way from home. Unlike states east of the Mississippi River and our neighbors to the north and south, Oregon is fortunate to have an abundance of dark skies.

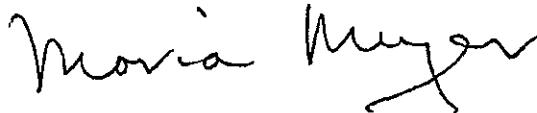
To support the tourism industry and our outdoor recreation partners interested in developing dark sky experiences and destinations, Travel Oregon is providing [Dark Sky Tourism Technical Assistance](#). By completing the request form for technical assistance, you will be put in touch with our consultant Dawn J. Nilson, a dark sky expert. Upon receiving your request, Dawn will reach out to you directly to discuss in depth your individual ideas and needs and help answer your questions. Dawn is also available to assist tourism industry partners looking to learn more about or plan events around the upcoming Annular Solar Eclipse on October 14, 2023.

Interested in learning more about Dark Sky Tourism or the Annular Solar Eclipse? Access the [Dark Sky Tourism toolkit](#) and [Annular Solar Eclipse toolkit](#) on Travel Oregon's industry website.

If you experience any issues with this [form](#), or have any questions about this service, please email Hilary Sager at hilary@traveloregon.com.

- ***We recommend a simple addition to the Hello, Neighbor commitment (below) that we are all making, that it should include a reference to the importance our communities place on Dark Sky standards that would apply during Quiet Hours from 10 pm – 7 am.***

Thank you for your consideration of these suggestions.



John & Maria Meyer

Neahkahnie Beach House

Nehalem, OR



Commitment to Community

We share our Expectations of Conduct with guests in multiple ways: on our website, at time of booking, and upon arrival. These are enforceable standards required by the local jurisdiction. *We think it's good information for residents, too!*

Here are a few examples:

- **Neighbors & Noise** The neighborhood general quiet hours are from 10pm - 7am.
- **Parking** Parked vehicles may not block driveways or emergency vehicle access lanes; Obstructed access means delays, and delays could cost someone's life. Park smart.
- **Speed Limits** Be mindful of posted speed limits. If you're not sure, slow down.
- **Garbage** All garbage will be put in the provided secure containers, and will be picked up by a local franchised hauler at least once a week. *Did you know it is a crime to put garbage into a can that is not for your home?*
- **RVs** Occupied trailers and tents are not allowed on the premises at any time.
- **Pets** Leash your pet, unless you are in a *clearly defined* off leash area. Also, clean up after them. "It's your duty to pickup your pet's doody!"
- **Fires** Fires are only allowed in designated areas, and should never be left unattended.
- **Fireworks** The State Fire Marshall says "Keep it legal and keep it safe!" Fireworks are illegal in residential areas, and prohibited on all of our beaches.
- **Drones** Be mindful of where you are flying, and respectful of private property and wildlife.
- **Extras during COVID** We ask our guests: "In the last 14 days, has anyone in your party: 1) Been tested for COVID, 2) Tested positive for COVID, and 3) Exhibited symptoms of COVID?" We encourage social distancing, and offer contactless check-in & check-out.

The contact information for the current Rental Manager is posted and visible on the outside of the property. Should a call be made, the Manager is required to respond by phone or in person, within 20 minutes of receiving any complaint for resolution.

If unable to connect with the Rental Manager, the
Tillamook County Non-Emergency Short Term Rental Complaint Line
☎ 833.566.9442



To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lea Anne Clifton Gerst & Cole Gerst
9000 Hillcrest Road
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

Our names are Lea Anne & Cole Gerst and we are Short Term Rental Owners in Neahkahnie. We are saddened to see the latest draft of Ordinance 84 as it does not come close to a fair and balanced approach to addressing the issue. Many of our issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

Our family has owned this property since 2018. Our home was built by local architect Marvin Witt as a vacation home (not a permanent residence) and served as a place for friends and family to gather on the coast. We want to carry on this tradition by sharing our home and his architecture with folks visiting the coast. Our house was inspected prior to us obtaining a STR permit and it was in compliance with all codes when applying for a permit. Bringing our house, or most any house to "current codes" would degrade the architectural significance of many properties.

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- Restrictions on transferring property with the STR permit intact are unlawful

These are our top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Parking: owners can not enforce rules against parking on public streets
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

We believe that STR owners are being treated unfairly and any changes or enforcements in regards to code compliance, parking or issues such as noise should be applied to all property owners, not just the ones that happen to share their home with guests. I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lea Anne Clifton Gerst
Cole Gerst

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Vacation Rental Rules

From: Shawn MacDonald <nwsteelheader@hotmail.com>
Sent: Sunday, June 11, 2023 7:18 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Shawn MacDonald <nwsteelheader@hotmail.com>; oregoncoasthosts@gmail.com; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Vacation Rental Rules

[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 Commission,

I am writing this letter to express my extreme disappointment in your ability to take a balanced approach to the short term vacation rentals in Tillamook County.

Your proposed actions will cause significant harm to the work that I have done over the last 15 years in preparing business opportunities for myself. I own properties that I have spent hundreds of thousands of dollars to obtain, and tens of thousands of dollars to prepare for building Short term rentals in Pacific City.

You are pulling the rug out from underneath the small operating property owners in Tillamook County in favor of perceived problems that have little or no factual support.

Whatever your reasons for choosing to destroy small business opportunities and curtail tourism, your efforts are significantly misguided. You have the opportunity to put in place balanced regulations, but instead are proposing one sided solutions that do all but eliminate the ability to operate a STVR in Tillamook County.

Utterly disappointed in my elected officials,

Shawn MacDonald
Pacific City, Oregon

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for STRs - June draft

From: Florin Dragu <fdragu@gmail.com>
Sent: Sunday, June 11, 2023 7:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for STRs - June 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,

I'm Florin Dragu and own and manage my 2nd/vacation home as an STR in the Neahkahnie Beach area. We bought a lot and built the house during Covid (2020-2021) going through a lot of delays and increased cost because we love the area and Manzanita/Nehalem towns nearby and would love to spend more and more time at the coast once our kids are in college. We could not afford to keep the house if we're not allowed to continue to have it as an STR in the future, even if we plan to spend a few months per year there.

While I support the existing/previous set of STR rules and recommend those are enforced, I have a few concerns with the latest June STR draft:

1. Addition of caps, buffers or any other form of future restrictions is unlawful and absolutely unnecessary as the Covid boom for STRs and vacation homes is over. Historically high house prices and interest across the nation (not just in tourist areas like the Oregon coast) coupled with significant decrease in STR bookings and nightly rates are not making it as attractive as it was 1, 2 or 3 years ago.
2. Changing from permits to licenses for existing STR permit holders is unlawful, as it changes the property rights that we all have for our properties at the time of buy/build
3. The immediate response requirement is totally unreasonable; some of us don't live at the coast and expecting our housekeeper to be available 24/7 is against Oregon state laws. We are not a company with employees, we manage our property ourselves and have a local housekeeper/friend who could respond within a reasonable time, but we do not employ the 24/7.
4. On the same theme with the above requirement there are a few more that are just meant to be used as an easy tool to revoke a permit or license and are requirements not seen for owners living there, like not parking on the street (even when it's legal to do that for owners or other day visitors), noise levels, new sign rules, etc - these should be removed

While we all would like to preserve our neighborhoods as back in the day, the reality is that traffic, noise and the number of people is increasing everywhere regardless of STRs and people travel more both for day trips and multiple days. Having a few lucky owners who live in tourist areas like the Oregon coast or rich people with 2nd homes who just want locals around when they come to visit and tell everyone how to use their house seems excessive and unlawful and hope the county will not give into their demands. The unincorporated neighborhoods were always a place for tourists to enjoy and it should continue based on 2020 STR permit rules, not the new STR draft.

While I understand the desire to create some rules that limit the number 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 STR 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 Dragu

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Thelma Rodriguez <capesidelookout@gmail.com>
Sent: Sunday, June 11, 2023 8:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

First, thank you all for your service. Second, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Thelma Rodriguez

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comments: STRs & Oregon Coast Hosts

From: Nick Argenti <silverproperties02@gmail.com>
Sent: Sunday, June 11, 2023 8:46 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comments: STRs & Oregon Coast Hosts

[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,

We hope you and your families are doing well. We wanted to provide some inputs for the public hearings process 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 know 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. Each week it seems like more businesses continue to reduce their hours and more buildings become vacant which is headed in the wrong direction. We have the basic building blocks and are making progress but we need to encourage and support STR GROWTH to help enable a community where businesses and local residents can thrive. As a personal recent datapoint, we have seen a **35% decrease in revenue in Q1-2023 when compared to Q1-2022**. We know others are seeing similar trends which ultimately impacts the bottom line for TLT funds that go towards critical programs but the lower revenue also means reduced capital to feed back into the community to local businesses (repairs, appliances, cleaners, restaurants, banks, furniture, supplies, groceries and so much more). It's a strong signal that we all need to work together to enhance STR growth which feeds back to the community.

You can see the writing on the wall already with reduced revenue streams, high inflation, and if the county adopts measures that reduce STR revenue growth, this will further reduce the benefits to the community and ultimately lead to layoffs throughout the county, local businesses and result in overall economic distress throughout the community. You already hear about the layoffs occurring in nearby communities, sheriff/law enforcement, and it's just beginning:

- <https://www.oregonlive.com/silicon-forest/2023/05/intel-plans-fresh-round-of-layoffs-other-cost-cuts.html>
- <https://www.koin.com/local/washington-county/beaverton-facing-10m-shortfall-considers-job-cuts/>

We need to support STR's instead of trying to deter this valuable asset. This IS one of Tillamook County's nuggets of gold. The coastal community is so fortunate to have this valuable asset. Do not make mistakes that later need to be unwound. The community cannot afford this. Again, take a walk throughout Tillamook. There are improvements to celebrate but there are so many vacant buildings and businesses that are barely hanging on.

In a world of record high inflation and pressures of a looming recession, maximizing revenue growth is critical. The leaders in Tillamook County have the opportunity to be hero's in building a vibrant community but it takes courage, foresight, diligence and the ability to fast forward to seeing that what the county is considering will lead to further economic depression throughout Tillamook County. We have the opportunity to make the right changes that help our community. Embrace the data to help make these wise decisions. We are all part of the same 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: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Unanswered Questions regarding Proposed Ordinance 84 Amendment #2

From: Jonathan Hager <jhager@gmail.com>
Sent: Sunday, June 11, 2023 9:29 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Unanswered Questions regarding Proposed Ordinance 84 Amendment #2

[**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 hope this letter finds you well. I am writing to express my concerns and seek clarification regarding the proposed Ordinance 84 Amendment #2 that is currently under consideration. I appreciate the effort that has been put into drafting this ordinance, but there are several unanswered questions that I believe need to be addressed in order to ensure clarity for all stakeholders involved.

Firstly, I would like to raise the issue of the dividing line between posting a notice and **compelled speech**. While I understand the importance of informing the community through posting notices and providing maps of evacuation routes, I am concerned about the potential implications of the requirement to post the good neighbor policy. The ordinance allows for changes to be made to the good neighbor policy with little oversight. Maybe it is time to remove the clauses about social distancing and covid. Also our short term rental is designed to be hypoallergenic, so absolutely no pets should be anywhere near the property. This raises questions about the extent to which these changes **may infringe upon individual rights** or create a burden on property owners.

Secondly, I would like to seek clarification on how the proposed ordinance interacts with Covenants, Conditions, and Restrictions (CCRs) tied to land. It appears that the ordinance moves away from permitting short-term rentals (STRs) as a land use right and instead introduces county-issued licenses. This shift raises concerns about the validity and enforceability of existing CCRs within homeowners' associations (HOAs) that specifically address land use restrictions related to STRs. Will the proposed ordinance have the unintended consequences? **Will CCRs limiting STR usage within a community be deemed null and void under the proposed ordinance?** It is important to understand whether HOAs will still be able to create and enforce restrictions on land use related to STRs, when STRs are no longer tied to land use.

Thank you for your attention to these matters. I appreciate your commitment to public service and your dedication to making informed decisions that benefit our community.

Yours sincerely,

Jonathan & Carol Hager

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Gabi Schuster <pdxgabi@gmail.com>
Sent: Sunday, June 11, 2023 9:35 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Gabriele Schuster
Schooner Way, Nehalem

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Bill Waibel <wwaibel@frontier.com>
Sent: Monday, June 12, 2023 5:02 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Bill and Pam Waibel
Our STR is in Barview, Oregon

Tillamook Board of County Commissioners, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Sent from my iPad

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR

From: Laura Allman <elmo.ultracoyote@gmail.com>
Sent: Monday, June 12, 2023 5:35 AM
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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Laura Allman
15450 Lakeside Drive, Rockaway Beach, OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Laura Allman and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2018. I grew up in Lorane, Oregon, and spent many of my weekends and holidays on the coast. After my parents moved to the Midwest, during my high school years, I dreamed of someday returning. Fast forward 40 years ... my husband and I were able to purchase a small home in Barview. Our hope is that in 4 - 5 years, we will be able to retire there. We love the Barview community and have become good friends with so many of our neighbors; most of whom are full time residents. While our home is in immaculate condition, because it is also nearly 100 years old, we're concerned that the restrictions being proposed will reduce our future rentals..

These are my top 3 general concerns:

-
-
- Replacement of current permits with licenses
-
-

-
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
-
-
-
- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
-

These are my top 3 operational specific concerns:

-
-
- Provision is needed to protect STRs from harassment via unfounded complaints.
-
-
-
- Parking: owners can not enforce rules against parking on public streets
-
-
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login
- and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Laura Allman

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Jaime Bennett <jaime.bennett13@gmail.com>
Sent: Monday, June 12, 2023 5:57 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Jaime Bennett
STR Owner in Pacific City

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Robyn STURGIS <rybyns@hotmail.com>
Sent: Monday, June 12, 2023 7:21 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Robyn Sturgis

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR public comment

From: John Leigh <leighj2717@gmail.com>
Sent: Monday, June 12, 2023 8:07 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: John Leigh
2285 Old Ranch Road, Otis, OR 97368
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is John Leigh and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. My STR is a small house in a scenic location. Visitors love the place for its natural, peaceful environment. Neighbors agree that there have been no problems..

These are my top 3 general concerns:

-
-
- Replacement of current permits with licenses
-
-
- State building code prohibits forcing historic buildings to “come up to code”

-
-
-
- Restrictions on operations,
such as reducing occupancy, are unlawful
-

These are my top 3 operational specific concerns:

-
-
- The bedroom minimum
size requirements run afoul state building code requirements for historic structures.
-
-
- Requiring either a
closet or clothing organizer is outside the scope of STR regulations.
-
-
-
- Some parts of the
Tillamook County have no franchised garbage service, so the existing ordinance language should be preserved.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

John Leigh

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:39 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Roger Wicklund <wicklundr@comcast.net>
Sent: Monday, June 12, 2023 8:20 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Roger A. Wicklund MD

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:40 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Kindly consider those of us waiting for our STR permit

-----Original Message-----

From: Rachael Winters <rdwinters22@gmail.com>
Sent: Monday, June 12, 2023 8:26 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Kindly consider those of us waiting for our STR permit

[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 on 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? At the very least, we should be granted our application first. Furthermore, in one of your early meetings last year, the commissioners stated that there would be no way the pause would last this long. Those who are building as of last year would not finish their homes before the pause was over. Here we are!! We have been finished since December! Still waiting.

> Best regards, Rachael Winters

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:40 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment

From: Jordan Winters <winters@santepartners.com>
Sent: Monday, June 12, 2023 8:38 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Jordan Winters
33605 Center Pointe Dr, Pacific City, OR
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Jordan Winters and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2022. We fell in love with Pacific City on our first visit. Our first vacation there we stayed in a STR that is two houses down from the one we just built. Having a young family and being relatively young ourselves, we have yet to build a nest egg with which to afford a beach house outright. Our dream was to have a beach home that we could rent to offset the mortgage, and then enjoy ourselves. Our home is a block from Cape Kiwanda, is surrounded by other STR properties, and was anything and everything we ever wanted in a beach house. Now, we will be forced to sell if we can't get an STR permit..

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
- Property owners cannot lose property rights solely based on conduct of someone else.

These are my top 3 operational specific concerns:

- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Parking: owners can not enforce rules against parking on public streets

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Jordan Winters



Jordan Winters

Director of Development, Finance Strategist

M: 503.209.6034

winters@santepartners.com

www.santedevelopment.com

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Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 9:40 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Neskape Beach <neskapebeach@gmail.com>
Sent: Monday, June 12, 2023 9:37 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Jenny Ozeruga

Lynn Tone

From: Rachel Hagerty
Sent: Monday, June 12, 2023 10:26 AM
To: Sarah Absher; Lynn Tone
Cc: County Counsel; Public Comments
Subject: FW: EXTERNAL: For: Tuesday, June 13, 2023 at 5:30 p.m. to consider proposed amendments to Tillamook County Ordinance #84

See below public comment from Gus Meyer.

Rachel



Rachel Hagerty | Chief of Staff
TILLAMOOK COUNTY | Board of Commissioners
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3404
Mobile (503) 812-3465
rhagerty@co.tillamook.or.us

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From: Gus Meyer <gusmeyer9@gmail.com>
Sent: Monday, June 12, 2023 10:08 AM
To: Rachel Hagerty <rhagerty@co.tillamook.or.us>
Subject: EXTERNAL: For: Tuesday, June 13, 2023 at 5:30 p.m. to consider proposed amendments to Tillamook County Ordinance #84

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RACHEL:

Rachel please make this presentation on my behalf, as I will be having a body recharge at Portland Adventist Hospital. (See below.)

Thanks for your great service.

Gus Meyer,
County Taxpayer @ 1715 Skyline Drive, Tillamook, Oregon

Ordinance:

- 1: an authoritative rule or law; a decree or command.
- 2: a public injunction or regulation:

My personal input: This Ordinance covers all of unincorporated Tillamook County as a governing law of STR licensing.

I also suggest that right up front a note be added that ~~striketrough~~ means deleted.

Preponderance: Appears within this Ordinance Proposal.

A subjective statement of controllable power and domination.

This word appears twice in this Draft Ordinance related to data and subjectivity to data provisions as violations. See:

- A: Paragraph F of Section 70
- B: Paragraph H of Section 140

My personal input: I request these two words be eliminated for hard cast requirements, prior to finalization of this Ordinance #84 proposal.

I also note that the words "reasonable or reasonably" are utilized in a couple of situations, but I can accept them leaving the final; violation definition and adjudication to Tillamook County Civil Court.

Noise:

I am opposed to the lawful interpretation of regulated noise limited to just local STR citations and not applicable to the whole of unincorporated Tillamook County. I ask that the section addressing noise be:

- 1. *Applicable as an implementation of **an countywide equity law**, or*
- 2. *Restrictive to Good Neighborhood Policies until Tillamook County unincorporated law is ordained*

My final comment is related to judicial processing disciplines invoked in this proposed Ordinance #84. Are the Community Development administrators of citations and violations deputized, certified, and trained to a level of common interpretation and equity of this law? This in fact moves civil law into the Community Development Department as a precedence.

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 10:41 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short term rental permit regulation revisions

From: Mariam Azin <mazin@presassociates.com>
Sent: Monday, June 12, 2023 10:06 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short term rental permit regulation 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.]

Hello,

I own a property in Shorepine Village in Pacific City located at 5995 Beachcomber Avenue. I purchased the property approximately 2 years ago with the understanding that, when I was not using it, I could use it for short term rentals. This property has been in the short-term rental pool for several years, is in a community that is specifically designed for this and responsibly manages short-term rental traffic (in addition, we pay to provide walkways and access along the waterfront for people not in Shorepine) and represents a significant family friendly vacation destination to visitors which, in turn, represents a tremendous boost to the Pacific City economy.

I have worked very hard my entire life and this property was a significant investment for me. As well as being a place I can go to with my grandchildren, I purchased it with the understanding that a short-term permit was already present (and would be transferable with the property if I ever was in a position where I had to sell) and that I could generate income from this property.

I do not believe it is right to retroactively change regulations that were in place when property owners originally purchased properties. Specifically, the two things that are very important to me is that: 1) the STR rental permit status stays in place as it is with all the corresponding property rights that cannot be taken away; and 2) allowing a permit transfer of only one is insufficient – so long as a short term property is in good status, has a demonstrated record of being responsibly run, and shows a minimum amount of usage per year, the short term permit should stay with the property without limit and not be “taken away.”

Thank you for giving me the opportunity to provide written feedback and I hope you will incorporate such comments into the final draft of any legislation. I completely understand that the needs of multiple stakeholders need to be taken into account when drafting legislation but I will be frank in saying that my property in Shorepine Village has been a very responsibly run, long term asset to Pacific City – I pay significant fees to the county and utilities to support the infrastructure in Pacific City and I am happy to do so as a homeowner. Please don't take away the rights that I understood came with my property when I purchased it – after the fact.

Thank you. Mariam Azin

Mariam Azin, Ph.D.
President, PRES Associates
M: 307-690-4506



Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 10:41 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Lucy Minett Shanno <lucyminettshanno@hotmail.com>
Sent: Monday, June 12, 2023 10:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Lucy and George Shanno
Netarts, OR

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 10:41 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: jonathan rigg <jonathanrigg@gmail.com>
Sent: Monday, June 12, 2023 10:37 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Ordinance #84 proposed reclassification of STR permits to licenses is a legally dubious challenge to property rights that will result in lengthy challenges and will be a waste of taxpayer revenue.

When used as an STR, our home in Neskowin has never had any violations and our full-time resident neighbors have fully supported our right to use our property as we are entitled to do. We love our home, our neighbors, and our family's time in the wonderful community. We are only able to have these experiences by offsetting our costs of ownership through our right to use our property as a STR when we are not there. I am in favor of stronger enforcement of existing STR regulations to help resolve issues, but not the proposed change to property rights.

Thank you,

Jonathan Rigg
5655 Odin Way, Neskowin 97149

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Janet Spalding
5795 Eloise Ave. Tierra Del Mar, Oregon 97112
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Janet Spalding and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2002. My property sits directly next to the beach and allows even people with mobility issues the opportunity to sit inside or on the deck and enjoy the ocean waves. .

These are my top 3 general concerns:

- Restrictions on growth aimed at existing permit holders are unlawful
- Restrictions on growth aimed at existing permit holders are unlawful
- Restrictions on transferring property with the STR permit intact are unlawful

These are my top 3 operational specific concerns:

- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- Requiring either a closet or clothing organizer is outside the scope of STR regulations.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Janet Spalding

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 10:58 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Dave <dave@monvisoinvestments.com>
Sent: Monday, June 12, 2023 10:56 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

David Allen, Neskowin

To Tillamook Board of County Commissioners:

Re: STR Ordinance hearing 6/13.

Please consider the following insignificant changes to the ordinance:

- **Signage: Please remove the requirement to post expiration dates on the exterior signs.**
 - The requirement for signs has been significantly complicated by this new version of the ordinance.
 - From the inception of this ordinance until now, we have never even been required to post expiration dates on the interior posted permit.
 - Most recorded violations are regarding signage. Adding superfluous complications solves no problems; and causes extraordinary expense and compliance complications for owners.
 - Why is the expiration date necessary? If a property is un-permitted, and advertised, the county will be alerted. Have there been significant instances of homes with STR signs that are not actively permitted?
 - Expense: Over the past 3 years, the expense to comply as an STR has more than tripled for most homes. Professional, quality signage is expensive. Requiring a new sign each year will degrade the quality and increase eyesores in our communities.
- **Noise: The new noise language will be impossible to comply with and enforce.**
 - As it's currently written, if guests arrive after 10pm, and they have a crying baby or close their car door, and it can be heard beyond the property line, they are in violation. This is not practical.
 - Please consider adding the words "sustained" or "unreasonable".
- **Garbage: Please add "where applicable" to the requirement of 'assisted pickup'.**
 - Assisted pickup is not applicable in several neighborhoods with trash enclosures, etc.
 - Requiring proof of this service will likely incur unnecessary fees from the franchise haulers.

My company manages about 65 homes in Pacific City. Compliance and safety standards are of utmost importance. Please consider these changes.



June 12, 2023

Tillamook County Commissioners
Tillamook County Courthouse
201 Laurel Avenue
Tillamook, OR 97141

RE: Comments on Ordinance 84 and ORLA's Position Statement on Short-Term Rentals

Dear Tillamook County Board of Commissioners,

Thank you for the opportunity to provide comment on Ordinance 84 relating to Short-Term Rentals and the latest round of amendments being considered for adoption at your upcoming June 13 meeting.

We continue to be impressed with the work being undertaken in Tillamook County. The ordinance is comprehensive and shows a great deal of balance in weighing the needs of local communities while promoting the economic benefits that come with a thriving tourism economy.

One item potentially worthy of a work session is whether 'transfers of short-term rental license ownership' rules should be more equitable when considering the 'owner' of the rental property. For example, one could read the current ordinance and come to the conclusion a family owned short-term rental can only be sold once while keeping the license with the County active compared to a short-term rental being owned by a corporation who could hold on to the license in perpetuity, regardless of corporate staff changes.

Recent conversations with county staff confirm for us that this challenge was taken into consideration but that limiting corporate ownership in a given jurisdiction can prove problematic given the prevalence of limited liability corporations created by extended families for personal use of the short-term rental while occasionally renting out the property to subsidize the investment.

All in all, we feel you strike the right compromise with the current Ordinance language and the latest amendments. We appreciate the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Brandt', written in a cursive style.

Jason Brandt
President & CEO
Oregon Restaurant & Lodging Association

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 11:58 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Proposed changes to the STR ordinance

From: royce trammell <ramtraml@hotmail.com>
Sent: Monday, June 12, 2023 11:56 AM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Proposed changes to the 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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Royce Trammell
155 Crescent St, Oceanside OR 97134
Short Term Rental Owner

Re: Proposed changes to the STR ordinance

My name is Royce Trammell and I am a Short Term Rental Owner.

My wife and I bought our property in 2020 and have been successfully running it as an STR since then. We can't afford a property management company, so are managing it ourselves, including cleaning it. When we purchased it, we were not aware that the county was considering reducing or eliminating STRs. We count on income from our STR to supplement our retirement income. The home is a large one, and would not be affordable to working wage folks in Tillamook county either as a long term rental nor to purchase as a starter home. If we can't use it as an STR, we would have to sell it, probably to a high income family to use as an occasional 2nd home, like the neighbors on either side of us do. There would be far fewer tourism dollars coming in to the county for STR homes like mine if STR permits are reduced or eliminated.

In addition, I support the comments and legal concerns that have been repeatedly raised by Oregon Coast Hosts. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

These are my top 3 general concerns:

- Replacement of current permits with 'licenses' in an attempt to avoid land use rights
- Restrictions on transferring property with the STR permit intact are unlawful
- Provisions to lose property rights over a permit lapse are unlawful

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable and could result in safety issues; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time, but at least they are trained to deal with conflict when necessary. In addition, the few issues I have received were able to be dealt with via the phone or messaging app, without requiring me to be on site within a short time period.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs? My neighborhood has just 7 STRs for over 100 properties, but a buffer rule could reduce that to just 1 or 2 STRs. Which of the current STRs would lose their permit?
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Royce Trammell

To: Tillamook Board of County Commissioners

My family has owned a short term rental property (STR) at the Breakers in Neskowin for nearly 50 years. Although we need to rent the property to help pay taxes and condominium fees, our townhome is our second home and we and all my family members have a deep love and appreciation for Neskowin and the Pacific Ocean. All my extended family cherish their time at the beach. Our home is lovingly looked after and individually furnished to reflect the beach environment. We are not cookie cutter standard hotel rooms and offer a homey atmosphere to both family and guests. Our condominium board works diligently to ensure well maintained grounds and landscaping to be an asset to the town.

We would like to make a suggestion about signage requirements in the draft ordinance. Because we are in a condominium complex of STR townhomes with a private road into the property, we suggest that for properties like the Breakers with one egress point, that one sign could be posted at the entrance into the property. This sign could list each rental home by permit number and other required information. The sign would be visible from the public road whereas signs at each home would not be visible unless somebody walked onto the property.

Also, we do not see the need to list the expiration date of the permit on the sign. We don't understand why that information would be relevant to people seeking to make a complaint about a specific home and it would necessitate having to update the sign at least once a year or more often since individual homes at the Breakers have different expiration dates on their STR permits. Thank you for your consideration of these proposed changes to the draft STR ordinance.

Respectively submitted,

Peter Birch and Kathy Hamel, owners of Unit 9 at the Breakers in Neskowin

To Tillamook Board of County Commissioners:

Re: STR Ordinance hearing 6/13.

Please consider the following insignificant changes to the ordinance:

- **Signage: Please remove the requirement to post expiration dates on the exterior signs.**
 - The requirement for signs has been significantly complicated by this new version of the ordinance.
 - From the inception of this ordinance until now, we have never even been required to post expiration dates on the interior posted permit.
 - Most recorded violations are regarding signage. Adding superfluous complications solves no problems; and causes extraordinary expense and compliance complications for owners.
 - Why is the expiration date necessary? If a property is un-permitted, and advertised, the county will be alerted. Have there been significant instances of homes with STR signs that are not actively permitted?
 - Expense: Over the past 3 years, the expense to comply as an STR has more than tripled for most homes. Professional, quality signage is expensive. Requiring a new sign each year will degrade the quality and increase eyesores in our communities.
- **Noise: The new noise language will be impossible to comply with and enforce.**
 - As it's currently written, if guests arrive after 10pm, and they have a crying baby or close their car door, and it can be heard beyond the property line, they are in violation. This is not practical.
 - Please consider adding the words "sustained" or "unreasonable".
- **Garbage: Please add "where applicable" to the requirement of 'assisted pickup'.**
 - Assisted pickup is not applicable in several neighborhoods with trash enclosures, etc.
 - Requiring proof of this service will likely incur unnecessary fees from the franchise haulers.

My company manages about 65 homes in Pacific City. Compliance and safety standards are of utmost importance. Please consider these changes.

Lynn Tone

From: dbenneth@comcast.net
Sent: Monday, June 12, 2023 12:19 PM
To: 'Helaine Koch'
Cc: Lynn Tone; Sarah Absher
Subject: EXTERNAL: RE: Draft of STR Testimony to Commissioners

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Lainie

Probably the best way to submit written testimony is directly to Lynn Tone (Sarah's assistant) and to Sarah. Their respective email addresses are below:

Lynn Tone ltone@co.tillamook.or.us;
Sarah Absher sabsher@co.tillamook.or.us.

Thanks!
Dave

From: Helaine Koch <lainiekoch@gmail.com>
Sent: Monday, June 12, 2023 11:43 AM
To: Cathy Benneth <dbenneth@comcast.net>
Subject: Re: Draft of STR Testimony to Commissioners

I wrote this letter (below) on Feb. 13, 2023. Do you think I should revise and resend?

Dear Sarah,

After attending the NCAC meeting last Saturday, February 11, 2023, we felt compelled to convey our thoughts and concerns with you and the Tillamook County STR Advisory Committee.

Short Term Rentals are not divisive because of how the Neskowin Short Term Rental Survey results were reported, either by the STR subcommittee or the NCAC officers, as some members of the NCAC Short Term Rental subcommittee claimed. STRs have been divisive in Neskowin (and other communities) for a long time before the subcommittee was even formed. Isn't that why this issue is getting so much attention?

STR's are divisive because of a livability issue for communities. People who own STR's are in business. They are driven by the income they receive from this business or in too many cases, businesses. They are commercializing residential or R1 areas and the community members who make their homes in neighborhoods surrounded by STR's are significantly impacted.

Some STR's are owned by large businesses or corporations that have no connection to Neskowin. They may care about livability because a desirable area will make people want to come and rent their properties. It's a bottom line issue. These STR owners are not the people who volunteer in the community or care about their neighbors.

We believe people on any committee to study STR's have a conflict of interest if they own a STR solely as a business or income producing property. Money changes how people feel, think and respond to issues. If you choose people to represent a community and they have a personal financial interest and a legal mission to deregulate and impose short term rentals in this community, they are not representative of, nor do they represent, most of the people who live in Neskowin. They obviously have a personal agenda which is nearly impossible to "leave-at-the-door." Money obscures objectivity.

We don't think STRs should be banned, but we do believe that houses owned and built solely as vacation rentals, do not belong in R1 zoned areas. What makes these properties different from hotels? Lack of management and on-site support? That's just two of the problems.

On Jun 12, 2023, at 11:37 AM, Helaine Koch <lainiekoch@gmail.com> wrote:

Is this to extend the moratorium on STR permits? I see it is set to expire on July 1, 2023.

On Jun 12, 2023, at 11:20 AM, Helaine Koch <lainiekoch@gmail.com> wrote:

Hi Dave,

Since I have not been involved in these meetings, what is the context for your testimony? Is this the last in a series of meetings? What will the commissioners decide based on the testimony they hear? Who will be giving verbal testimony? Would it be helpful if I submitted written testimony? (I have already done this a while ago.)

Lainie

On Jun 11, 2023, at 8:20 PM, <dbenneth@comcast.net>
<dbenneth@comcast.net> wrote:

Laine

Attached is a draft of my planned two minute testimony to the Commissioners on Wednesday.

If you have time, I'd love to get your feedback.

Thanks!

Dave

<Testimony at June 13 County STR Hearing.docx>

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Adam Babkes
7330 Kingfisher Loop, Pacific City, OR 97135
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Adam Babkes and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 202. We worked for 2 years designing and building a home that was perfect for our family and also specifically for rental purposes. We added several features to the house, including rooms and square footage, that was only because we were operating under the assumption we'd be able to rent it. We love our home in PC but will not be able to afford to keep it without STR income. It's sad, and it hurts. My 3 kids - Ben, Nate and Victoria are so emotionally connected to this property. They've watched it since inception and drew on the walls before painting - all the good stuff. All of that will go away w/o an STR for us..

These are my top 3 general concerns:

- Vacation rentals have always been allowed in Tillamook County
- Replacement of current permits with licenses
- Restrictions on growth aimed at existing permit holders are unlawful

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually, may violate HOA rules, may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.
- Parking: owners can not enforce rules against parking on public streets

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Adam Babkes

Lynn Tone

From: Sarah Absher
Sent: Monday, June 12, 2023 2:00 PM
To: Lynn Tone
Cc: kristindonahue@gmail.com
Subject: Re: A few questions and thank you!

Good Afternoon Lynn,

Please include Kristin's comments for public record if they have not yet been included in the hearing 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

On Sat, Jun 3, 2023 at 12:03 PM Kristin Donahue <kristindonahue@gmail.com> wrote:

Hi Sarah —

First, I'd like to say that you have done a really good job moderating and conducting these meetings. I've been impressed with both your patience and clarity of objectives.

I've listened to nearly all of the meetings and have read the report, surveys, and ordinance modifications.

I had been looking to buy a home in Pacific City since 2018 and finally was able to at the end of last year. We have a little house on Shore and Pine. We are fortunate enough to get to use our home 1-2 weeks per month ourselves. We would like to have the opportunity to rent it when we're not using it, but the goal is to be there full time within the next 7 years or so. But this looks pretty bleak with only 1% STR permits being added on July 3rd.

My questions:

- **what will the application process look like? line up outside of the county offices before opening on July 3rd?**
- **will property management companies be allowed to apply for STR permits? (potentially getting in line and registering for many at one time?)**
- **when will the application directions be updated on the website? or new application be made available?**
- **do we have to provide notice to neighbors before we apply? (having proof at the time of initial application?)**

- **how are vacant STR committee positions being filled? Are non full-time residents eligible to apply? (I'm interested in this -- and other committees that I could be of service on)**

And, is public comment closed? If so, the rest is moot. If not, please see below:

"I've been looking to purchase in Pacific City since 2018. It has been insanely competitive. Finally, in late 2022, we got something in a great location for our active family. Our intention is to use this as a family house with our four boys and have the possibility of renting out when we're not there (we use the house ourselves 1-2 weeks per month). My concern is that even with the proposed changes, the STR license is seen as financially valuable real estate asset. And, essentially, this creates an unfair system. I think that there were things proposed that would mitigate this, but it was largely ignored by the committee.

1. Use it or lose it. If it's not used, then the permits go back into the pool. This essentially means that those who will contribute economically have the opportunity to rent and will do so. This will detune STR licenses as a grab for a real estate asset. If they're not used, then there's no value since they'll expire.
2. Limit or sunset transfers (with exceptions for inheritance, etc.). By allowing transfers at the time of a house sale, this prevents a family like ours getting into the pool for a potentially really long time. It also creates a clear division for opportunity (have/have nots) for new homeowners in the county when the house isn't permitted at the time of purchase.

If have a use it or lose it and a sunset clause, mobility improves making it less competitive and less about it adding real estate value.

3. Limit how many permits an S-corp can have. How many STR permits does Vacasa have -- yes, they're a property management company, but they own a lot as well. I don't think that they should get priority over families who are trying to be a part of the community.

Someday, this will be home for us. In listening to hours of these meetings, I definitely felt the perspective of both sides. I want to retain my rights as a homeowner to rent our beach cottage, but I also want to cultivate and maintain a community that I will join as a full-time resident in the coming years."

Thank you!

Lynn Tone

From: Joy Manesiotis <joy.manesiotis@gmail.com>
Sent: Monday, June 12, 2023 2:09 PM
To: Lynn Tone
Subject: EXTERNAL: STR Comments

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 Board of County Commissioners:

I am a homeowner in Neahkahnie. As I understand it, my neighborhood is not zoned for commercial development. So, I find it curious—and worrisome—that I am being asked to support the development of commercial properties in my residential neighborhood, in the form of short term rentals. STRs have contributed to the loss of community livability and quality of life, to the sense of a neighborhood being a place where people actually LIVE. I am being asked to support profit as a community value, at the expense of real community. And, as a homeowner, I am being asked to subsidize those commercial properties in their additional use of water, utilities, light and noise pollution, and general wear and tear to my neighborhood, yet without added support of fire and police personnel, or enforcement of existing regulations by the County.

Given conditions that are quickly becoming untenable in Neahkahnie, I am registering the following concerns with the County and ask that these comments be included in the considerations for the meeting on June 13, 2023.

- Neahkahnie should have a STR cap which is in line with our neighbor Manzanita (closer to 17%) , not at level of 22 to 23%. Manzanita has commercial development, as well as residential neighborhoods, and so, has an infrastructure, including law enforcement and fire department, to support tourism. Neahkahnie, as a unincorporated, wholly residential area, should not be asked to support a higher percentage of STRs and the stresses those properties/added people bring to the community.
- STR licenses should not be transferable upon sale of the property. 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 full time neighbors 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.
- I would like to go on record as being particularly opposed to developers and corporate entities being allowed to own and manage several STRs in Neahkahnie.

- 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.
- 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. Community livability requires STR occupancies to be reasonable.
- 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, the burden has been on community residents to try to prove violations that disrupt their homes and neighborhood—which takes significant time and energy—but which have resulted in no clear way to address the violation and no penalties. It is the County’s responsibility, not ours, to enforce the STR program it created. Residents should not be expected to act as enforcement officers. 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. The fee to fund an enforcement officers should be part of the cost of doing business for the STR owner. Manzanita has budgeted for an enforcement officer.

I realize the decision to lift the July 1 pause on issuing new STR permits will be discussed at a different meeting, but I would like to say, here, that I urge the Board of County Commissioners to leave the pause in place.

Best regards,
Joy Manesiotis

4 February 2023

To whom it may concern -

I am encouraged by this initial report by the county concerning the rental disaster here in my hometown of Neskowin, but I feel more needs to be done to restore the safe and tranquil life of this little hamlet. This is a village that for decades had been populated with little vacation cottages - like the 94 year-old one I live in full-time. Wealthy people who could afford a vacation home enjoyed being here for many summers. They closed them up after season's end, mostly lending them to no-one other than close friends and family. NOT renting them out to seasonal tourists - even to this day, many of these homeowners close up their homes, cabins, for the majority of the year and return to Neskowin in the spring to open them, turn on the electricity and the water, and get them ready for their summertime here at the ocean.

Suddenly over the past decade, I have seen an increase in houses and cabins being rented short-term to tourists, and I have also seen the rise in large-scale city and suburban homes being wedged into the tiny lots that make up the majority of the village property. Two and three story homes with multiple bedrooms and small parking facilities popped up around the core village as well as the lots on South Beach. Gone were the regulations set up by the county when I first moved here that stated that homes must not cover more than 70% of these little parcels, people were expanding them past that limit, and often-times building decks and patios to 'separate' themselves from their neighbours' property lines. No one at the county seemed to inspect these new buildings and regulate/restrict them in any way.

Today this small hamlet which, up until last year housed the oldest post office on the coast, is still populated with a few hundred residents, but now peppered with houses used for short-term visitors who parade in and out of our streets, speeding, piling cars into driveways and surrounding setbacks, filling garbage bins to overflow capacity, as these sit outside after the renters' weekend departures to collect insects and other critters until Thursday's garbage day here in Neskowin. Just in my one small street in the core village, where one rental home was here pleasantly (for the most part) for over 25 years, two more have cropped up just in the past 8 months - large, multi-story homes that are - once again - wedged up to the very limit of their property lines, with no adherence to the 70/30 property ratio originally directed for these tiny lots.

Now that we are receiving a hopeful word that one of the ways to restrict these vacation rentals is to keep them 250 feet away from residents and from one another - this will mean that these two new rental properties will have to fill-up with full-time residents, either the owners themselves or with some of the young men and women who work out here and are desperate for year-round lease housing. Good for the stability of the neighbourhood to have more residents.

The problem with home owners who rent their 2nd homes is that they have no other investment in Neskowin other than their rental revenue and the tasks of maintaining these homes. They do not participate in the town in any way-shape-or-form, the activities that form the stable backbone of any neighbourhood. They are not volunteers with the fire department, they are not volunteers with the south county library committee, they do not help with spring or fall beach cleanup, they are not volunteers at Neskowin Valley School, or at the summer farmers' market - in short, they have no investment in this town whatsoever, in the cultivation of the elements of a town that make it worthwhile and help it flourish. I realize that the houses they own are expensive and that perhaps the owners cannot afford to keep them without renting them from time to time - if this is the case, why not lease these homes to the many men and women who work here in south county? This would be a great neighbourhood endeavour. So many men and women - hospitality professionals, landscape artists, teachers, construction workers, electricians, medical professionals, and more - are anxious to lease homes here on a year-round basis, and surely special arrangements can be made with these renters for owners to have some summertime days or weeks in these places. This happens everywhere where there are special vacation spots, from Cape Cod to Mackinac Island to Puget Sound and elsewhere.

I implore these 2nd homeowners to think long and hard about the damage they have done to this neighbourhood - wondering how they themselves might react to short-term renters moving in and out of *their own neighbourhoods*, driving in and out of their block while their children play on the sidewalk or in the street, making noise, overflowing garbage cans, adding parked cars. I know that in one town where Neskowin's 2nd homeowners live, Lake Oswego, this will never happen because there are already restrictions in place there regarding rentals that we here hope to enact here in Neskowin. Please respect our town as you respect your own.

Kind regards -

Joanie Blum

Neskowin resident since 1980

Lynn Tone

From: Joanie Blum <joanieis@icloud.com>
Sent: Monday, June 12, 2023 2:26 PM
To: Lynn Tone
Subject: EXTERNAL: Quick note
Attachments: 4 February 2023.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.]

Good afternoon, Lynn -

I am enclosing a link to my letter from 4 February regarding all of these STR issues in Neskowin, as I went through page after page of these submissions over this past weekend, and found that my letter was not published anywhere :(

What I will speak to on the Tuesday meeting pertains to all of the issues I raised - many of them in complete contrast to some of the submissions here. For one, Neskowin IS NOT FIRST AND FOREMOST A RESORT COMMUNITY as someone wrote :-). It is a *neighbourhood* of people who live and work here, who send their kids to school here, who volunteer in the neighbourhood, who go to worship services, and all the things that property owners who do not live here engage in back in their own neighbourhoods. Please, make sure the county commissioners are clear about this!

Here is my submission from 4 February, for all of them (you!) to read or re-read in case it got tossed. Many thanks for all your help.

Kind regards -
Joanie Blum

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 2:38 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment on proposed STR Rental Ordinance revisions / Support for all comments and legal concerns submitted by Oregon Coast Hosts

From: L Spangler <bluehorizonvista@gmail.com>
Sent: Monday, June 12, 2023 1:54 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment on proposed STR Rental Ordinance revisions / Support for all comments and legal concerns submitted by Oregon Coast Hosts

[**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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lara Spangler
38655 Beulah Reed Road, Neahkahnie
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Lara Spangler and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2019. We have been coming regularly to enjoy the natural beauty of the Oregon coast as returning short-term vacationers ever since our children were small. For many years we enjoyed staying in others' rentals for a long weekend or week, here and there. As our schedules allowed, we explored the natural beauty of the coast and beach, and quiet pace of life. Now that we have our own small cottage in a coastal community, we would like to also have the freedom and ability to share it out at times with other families in the same way, when we are not using it ourselves.

These are my top 3 general concerns:

-
-

- Vacation rentals have always been allowed in Tillamook County
- -
 -
 - *(at least as long as we have been renting cottages and homes in the area since 2010)*
 -
-
-
- No evidence to support restrictive new regulations
- - only 9 violations in 4+ years
- -
 -
 - *(we support an evidence-based approach)*
 -
-
-
- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
- -
 -
 - *(we have noticed that among other areas, Neahkahnie beach does become crowded at times during the summer, and appears to have quite a lot of cars parked along the Ocean Road. There is only so much parking available, so having a cottage rental to stay, nearby, within walking distance to the beach makes sense to us, and preserves space for day trippers to park and enjoy the beach too.)*
 -

These are my top 3 operational specific concerns:

-
-
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period
- -
 -
 - *This provision seems overly punitive, especially for owners who may be letting a STR only occasionally, or have put STR use on hold for a variety of reasons. To have a revocation for signage violation on a non-active rental seems unduly burdensome and a waste of public resources*
 -
-
-
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-

-
-
- Buffers are a problematic and inherently inconsistent tool: if
- STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better then that STRs only have negative effects on other STRs?
-

I support fair and balanced STR regulations that will be enforceable by Tillamook County, rather than by private individuals within a community. I also support regulations on all properties that are fair and balanced and are enforced by Tillamook County, such as a clear and consistent noise ordinance.

Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lara Spangler

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 2:38 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Mary Folberg <mfolberg@nwacademy.org>
Sent: Monday, June 12, 2023 2:17 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,



Mary Vinton Folberg
Founder/Emeritus Head of School

Northwest Academy | www.nwacademy.org
1130 SW Main St., Portland, OR 97205
503-804-0485 |

mfolberg@nwacademy.org





June 10, 2023

Tillamook County Board of Commissioners,

It is appreciated that Ordinance #84 is currently under review to better understand the impacts of short-term vacation rentals (STRs) in our residential communities and how a balanced approach for community livability and future permitting of STRs can be developed and achieved. We value the dedicated work of the volunteer STR Advisory Committee and appreciate the opportunity to provide comment.

Like other coastal communities in Tillamook County, Tierra Del Mar (TDM) is an active and involved community and home to many full-time, part-time, and seasonal residents; it is not a vacation resort. Over the years, a handful of families have rented out their beach properties in some manner or other, a practice that is part of the history for many coastal communities, including TDM. However, the sharp increase in the number of properties being permitted and those being built specifically as full-time STRs, coupled with the increase of large capacity rentals and LLC organizations purchasing multiple properties, is new in the last few years and is understandably concerning.

TDM is similar to other coastal communities in terms of being zoned predominantly rural residential, and it is also considered a single-family neighborhood. In TDM, and as a direct result of the STR permit moratorium adopted in July 2022, we watched the number of permitted STRs rise from 40 to 53. That increase means that 23% of homes in TDM are STRs, translating to approximately 1 in 4 homes, although the STR density varies from street to street.

In a recent survey of Tierra Del Mar Community Association members, 67% of respondents indicated they were either concerned or very concerned about the unregulated growth of STRs and 55% were in favor of a cap limit within the community. Our survey also showed that the number one concern for residents was community livability, followed closely by emergency response services (Sheriff's Office & Fire Dept), emergency preparedness (Tsunami evacuation, wildfires), and water resources/availability (TDM is serviced by a private water company). Adequate County resources for meaningful enforcement of STR regulations, emergency response services/preparedness, and water availability have been long-standing concerns for TDM property owners, and the number of STRs in our community directly impacts each of those concerns.

It is our hope that during the Ordinance #84 review, the Board of Commissioners develop an approach that establishes growth management tools for STRs within each community. This will help our residential neighborhoods continue to be places where people want to buy homes and live by ensuring that community livability is encouraged and preserved.

The STR Advisory Committee report dated May 23, 2023, indicates there may be proposals to begin working within the unincorporated communities to establish individual community caps on STRs. The Tierra Del Mar Community Association respectfully requests to be included in all outreach efforts from the County to allow for the opportunity to invite TDM residents and property owners to share their input further in this matter.

Sincerely,

TIERRA DEL MAR COMMUNITY ASSOCIATION

www.tdmca.org

Tierra Del Mar Community Association P.O. Box 344 Pacific City, OR 97135

Kimberly & Eric Bergstrom
Owners of Tillamook County Short Term Rentals
Jun 12, 2023

Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
sabsher@co.tillamook.or.us

Re: Tillamook County Ordinance 84 Revisions, and in Support of Tonkin Torp / Oregon Coast Hosts June 8, 2023 to the Tillamook County Board of of Commissioners

To Whom It May Concern:

My name is Kim Bergstrom. My husband and I own Short Term Rentals (STRs) in the Neahkahnie area of Tillamook County (the County). My history with this area goes back long before I was born. My Grandfather worked on the Southern Pacific Railroad, and was a supervisor for the area that ran through Tillamook County and the northern Oregon Coast. He, in turn, introduced the love of the Coast to my father. It was his dream to build a house on the Coast, and that dream came true in 1962 with the completion of our house. My family's free time was spent traveling back and forth on Hwy 26 as we worked on the house. Lumber came from the mill where my father worked as an accountant. Fireplace bricks came from a demolished building from the local university where my parents first met.

Summers were especially wonderful, as my Aunt and Uncle would travel with my cousins from outside of Oregon to the Coast while my Aunt sought treatment for rheumatoid arthritis at the Rinehart Clinic in Wheeler. Days were spent jumping waves, bowling at the local bowling alley, penny candy and comic books from the grocery store. Nights were spent camping out in the forts we built amongst the gigantic driftwood logs that lodged up against the rocks fronting our house. Or curled up in the old army bunks, falling asleep to the sound of the quiet laughter and conversation of our parents.

The beach meant home. And would always play a part in my history, past and future.

My name is Eric Bergstrom. I first visited the Neahkahnie area in 1984 when my girlfriend (now wife) introduced me to her most favorite place on earth: her family's beach house and the surrounding area. I spent the first part of 1986 commuting to the beach on weekends from Seattle to plant a lawn and build decks. Kim and I married in August of 1986 on that lawn next to the beach, joined by family, friends, and local community neighbors. Those neighbors pitched in

to help. Neighbor's driveways were offered for guest parking. Our next door neighbor hid my car in their garage so my family couldn't "decorate" it, as was their tradition. It was perfect.

In 1996 we purchased our beloved beach house from Kim's father, who was retiring and downsizing. In order to afford the house and keep it in our family, we decided to rent the house to others for vacations, to share with others the experience we loved so much. Before doing so, we discussed this with our neighbors and came up with a plan that would work for all of us.

It was a wonderful experience. Most of our guests became regular guests. They planned their yearly getaways far in advance with much anticipation. They thought of our house as their very own beach house and treated it as such. We'd often find our guests had left gifts behind to add to the house; artwork, games, kitchen accessories. They were mainly families or couples, sometimes solo travelers, all looking for the peace and relaxation of the Coast.

We ultimately purchased additional properties, one at a time, lovingly updating them but keeping the small beach community character we cherished. Like our own house, we put love, sweat into each of them, doing or supervising much of the work ourselves. Each of these houses had been STRs before we purchased them.

We've been following the issues in the community concerning livability. We hear a lot of people state the community has changed due to short term rentals. Actually, we'd like to disagree with that premise. Transient housing is not new. The majority of our community has always been transient housing. The only difference is that more people are having the opportunity to visit and enjoy. More people have access.

But we do agree that the community has changed. No longer is the norm small beach cottages that are within financial reach for many families. Huge houses with landscaped yards have replaced vacation cabins. Our kids learned to ride their bikes on quiet roads. People walked along the road, stopping to talk to neighbors. Drivers watched out for pedestrians. This is no longer the case. It's interesting that people move to our area because they enjoyed the community, but after living here they want to change it.

Governor Oswald West fought for open beaches for all. It seems the new community feeling is based on exclusivity. Blame rather than working together to find a solution for all. Neighbors used to speak directly to each other, they now communicate frustration via certified letter, email or text. Often anonymous.

The current unhappy local sentiment is that STRs take away affordable housing for locals. Communities along the beach are actually no longer affordable for many people. However, not because of STRs. The 2023 median price for a house in Neahkahnie is \$929,000. The Neahkahnie / Manzanita Beach area has skyrocketed in popularity, as has the whole North Oregon Coast. The cessation of STRs would not decrease the median housing cost. What it would do is create more exclusivity.

We have and always will support equitable STR regulations. Balancing the needs of both property owners and residents is a challenging task, but absolutely must be done using the best fact based evidence available. We therefore support lawful regulations based on full disclosure of fact, with reasonable modalities of enforcement. Regulations should be fair, unbiased, and need to apply to **all** property owners, whether resident housing, long term rentals, transient homes, or transient STRs.

We were interested in the formation of the Tillamook County Short Term Rental Advisory Committee, which appeared to have been created to take a realistic look at many of the pressing issues in the County. However the seemingly unbiased nature of the group was soon upended when the County hired attorney Daniel Kearns to advise the Committee. As many are aware, Daniel Kearns has created his niche in Oregon Law as an "expert" on anti-STR law. In reference, you'll note Mr. Kearns worked against STR interests in Hood River, Banks, Bend, Clatsop County, Port Orford, and other Oregon communities.

Recently, Mr. Kearns represented 15 neighborhoods in the Lincoln County contentious STR issue. People familiar with the issue will recall that Mr. Kearns and the anti-STR group 15 neighborhoods were instrumental in getting ballot Measure 21-23 passed. It requires the phasing out of STRs in unincorporated Lincoln County residential areas in five years, bans new licenses in those same areas, and imposes additional operational restrictions on STRs. Measure 21-23 was quickly struck down by the Land Use Board of Appeals (LUBA).

In August 2022, Mr. Kearns sat on a panel as an expert at the Oregon State Bar Real Estate and Land Use Section of the Annual Summer Conference. The panel's subject was "Not in My Weekend Back Yard: Licensing, Land Use, and Litigation of Vacation Rentals," furthering his reputation as an anti-STR regulation expert.

If Tillamook County wished to find an unbiased solution that worked for all, and they truly wished to work with Mr. Kearns with his clear historical ties to anti-STR interests, the County would also have sought representation from an attorney with ties to the interests of STR property owners. Barring that, the County could have sought advice from an attorney with ties to neither anti-STR or pro-STR interests to help craft unbiased Regulations.

Which brings us to today and the proposed Ordinance 84. Obviously, Tonkon Torp's aforementioned Jun 8, 2023 letter to the County Board of Commissioners details the issues with the Ordinance better than either of us could. Suffice it to say that we support the comments and legal concerns outlined in their letter. However, we do have comments specific to our own situation.

The County plans to replace existing Permits with Licenses, trying to skirt land use rights of the STR owners. This concept was also attempted in the Lincoln County Measure 21-23 ballot measure struck down by LUBA. It appears that Mr. Kearns is leading the County into a similar

action that will ultimately end up in another LUBA appeal, costing taxpayers unnecessary expenditures for an issue previously adjudicated.

Our personal rights as current STRs permit holders are also jeopardized by Ordinance 84. The Ordinance plans to restrict the operations of our STRs. One example is by imposing arbitrary occupancy restrictions. This attempt by the County to restrict our STRs occupancy maximums would be financially onerous and detrimental to our STR properties. Our occupancies are similar to what they were before we purchased them, dating from long ago. While provisions have been made in Ordinance 84 for so-called "Estate Homes," the proposed occupancy restrictions, both for Estate and non-Estate STRs, are burdensome and should remain at the maximum occupancy level set forth in our current permits issued by Tillamook County. This includes maximum occupancy during daytime and overnight hours. It is our understanding that restrictions on STR operations in Tillamook County are unlawful, as Oregon State law allows us to continue nonconforming use at all levels of current operations.

It is our understanding, also noted in the Lincoln County LUBA Opinion and Order, that property owners cannot lose property rights solely based on the conduct of someone else. In other words, guests staying at a STR. This provision in the Ordinance is particularly burdensome. We have always gone above and beyond to make sure our visitors adhere to Tillamook County's STR policies. For our STRs, we require guests to sign an eight page Rental Agreement. Within that Agreement, visitors are educated and agree to all the points of the Tillamook County Good Neighbor policies, and more. They are made very aware of policies such as Quiet Hours, available parking spaces, no RVs or camping, no on street parking, etc. And yes, we have many complaints from visitors that our Rental Agreement is too long and restrictive.

Ordinance 84 stipulates Noise restrictions, Quiet Hours, On Street Parking requirements, and more. Again, arbitrarily placed on the County STRs rather than the common sense solution of creating Ordinances for all County residents, transient properties, STRs and visitors. We can cite numerous examples of non-STR neighbors causing excessive noise, including during "Quiet Hours." Non-STR neighbors with excessive dog barking, both indoors and out. Roaming unleashed neighbor's dogs depositing waste on our lawns. Recreational vehicles parked in resident and transient housing driveways. Visiting cars at those properties, parked so they spill out from driveways and impede street traffic. Unsecured garbage cans at those properties tipped over into the streets. The list goes on. Wouldn't it make more sense to create across the board, common sense regulations that the whole of Tillamook County could follow in order to be good neighbors?

Also extremely burdensome is the Ordinance 84 requirement to resolve complaints within 30 minutes of receipt. Which, I understand, is faster than the County Sheriff's average response time. This certainly does not sound like common sense regulation, rather an end run attempt to reduce the number of STRs. Especially as the complaint may be unwarranted, or, in fact, an effort by a disgruntled neighbor to enact the three strikes provision which would jeopardize an STR permit.

To give you an example, Kim received a call a while ago of a transient neighbor loudly complaining about guests at our neighboring STR. The complaint consisted of an accusation that our visitors were holding an outdoors party with loud music; that there were tents pitched in the backyard; that their pit bull was freely roaming the neighborhood terrorizing others; that the guests were freely smoking marijuana in the backyard (this was prior to the legalization in Oregon). This caller wanted us to put a stop to it.

Kim thanked the caller for bringing this to our attention, then immediately contacted our local security service, Northcoast Watchman Service, and they investigated. What they found was that this situation was occurring at a different property on the block. That, in fact, our own guests – a couple with a toddler – had confined themselves inside our STR to avoid the situation. They were scared to cross our yard to the beach. While we're sure the caller didn't have bad intentions, we actually appreciated the call. However, if that call had occurred after the passage of Ordinance 84, it would have been a larger issue. We think you'll find many examples by County STR owners where they were blamed for issues not related to their property.

The proposed Ordinance 84 provision regarding complaints is troublesome on many many levels. And again, it is not based on facts. It appears there were 489 complaints regarding STRs in Tillamook County, and the overwhelming majority were regarding signage. Hardly an issue that requires a punitive 30 minute response deadline. The new proposal for handling complaints also insists on an in-person response with no provisions for dangerous situations or back up. Local STR owners have reported instances where the County Sheriff's department has declined to help with a worrisome or precarious situation. The proposed Ordinance also requires STRs to pay a local person to monitor calls non-stop, 24/7. For years we have worked with a local security service, in addition to a local maintenance person and a local house cleaner that is always helpful and on top of any issues that may arise. We have a system in place that does work.

Further, the County has failed to offer evidence supporting the need for such an oppressive regulation. As with other requests for facts and figures, the general answer to questions regarding supporting statistics has been that the County does not have the staff nor time to research and obtain the facts and figures on important issues. Besides the point that it seems to be bad form to create Ordinances and Regulations which are not based on factual information, it begs the question regarding how the County intends to implement such an over broad and burdensome Ordinance if it does not have sufficient time to base regulations on facts?

Speaking of facts, we have not seen supporting evidence that Ordinance 84 will not cause harm to the local economy. Personally, we have long economic connections to our area. For instance, we earlier referenced our local security service, Northcoast Watchman Services. It's interesting to note that my father worked with the previous owner of Northcoast way back when, and after we purchased the property in 1996 we continued our working relationship. We buy hardware and building supplies from the lumber stores in Manzanita in Nehalem. We also have an account at Rosenberg Supply in Tillamook for items not available at our local stores. We work exclusively with local yard and house maintenance services, and cleaners. We shop locally. Our

guests shop locally. The taxes the County collects is quite extensive. What is the economic impact of the possible passage of Ordinance 84 and the promised next phase of stricter regulations? For 2021 the County collected \$7,540,366 in Transient Lodging Taxes alone. How is the County planning to cover any resulting shortfall caused by the passage of Ordinance 84?

At the June 3, 2023 Oceanside Citizen Advisory Committee meeting, a County representative made the following statement:

There is no obligation as a property right to use your home as a short-term rental.¹

We respectfully disagree. As did LUBA in their Final Opinion and Order regarding Lincoln County's Measure 21-23. We fear Tillamook County is being led in a direction that can only result in further legal action. We request the County take whatever time it needs to gather relevant facts pertinent to the actual situation and work on reasonable legal regulations for all parties. And not single out STR owner's land use rights.

Sincerely,



Kimberly Bergstrom



Eric Bergstrom

37750 Beulah Reed Road, Nehalem OR 97131
37395 Beulah Reed Road, Nehalem OR 97131
37345 Beulah Reed Road, Nehalem OR 97131
37335 Beulah Reed Road, Nehalem OR 97131
37325 Beulah Reed Road, Nehalem OR 97131

¹ Sarah Absher, Director of Tillamook County Community Development

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 4:15 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: short term rental comments

From: Jordan Burda <burdajordan@gmail.com>
Sent: Monday, June 12, 2023 3:03 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>; Brice <secordbrice@yahoo.com>
Subject: EXTERNAL: short term rental comments

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Jordan Burda
34370 Brooten Rd Pacific City 97135
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Jordan Burda and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2019. My family and I absolutely love Pacific City and plan on retiring there. We spend about half of our time in Pacific City, so it is our second home. We are Pacific Northwest natives who saved money and worked hard to have the opportunity to have a second home.

We don't have the same work opportunities in Tillamook County, so we need to work in the valley until retirement can happen. Families love to come and stay at our property and make lasting memories. It really wins for everyone to have our home as a STR. We generate income, families enjoy the coast at a reasonable cost, small businesses thrive from tourism and the county makes money, too. We know the county can come up with legal and fair regulations that support short term rental owners, long term owners, tourists, and the county regulators.

These are my top 3 general concerns:

-
-
- Discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.
-
-
-
- Vacation rentals have always been allowed in Tillamook County
-
-
-
- Property owners cannot lose property rights solely based on conduct of someone else.
-

These are my top 3 operational specific concerns:

-
-
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
-
-
-
- Parking: owners can not enforce rules against parking on public streets
-
-
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login
- and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Jordan Burda

Lynn Tone

From: Public Comments
Sent: Monday, June 12, 2023 4:15 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Jordan Burda <burdajordan@gmail.com>
Sent: Monday, June 12, 2023 2:49 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Jordan Burda and Brice Secord

12 June 2023

Dear County Commissioners,

I am writing to express my support for the view of the vast majority of people who provided public comments at your 30 May hearing on potential changes to the STR ordinance. Like them, I encourage the county to take an enforcement-first approach to any changes to the current STR management system. No data have been provided by the County or to the STR Advisory Committee that would justify the drastic action of removing property rights through an extended moratorium, or through a capping of permits at such a low rate of increase that it perpetuates the current moratorium on a de facto basis.

I also note the comments and reflections submitted by several members of the STR Advisory Committee, which highlighted the fact that throughout this process, the overwhelming majority of pro-cap/anti-STR comments came from a single community. I encourage you to pay at least equal attention to the comments from Pacific City, which is among the communities with the highest percentage of homes with STR permits and is also the County's single largest source of TLT revenue. The survey results that you have received from the Kiwanda Shores neighborhood in Pacific City, demonstrate that even where active STR permits are at their most dense, conclusive supermajorities support improved enforcement of livability rules and oppose any system of caps.

In the interest of ensuring that my earlier comments (provided when the County was first considering the moratorium and during the STR Advisory Committee process) are entered into the record for your current deliberations, I am excerpting pertinent sections of those comments below.

Sincerely,

Zan Northrip
Pacific City

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. [The discussion of “growth management tools” was seriously curtailed during the STR Advisory Committee process. Even today – the day before the last public hearing on changes to Ordinance 84 – the County has not published the level of permits at which it proposes to set a cap.]

I understand that 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 construction 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.

Simply stating that an ordinance doesn't allocate a property right or a land use does not make it so.

Sincerely,

May 24, 2022

Commissioner David Yamamoto
Commissioner Erin Skaar
Commissioner Mary Faith Bell
Tillamook County Board of Commissioners

Dear Commissioners,

I am writing to express my deep concern regarding the draft proposal to suspend issuance of new Short Term Rental (STR) permits in Tillamook County. As a Tillamook County taxpayer for the past 12 years, this proposed legislation will have a profound effect on me and my family personally, and it will also have unforeseen economic consequences for the County unless amended. I also note that the draft legislation was posted only the day prior to its consideration, a schedule that severely restricts the possibility of adequate consideration and consultation with the community over the legislation's specific terms.

Twelve years ago, my family and I purchased a vacant lot in Pacific City with a plan—once we could afford to implement it—to build a home that we would occupy full time in retirement. Now, we are about to go out to bid with two local contractors on the construction of the new home in Pacific City. We still intend to occupy the home full time in retirement, but the home needs to be a partial-year rental property until that happy day arrives. The estimated payment to local contractors for the new construction will be well in excess of \$1 million, but our project – and many other new residential projects in Pacific City – hinges on the certainty of our ability to occasionally rent the property once constructed. Without the ability to have occasional short-term rentals, our development is not financially viable.

I appreciate that the draft legislation attempts, in Paragraph 10, to protect county residents selling their property, and new buyers of existing STRs looking to purchase in the county. As a long-time property owner that has already invested over \$100,000 in architectural fees, however, it is hard not to take offense at the fact that ***the proposed legislation prioritizes new out-of-county buyers over existing property owners who are about to make a major investment***, one that will greatly benefit local contractors. I am sure that our case is not unique, and that Tillamook County contractors will see a serious hit to their pipeline of work if this legislation is passed without amendment.

I am seeking your support for a specific, targeted amendment to the draft proposal, in order to mitigate some of the economic harm to my family and the community that the legislation will otherwise cause:

Modify Paragraph 11 to read as follows (new text shown in bold):

11. This temporary suspension does not apply to real properties that are pending sale and in escrow on July 1, 2022. **This temporary suspension also does not apply to real properties for which a building permit for new residential construction is approved by July 1, 2023.** For said properties, once the buyer has become the legal owner **or the current owner has secured a building permit**, they may file an application for a new short term rental permit and Tillamook County Community Development may process said application in the normal course of business.

Without this technical correction, the proposed legislation creates regulatory uncertainty that will force me and many others to entirely rethink our planned investments in Tillamook County. As written, it will significantly impact local contractors, and I am frankly stunned that the current proposal would prioritize the interests of outside buyers over long-time county property owners who have detailed, well-advanced plans to make a real investment (not just a purchase of existing property) in Tillamook County.

Despite the limited time remaining before the planned public meeting, my husband and I are available to speak with you at any time. Our contact info is pasted below.

Sincerely,

Zan Northrip
Pacific City

Jim Bartels
13390 SW River Rd.
Hillsboro, OR. 97123
Bartels.jim@gmail.com
503.314.6557

June 11, 2023

Commissioner David Yamamoto

Tillamook County Commission
201 Laurel Ave.
Tillamook, OR. 97141

RE: Short Term Rental Ordinance

Dear Commissioner Yamamoto:

I submit these comments to the Commission in case I am unable to participate in the next public hearing on the proposed STR ordinance. My wife and I have a house on Saghalie Lane, a small cul-de-sac, in Pacific City.

First, I suggest the Commissioners extend the current moratorium on issuance of new STR licenses for at least two months, to give the Commission sufficient time to carefully consider a STR ordinance. The brief period between the draft proposed ordinance and July 1, 2023, does not afford the Commission time to properly consider a new STR ordinance which may significantly impact the County for years.

One glaring omission of the draft ordinance is it does not appear to apply to the managers of STRs-whether they are individuals, companies, or other entities. The managers should be regulated by the ordinance, be bound by its provisions, subject to the enforcement of the ordinance and to the requirement to obtain licenses to operate as managers. They should be subject to fines, non-renewal, revocation and the full gamut of rules applicable to STRs. They are, after all, a significant part of the STR industry, significant beneficiaries of it, and significant contributors to the difficulties the industry causes in neighborhoods where STRs are placed.

Here are my recommendations/requests for the draft ordinance itself (this is based on the May 17, 2023 draft):

1. Add to .040 a paragraph "D. No STR license shall be issued or renewed for any property that is within an area zoned for low density

residential development, e.g. PCW-R1". Comment-regardless of the gloss applied, STRs are mini-motels, but contrary to most motels, they lack an on-site manager to enforce the rules. They degrade livability in and the character of low density residential areas and should not be allowed in them. They are incompatible with those neighborhoods. They should be allowed only where the County has zoned for commercial or multi unit residential development.

2. Delete from definitions, .030, Paragraph M-"Estate Home". And delete all references to "Estate Home" in other sections of the draft ordinance. Giving special treatment to a house based simply on the number of bedrooms crammed into it without regard to the lot size or on site parking, then using that arbitrary definition to justify flooding a neighborhood with up to 17 transient guests is a bad idea and ignores common sense.
3. In .040A.7., "Notice to Neighbors ", make the notice required before a license is granted more effective by requiring the notice contain a copy of the complete application package and allow the neighbors at least 20 days to comment on it, so they have an opportunity to point out any misrepresentations or errors in it to the County BEFORE a license is issued. This would give the County information that it may not be aware of, and prevent the issuance of a license based on wrong information-hopefully avoiding conflict and controversy later. Effective pre-license notice is important.
4. Delete .070 D. Paragraph 1.a., in its entirety, and that part of .080E that would allow a STR owner to turn a separately owned property within 500 feet of the STR into, in effect, a commercial parking lot to benefit the STR owner's income, to the considerable detriment of the rest of the neighborhood. This is another provision that is incompatible with the stated goal of protecting the livability and character of the neighborhoods where STRs are placed. If the STR investor has a house with two parking spaces then they have two parking spaces. It is not the County's job to have the neighbors, in effect, subsidize the investor to the neighbors detriment.
5. It's hard to see how a more wishy-washy paragraph could have been written than .100B.1. "Response to Complaints". Just take it out-it's actually insulting that the STR industry (I do assume this is industry supported gobbledygook) would propose it.
6. Add to .100D, "Specific Prohibitions " a para.5. "Parking. Parking of vehicles that is not specifically allowed by the license or that interferes with access to neighboring driveways or property." Since illegal or non-permitted parking is a big problem with STRs, not including this may have been an oversight by the Committee.

-
7. The penalties set forth in .130 should be mandatory, not “up to”, and the amounts should be increased. The current levels incentivize STR owners/managers to allow violations in the hope they will not be caught, and if caught the fines will be less than the rental received so they still come out ahead, since many STRs rent for more than the fine amounts. I suggest the first fine be at least the amount of the advertised nightly rental, and the second be at least three times the advertised nightly rental, per violation. And the fines should be levied against both the STR owner and the STR manager, separately.
 8. Delete the word “verified” from .130 2. The phrase “verified violations “ is nowhere defined in the draft, and I doubt it has any agreed upon meaning among lawyers or arbitrators. It is an invitation to disagree and clog up any penalty process.
 9. Appeals-.140. Modify it to allow appeals by persons whose complaints about an STR were denied or not acted upon in a timely manner, AND to give persons who complained notice and the right to participate in any appeal by an STR owner or manager. This is basic fairness for those who may be affected by an appeal. It also would help give the decision maker a fuller understanding of what occurred that led to the action being appealed.
 10. Finally, the County should require that the handling, recording, and resolution of complaints about STRs, communications about the complaints, and the outcomes of complaints, be transparent and accessible to all on the Department of Community Development website.

Thank you.

JIM BARTELS

Date: June 12, 2023

To Whom it May Concern,

My name is Daniel G. Koller, owner of 34340 Ocean Drive, Pacific City, Oregon, 97135. I am writing to officially comment that I eminently oppose any regulation, ordinance, law, rule, or zoning change that either directly or indirectly limits the use of my property in any way. Especially in my use of it as a Short Term Rental (“STR”). I oppose any overreaching regulations that:

- Require renters to park off-street,
- Require immediate response to phone call,
- Require exterior lighting to direct downwards,
- Require expiration date on exterior signage,
- Require all STRs to meet current building codes,
- Require all STRs with septic tanks to have an annual inspection,
- Require minimum bedroom sizes larger than some currently permitted bedrooms,
- Require in-person response,
- Limit parking to 6 cars off-street,
- Fee no less than \$100 to change Contact Person, or
- Any other creative restrictions or fees on Short Term Renting.

I have owned and used my property as an STR for over 25 years without incident. My property is situated in Kiwanda Shores on the front line unsheltered from nature’s abuse. The only way I can afford to maintain my property is by renting short term. Some of the many costs to maintain my property include sand removal, taxes, repairs, and insurance. All these costs are extremely expensive. Renting my property short term allows me the ability to afford this home, and the flexibility to enjoy it at my discretion. I fear that if my right to rent short term is regulated away, I will lose my home and have nothing to pass on to my children.

Please accept this letter as both my public comment opposing any regulation, ordinance, law, rule, or zoning change, and as my desire to be added as a plaintiff to any lawsuit or class action opposing any such restrictions.

Thank you,

Daniel G. Koller

Email: DKoller1@aol.com or dkoller19@gmail.com

Lynn Tone

From: Daniel Koller <dkoller19@gmail.com>
Sent: Monday, June 12, 2023 5:59 PM
To: Public Comments; Lynn Tone; oregoncoasthosts@gmail.com
Cc: Daniel Koller
Subject: EXTERNAL: Public Comment in Opposition to STR Regulations in Tillamook County
Attachments: Written Public Comment Daniel G Koller 34340 Ocean Drive, Pacific City, OR, 97135.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 All,

I am a homeowner affected by the proposed regulations on Short Term Rentals in Tillamook county.

Please accept the attached letter as my official public comment in opposition to any regulations on Short Term Renting.

Also, please regard this letter as my formal request to be added as a party to any lawsuit pursued against Short Term Rental restrictions in Tillamook County.

Thank you,
Daniel G. Koller
Email: dkoller1@aol.com or dkoller19@gmail.com

Date: June 12, 2023

To Whom it May Concern,

My name is Daniel G. Koller, owner of 34340 Ocean Drive, Pacific City, Oregon, 97135. I am writing to officially comment that I eminently oppose any regulation, ordinance, law, rule, or zoning change that either directly or indirectly limits the use of my property in any way. Especially in my use of it as a Short Term Rental (“STR”). I oppose any overreaching regulations that:

- Require renters to park off-street,
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- Require exterior lighting to direct downwards,
- Require expiration date on exterior signage,
- Require all STRs to meet current building codes,
- Require all STRs with septic tanks to have an annual inspection,
- Require minimum bedroom sizes larger than some currently permitted bedrooms,
- Require in-person response,
- Limit parking to 6 cars off-street,
- Fee no less than \$100 to change Contact Person, or
- Any other creative restrictions or fees on Short Term Renting.

I have owned and used my property as an STR for over 25 years without incident. My property is situated in Kiwanda Shores on the front line unsheltered from nature’s abuse. The only way I can afford to maintain my property is by renting short term. Some of the many costs to maintain my property include sand removal, taxes, repairs, and insurance. All these costs are extremely expensive. Renting my property short term allows me the ability to afford this home, and the flexibility to enjoy it at my discretion. I fear that if my right to rent short term is regulated away, I will lose my home and have nothing to pass on to my children.

Please accept this letter as both my public comment opposing any regulation, ordinance, law, rule, or zoning change, and as my desire to be added as a plaintiff to any lawsuit or class action opposing any such restrictions.

Thank you,

Daniel G. Koller

Email: DKoller1@aol.com or dkoller19@gmail.com

Lynn Tone

From: Helaine Koch <lainiekoch@gmail.com>
Sent: Monday, June 12, 2023 6:47 PM
To: Sarah Absher; Lynn Tone
Subject: EXTERNAL: Testimony to the Board of 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 Sarah Absher and The Board of County Commissioners,

I have been a full time resident of Neskowin for over 40 years and I am disheartened that a group of property and business owners are trying very hard to change the character of our community for their own profitability. Unfortunately these property and business owners, most of whom do not live here, view everything through an STR/Business lens, a lens that is colored by dollar signs, not what is best for the livability of Neskowin.

I live here for many reasons not limited to the spectacular natural environment, proximity to the ocean, clean air and water, a close-knit community with neighbors who support each other and volunteer in the community. I find it troubling that short term rentals are consuming so much time, energy and resource. There are certainly better and more productive things for the residents of Neskowin to be doing with our time, energy and skills.

I am not against all short term rentals, but I do feel strongly that they must be limited and closely regulated. I do not believe houses should be built, bought or used strictly for short term rentals in a residential zoned community. If that is the case, then it's a business and must be limited to areas zoned for commercial use. If someone has extra space in their home that they want to rent to tourists, fine. If a family doesn't use their home all the time and wants to rent it occasionally, fine.

A community is made rich and strong by the people who live in it. These are the people who take care of the place and each other. They think and act cooperatively in their actions and concern for this amazing, residential community.

I thank Sarah Absher and the Board of County Commissioners for your diligence, patience and hard work. I have read the draft #2 Ordinance 84 and agree with the proposed changes and hope this is approved before July 1 when the current Ordinance expires.

Sincerely,
Helaine Beal Koch
Neskowin

June 12, 2023

To: Tillamook County Board of County Commissioners

c/o: Lynn Tone

From: Pam Zielinski, 5680 Castle Dr. NW, Tillamook 97141

RE: PUBLIC COMMENT ON PROPOSED STR ORDINANCE CHANGES

I have been a real estate broker in Tillamook County since 1998 and have sold hundreds of homes along the coast which have been used as short term rentals. I have also owned as many as 5 homes in this county which were short term rentals. I have lived on a street in Oceanside where all the homes around me were short term rentals and I was the only full time resident. I found it to be a pleasant experience 99% of the time, and in the other 1% the issues were promptly resolved by the rental manager. At another time, I lived on a different street in Oceanside where my neighbors on 3 sides were full time residents who often caused me aggravation with their lifestyles, their unruly pets and their unsightly vehicles. Short term rentals can actually be excellent neighbors.

Short term rentals have been an integral part of this community throughout the last 100 years and for all that time owners have relied upon the fact that they can choose to rent their house.

Many local homeowners have now been traumatized by the threat of losing the right that Tillamook County has allowed us to rely upon for as long as visitors have been coming to the Oregon Coast.

The current revision of the proposed ordinance in no way represents a consensus of opinion from the so-called Advisory Committee. The Committee was required to limit discussions to a narrow scope of select questions, most of which we still did not agree upon, and we were not allowed to render opinions on the major issues which the commissioners apparently want to reserve to themselves.

There truly was very little consensus within the Advisory Committee, and instead there was mostly division and contention. Instead of answers and advice, the committee's work culminated with many unanswered questions, like:

Why did the county name this committee "Advisory committee" when the committee's actual advice was to be stifled or ignored?

Why didn't the Board of Commissioners allow the Advisory Committee to provide opinions on all the issues under consideration?

Why didn't the county send a mailing to all STR permit holders to let them know the changes you are contemplating and asking how these changes will affect each permit holder?

Why didn't the county take the time to survey local businesses and rental managers and property owners to learn the potential economic impact of these proposed rule changes?

Why didn't the county first try to increase enforcement of existing rules before proposing these radical changes?

Why didn't the county provide easily obtained statistics and data which were repeatedly requested by some members of the Advisory Committee?

Why does the county want to take away your century old right to rent your house?

Why does the county want to take away existing STR permits which are attached to land use, and replace them with licenses which can be altered at the Commissioners' whim? (A license is something you issue to a person who has demonstrated competency. A permit is something a property qualifies for and if the property qualifies, the permit attaches to the property and should be transferrable.)

It is not too late to step back and do this the right way. Please do not pass this proposed ordinance, but please take the time to enforce existing rules and conduct a study to determine the actual need for changes before dropping the ax on thousands of families who trusted in the implied promise made by Tillamook County.

Jim Bartels
13390 SW River Rd.
Hillsboro, OR. 97123
Bartels.jim@gmail.com
503.314.6557

June 11, 2023

Commissioner David Yamamoto

Tillamook County Commission
201 Laurel Ave.
Tillamook, OR. 97141

RE: Short Term Rental Ordinance

Dear Commissioner Yamamoto:

I submit these comments to the Commission in case I am unable to participate in the next public hearing on the proposed STR ordinance. My wife and I have a house on Saghalie Lane, a small cul-de-sac, in Pacific City.

First, I suggest the Commissioners extend the current moratorium on issuance of new STR licenses for at least two months, to give the Commission sufficient time to carefully consider a STR ordinance. The brief period between the draft proposed ordinance and July 1, 2023, does not afford the Commission time to properly consider a new STR ordinance which may significantly impact the County for years.

One glaring omission of the draft ordinance is it does not appear to apply to the managers of STRs-whether they are individuals, companies, or other entities. The managers should be regulated by the ordinance, be bound by its provisions, subject to the enforcement of the ordinance and to the requirement to obtain licenses to operate as managers. They should be subject to fines, non-renewal, revocation and the full gamut of rules applicable to STRs. They are, after all, a significant part of the STR industry, significant beneficiaries of it, and significant contributors to the difficulties the industry causes in neighborhoods where STRs are placed.

Here are my recommendations/requests for the draft ordinance itself (this is based on the May 17, 2023 draft):

1. Add to .040 a paragraph "D. No STR license shall be issued or renewed for any property that is within an area zoned for low density

residential development, e.g. PCW-R1". Comment-regardless of the gloss applied, STRs are mini-motels, but contrary to most motels, they lack an on-site manager to enforce the rules. They degrade livability in and the character of low density residential areas and should not be allowed in them. They are incompatible with those neighborhoods. They should be allowed only where the County has zoned for commercial or multi unit residential development.

2. Delete from definitions, .030, Paragraph M-"Estate Home". And delete all references to "Estate Home" in other sections of the draft ordinance. Giving special treatment to a house based simply on the number of bedrooms crammed into it without regard to the lot size or on site parking, then using that arbitrary definition to justify flooding a neighborhood with up to 17 transient guests is a bad idea and ignores common sense.
3. In .040A.7., "Notice to Neighbors ", make the notice required before a license is granted more effective by requiring the notice contain a copy of the complete application package and allow the neighbors at least 20 days to comment on it, so they have an opportunity to point out any misrepresentations or errors in it to the County BEFORE a license is issued. This would give the County information that it may not be aware of, and prevent the issuance of a license based on wrong information-hopefully avoiding conflict and controversy later. Effective pre-license notice is important.
4. Delete .070 D. Paragraph 1.a., in its entirety, and that part of .080E that would allow a STR owner to turn a separately owned property within 500 feet of the STR into, in effect, a commercial parking lot to benefit the STR owner's income, to the considerable detriment of the rest of the neighborhood. This is another provision that is incompatible with the stated goal of protecting the livability and character of the neighborhoods where STRs are placed. If the STR investor has a house with two parking spaces then they have two parking spaces. It is not the County's job to have the neighbors, in effect, subsidize the investor to the neighbors detriment.
5. It's hard to see how a more wishy-washy paragraph could have been written than .100B.1. "Response to Complaints". Just take it out-it's actually insulting that the STR industry (I do assume this is industry supported gobbledygook) would propose it.
6. Add to .100D, "Specific Prohibitions " a para.5. "Parking. Parking of vehicles that is not specifically allowed by the license or that interferes with access to neighboring driveways or property." Since illegal or non-permitted parking is a big problem with STRs, not including this may have been an oversight by the Committee.

-
7. The penalties set forth in .130 should be mandatory, not “up to”, and the amounts should be increased. The current levels incentivize STR owners/managers to allow violations in the hope they will not be caught, and if caught the fines will be less than the rental received so they still come out ahead, since many STRs rent for more than the fine amounts. I suggest the first fine be at least the amount of the advertised nightly rental, and the second be at least three times the advertised nightly rental, per violation. And the fines should be levied against both the STR owner and the STR manager, separately.
 8. Delete the word “verified” from .130 2. The phrase “verified violations” is nowhere defined in the draft, and I doubt it has any agreed upon meaning among lawyers or arbitrators. It is an invitation to disagree and clog up any penalty process.
 9. Appeals-.140. Modify it to allow appeals by persons whose complaints about an STR were denied or not acted upon in a timely manner, AND to give persons who complained notice and the right to participate in any appeal by an STR owner or manager. This is basic fairness for those who may be affected by an appeal. It also would help give the decision maker a fuller understanding of what occurred that led to the action being appealed.
 10. Finally, the County should require that the handling, recording, and resolution of complaints about STRs, communications about the complaints, and the outcomes of complaints, be transparent and accessible to all on the Department of Community Development website.

Thank you.

JIM BARTELS

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:45 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR ordinance #84

From: Lyn Frisch <whoagirl5@comcast.net>
Sent: Monday, June 12, 2023 5:52 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR ordinance #84

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

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Lyn Frisch
37345 3rd St, Nehalem, OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Lyn Frisch and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2017. We were fortunate to find our home in the Neahkahnie neighborhood in 2017. We have been visiting this part of the Oregon coast in Tillamook county for over 35 years. We are committed to supporting what is best for the area and county's interest in growth and preserving what makes the coast a unique area. We have successfully used our home as a STR for the past 6 years. We have not received any complaints and have good relationships with our immediate neighbors. We wanted to open our home as a STR for a number of reasons. We wanted others to experience the coast, it helps us keep the home up, and preserves our ability to pass this home on to our children. We have had positive experiences using STR's when we travel, and feel good about sharing our special home in Neahkahnie..

These are my top 3 general concerns:

-
- Replacement
- of current permits with licenses

-
-
- Property
- owners cannot lose property rights solely based on conduct of someone else.
-
-
- Property
- owners cannot lose property rights solely based on conduct of someone else.
-

These are my top 3 operational specific concerns:

-
- Noise:
- Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable
- decibel guidelines are needed so that the regulations are clear and fair.
-
-
- More
- than 60 day allowance is needed for major repairs flagged at reinspection - Suggest owners have one (1) full year to complete major repairs, or have applied for a building, structural, plumbing, mechanical, or electrical permit within 60 days.
-
-
- Provision
- is needed to protect STRs from harassment via unfounded complaints.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Lyn Frisch

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment in Opposition to STR Regulations in Tillamook County
Attachments: Written Public Comment Daniel G Koller 34340 Ocean Drive, Pacific City, OR, 97135.pdf

From: Daniel Koller <dkoller19@gmail.com>
Sent: Monday, June 12, 2023 5:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Lynn Tone <ltone@co.tillamook.or.us>; oregoncoasthosts@gmail.com
Cc: Daniel Koller <dkoller1@aol.com>
Subject: EXTERNAL: Public Comment in Opposition to STR Regulations 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.]

Dear All,

I am a homeowner affected by the proposed regulations on Short Term Rentals in Tillamook county.

Please accept the attached letter as my official public comment in opposition to any regulations on Short Term Renting.

Also, please regard this letter as my formal request to be added as a party to any lawsuit pursued against Short Term Rental restrictions in Tillamook County.

Thank you,
Daniel G. Koller
Email: dkoller1@aol.com or dkoller19@gmail.com

Date: June 12, 2023

To Whom it May Concern,

My name is Daniel G. Koller, owner of 34340 Ocean Drive, Pacific City, Oregon, 97135. I am writing to officially comment that I eminently oppose any regulation, ordinance, law, rule, or zoning change that either directly or indirectly limits the use of my property in any way. Especially in my use of it as a Short Term Rental (“STR”). I oppose any overreaching regulations that:

- Require renters to park off-street,
- Require immediate response to phone call,
- Require exterior lighting to direct downwards,
- Require expiration date on exterior signage,
- Require all STRs to meet current building codes,
- Require all STRs with septic tanks to have an annual inspection,
- Require minimum bedroom sizes larger than some currently permitted bedrooms,
- Require in-person response,
- Limit parking to 6 cars off-street,
- Fee no less than \$100 to change Contact Person, or
- Any other creative restrictions or fees on Short Term Renting.

I have owned and used my property as an STR for over 25 years without incident. My property is situated in Kiwanda Shores on the front line unsheltered from nature’s abuse. The only way I can afford to maintain my property is by renting short term. Some of the many costs to maintain my property include sand removal, taxes, repairs, and insurance. All these costs are extremely expensive. Renting my property short term allows me the ability to afford this home, and the flexibility to enjoy it at my discretion. I fear that if my right to rent short term is regulated away, I will lose my home and have nothing to pass on to my children.

Please accept this letter as both my public comment opposing any regulation, ordinance, law, rule, or zoning change, and as my desire to be added as a plaintiff to any lawsuit or class action opposing any such restrictions.

Thank you,

Daniel G. Koller

Email: Dkoller1@aol.com or dkoller19@gmail.com

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR ordinance public comment

From: Roger Wicklund <wicklundr@comcast.net>
Sent: Monday, June 12, 2023 6:44 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STR ordinance public comment

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To: Tillamook Board of County Commissioners

Tillamook County Community Development

publiccomments@co.tillamook.or.us

mfbell@co.tillamook.or.us

dyamamoto@co.tillamook.or.us

eskaar@co.tillamook.or.us

sabsher@co.tillamook.or.us

From: Roger Wicklund

47540 The Saddle, Neskowin

Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Roger Wicklund and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned property in Neskowin since 1994 and my adjacent STR property since 1999. From 1974 until 2003 when my STR was built, the only way my family and I could afford to stay in Neskowin at the coast was as a short term renter. I enjoy giving that same privilege to others who cannot afford coastal property. I also want to protect my right to operate a STR so my children can afford to keep our family property, which they love, after my death.

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful
- Provisions for violations and loss of license are unconstitutionally vague and unclear because they are not specific about which circumstances will cause a loss of property rights.

These are my top 3 operational specific concerns:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Requiring an annual septic inspection is excessive and cost prohibitive.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Roger Wicklund

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Re June 13 BOCC Meeting re draft STR ordinance 84
Attachments: County Resumes Vacation Rental Permits 6.12.23 Daily Astorian.pdf; Clatsop Cty News Release - STR Permits Available with Election Certification.pdf

Importance: High

From: John Meyer <jkm@caretrust.us>
Sent: Monday, June 12, 2023 8:33 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Hillary Gibson <hillary.gibson@me.com>; Karen Babbitt <wcgarden@gmail.com>
Subject: EXTERNAL: Re June 13 BOCC Meeting re draft STR ordinance 84
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.]

For the record for the June 13 BOCC Meeting re draft STR Ordinance 84:

Dear BOCC members,

My wife and I own a vacation rental property in Neahkahnie. We are strong proponents of protecting property rights, commitment to the Hello Neighbor policy by all stakeholders, and implementation of Dark Sky guidelines.

This email is to ask you to please take note for the record of the important decision announced in Clatsop County **today** regarding vacation rentals in the unincorporate areas of the county:

1. Daily Astorian news article – “County Resumes Vacation Rental Permits” - 6.12.23 Daily Astorian
2. Clatsop County web site – News Release – “STR Permits Available with Election Certification.”

Clatsop County voters have defeated the ballot referendum attempting to overturn the County Board of Commissioner’s unanimous approval of STRs last year. This ballot defeat was a decisive blow to efforts by the Planning Commission, Mr. Daniel Kearns’ clients, and to the small minority of residents in Cove Beach who were attempting to eliminate STR rentals throughout unincorporated Clatsop County, except for Arch Cape. Following is the County’s News Release, which speaks for itself. We note points pertinent to the decision facing Tillamook County’s BOCC that provide comfort to full time residents: the adoption of a Good Neighbor Policy and providing all residents and property owners a process to forward STR violations to the county’s code enforcement. These are common- sense practical steps to provide oversight of vacation rentals and protect property rights of STR owners, a positive step forward.

STR Permits Available with Election Certification

News Release

Date 06-08-
2023

June 8, 2023 (Astoria, OR) — Clatsop County is accepting new and renewing short-term rental applications for unincorporated Clatsop County beginning Monday, June 12.

Ordinance 22-05 was approved by the Clatsop County Board of Commissioners in June 2022, allowing STRs in 16 zones in unincorporated Clatsop County. The ordinance was put on hold due to Referendum 4-221. When the May 16, 2023 election results were certified on June 8, Ordinance 22-05 went into effect. The Assessment and Taxation department will start accepting and processing STR applications on Monday, June 12.

Clatsop County ordinance requires STR owners to follow the Clatsop County Good Neighbor policy and all health and safety standards. Local residents have a process to forward potential STR violations to Clatsop County Code Enforcement.

New or renewal applications will be issued if all applicable county taxes are paid in full. New and renewing permits are issued for a two-year period.

STR permit renewal applications may be submitted up to 60 days before the permit expires.

New and renewing STR applications are available at the Clatsop County website. Contact the Clatsop County Assessment & Taxation Department at 503-325-8522 for more information.

John and Maria Meyer
8015 Neahkahnne Rd
Nehalem
415-407-1100
jkm@caretrust.us

STR Permits Available with Election Certification

News Release Date

06-08-2023

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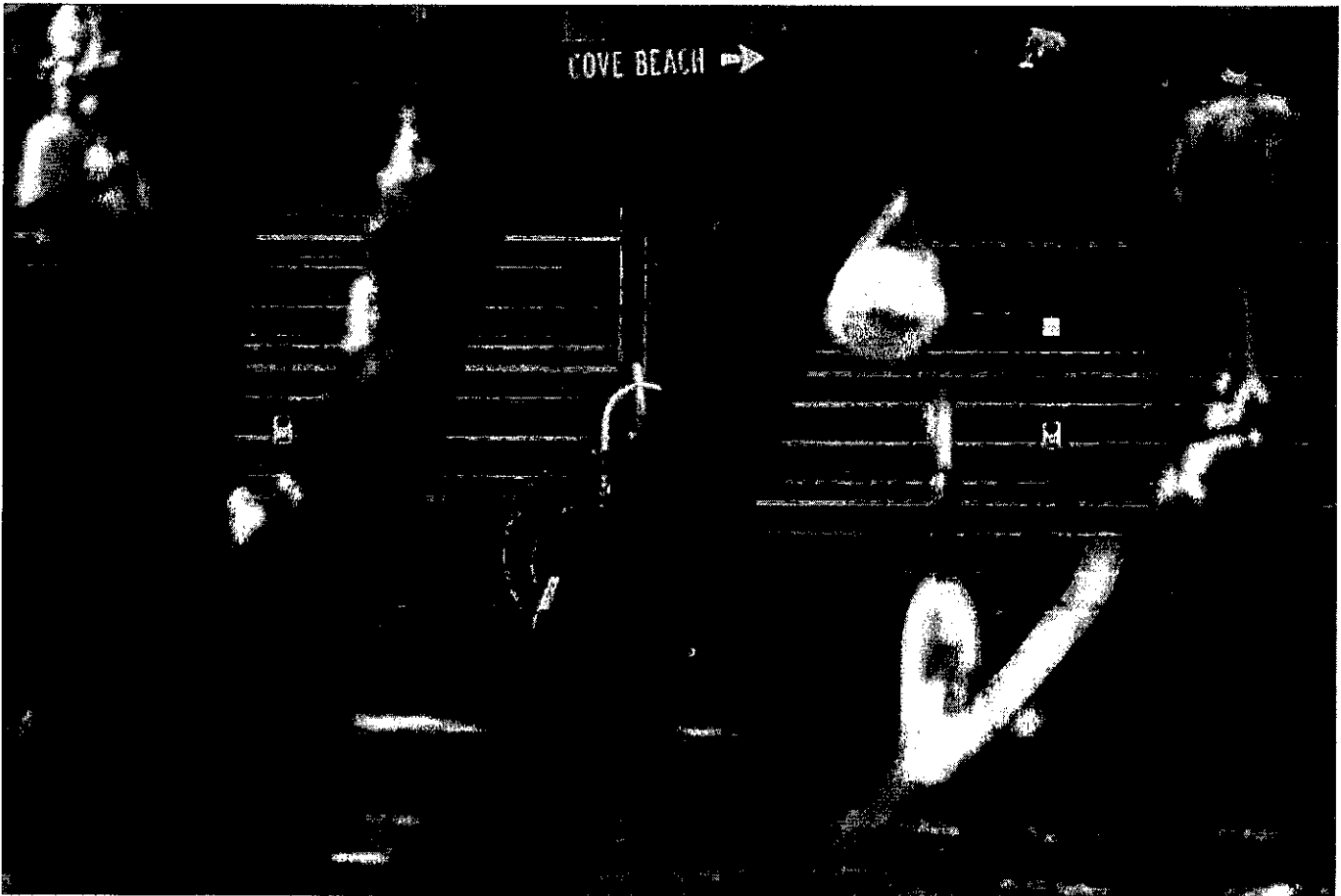
New and renewing STR applications are available at the Clatsop County website. Contact the Clatsop County Assessment & Taxation Department at 503-325-8522 for more information.

SPOTLIGHT

After defeat of ballot measure, county resumes vacation rental permits

A close vote in the May election

By Nicole Bales The Astorian
Jun 12, 2023



Cove Beach has been at the center of the debate over vacation rentals in the unincorporated areas of Clatsop County.

Lydia Ely/The Astorian

Clatsop County will accept applications and renew permits for vacation rentals again after voters narrowly rejected a ballot measure in the May election that sought to repeal an ordinance recognizing the use in the development code.

Measure 4-221 failed 51% to 49% — by 139 votes — in an election that drew 32% voter turnout. The measure would have overturned an ordinance unanimously approved by the county Board of Commissioners in June 2022 that recognized vacation rentals as a permitted use in 16 unincorporated zones.

Had the referendum been successful, more than 100 vacation rentals would have likely disappeared as permits expired.

ADVERTISING

The county announced it would accept permit applications and renew licenses for vacation rentals as of Monday after the May election was certified.

Caps

While the referendum only involved a fraction of vacation rentals in the county — cities have their own ordinances regulating short-term rentals — the debate revived divisions in many communities over the impacts of tourism and commercial activities in residential neighborhoods.

The measure was placed on the ballot by North Coast Neighbors United, a group mostly made up of residents from the wealthy enclave of Cove Beach on the southern edge of the county and the gated community of Surf Pines near Gearhart.

Some of the residents had a history of battling vacation rentals in their neighborhoods.

After election results were certified, Jeff Davis, a Cove Beach resident and co-petitioner of the referendum, urged county commissioners to place caps on the number of vacation rentals in the county.

“Despite the disappointing outcome of the election, it’s clear that there is strong support from thousands of local residents to rein in (short-term rentals) in Clatsop County, including implementing zoning restrictions and caps on the numbers of permits that can be issued in a given neighborhood,” Davis said in a statement. “Our communities just can’t afford to lose more residential housing to commercial uses when firefighters, teachers and other community members can’t find homes.

“We call upon the Board of Commissioners to take up the issue of caps and limits to short-term rentals, as they promised to do last year. The time to act is now.”

Marie Gwydir-Moore, a leader of Everyone For The North Oregon Coast, which was formed last year to support the rights of vacation rental owners, said she is happy to see that a majority voted favorably for vacation rentals. She added that there is more work for the group to do moving forward.

“I urge those that have (a short-term rental) permit, as well as those that will soon apply, to be great stewards,” Gwydir-Moore, an owner of a small vacation rental company, said in a statement. “Our community is still divided and although we know (short-term rentals) are vital to our community, we also know that there is misinformation, misunderstanding, confusion and much-needed improvement on their relations with those that they impact the most.

“I hope that our opponents will see trying to serve their personal agendas by using (short-term rentals) as a scapegoat won’t work. I urge North Coast Neighbors United to put their same time, talents and treasures to better use. Help serve and contribute to the community as a whole instead of working to divide and destroy.”

The county began regulating vacation rentals in unincorporated areas after county commissioners adopted an ordinance in 2018. Arch Cape was not included in the ordinance, since vacation rentals in that community have been regulated under a separate ordinance since the early 2000s.

When tensions over vacation rentals began boiling over — primarily between property owners in Cove Beach — the county started holding a series of listening sessions.

Eventually, county commissioners decided to place a moratorium on new permits in the summer of 2021 while the county explored ways to update and revise regulations.

The moratorium was extended four times.

During that time, county commissioners approved new rules for vacation rental owners in April 2022.

The county also discovered that when the 2018 ordinance regulating vacation rentals was adopted, the use was not added to the development code, meaning vacation rentals were never formally recognized outside of Arch Cape.

To cure the problem, county commissioners adopted another ordinance in June 2022 recognizing vacation rentals as a permitted use in 16 unincorporated zones.

Commissioners discussed placing caps on the number of vacation rentals, but before the county could move forward with those discussions, North Coast Neighbors United collected enough signatures to refer the ordinance to voters in the May election.

Since then, the ordinance has been put on hold, which has prevented the county from issuing new permits and renewing existing ones.

Regroup

Commissioner Courtney Bangs, the board's vice chairwoman, told The Astorian that the potential for caps is not off the table.

“I was really grateful to see voters support commissioners’ decisions in regards to (the ordinance),” Bangs said. “We spent so much time listening to so many people from both sides of the conversation and moving forward I know that we will readdress concerns in the future.”

Bangs said the potential for caps will be discussed, but in the meantime, she said she would like to take time to see to what extent the ordinance and new operating standards address neighbor concerns. She added that she wants to allow county staff time to regroup after the countless hours spent on the vacation rental issue over the past several years.

“It’s an issue that we recognize and we want to solve,” Bangs said. “And it’s going to take time.”

Nicole Bales

Reporter

Nicole Bales is a reporter for The Astorian. Contact her at 971-704-1723 or nbales@dailyastorian.com.

June 13, 2023

**COMMENTS OF DONEG MCDONOUGH TO THE TILLAMOOK COUNTY BOARD OF COMMISSIONERS:
CONSIDERATION OF PROPOSED CHANGES TO SHORT-TERM RENTAL RULES**

Commissioners Skaar, Yamamoto, and Bell and Hearing Attendees—

I am Doneg McDonough, a property owner and taxpayer for 12 years in the Kiwanda Shores community of Pacific City. I am also on the Board of Directors of the Kiwanda Shores Maintenance Association (KSMA)—our version of an HOA.

First, I would like to concur with the vast majority of commenters at the May 30 STR hearing who asked that any County action regarding STRs be *balanced and data driven*. A balanced approach would effectively address legitimate concerns but would do so in a manner that does not unnecessarily negate other legitimate interests in the process. If I may respectfully suggest, **the County has available to it the ability to achieve this balanced approach, which is to create a responsive and effective enforcement program of STR livability rules, and then gather post-enforcement / post-COVID period STR data to see if more dramatic action—such as STR caps—is needed.**

Second, I would like to communicate four core points, each supported by findings from a recent survey of Kiwanda Shores property owners conducted by the KSMA.¹

For background, there are 178 properties in Kiwanda Shores. The KSMA survey of property owners had a very strong response rate: 63% of the owners responded—a figure significantly higher than the 35.9% voter turnout for the last Tillamook County-wide election. The survey respondents were fairly evenly distributed between STR permit holders (56.6%) and those without permits (43.4%). An estimated 47% of Kiwanda Shores homeowners currently are STR permit holders, as compared to approximately 25% in Pacific City generally. The findings reveal that super-majorities of Kiwanda Shores property owners hold similar opinions on the key STR-related issues, despite a great diversity of circumstances among these owners.

#1. The ability to offer their home as an STR is a central component of Kiwanda Shores homeownership.

- 77.3% of property owners indicated that “When you bought/built your home, the ability to rent it in the future was a factor in your decision.”
- 88.9% of Kiwanda Shores property owners believe “It is important to have the right to offer your home as an STR, either now or in the future.”

#2. Livability concerns associated with STRs exist and can be reduced and mitigated with effective enforcement.

- More than three-quarters (77.6%) of respondents indicated their preferred approach for the County is to “better enforce STR rules for livability now and wait to see if a cap on the number of permits is needed.”

¹ The full findings of the survey report are found in Exhibit O, beginning on page 233, of the May 23, 2023, STR Advisory Committee Staff Report packet (and attached here).

- A majority of respondents stated that “each community should address nuisance issues as they prefer without additional County oversight,” and 65% hold the position that “[additional enforcement is not an issue [in Kiwanda Shores], or issues are addressed by property managers.”

#3. STR permit caps should not be imposed on Kiwanda Shores.

- For Pacific City at large, 55.8% of Kiwanda Shores survey respondents indicated “there should be no limit on the number of short-term rentals in Pacific City,” and another 11.6% stated that “the cap for Pacific City should be set at much higher than current levels”, with the combined answers totaling more than two-thirds of all respondents.
- For the Kiwanda Shores community itself, an even clearer 70.1% of respondents hold the position that there should be “no cap on the number of STR permits allowed for Kiwanda Shores owners each year,” with another 18.4% supporting “an STR permit cap for Kiwanda Shores equal to current Kiwanda Shores STR permit levels (approximately 47%)”; combined, 88.5% of respondents support allowing between one-half and all homeowners in Kiwanda Shores to operate an STR at any one time.

#4. STR permit caps—including the current moratorium—are damaging to the ability of Kiwanda Shores homeowners to maintain their properties.

- 72.7% believe that “STRs make living in Pacific City more affordable/possible.”
- When asked what impact on them and their family would occur if prevented from offering their home as an STR for one or more years, 71.4% of respondents stated this would have a “negative impact on them and their family.”

If STR rule changes are being made to better serve communities, please make only the changes for Kiwanda Shores that would better serve the homeowners and community of Kiwanda Shores.

To move Pacific City and the County forward, a program that provides responsive and effective enforcement of STR livability rules should be put in place, and the STR moratorium imposed on Pacific City—and Kiwanda Shores more specifically—should be lifted as of July 1, 2023. **Continuing the current moratorium—or a moratorium-like permit cap that effectively locks out the 75% of current homeowners in Pacific City that do not currently have an STR permit—would *not* represent the balanced approach that the vast majority of STR hearing witnesses and Kiwanda Shores property owners are respectfully requesting.**

Thank you for your consideration of this testimony.

Doneg McDonough
34755 Ocean Drive
Pacific City

Attachment: “Survey of Property Owners in Kiwanda Shores Re: Potential Changes to Tillamook County’s Short-Term Rental (STR) Rules,” Kiwanda Shores Maintenance Association, May 18, 2023

May 19, 2023

Tillamook County Commissioners and STR Committee:

The Kiwanda Shores Maintenance Association (KSMA) sent a survey to Kiwanda Shores (KS) owners on May 7, 2023 regarding short-term rentals (STRs). We received 102 non-duplicated responses from this 1-week survey, which was a 61% response rate. This large response surprised us, as it was the first time we had reached out to our owners electronically.

The survey responses were fairly evenly distributed between STR permit holders (56.6%) and those without (43.4%). We learned that super-majorities of KS respondents hold similar opinions on virtually every topic considered. We designed the survey to allow for comments on most of the questions, which provided for a clear expression of homeowners' perspectives and situations.

- 88.9% of KS property owners believe "It is important to have the right to offer your home as an STR, either now or in the future."
- 77.3% indicated that "When you bought/built your home, the ability to rent it in the future was a factor in your decision."
- Nearly 88% believe that "STRs contribute to the local economy", and 72.7% believe that "STRs make living in Pacific City more affordable/possible."
- When asked what impact on them and their family would occur if prevented from offering their home as an STR for one or more years, 71.4% of respondents stated this would have a "negative impact on them and their family".
- 17.2% of respondents did indicate that they had "had negative experiences with short-term renters," with 13.5% of respondents indicating that they had had a complaint that was not resolved satisfactorily.

The survey respondents' narrative comments – also included in the attached report – provide rich context to the answers given to the multiple-choice questions and indicate a diversity of circumstances of Kiwanda Shores owners.

We encourage and appreciate the consideration of these findings by the Tillamook County Board of Commissioners as you review options for revising the County's STR policies.

Sincerely,

Susan Caney-Peterson
President, Kiwanda Shores Maintenance Association

Survey of Property Owners in Kiwanda Shores

Re: Potential Changes to Tillamook County's
Short-term Rental (STR) Rules

Kiwanda Shores Maintenance Association (KSMA)

May 18, 2023



5/18/2023

1

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 - Q10. Should some portion of current rental fees go towards additional enforcement (of existing and new rules) by the County?
 - Q11. Which approach would you prefer the County to take (on STR rules)?
 - Q12. Should the number of active STR permits in Pacific City be capped annually?
 - Q13. Do you support the County establishing "sub-areas" such as Kiwanda Shores with differing percentage limits on the number of STR permits each year?
 - Q14. What impact would preventing you from offering your home as a short-term rental for one or more years have an impact on you and/or your family?
 - Q15. If the County imposes an annual limit on the number of STR permits allowed and places on a waiting list those applicants above the cap, please check all options with which you agree.
 - Q16. As an alternative to capping the number of STR permits issued annually, if the County were to implement STR restrictions, would a limit on the number of STR *rental nights* per permit be preferred to a cap on the number of STR permits?
- [Addendum to the KSMA STR Survey](#)
 - Respondent comments for questions that allowed comments



2

Introduction to Survey

Kiwanda Shores homeowners received an email with the following introduction, before beginning the survey. All responses were anonymous unless a homeowner chose to provide their contact information.

- The Tillamook County Board of Commissioners is considering changes to the short-term rental (STR) rules that apply to Pacific City, including Kiwanda Shores, and other unincorporated areas of Tillamook County. The potential changes to STR rules under consideration have two components:
 - The first component is designed to address livability issues associated with STRs; and
 - The second component would cap the number of STR permits allowed annually.
- The STR rule changes under consideration could have a significant impact on Kiwanda Shores property owners' ability to continue or begin to rent their home on a short-term basis.
 - In addition to establishing "area" caps (such as for Pacific City), the County is considering establishing caps by "sub-areas" such as Kiwanda Shores with differing percentage limits on the number of STR permits each year.
 - At present, approximately 25% of homes in Pacific City have STR permits, and approximately 47% of homes in Kiwanda Shores have STR permits.
- In June of 2022, the County Board of Commissioners imposed a one-year moratorium on the issuance of new STR permits. Under the moratorium, existing STR permit holders are allowed to continue to rent.
- The Tillamook County Board of Commissioners have announced that it is their intention to (1) conduct two hearings in May and June 2023, on the pending changes to STR rules; and (2) vote on the pending STR rules prior to the July 1, end of the current moratorium on the issuance of new STR permits.
- The Kiwanda Shores board of directors is conducting this survey of Kiwanda Shores owners to:
 - Help inform Kiwanda Shores owners of changes under consideration;
 - Understand the needs and thinking of Kiwanda Shores owners on these potential changes to STR rules; and
 - Communicate results of the survey to County officials, as appropriate.



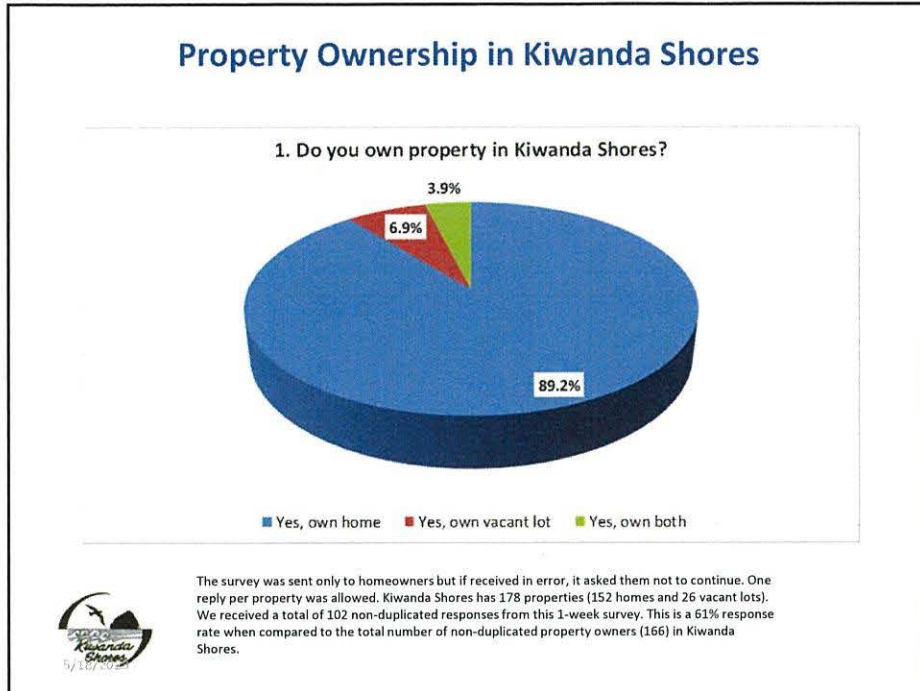
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Survey Background

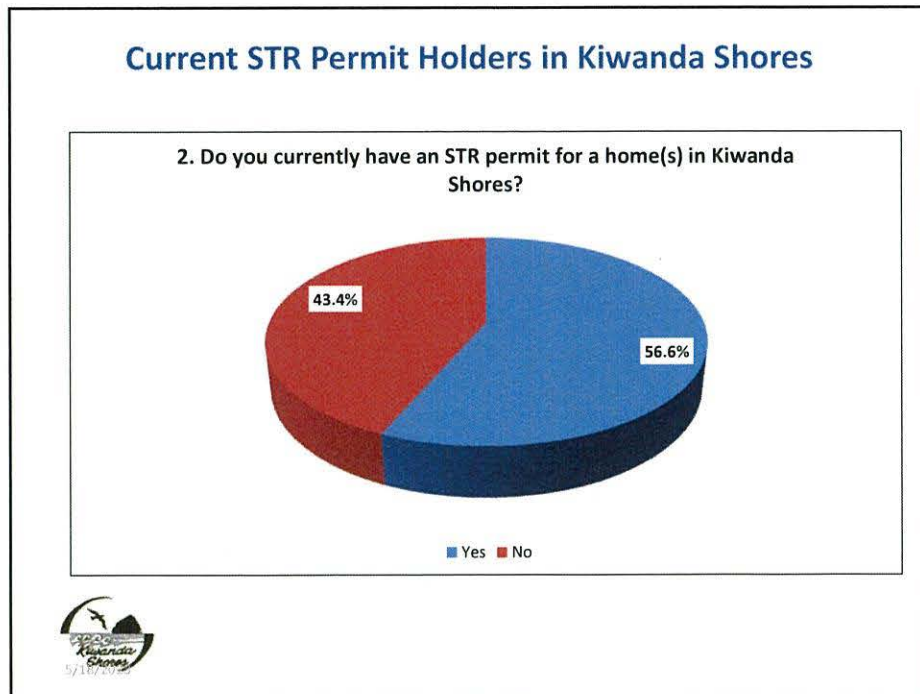
- The survey was sent to Kiwanda Shores (KS) owners on May 7, 2023. Not every owner has provided their email address but almost all have.
- The survey was conducted via Survey Monkey and was the first attempt to reach out electronically to property owners.
- We received a total of 102 non-duplicated responses from this 1-week survey.
 - This is a 61% response rate when compared to the total number of property owners in KS.
 - There are a total of 178 properties in KS (152 homes; 26 vacant lots).
 - 12 owners have more than one property but had one voice on the survey.
- The survey responses were fairly evenly distributed between STR permit holders (56.6%) and those without (43.4%).
 - This compares to our own internal count of 47% STR permit holders overall, where % is calculated based on homes only, not including lots.
- We learned that super-majorities of KS respondents hold similar opinions on virtually every topic considered.
 - Where there was dissent, the comments allowed for a clear expression of homeowners' perspectives and situations.



4



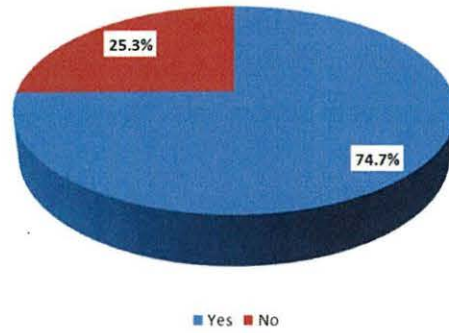
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6

Offers of/Plans to Offer Short-Term Rentals (STRs)

3. Have you ever offered your home as a Short-Term Rental (STR) or anticipate you might in the future?

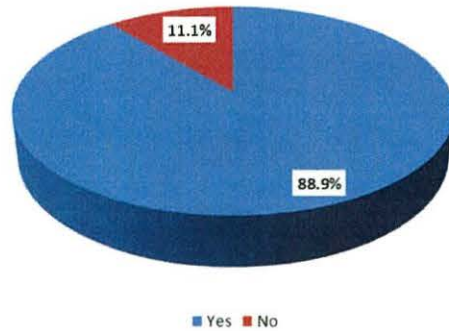


With 56% holding an STR permit, the 18% difference here (74.7% here minus the 56.6% in previous slide) represents owners who either rented in the past and/or would like to in the future. Comments from respondents to this question are [found here](#).

7

Importance of Right to Offer Home as an STR

4. Is it important to have the right to offer your home as an STR, either now or in the future?

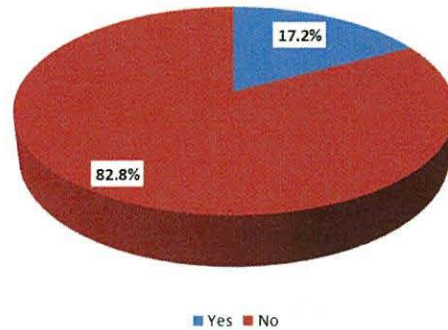


Comments from respondents to this question are [found here](#).

8

Recent Negative Experiences with Renters Visiting Kiwanda Shores

7. In the past year, have you had negative experiences with short-term renters visiting Kiwanda Shores?

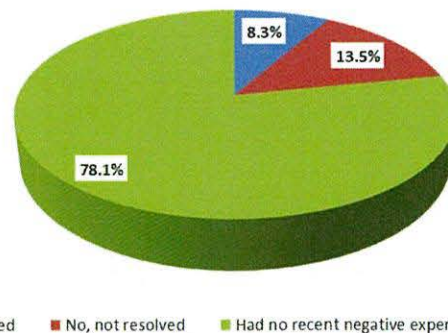


Comments from respondents to this question are [found here](#).

11

Resolution of Nuisances Experienced with STRs

8. Were the nuisances you may have experienced with STRs resolved satisfactorily?

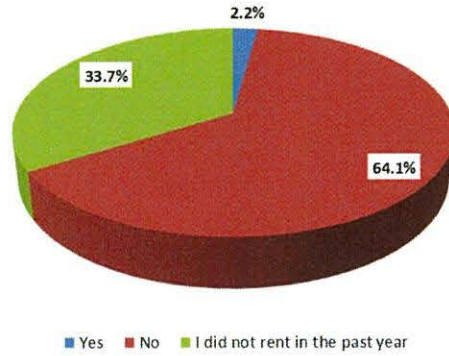


Comments from respondents to this question are [found here](#).

12

Complaints from Others About STR Renters

9. In the past year, have you received complaints (noise, parking, lighting, fires, trash, etc.) from others about your STR renters?

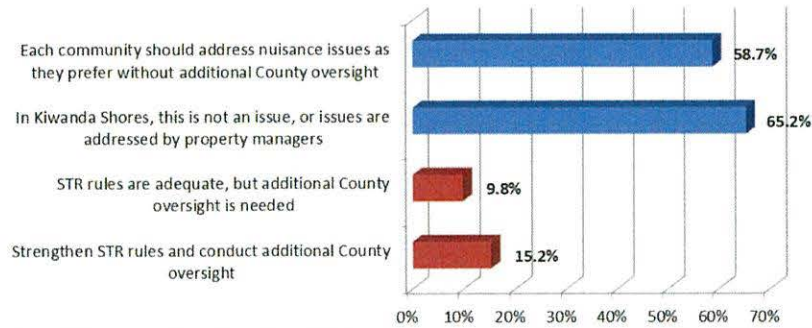


Comments from respondents to this question are [found here](#).

13

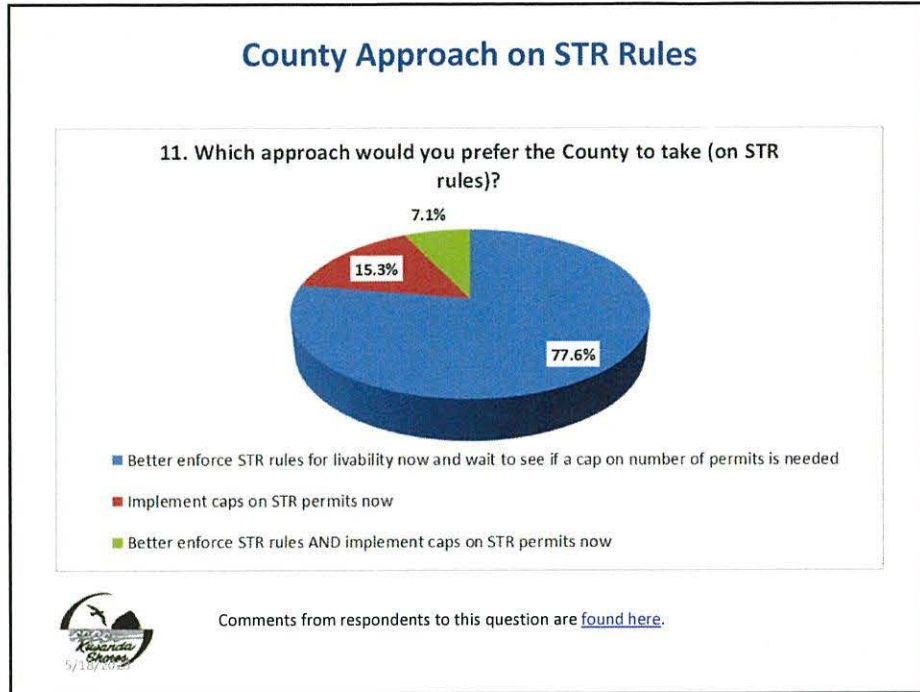
Use of Rental Fees for Additional Enforcement to Address Livability Issues Involving STRs

10. Should some portion of current rental fees go towards additional enforcement (of existing and new rules) by the County to address livability issues involving STRs? Please check all that apply.

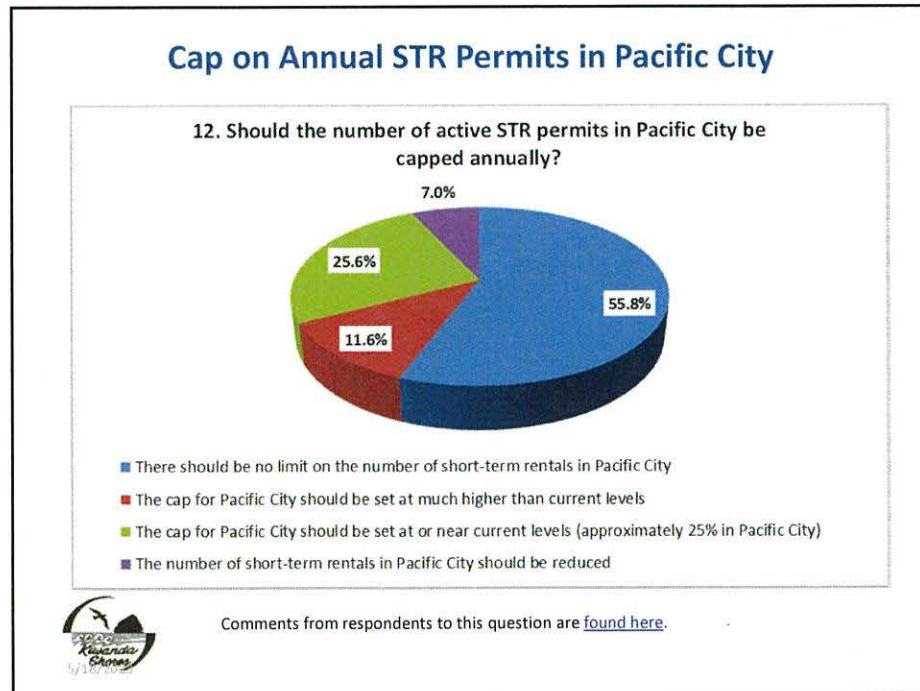


Comments from respondents to this question are [found here](#).

14



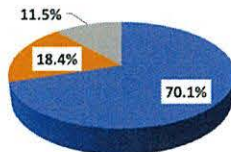
15



16

Establishment of "Sub-Areas" with Differing Limits on Annual STR Permits

13. The County is considering establishing "sub-areas" such as Kiwanda Shores with differing percentage limits on the number of STR permits each year. Do you support the County establishing:



- No cap (i.e., no limit) on the number of STR permits allowed for Kiwanda Shores owners each year
- An STR permit cap for Kiwanda Shores equal to current Kiwanda Shores STR permit levels (~47%)
- An STR permit cap for Kiwanda Shores equal to the current Pacific City STR permit levels (~25%)

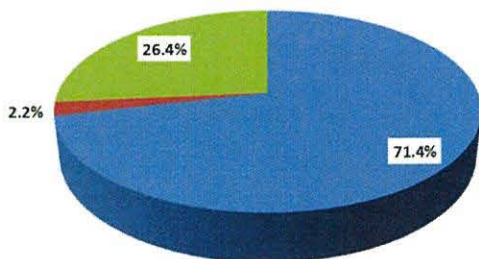


Comments from respondents to this question are [found here](#).

17

Impact of Inability to Rent Home as an STR

14. What impact would preventing you from offering your home as an STR for one or more years have on you and/or your family?



- Negative impact on you and your family
- Positive impact on you and your family
- No impact on you and your family

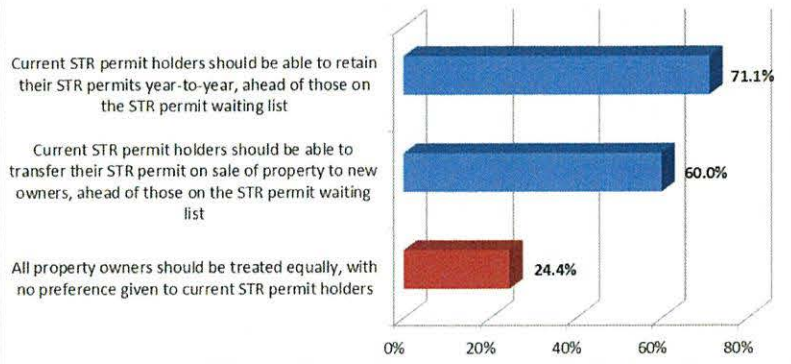


Comments from respondents to this question are [found here](#).

18

Treatment of Property Owners Under Cap on Annual STR Permits

15. If the County imposes an annual limit on the number of STR permits allowed and places on a waiting list applicants who exceed the cap, please check all options with which you agree.

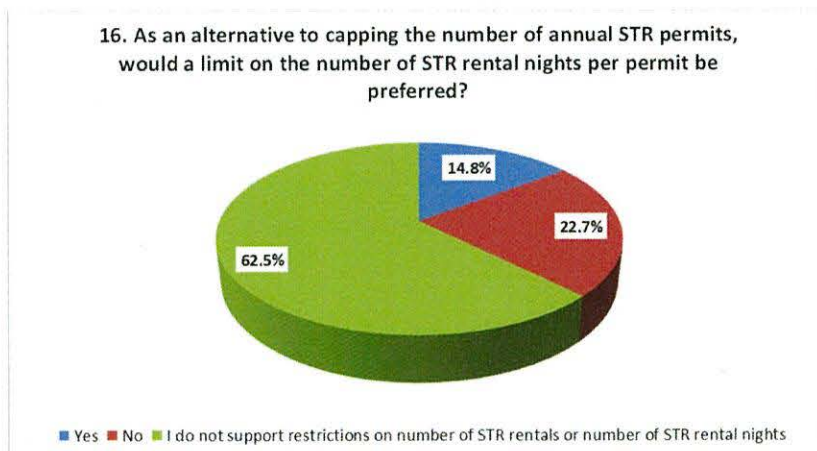


Comments from respondents to this question are [found here](#).

19

Limit on STR Rental Nights per STR Permit as Alternative to Cap on Annual Permits

16. As an alternative to capping the number of annual STR permits, would a limit on the number of STR rental nights per permit be preferred?



Comments from respondents to this question are [found here](#).

20

Addendum to the KSMA STR Survey

- Where the survey allowed for additional comments, they are enclosed here along with a snapshot of the question and results data.
- Not all questions allowed for comments.



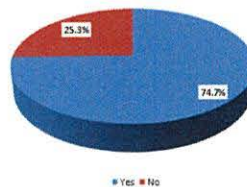
21

Comments on STR history and/or plans

Q3. *Have you ever offered your home as a Short-Term Rental (STR) or anticipate you might in the future?*

- Currently we do not; however, in the future we would like the option.
- We built our home as a future full-time retirement home with the intention of renting it as a short-term rental until we retire. Since the home was finished in 2016, it's been rented out approximately 100 nights per year.
- We bought it as an STR in 2019 and did an extensive remodel.
- Might build a rental unit in near future.
- Two homes.
- We consider our house our 2nd home and rent it out when we're not there.
- We purchased our home approximately 8 years ago and have been operating as a short-term rental the entire time.
- Not currently, but would like to in the future.
- I'm hoping to be able to rent my home STR.
- Hoping to get a permit this summer.

3. Have you ever offered your home as a Short-Term Rental (STR) or anticipate you might in the future?



22

Comments on STR history and/or plans, cont.

Q3. Have you ever offered your home as a Short-Term Rental (STR) or anticipate you might in the future? (comments continued)

- We use it approximately 30 nights throughout the year and rent it out the balance.
- While we don't anticipate renting in the near future, if we can no longer afford it or our kids inherit it, that would be a good option then.
- We purchased our property in 2018 with the intention of renting in the future. The house was in complete disrepair and we have spent years and hundreds of thousands of dollars fixing it to make it comfortable for our family and friends as well as setting it up as a STR once all repairs are complete.
- I offer short-term rentals through Airbnb at our property.
- We had a rental permit for many years but no longer rent out for STR.
- We have rented our home for 32 years without complaints. We could not afford to keep up the cost of maintenance on an ocean front home unless we rented. We put most of our earnings back into the home.
- Purchased in 2020, transferred rental permit to our name.
- We purchased a home in 2016 as a 2nd home and rental property.
- My ability to short-term rent my home is essential to my ability to own my home there. Without that right I would be financially unable to keep my home.
- We intend to rent our home as a short-term rental once constructed, if the County doesn't rip-away our ability to rent our home as an STR.
- For all the 25 years we have owned it.
- I would like to offer my home for STR.
- Intent for future long-term rental.
- We stopped renting it about 5 years ago.
- I have not rented my home as a STR, but I anticipate I might want to in the future.
- Yes, we have a management company that cooperates with Airbnb for vacation rentals but also use the home for personal use.

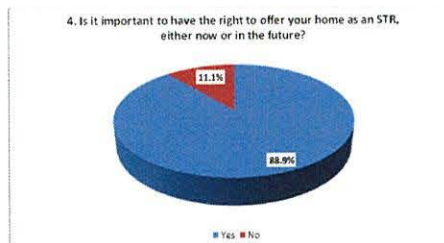


23

Comments on right to rent, now or future

Q4. Is it important to have the right to offer your home as an STR, either now or in the future?

- We wouldn't be able to keep our home there if we weren't able to rent it when our family wasn't using it.
- As noted, we may need to either to cover costs at some point or for our kids to have the option to rent after they inherit.
- The only way we can justify the expense of the home and repairs is being able to rent it out in the future.
- My ability to short-term rent my home is essential to my ability to own my home there. Without that right I would be financially unable to keep my home.



- Offering STRs are crucial to our business model. We can't afford to have a second home without this income. Many guests enjoy our home and we've never had any complaints from neighbors. We pay short-term rental taxes, which provide additional revenue for the local economy. We've created a local job by employing a cleaner. The rental also helps bring tourists to the coast, and they support local businesses. STRs are vital to a strong economy at the coast in many ways.



24

Comments on right to rent, now or future, cont.

Q4. *Is it important to have the right to offer your home as an STR, either now or in the future? (comments continued)*

- We wouldn't be able to keep our home there if we weren't able to rent it when our family wasn't using it.
- As noted, we may need to either to cover costs at some point or for our kids to have the option to rent after they inherit.
- The only way we can justify the expense of the home and repairs is being able to rent it out in the future.
- My ability to short-term rent my home is essential to my ability to own my home there. Without that right I would be financially unable to keep my home.
- STR brings tourist traffic to Pacific City. I think we need to offer this more.
- We are 100% dependent on the income our home provides as a STR to afford our home.
- I agree, but I also agree that it is okay to limit STR usage, especially the total number of nights per year rented and the number of people allowed in a STR.
- Absolutely need to generate rental income, which is one of the reasons we made major remodel upgrades.
- We have an oceanfront home, and even though we don't currently rent, would like the option and it is also a great selling point for our home.
- I feel that STRs have not been beneficial to Kiwanda Shores community. STRs may have been beneficial to individuals. I am enjoying my home even less over the past 7 years due to the STR next door with excessive parking, parking on roadways, blowing trash and noise. When I have attempted to speak with offenders, there has usually an unsatisfactory response. The rental agency changes at least once a year, and I have never been notified of changes. In January, when I called the number listed to report an issue, the person answering the call denied that they had any stake with the KSMA property. I still catch renters cutting through my property. Bottom line, I feel very uncomfortable in my own home.



25

Comments on right to rent, now or future, cont.

Q4. *Is it important to have the right to offer your home as an STR, either now or in the future? (comments continued)*

- I would have to sell it if I did not rent. Rental proceeds help me keep it up for both renters (many of them return regularly) and my family. Ocean front homes require lots of upkeep and replacement costs.
- Yes, our family relies on this income to pay for routine expenses. We could not afford a second home in Pacific City without the income. I serve as the part-time pastor to Nestucca Valley Presbyterian. I wouldn't be able to afford my home without the ability to rent.
- Having the ability to rent our home periodically as an STR is critical to our financing and maintenance of our second home.
- I would like future generations/owners to have the option.

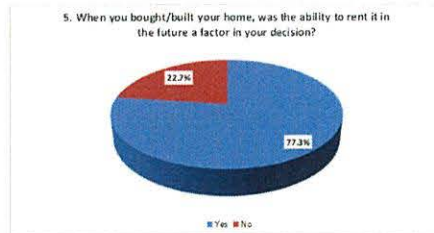


26

Comments on renting as buying factor

Q5. When you bought/built your home, was the ability to rent it in the future a factor in your decision?

- The person who pointed us to buying in Pacific City urged us to make the investment (decades ago) and said, if we couldn't swing it in the future, we could always rent it.
- A second home is very costly. We need to be able to rent it out in order to compensate for the expense.
- We bought our home from someone who used it as a second home. An empty house didn't help the local economy in any way.
- We wouldn't have purchased the home if we weren't able to rent it.
- The sole reason for our purchase.



- Having the right to rent was a factor, but now that I understand the negative impacts in the local citizens where vacationers negatively impact their community and the rapid loss of affordable housing, I am more sympathetic to the locals' plight. The locals do not have the resources and influence to the wealthier second home homeowners.



27

Comments on renting as buying factor, cont.

Q5. Is it important to have the right to offer your home as an STR, either now or in the future? (comments continued)

- Originally we planned on renting; however, we decided against it for the current timeframe.
- We would not have bought the house if we couldn't rent it as we could not afford it without rental income. We live in NE and are there 6-8 weeks a year and hope to retire there. If the number of permits is capped and taken away from me and the other renters, then our "livelihood" is being taken away. The value of our homes is already lower just from the risk of these efforts.
- It was one of the main reasons I purchased it.
- We bought it with the sole purpose of renting it out as a short term rental, and using it for our family's enjoyment when it was not rented.
- Financial necessity in order to keep the property.
- We have been visiting Pacific City since childhood and always wanted to have a place of our own here. We didn't buy it as an STR investment property.
- It's the primary reason we could afford it.
- I did not choose to rent in the end.
- We had no idea there might be restrictions in the future.
- Being able to rent it, and seeing the prior rental history, was a major factor in our purchase of the home.
- We would not be able to afford the maintenance costs if not for the ability to rent.
- Absolutely, 100% yes!
- We were unsure when we purchased whether we would offer STR or not. Once we purchased, we decided not to rent.
- I need to offer STR and would like to use the house. Otherwise, I cannot afford the mortgage.



28

Comments on renting as buying factor, cont.

Q5. Is it important to have the right to offer your home as an STR, either now or in the future? (comments continued)

- When we bought it, we had no idea of the reality and frequency of upkeep on an ocean front home—such as sand redistribution, flooding, window replacement, deck replacement, roof replacement, appliance replacement, rust, garage door issues, sump pumps, paint, and regular upkeep.
- Bought in Kiwanda Shores instead of Cannon Beach due to ability for short-term rentals in Kiwanda Shores.
- 100%.
- Yes, it is/was always a factor. I would not buy without the property right rent out my home. It is one of the sticks in the bundle of sticks that make up real property ownership in the USA. Anything preventing me from doing so would be considered a 5th amendment taking.
- We purchased land in Kiwanda Shores 12 years ago, explicitly for the purpose of using it for our family, and, when we were not enjoying it ourselves, renting it to other families to enjoy. When we purchased the land, we believe we purchased the right to rent our future home as a long-term or short-term rental.
- We are native Oregonians who spent our life savings to fulfill our dreams of owning a home in Pacific City. While dependent on the STR income to afford it, we also take great pride in being able to share it with others, while respecting neighbors and honoring the community to keep the history and culture intact.
- I have owned my home since I built it in 2001, and since that time, it has only been used by family and friends. My children have grown up and moved out of state. I would like to use the house as a STR until they can start using it again.

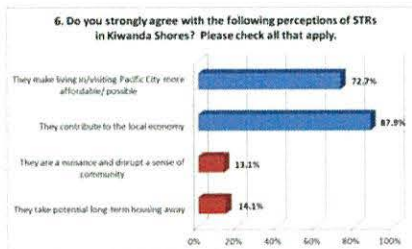


29

Comments on perceptions of STRs

Q6. Do you strongly agree with the following perceptions of STRs in Kiwanda Shores? Please check all that apply. (Other responses appear below.)

- I think all of these are true for some and not others. I won't go so far as to say "nuisance," but they have definitely had an impact on the sense of community in Kiwanda Shores.
- We rent so we can own our beach home and its memories. We do not rent as a business venture.
- If STRs were taken away, they would be sold to someone looking for a second home, and an empty house does not benefit the community in any way. Crime would probably rise with empty homes and more unemployment from less tourism.



- Pacific City has blossomed in recent years and is continuing to grow thanks to tourism. Limiting or eliminating STRs will have a very negative impact on the businesses. For example, the newly re-envisioned complex with PC Candy store, apothecary, coffee shop, etc. is definitely designed for tourism ... how will these businesses survive without patrons? What will motivate other new businesses to come and enhance Pacific City if the number of renters and visitors becomes limited?



30

Comments on perceptions of STRs, cont.

Q6. Do you strongly agree with the following perceptions of STRs in Kiwanda Shores? (comments continued)

- I talk with our neighbors frequently, both those who rent out their homes, part-time residents, and full-time residents. The short term rentals don't appear to have a negative impact on their opinion of the neighborhood. Nuisances are rare.
- Exercising this fundamental property right is important to what it is to be American.
- We purchased our property with cash intended for retirement income along with periodic family vacation use and could not afford.
- They improve property values.
- STRs enable families who could otherwise not afford to purchase their own beach home the ability to experience Pacific City in a home setting. STRs also allow the "recycling" of homes to numerous families, rather than sit idle for much of the year. And, if we are not able to use the property over an extended period of time, we have the opportunity to rent the home on a long-term basis.
- Maybe, there are areas at the cove by brewery with a huge concentration of rentals with not enough parking?
- It was always hard to find a place to stay before STR market came along. Only a couple of hotels/motels, and rates were high for just a bedroom with no amenities.
- It allows my family to own vacation home and at the same time contribute to the local community. We have a very, very busy beach rental, and we contribute a lot of tax dollars to the community in the county because of it. And are happy to do so.
- Limiting short-term rental opportunities is misdirected. The Oregon coast will always be a popular tourist destination (and will continue to grow in popularity over time). When lodging is limited, a long list of other issues will rise, including traffic, parking, trash, and illegal camping.



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Comments on perceptions of STRs, cont.

Q6. Do you strongly agree with the following perceptions of STRs in Kiwanda Shores? (comments continued)

- PC generates so much revenue for its local community from visitors. There is a fraction of available hotel and motel space for these visitors as there are STRs. If STRs are limited, PC's local community will greatly suffer without this community revenue. STRs are woven into this community in a major way. If visitors need to behave differently because it's disrupting locals, then management companies need to step up to that challenge and actively manage their renters. But to disallow STRs or substantially limit them only damages the local economy.
- Without the STRs in Kiwanda Shores and the neighboring areas, Pacific City would simply become another bankrupt coastal town. Losing all the "out-of-town" financial income would cripple not just the STR home owners but every local business in our small town. They already struggle enough because of seasonal foot traffic. The rate of poverty, crime, drug abuse would skyrocket as it has in other "non-tourist" towns along the Oregon coast! That type of economy would also force out many permanent local residents simply in need of a job.
- I am fine with the STR as long as renters are respectful renters. I have had some issues with people littering on in Kiwanda Shores, including not disposing of dog waste.
- Don't have enough data to answer this question intelligently.
- Most STRs are well-maintained and therefore help keep the values of surrounding properties up as well.
- Not everything can be a STR, there should be some kind of cap to ratio limit, but South County is just not a cheap place to acquire any type of property.



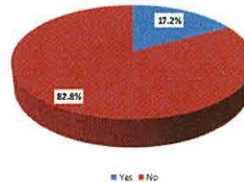
32

Comments on negative experiences with renters

Q7. In the past year, have you had negative experiences with short-term renters visiting Kiwanda Shores?

- Fireworks on the upper portion close to the freshly planted grass.
- Walking between houses to the beach.
- One home had renters whose multiple cars were parked on the street. Another had trash overflowing the bin. Rather than disturb them, I called the numbers on the signs. It was taken care of.
- 7 cars jammed in STR rental and impeding the street right of way. Blowing trash from overfull garbage. Unresponsive homeowner who has trees crossing the property line and nearly touching my house (fire hazard). Excessive noise.
- We stay at our home frequently.

7. In the past year, have you had negative experiences with short-term renters visiting Kiwanda Shores?



- Me and my family have rented in Kiwanda Shores for 21 years, either on the beachfront or in second row beach houses. We have never had a complaint against us as renters, and we have never had an issue with neighbors that a quick conversation didn't resolve.
- Trespassing
- Owners and renters keep to themselves. I haven't had any disturbances nor have I disturbed anyone.



33

Comments on negative experiences with renters, cont.

Q7. In the past year, have you had negative experiences with short-term renters visiting Kiwanda Shores? (comments continued)

- Inebriated lady came onto my property at night with flashlight searching for some unspecified object. She startled my son and grandkids. She departed when told to do so.
- We consistently solicit feedback from neighbors, and are diligent about ensuring guests are respectful of the neighborhood and the community. We have never once received negative feedback from neighbors.
- With exception for the 4th and Labor Day.
- Not in the past year, but prior years.
- Unfortunately most non-residents drive over the speed limit. Many residences/renters have children or pets occupying the homes. A danger to both. Quiet time is not always followed.
- Enforcement of the existing rules is an issue.
- Fires at beach access, fireworks from property, trailer and car parking on street.
- I am at the quiet south end and have six parking spots, so we haven't had problems in many years of renting.
- Issues have mostly been noise/parties and people using our trash can.
- We have never had disruptive renters, and only one time in 8 years have we experienced a neighboring STR renter who was loud.
- Walking thru my property. Parking on the street. Noise late at night. Damaging planted grasses on the dunes.
- Some homes appear to be "over-rented" with too many cars for the parking space spilling on to the road. There seem to be a lot of fires set on the upper dune. Neither of these is allowed, but doesn't appear to be monitored.



34

Comments on negative experiences with renters, cont.

Q7. *In the past year, have you had negative experiences with short-term renters visiting Kiwanda Shores? (comments continued)*

- We have 2 STR properties around our home & the renters have trespassed on our property & have violated the quiet hours (be quiet & respectful after 10 p.m. & before 8 a.m.). We have tried being neighborly & have asked the renters to shut down their parties &/or Loud music & this hasn't happened!
- Minor noise past 10 p.m., but a call to property manager stopped it in 20 mins.
- Our HOA has its own rules in place, which make STRs a pleasant experience for everyone.

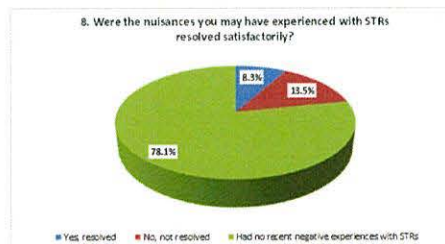


35

Comments on resolution of STR nuisances

Q8. *Were the nuisances you may have experienced with STRs resolved satisfactorily?*

- I didn't know who to contact.
- The number I called did not correspond to the "owner" of the house.
- Some excited guests at neighboring homes, but I generally enjoy the atmosphere created by happy visitors and their families.
- If we did have an issue that could not be resolved directly with the renter, the phone numbers posted on the front of homes serves as a mechanism to contact the owner and have an issue resolved through the owner's intervention.
- Yes on the noise. Contacted short-term rental agency, and there has not been another incident since. No on speed. Excessive speed continues to be an issue.



- Prior nuisances: parking, noise, and fires close to homes.
- An incident occurred in which a community member was involved in an altercation with renters staying at my home. The sheriff responded and identified the neighbor as the problem. The affair ended without an arrest, but the challenge was not with the STR but with our community.
- Limiting or removing STRs will destroy Pacific City's economy and tourism. This will result in an increase of poverty, violence, drug abuse, and a coastal town that will be run down and deteriorate.



36

Comments on resolution of STR nuisances, cont.

Q8. Were the nuisances you may have experienced with STRs resolved satisfactorily? (comments continued)

- We feel confident the County will face ongoing litigation on illegal property usage restrictions. We would hope that KSMA doesn't use the new STR regs to put even more restrictions on our property usage. We abide by the HOA regs and feel they are enough as they currently stand.
- We have 2 STR properties around our home & the renters have trespassed on our property & have violated the quiet hours (be quiet & respectful after 10 p.m. & before 8 a.m.). We have tried being neighborly & have asked the renters to shut down their parties &/or Loud music & this hasn't happened!
- Yes and no. Sometimes have to call the rental agent to get resolved. Sometimes don't bother to do so. Without proper monitoring by the agents or the association, renters who are likely unaware or don't care about the rules will not abide by them. Finally, there is trash and fire residue on the upper dune that is not always cleaned up.
- I reside in "Columbia Heights" (Pacific City). I have 2 STRs within 500 yards of my property. The couple of incidents were mostly about late night noise. Generally I found if you just contact the STR permit holder/management company, the issue seems to resolve itself immediately.

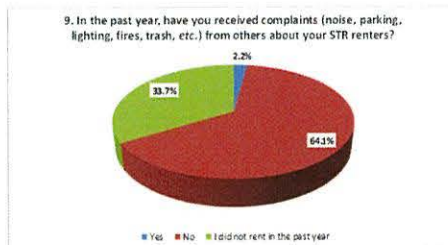


37

Comments on complaints to owners about renters

Q9. In the past year, have you received complaints (noise, parking, lighting, fires, trash, etc.) from others about your STR renters?

- Our family never received a complaint from a neighboring home about our behavior as renters, and we never had a complaint about a neighbor that couldn't be resolved with a quick discussion with them.
- No complaints to us or our management company.
- We have never had any complaints about our renters. We have a very small house with a capacity of 6.



- A neighbor (who does not live in PC full-time) has pointed out that a light on the exterior of our garage is very bright when left on. We've worked with him to fix the problem, and as of our last conversation, it has been taken care of. Until he raised the issue of brightness, we thought leaving the light on would provide additional security when the house was empty.

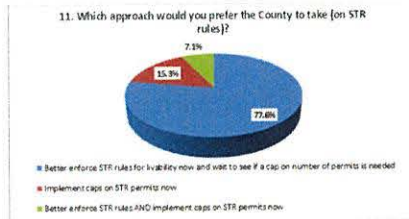


38

Comments on preference for county approaches

Q11. Under the current draft revisions to STR rules, the total number of annual permits would be capped at roughly current levels. Applicants who exceed the STR cap would be placed on a waiting list and would receive a permit when a permit becomes available. (Approximately 25% of residential properties in Pacific City have STR permits.) Which approach would you prefer the County to take?

- This doesn't mean I would support additional caps; but apparently some areas need county support re livability issues.
- None of the above. This question is leading. It should be thrown out.
- Allow homeowners to solve any issues. They are closer to the problems. Additional and costly enforcement rules come with lists of frustrations!
- I understand the concerns, but would prefer no action at this time. I recommend monitoring. It is my assumption the qty. of short-term permits will start to naturally reduce due to falling vacation home revenue. The COVID rental high is over.



- Capping permits creates a supply-side shortage, which will create a market for the existing permits. As such, any home with a permit will be more valuable than an identical non-permitted home, thereby creating a disparity in home values based on permit status.
- We're not aware of any issues in Kiwanda Shorts that require better enforcement as well. The status quo is working well. Most importantly, if a change is made, all current STR permit holders should be grandfathered and be able to keep their permit.

Comments on preference for county approaches

Q11. Under the current draft revisions to STR rules, the total number of annual permits would be capped at roughly current levels. Applicants who exceed the STR cap would be placed on a waiting list and would receive a permit when a permit becomes available. (Approximately 25% of residential properties in Pacific City have STR permits.) Which approach would you prefer the County to take? (comments continued)

- We believe the county's strategy is to use the cap and the new restrictions to methodically over a long period of time attempt to effectively eliminate STRs and at the same time give favor to the hotel industry. We believe the county will use their new restrictions in an abusive manner.
- Limiting STR permits is a restriction on our property rights, giving an advantage in potential property value to those who already have permits or are grandfathered in.
- None of the above! Leave us property owners and our rights as property owners alone! No cap, no enforcement. The taxes, license fees, and permit fees are already an insult that has been tolerated for too long. If any further action to restrict our rights to rent is made, we will sue first for an injunction and next for damages.
- There is no data to justify the imposition of caps on the number of STR rentals. Enforce rules, gather data, and then see if an STR cap is called for.



Comments on capping STRs in Pacific City

Q12. *Should the number of active STR permits in Pacific City be capped annually?*

- We do not believe a cap is necessary at this time ... but are not opposed to it in future regulation.
- I think caps create a lot of unintended consequences and don't address some of the issues that they intend to address. They might prevent some areas becoming majority rentals, which I understand.
- Perhaps it would be better to limit the number of rental homes to one per entity.
- I recommend restricting by neighborhood, not by total percentage. I would allow Kiwanda permit without cap.
- It is every property owner's right.



- Capping the number of STR permits issued just creates scarcity, which then generates numerous unintended consequences. If we are blocked from operating periodically as an STR, it will have significant financial consequence to my family and our ability to maintain the beach home.
- No caps as long as we enforce the rules and punish bad actors.
- The market should dictate the demand and the subsequent number of permits. Limits are arbitrary and don't solve the issues associated with STRs.



41

Comments on capping STRs in Pacific City, cont.

Q12. *Should the number of active STR permits in Pacific City be capped annually? (comments continued)*

- Capping the number of STR permits issued just creates scarcity, which then generates numerous unintended consequences. If we are blocked from operating periodically as an STR, it will have significant financial consequence to my family and our ability to maintain the beach home.
- No caps as long as we enforce the rules and punish bad actors.
- The market should dictate the demand and the subsequent number of permits. Limits are arbitrary and don't solve the issues associated with STRs.
- Cap should be slightly higher than current level.
- Again, don't have enough data and haven't heard the pros and cons for each position. Would like to learn more before advocating a position.
- The market will help regulate this on its own through natural arbitration. If there are too many STRs to support the need, some homes won't get booked, and it will become too expensive for owners to pay the fees involved, and they will let their permits expire.
- More analysis may be needed to determine what a "healthy" percentage would be based upon the long-term vision/goals of this community. In my own self interest, I'd like the opportunity to obtain an STR when I decide to develop my property.
- We believe a 25% gap is too low given how the county determines geographical neighborhood boundaries. It is unfair to neighborhoods populations that are sparse.

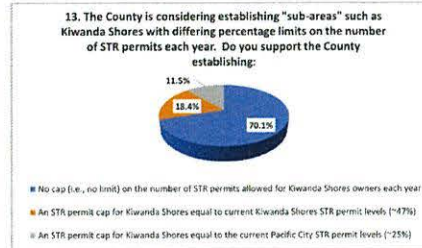


42

Comments on capping in Kiwanda Shores

Q13. The County is considering establishing "sub-areas" such as Kiwanda Shores with differing percentage limits on the number of STR permits each year. (Approximately 47% of property owners in Kiwanda Shores currently have STR permits.) Do you support the County establishing:

- I'm not sure I want the entire community to become STR-land. 47% is more than I would like, but I understand why owners want to help cover the costs of a second home. What I'm not in favor of is having commercial investors purchase homes specifically with year-round rental in mind (but how you restrict that is something else). Few people in Kiwanda Shores are living here year-round, and having caps or no caps won't change that.
- People should be able to use/leverage their own property as they wish. I worry that limiting/eliminating rentals will lead to "under the table" renting with less regulation and more disturbances.



- Individual owners should be able to support the cost of beach homes by sharing their home thoughtfully with renters. Emphasis should be on homeowners' rules to make that work for all.
- I think a cap on the number of nights available as a rental should be enforced. I don't support institutional ownership and using homes solely for STR revenue 365 days a year. Individual owners should be able to rent their homes for a portion of the year if they choose.



43

Comments on capping in Kiwanda Shores, cont.

Q13. The County is considering establishing "sub-areas" such as Kiwanda Shores with differing percentage limits on the number of STR permits each year. (Approximately 47% of property owners in Kiwanda Shores currently have STR permits.) Do you support the County establishing: (comments continued)

- Maybe closer to 65%, as this is a highly desirable vacation location.
- Capping STR limits in Kiwanda Shores will create an underground population of STRs that will not be subject to inspection. Owner-used houses don't have any regulations and often are more of a problem than STRs. We do not support a cap in Kiwanda Shores.
- Property ownership is the ultimate American right. If people behave badly, fix the behavior but don't take away property rights. It's un-American.
- I suggest a level of 50%.
- Again, not enough data. Some owners count on STR as an income/business source.

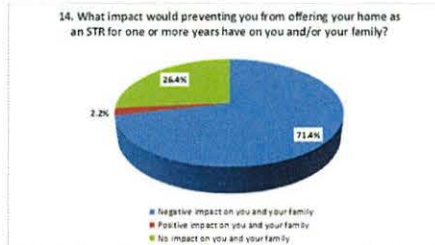


44

Comments on impact of not being able to rent

Q14. *What impact would preventing you from offering your home as a short-term rental for one or more years have on you and/or your family?*

- We would probably have to sell the house—I would imagine at a loss if the county took such action.
- This may change in the future, but we are not renting at present.
- We need the rental income to help pay for the mortgage payment and utilities. We have a son going to college soon and an aging mother to care for. We simply can't afford not to rent our home as a STR. We wouldn't be able to afford to rent it out as a long-term lease because the mortgage is too high, and it would cost us money to be a long-term landlord.
- Severe financial impact on our family.



- I would have to sell the home I have enjoyed for 32 years. I live on SS and savings. I use rental proceeds to maintain the home and pay for help to maintain it. I now have to replace my roof and work on the deck, a French door on the ocean side needs replacing, a picture window has broken, the side door framing rotted, and my bathroom and kitchen lighting needs updating. I only rent to maintain my home and its wonderful view. It would be a tragedy to my greater family and renters who have become friends if I could not maintain it with rental proceeds.



45

Comments on impact of not being able to rent, cont.

Q14. *What impact would preventing you from offering your home as a short-term rental for one or more years have on you and/or your family?*

- Being blocked from renting would have a negative impact on our ability to maintain our home. If we were forced to rent the home on a long-term basis in order to remain financial viable, our family would have to rent from another family/home when we visited in order to enjoy Kiwanda Shores. That would make no sense.
- This would ruin our family financially. Devastating.
- After over 20 years of home ownership in PC, I finally decided to put my home in the rental pool, only to find that permits have been suspended. I would like to make improvements to my home, but cannot without rental income.
- As mentioned, we purchased our property and completely remodeled it to generate retirement income.
- It would be devastating.
- If I can't rent, I can't build on my lot.
- Less \$ for upkeep. Still not selling.
- Financial impact!!
- No current impact, but definitely lowers our property value when we go to sell as most people would want our oceanfront home to be an STR.
- We would no longer be able to afford to keep our home without short-term rental income and would be forced to sell it.
- We built our home depending on the ability to rent the home as an STR until we reach retirement age and can move to PC full-time. If our STR permit is taken away from us, it would have an extreme impact on our finances.
- Second home would become financially infeasible or could lead to lack of necessary maintenance on the home over time.
- We would struggle to keep the house maintained, have eyes on things that need repair, etc. Our house would sit vacant. We will not sell. It is our vacation home. Our home would be vulnerable to squatters and vandalism and could have a negative impact on the neighborhood.



46

Comments on impact of not being able to rent, cont.

Q14. What impact would preventing you from offering your home as a short-term rental for one or more years have on you and/or your family? (comments continued)

- We would be forced to sell our business investment and family home.
- We would lose our house and have to sell it.
- I would have to sell it.
- It would have a huge impact on our family. Our house is essentially a small business that we are using to provide for our retirement. We would be forced to sell our home immediately if we could not rent it.
- Probably will not develop without the STR option.
- Retirement income.
- I would not be able to properly maintain the property in a manner that I would like and would seriously consider selling the property.



47

Comments on waiting list if cap imposed

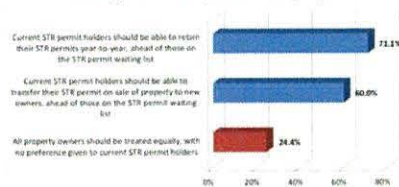
Q15. If the County imposes an annual limit on the number of STR permits allowed and places on a waiting list applicants who exceed the cap, please check all options with which you agree. (Other responses appear below.)

- The proposed system for rotating people on and off the list is just bureaucratically insane. However, I don't think people should be able to transfer STR permits to new (non-family/inheritance) buyers; this artificial inflation of homes with permits warps the marketplace, as we've seen already. Given the moratorium and the inevitable-seeming caps, it's hard to see how those in line will ever get a permit.
- Bookings for summer are often the same family for the same week. It would be unfortunate for people to have vacations canceled because someone sold the house.



48

15. If the County imposes an annual limit on the number of STR permits allowed and places on a waiting list applicants who exceed the cap, please check all options with which you agree.



- Everyone should be able to do whatever they want with their property, as long as it does not harm anyone or anything.
- There should be no preference. All should be allowed to rent even without a permit.
- Many current STR permit holders likely purchased their home in Kiwanda Shores based on the fact that they could help offset the expenses with revenue from STR, and that they could transfer the permit on the sale of property to new owners.

Comments on waiting list if cap imposed, cont.

Q15. If the County imposes an annual limit on the number of STR permits allowed and places on a waiting list applicants who exceed the cap, please check all options with which you agree. (Other responses appear below.) (comments continued)

- Allowing current STR holders to retain their permits or sell them to new owners would have a seriously negative impact on my ability to maintain my home. The longer I would have to sit on the waiting list, the worse it would be. Retaining or transferring STR permits tries to address one problem (the loss of an STR permit for current holders) by taking it from another group (the 75% of Pacific City home owners who do not currently rent their homes on a short-term basis but may want to in the future).
- Just an FYI, we would be on the waitlist.
- We'd prefer to be able to include it if we were for some reason forced to sell the property. But it is our goal to keep the home in the family for future generations to enjoy. So transferring the permit within the family is extremely important.
- If property is sold, they go to bottom of list for a permit.
- Anyone who currently has a permit should be grandfathered in, and all rules should only apply to future buyers in the area.
- We plan on passing our house to our kids and don't want it to be a burden to them to maintain. They should be able to inherit and keep it as an STR.
- If a house is for sale and can't get an STR permit, it would lose 15-30% of its value, which would then affect the rest of our values and affect how we all get loans on our properties. The consequences of not allowing STR permits would be huge and devastating and be far reaching beyond what we would imagine and affect the economy for years to come.
- Part of the value of these properties is that they have a STR permit. If that is taken away, it devalues the property.
- If you have a permit you should keep the permit, unless the STR has had many unresolved or repetitive complaints associated with it. Then perhaps permits could be revoked.



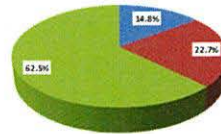
49

Comments on limiting rental nights as alternative

Q16. As an alternative to capping the number of STR permits issued annually, if the County were to implement STR restrictions, would a limit on the number of STR rental nights per permit be preferred to a cap on the number of STR permits?

- Different areas have very different occupancy rates.
- I wonder if this is really proposed as an alternative. I suspect it may end up being both, to satisfy those who oppose STRs unilaterally.
- Airbnb does not allow a cap on nights, and this would hurt our business. We need to rent it enough nights to meet our mortgage payment.
- Yes, as long as the number of rental nights per STR were set at at least 200 nights a year.
- This might be viewed legally as a taking and open the door to litigation. Hopefully we can avoid that.
- Yes, as stated in one of my previous answers!

16. As an alternative to capping the number of annual STR permits, would a limit on the number of STR rental nights per permit be preferred?



- Current and future owners are either going to rent out their place for STR or they are not. Capping STR is not going to create long-term rental opportunities.
- We don't support caps, but a cap on number of rents per year vs. no permit would be better so that we could still maintain the home and pay utilities.



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Comments on limiting rental nights as alternative, cont.

Q16. As an alternative to capping the number of STR permits issued annually, if the County were to implement STR restrictions, would a limit on the number of STR rental nights per permit be preferred to a cap on the number of STR permits? (Comments continued)

- I'm not sure what this is trying to accomplish. More vacant houses or less tourists. The result is less money to the county and fewer customers to local businesses. A responsible STR is not a bad neighbor. Strategically getting rid of poorly managed STRs would go much further to accomplishing livability. We could end up with the problem STRs with permits. I'm in favor of preferential treatment to locally managed STRs. I think it's a win-win, as it creates local employment opportunities and quick responses to any issues.
- As a second choice option, the nightly limit allows more owners to have the right to use their property in their preferred manner.
- Again, would like to hear the pros and cons.
- This is an ineffective solution, because nearly all STR get most of their nights in June-September anyway. All that would do is create fewer places for people to stay in the other months, which would hurt local businesses even more.



STR Permits Available with Election Certification

News Release Date

06-08-2023

June 8, 2023 (Astoria, OR) — Clatsop County is accepting new and renewing short-term rental applications for unincorporated Clatsop County beginning Monday, June 12.

Ordinance 22-05 was approved by the Clatsop County Board of Commissioners in June 2022, allowing STRs in 16 zones in unincorporated Clatsop County. The ordinance was put on hold due to Referendum 4-221. When the May 16, 2023 election results were certified on June 8, Ordinance 22-05 went into effect. The Assessment and Taxation department will start accepting and processing STR applications on Monday, June 12.

Clatsop County ordinance requires STR owners to follow the Clatsop County Good Neighbor policy and all health and safety standards. Local residents have a process to forward potential STR violations to Clatsop County Code Enforcement.

New or renewal applications will be issued if all applicable county taxes are paid in full.

New and renewing permits are issued for a two-year period.

STR permit renewal applications may be submitted up to 60 days before the permit expires.

New and renewing STR applications are available at the Clatsop County website. Contact the Clatsop County Assessment & Taxation Department at 503-325-8522 for more information.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: kristy johnson <northbendbungalows@gmail.com>
Sent: Monday, June 12, 2023 9:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Kristy & Jon Johnson
34545 Cape Kiwanda Drive, Pacific City

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Mark Shifflett
48900 US-101 S., #303 Neskowin, OR 97149
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Mark Shifflett and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

After buying a vacant lot in Manzanita in the 1980's and paying Tillamook County property taxes for over 30 years , I was lucky enough to buy our dream condo in Neskowin - My family has owned this property since 2020. My Family love the fact that people that want to enjoy and experience the Oregon Coast in an affordable Condo, and can do so without restrictions of limited times available , and be afforded the same freedom exploring the coast my family has loved for so many decades . .

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact are unlawful
- Restrictions on operations, such as reducing occupancy, are unlawful

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely, Mark Shifflett

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:46 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: nate Castillo <natecastillo101@gmail.com>
Sent: Monday, June 12, 2023 9:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Nate& Minerva Castillo

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Pam Kniffin <pamkniffin1@gmail.com>
Sent: Monday, June 12, 2023 10:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

I am a home owner in Tierra Del Mar. I have rented for 4 years with no complaints. The current restrictions you are considering will harm my ability to rent my home. I ask you please to stop and consider the current homeowners who have never caused the county to think you need to add these restrictions.

Thank you,

Pam Kniffin, 5755 Austin Ave, Cloverdale

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Barry Wester <barrywester@gmail.com>
Sent: Monday, June 12, 2023 10:08 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,

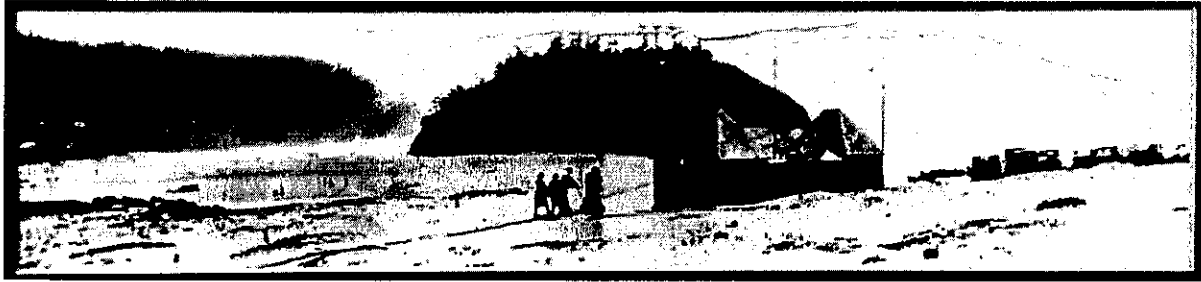
Please consider this as my support of Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Beyond protecting property rights, vacation rentals facilitate bringing tourists to the county. There is clearly a need for this type of lodging, which support the businesses that are integral to the economy of Tillamook County.

Thank you for your consideration.

Respectfully,

Barry Wester



Late 1920s - Neskowin Bath House

Tillamook Board of County Commissioners:

June 12, 2023

This is a personal public comment & not on behalf of any group.

As a homeowner in Neskowin, I have serious concerns about the draft of a new STR ordinance. I have given ample time and consideration to the public process, but have not heard important concerns addressed. As an active member of the Short-Term Rental Advisory Committee, we had thoughtful conversations of the topics chosen by the county, but we were repeatedly not provided factual information as requested. The STRAC never voted on the draft as a whole, and only voted on select individual components. The draft ordinance is unorganized, and has several incongruous or vague regulations, in addition to the legal issues shared by multiple attorneys. I welcome the opportunity for a more in-depth review.

My home has been shared with the public since it was built as the original public bath house in Neskowin, nearly 100 years ago. It has historically always been a seasonal home shared with vacationers. I should never have to worry that our cottage may lose the right to be an STR simply because of a cap, lapse in permit, or elimination of permit due to arbitrary rules. My home has never had anything other than seasonal use by owners & visitors. I understand the goal is "growth management" at the moment, but in the future, if the county decides to reduce the number of STRs, then mine will not be protected if permits are replaced with licenses as proposed.

Out of my twenty closest neighbors, there is one full-time resident who moved to Neskowin 10 years ago. My STR is not changing the character of the neighborhood negatively. My STR brings character to our neighborhood. I have never received a complaint from a neighbor. Neskowin had ZERO violations in 2019, 2020, 2021, & 2022.

Through the years I have made significant investment in restoring my cottage & grounds with three stages of renovations, all with local contractors. If my home is not able to continue as an STR, then I will incur significant economic loss.

STR owners have been responsive, respectful, and have made good faith efforts to collaborate. Every single step STR owners have taken, has been in response to others. The narrative of STR owners being greedy outsiders is tiresome and simply not accurate. I value balanced regulations and I want to see our communities thrive. We need to bridge the gap to bring people together with a clear understanding of both the benefits and concerns with STRs which welcome visitors from around the world to the Oregon Coast.

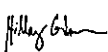


STR permits need to be legally allowed to continue with transfers as long as three conditions are met:

1. The STR Permit must be renewed annually
2. The STR may not increase maximum occupancy
3. The STR meets basic fire & life safety requirements in Ordinance #84 Amendment #1

New licenses may follow new regulations, provided those regulations are fair & balanced.

The American Home Magazine
February 1948
"25 Pages - Vacation Homes from Coast to Coast"


Hillary Gibson

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Kristy & Jon Johnson
34545 Cape Kiwanda Drive, Pacific City
Tillamook County Landowner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Kristy Johnson and I am a Tillamook County Landowner and Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family purchased a piece of land in Pacific City in 2021 and moved quickly to build a new vacation home with the plan for us to move to Pacific City and live full-time in 9 years, once we retire. We obtained our building permit in 2022 and once approved began our build. During this time we also applied for a STR permit ahead of the pause being put in place. Our application was rejected as the home was still under construction. Through it all we have had to deplete our family savings and tap into our retirement account to get this build across the finish line. Our game plan when we purchased the land was to build our family vacation home with the intent to obtain a STR permit from the County in order to help pay the carrying costs (mortgage and recoup retirement funds) until we are able to move to Pacific City full-time. While I would love to retire and move to Pacific City now, the fact of the matter is my husband is disabled and I need to keep working for another 9 years to ensure we have medical insurance before he is age eligible for Medicare.

We hereby ask and plead with the County to allow STR permits for landowners who had approved building permits on record, and construction underway. Without consideration I'm afraid this new ordinance will force our family into economic hardship that we will not be able to recover from.

These are my top 3 general concerns:

- Provisions to lose property rights over a licensing lapse are unlawful
- Property owners cannot lose property rights solely based on conduct of someone else.
- Any classification of STRs as commercial or business use is not accurate - STRs are residential use.

These are my top 3 operational specific concerns:

- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

- Requiring an annual septic inspection is excessive and cost prohibitive.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Kristy Johnson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: David Higley <dhigley@gmail.com>
Sent: Monday, June 12, 2023 10:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
David Higley

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast

From: Scott Manning <scottjasonmanning@gmail.com>
Sent: Monday, June 12, 2023 10:49 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & 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.]

Subject: The Impact of Limiting Short-Term Rentals on Access to the Oregon Coast for Minorities and Low-Income Individuals

I am a sixth generation Oregonian. Ancestors on my mother's side first settled in the Willamette Valley in 1847 with my fathers family arriving shortly thereafter in 1852. As a true Oregonian, one thing I have always been proud of is our states policy on providing unfettered public access to our beaches. I find the concerted effort to restrict access to Oregon beaches, primarily through the limitations of Short Term Rentals, very troublesome.

The Oregon coast is renowned for its natural beauty, pristine beaches, and vibrant communities. It serves as a cherished destination for residents and visitors alike, offering opportunities for relaxation, recreation, and a connection with nature. However, restrictions on short-term rentals will inadvertently create barriers to access, particularly for marginalized communities and individuals with limited financial means.

Short-term rentals provide an affordable and flexible option for people who wish to experience the coastal lifestyle without the burden of high property costs. By renting accommodations for shorter durations, individuals who may not be able to afford long-term coastal living can still enjoy the beauty and benefits of the Oregon coast. Limiting short-term rentals disproportionately affects those who face financial constraints that prevent them from owning property in the area.

Limiting the number of short term rentals will only create more demand, and therefore, higher costs of accommodations at the coast. These high costs will place additional burdens on those who already find it challenging to find reasonably priced accommodations.

Access to the Oregon coast is not just about leisure and recreation; it is also about ensuring equal opportunities for all individuals to experience the beauty and tranquility of our coastal communities. Limiting short-term rentals perpetuates socio-economic disparities and restricts access to these unique coastal experiences. It unintentionally creates a divide between those who can afford long-term coastal living and those who cannot, effectively excluding minority populations and low-income individuals from enjoying the benefits of our coastal regions.

It is important to acknowledge that responsible regulations can address any concerns related to short-term rentals, such as noise, parking, and maintaining the character of residential neighborhoods. Implementing fair

and reasonable guidelines that address these concerns while still allowing access to short-term rentals can strike a balance between preserving the integrity of communities and ensuring equitable access for all.

In addition to the negative financial impact on visitors, I am equally concerned with the negative effects on local labor employment. When short-term rentals are restricted, there is a decrease in demand for services such as cleaning, maintenance, and property management, which were previously required to support the operation of these rentals. As a result, individuals who were employed in these roles may experience reduced job opportunities and income. Furthermore, the local economy may suffer as fewer tourists choose to visit the area due to limited accommodation options, leading to a decline in hospitality and tourism-related employment. In turn, this can have a cascading effect on other businesses that rely on tourism, such as restaurants, shops, and entertainment venues, further exacerbating the negative impact on local labor employment.

By promoting inclusive policies that encourage a diversity of visitors to the Oregon coast, we foster a sense of community and strengthen the social fabric of our beach communities. Everyone, regardless of their background or financial circumstances, should have the opportunity to enjoy the natural wonders and cultural experiences that the Oregon coast has to offer.

I kindly urge you to consider the potential impacts of limiting short-term rentals on access to the Oregon coast, particularly for minorities and individuals who are economically disadvantaged. Let us work together to find a solution that ensures equitable access to our beautiful coastal communities while addressing any concerns associated with short-term rentals.

Thank you for your attention to this matter. I trust that you will consider the importance of promoting inclusivity and access to the Oregon coast for all individuals.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Oregon Coast & STRs

From: S M <newgtwo@gmail.com>
Sent: Monday, June 12, 2023 10:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Oregon Coast & 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Annie Manning
48790 Breakers Blvd, Neskowin Oregon 97149
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Annie Manning and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2019. Our home is ocean front and with a limited number of oceanfront homes (or hotels) available for rent in Neskowin (and I assume the rest of the county, I am concerned county restrictions will make it difficult for many people to reasonably rent oceanfront homes. Limiting the number of available rentals only creates a larger divide between the haves and the have nots.

These are my top 3 general concerns:

-
-
- Property owners cannot lose property rights solely based on conduct of someone else.
-
-
-

- Restrictions on growth aimed at
- existing permit holders are unlawful
-
-
-
- No evidence to support restrictive
- new regulations - only 9 violations in 4+ years
-

These are my top 3 operational specific concerns:

-
-
- 24/7 Contact Person - The immediate
- response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online
- registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-
-
-
- Provision is needed to protect STRs
- from harassment via unfounded complaints.
-
-
-
- Requiring an annual septic inspection
- is excessive and cost prohibitive.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Annie Manning

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment on Draft Ordinance 84 Ammendments

From: Carol Horton <cmg.horton@gmail.com>
Sent: Monday, June 12, 2023 11:11 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment on Draft Ordinance 84 Ammendments

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

Dear Tillamook County Commissioners-

Thank you for this opportunity to comment on the most recent STR draft ordinance. I support the comments and legal concerns submitted by Oregon Coast Hosts.

My name is Carol Horton and I have a Short Term Rental permit for the home I own at 1690 Portland Avenue in Oceanside.

This property has been in my family for over 40 years. Oceanside has always been a vacation destination since it was founded 100 years ago and should continue to be a place that welcomes visitors who love the Oregon coast. My grandfather fell in love with Oceanside during vacations when he was a young man and bought property from the Rosenbergs in 1928. He vacationed on his "camp lot" until he retired and moved to Oceanside in the early 1960's. (His home is now a Bed and Breakfast.) My father built his vacation home next door on some of his father's property in the early 1980s. My parents spent summers there during retirement and rented to friends during the winter. I now own this home and have both rented and visited since 2001. The vacation rental of my home is a long-standing use and is a property right I do not want to lose.

These are my top 3 general concerns with the current STR draft ordinance:

- Replacement of current permits with licenses
- Restrictions on transferring property with the STR permit intact
- Provisions to lose my STR permit over a licensing lapse or due to a visitor's actions

These are my top 3 operational concerns:

- Noise: Tillamook County needs a noise ordinance that applies to everyone, not just STRs. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. For example, a car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.

- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually. Detailed information and labeling as a STR may invite vandalism and trespassing, especially in places where the home is not visible from the public right of way.
- Requiring sleeping areas to have either a closet or clothing organizer is outside the scope of STR regulations.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Carol Horton

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Tillamook County STR

From: Leah Murakami <leahmurakami@gmail.com>
Sent: Tuesday, June 13, 2023 1:12 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
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.]

I purchased my home in Neahkahnie in 2021 with the intent to rent it out as a short-term vacation rental until I am able to live there full-time. The decision to purchase this home was based on the existing STR rules and regulations. To change these rules now after I have invested the majority of my retirement savings on this home would be cruel and unjust.

If I am unable to rent out my home as a STR, it would impose a significant financial burden. For many homeowners like myself, short-term vacation rentals provide a vital source of income during our transition into retirement. The discontinuation of this income stream would jeopardize our ability to afford the home, leaving us financially strained and with an uncertain future.

Also...STRs help the local economy. By attracting tourists and visitors, they stimulate local businesses, restaurants, and shops, creating a multiplier effect that benefits the entire community.

Thank you for your attention to this matter. I would welcome the opportunity to discuss this further and provide any additional input.

Leah Murakami

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: susan prulhiere <nancyslookout@gmail.com>
Sent: Tuesday, June 13, 2023 2:15 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Thank you,

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support coast vacation rentals for Oregon families

From: Craig Pratt <craig@zpratts.net>
Sent: Tuesday, June 13, 2023 3:22 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support coast vacation rentals for Oregon families

[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 previously shared our story of how our family was able to afford our dream of having a home in Oceanside by remodelling a non-permitted duplex. We invested significantly in the property with our savings and time and went through the county permitting process to make it a legal duplex and short-term rental. From the beginning, we knew that renting to vacationers was the only way we could make the math work.

A recent talking point short-term rental opponents are using is "short-term rental owners are just in it for the money".

Well unfortunately, having a home at the coast *does* cost money. And not only does our vacation rental income allow *us* to afford our dream by helping with the mortgage, it also allows the many people who *can't* afford to own a house at the coast - predominantly other Oregonians - to experience the Oregon coast.

If short-term rentals permits or licenses are difficult to get, difficult to keep, and are not transferable, families like our's will not be able to justify investment in their properties or make ends meet. This will have a predictable outcome - and it definitely *will* be about money: Owners will eventually become those that can afford giant houses that they can keep empty most of the year - and many will be from out of state. This is bad news for Oregon families, bad news for local businesses, and bad news for the hard-working locals that support vacationing.

For those that want their own private neighborhoods, they should feel free to start one. But the traditional Oregon coastal communities have always been for families and visitors and vacationing. Let's address the very few problem areas in vacation rentals in Tillamook County and not set wheels in motion that will make the coast out of reach for everyday people. It's hard enough to afford as it is.

Thank you very much for your time. And sorry we couldn't be there in-person today.

Craig & Shahnaz Pratt (and family)
Owner/operators of *Skipper's Retreat*

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Ken Kozman <fatkenny@gmail.com>
Sent: Tuesday, June 13, 2023 5:24 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

Our family has owned a vacation home which we use as an STR for almost 7 years. It was the STR nature of the property which allowed us to afford to own the property.

We love coming to the coast and love being able to rent our home out for others to enjoy as well. We try to both be a connected part of the local community (volunteering when we can) as well as doing our best to support local businesses.

We hope that the Commisioners consider family's such as ours.

Thank you,

Ken Kozman

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Shiara Powell
35755 Sunset Drive, Pacific City, OR
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Shiara Powell and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2020. We are long time visitors of Bob Straub State Park. We ride horses regularly there and purchased this property so we could make our day trips over night trips. When we made the decision to purchase the property we confirmed with Tillamook County that we would be eligible for an STR prior to starting construction. Being able to STR the home when not used by our family motivated our decision to make the financial investment. Otherwise, it is a bit too expensive for our family just to have as a vacation home with no rental income..

These are my top 3 general concerns:

- Restrictions on growth aimed at existing permit holders are unlawful
- Vacation rentals have always been allowed in Tillamook County
- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels

These are my top 3 operational specific concerns:

- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide "highest and best" use.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Shiara Powell

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Lucy Neilson Hanson <lucy@foodstylistlucy.com>
Sent: Tuesday, June 13, 2023 6:36 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Thank you,

Lucy Hanson
5880 Roma Ave
Cloverdale

--

Lucy Neilson Hanson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Becky Wethern <beckyatthebeach1@gmail.com>
Sent: Tuesday, June 13, 2023 7:10 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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,

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,
Becky Wethern
STR owner in Cloverdale, OR

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 7:48 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Janell Weeks <sundowndolphin@gmail.com>
Sent: Tuesday, June 13, 2023 7:39 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Thank you,
Janell Weeks

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Neil Burniston
38225 Northfork Rd Nehalem
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Neil Burniston and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2021. Our home is located in a very hard to find location that's waterfront on the Nehalem River with a dock and river access. Without having the home as an STR, most people would never be able to experience the beauty and recreational activities of living on the waters edge. We get regular feedback from people who enjoy boating, fishing, crabbing, kayaking and nature watching with their friends and family. It's the kind of place that everyone should be able to experience at least once in their life but can only happen by allowing a homeowner to offer their home as a short term rental.

These are my top 3 general concerns:

- Restrictions on transferring property with the STR permit intact are unlawful
- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide "highest and best" use.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Neil Burniston

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:11 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comment regarding new STR regulations

From: Ken Willett <ken.willett@gmail.com>
Sent: Tuesday, June 13, 2023 8:01 AM
To: Public Comments <publiccomments@co.tillamook.or.us>; Mary Faith Bell <mbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Comment regarding new 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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Kenneth Willett
25820 Beach Drive, Rockaway Beach OR
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Kenneth Willett and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there will most certainly be litigation.

My family has owned this property since 1986. Our family built this house and have used it ourselves for over 35 years, in addition to providing it to others and sometimes renting it..

These are my top 3 general concerns:

-
-
- Replacement of current permits with licenses, which are a land use action and will undoubtedly result in significant litigation costs to the county.
-
-
-

- Property owners cannot lose property rights solely
- based on conduct of someone else. Serious problems with STR guests should be addressed in the same way they would be if they were long term renters.
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- State building code prohibits forcing historic buildings to “come up to code”.
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These are my top 3 operational specific concerns:

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- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually. Signage issues should not be considered the same severity violation as garbage, parking or noise. Homeowners should be allowed to post this information online and link via a visible URL or QR code on the sign.
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- Requiring exterior lighting to direct downwards requires a modification contrary to state building code. Lighting is often a safety feature for guests in an unfamiliar place to prevent trips & falls. Motion sensing lights should be allowed if they light a limited area.
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-
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs? We live in a beach front zone and a large percentage of homes are STRs because of demand.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Kenneth Willett

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:11 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Rachael Winters <rdwinters22@gmail.com>
Sent: Tuesday, June 13, 2023 8:02 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Rachael Winters

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:14 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Bev Bachmayer <bbachmayer@yahoo.com>
Sent: Tuesday, June 13, 2023 8:10 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Beverly Bachmayer

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Support for all comments and legal concerns submitted by Oregon Coast Hosts.

From: Bev Bachmayer <bbachmayer@yahoo.com>
Sent: Tuesday, June 13, 2023 8:17 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Support for all comments and legal concerns submitted by Oregon Coast Hosts.

[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
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Beverly Bachmayer
35100 Sunset Drive
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Beverly Bachmayer and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2017. as a long time Oregonian (since 1979) I had searched for a beach house for my family in either Pacific City or Neskowin. We have had a STR permit since March of 2019, we have never had a violation or even a complaint about our renters. This property is our second home and I dream of being able to afford to stay there full time. We hope to have it long enough for my grandchildren and great grandchildren to enjoy..

These are my top 3 general concerns:

- Restrictions on transferring property with the STR permit intact are unlawful
- Provisions for violations and loss of license are unconstitutionally vague and unclear because they are not specific about which circumstances will cause a loss of property rights.
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- The bedroom minimum size requirements run afoul state building code requirements for historic structures.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Beverly Bachmayer

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:28 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Ordinance 84

From: M BARNES-TERRERI <mariasangria@msn.com>
Sent: Tuesday, June 13, 2023 8:20 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR Ordinance 84

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

Thank you commissioners and public officials for considering my comment. I have an image in my mind from Mother's Day weekend of my almost two year old granddaughter taking her first steps in sand in Neskowin.

She is the fifth generation to share our love of the place where land meets sea in our family home, overlooking the Pacific.

In the last few years, we've been able to replace our roof, make repairs to our fireplace, and install new fencing, allowed, in part, by rental income as a Short Term Rental.

The majority of our guests are respectful, thoughtful, and share our love of the local area.

New provisions, as described in Ordinance 84, would hold our guests to a different level of behaviors than local residence. Issues with lighting, sound, and barking dogs, while no such expectations exist for full time residents seems discriminatory and singles out "us" from "the outsiders". Additionally, there appears to be no way to vet these concerns, by an objective and local entity, available at the time of the occurrence. Property owners, or their families, potentially, could be occupying the home at the time of the "violation", reported as a renter.

Creating one set of rules, for visitors who choose to rent STRs, and another for residents, potentially creates further community division. Furthermore, if these matters are compromising the quality of life in Tillamook County, why are they not applied to all residents in the county?

Our residents are divided over this matter, neighbor pitting themselves against neighbor. I believe that your proposed ordinance will further create division and a tool for resentful anti-STR individuals to retaliate against their neighbors who are permitted STR owners.

I appreciate your consideration.

Maria McGarry-Barnes

5260 Grandview Street
Neskowin, OR 97149

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Nate Lindell
4390 Blue Heron Way Neskowin, Oregon 97149
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Nate Lindell and I am Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

September 2022, I purchased my property as a “like-kind” exchange investment under IRC Section 1031. The IRS rules for a vacation rental property are very simple and very clear. During the first two 12-month periods after the exchange, you must rent the property for more than 14 days per year, and you use it for fewer than 14 days per year—and no more than 10% of the nights rented. Restricting and/or eliminating short term rental permits is directly discriminatory against business investors such as myself and is conflicting with IRS rules. In short, I own a seven-figure investment property that Tillamook County has deemed unavailable to the public and myself 351 days per year. In closing, after following the STR topic since last year, I still don’t understand the WHY of the pause and the redrafting of the current ordinance with only 9 violations in over 4 years and a 1% cap is very arbitrary. Seems like a fix looking for a problem. .

These are my top 3 general concerns:

- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Property owners cannot lose property rights solely based on conduct of someone else.
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- Provision is needed to protect STRs from harassment via unfounded complaints.
- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn’t it better that STRs only have negative effects on other STRs?

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Nate Lindell

Nate Lindell

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 8:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Comment in opposition to STR draft changes
Attachments: Schulte 6.23 Tillamook County STR public comment letter.pdf

From: Hedio Schulte <hedieschulte@gmail.com>
Sent: Tuesday, June 13, 2023 8:38 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Comment in opposition to STR draft 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.]

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Hedio Schulte
7890 2nd St, Rockaway Beach
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Hedio Schulte and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since the early 1990's. We have owned property in Watseco since 1974. I spent my summers there growing up. My children did the same. We love our vintage family beach cabin (It was built in 1910). We have used it as a Short Term Rental for the past few years so we could afford to do the maintenance that was deferred as my grandparents (the original owners) aged. Doing so has allowed us to replace the roof, gutters, and exterior shingles. We have also added insulation and new windows and removed a diseased tree from the property. .

These are my top 3 general concerns:

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- Proposed draft discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.
-
-

-
- Property owners cannot lose property rights solely based on conduct of someone else.
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-
-
- Replacement of current permits with licenses
-

These are my top 3 operational specific concerns:

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-
- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
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-
- Parking: owners can not enforce rules against parking on public streets
-
-
-
- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually, may violate HOA rules, may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

-Hedie

Hedie Schulte
 541-924-1558
HedieSchulte@gmail.com

June 13, 2023

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Hedio Schulte
7890 2nd St, Rockaway Beach
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Hedio Schulte and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since the early 1990's. We have owned property in Watseco since 1974. I spent my summers there growing up. My children did the same. We love our vintage family beach cabin (It was built in 1910). We have used it as a Short Term Rental for the past few years so we could afford to do the maintenance that was deferred as my grandparents (the original owners) aged. Doing so has allowed us to replace the roof, gutters, and exterior shingles. We have also added insulation and new windows and removed a diseased tree from the property. .

These are my top 3 general concerns:

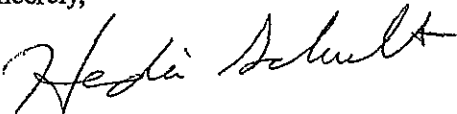
- Proposed draft discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.
- Property owners cannot lose property rights solely based on conduct of someone else.
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- Buffers are a problematic and inherently inconsistent tool: if STRs are a nuisance to permanent residents, and one street is all STRs, isn't it better that STRs only have negative effects on other STRs?
- Parking: owners can not enforce rules against parking on public streets
- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually, may violate HOA rules, may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,



Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 9:10 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Eileen M Crimmins <crimmin@usc.edu>
Sent: Tuesday, June 13, 2023 8:53 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Eileen Crimmins

Sent from my iPad

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 9:10 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Mary Folberg <mfolberg@nwacademy.org>
Sent: Tuesday, June 13, 2023 8:54 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,



Mary Vinton Folberg
Founder/Emeritus Head of School

Northwest Academy | www.nwacademy.org
1130 SW Main St., Portland, OR 97205
503-804-0485 |

mfolberg@nwacademy.org



Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 9:53 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Mike and katie Erickson Public Comment

From: High Style Vacation Homes <office@highstylevacahomes.com>
Sent: Tuesday, June 13, 2023 9:50 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Mike and katie Erickson Public Comment

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To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Kathleen Erickson
49664 Surf Neskowin OR 97149
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Kathleen Erickson and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2017 (approximate). I do not agree the STRs are a problem in the community. Neskowin has always been a tourist destination, it is not a retirement community. We STRICTLY enforce the current ordinance and voluntarily reduced our maximum occupancy. We comply with all current regulations and do not agree that there are violations that warrant new restrictions or reduce the number of STRs. Guests are respectful and grateful to be in this community and treat it with respect. Any regulations on guests or STVR should also apply to all community members. .

These are my top 3 general concerns:

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- Replacement of current permits with licenses
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-
- Restrictions
- on operations, such as reducing occupancy, are unlawful
-
-
-
- No evidence to support
- restrictive new regulations - only 9 violations in 4+ years
-

These are my top 3 operational specific concerns:

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- Revocation for 3 or
- more verified violations of ANY local ordinance, state or federal regulation within a 12-month period
-
-
-
- Provision is needed
- to protect STRs from harassment via unfounded complaints.
-
-
-
- The maximum occupancy
- fails to account for unique, over-sized properties where short term rental is the bona fide “highest and best” use.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Kathleen Erickson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 9:58 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Amanda Wright <amandawright1337@gmail.com>
Sent: Tuesday, June 13, 2023 9:58 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,
Amanda Wright

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Amanda Wright
26265 David Ave Rockaway Beach OR 97136
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Amanda Wright and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2017. Buying an ocean property was a childhood dream of mine that I was able to make come true in 2017! It's not just a rental, but a home away from home that we bring our 3 kids and extended family to; 2-3 times a year. The community has become our second family over these past 6yrs but having it as a rental allows us to share this with our guests (some have been renting from us EVERY year since we've owned it) and continue making wonderful memories, both in which if the county wants to restrict that or gain even more control over our property, would be an immense amount of government overreach and one that I do not support. We don't make an income off this house, renting it out merely allows us to SUSTAIN this property after paying all deductions and having people attempt to constrict that even more is absurd..

These are my top 3 general concerns:

- Discriminates against renters, and is driven by bias and prejudice against people who do not own their own beach house.
- Vacation rentals have always been allowed in Tillamook County
- Provisions to lose property rights over a licensing lapse are unlawful

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- The maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide "highest and best" use.
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

BRUCE A. BISHOP

June 13, 2023

Tillamook County Board of Commissioners
County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141

Dear Commissioners:

Thank you for the opportunity to comment on the draft ordinance regulating short-term rentals in unincorporated areas of the county. My wife and I are co-owners of a single-family dwelling in Neahkahnie. We do not have a STR permit and do not intend to obtain one. I have followed the STR advisory committee throughout its deliberations and have commented previously, both in writing and orally, on my concerns with the current and proposed ordinances.

At the outset, I would like to express my appreciation for the involvement of Director Absher and Mr. Kearns, as well as Commissioner Skaar, in the ways they have contributed professionally to the draft ordinance now before you. Overall, I support the draft ordinance as a significant improvement in the county's regulation of STRs.

There is one major caveat to my unqualified support of the draft.

Your draft findings contain the following item:

.020 Purpose and Scope.

A. This Ordinance provides reasonable and necessary regulations for the licensing of short-term rental use of residential dwelling units, the purposes of which are to:

.....

2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.

I strongly recommend that this goal be deleted for the following reasons.

First, there's no reason the county should strive to balance livability concerns with ". . . the rights of property owners to use their property as they choose." Property owners, whether they build or leave their land vacant, or use their properties for short-term rentals or not, have no right to "use their property as they choose." There's no balancing act to be achieved in that regard. This finding is an open invitation to future litigation.

The county's primary obligation is to promote the health, safety, and well-being of all of its residents through reasonable regulation. While the draft ordinance makes many substantive improvements to the county's current regulation of short-term rentals, it should not be a county goal to give property owners a pass on having to comply with state or local regulations.

Second, as I've previously testified, county law already recognizes Neahkahnie as a community where commercial activity is not allowed. This ordinance should not suggest that those restrictions are being overridden to allow short-term rentals.

The main access to much of the Neahkahnie community is along Beulah Reed Road. That beachfront street has two lanes and no walking path or sidewalks. In the block between Nehalem and Neahkahnie roads, there are ten houses, all but one of which are available as short-term rentals. That house will be eligible to seek an STR permit when your moratorium is lifted, as early as July 1. Several of those Beulah Reed houses are in common ownership and are marketed as being available for groups of 50 or more guests. They are, indisputably in my view, a commercial enterprise that the county has allowed in a community zoned exclusively for single-family dwellings. They are not beach cottages or houses where the owners share their property with short-term visitors to the coast.

Having permitted these “non-conforming” uses in Neahkahnie, the county should not now “grandfather” these businesses in perpetuity. Doing so does not promote the livability of Neahkahnie and jeopardizes the health and safety of Neahkahnie residents (short or long term) in the event of natural disasters, like an earthquake and tsunami, or of human-caused disasters, like wildfires and ground erosion.

The increased density that short-term rentals rely on creates additional traffic, noise, domestic water, and waste management challenges in Neahkahnie. Our community roads and utilities are not capable of serving hotel-like facilities.

I appreciate the difficult balancing acts the county is performing in balancing commercial activities against residential ones and in maintaining a lucrative revenue base for tourist-related activities. I also understand the reasons the county is declaring that its short-term rental regulations are not land-use decisions.

Please reconsider how to balance short and long term residential occupancies in Neahkahnie. Suggesting that property owners are justified in doing with their property as they choose is not in the public interest and does nothing to promote Neahkahnie’s livability.

Thank you for considering these concerns.

Sincerely yours,

Bruce A. Bishop
37305 First Street
Neahkahnie

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 10:38 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Public Comment

From: Katie Erickson <highstylevacahomes@yahoo.com>
Sent: Tuesday, June 13, 2023 10:37 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR 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: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Michael Erickson
49640 Surf Neskowin Or 97149
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Michael Erickson and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2015. This property is a unique asset to the STVR community as it is fully accessible for guests with mobility challenges. It allows guests in wheel chairs (including motorized units) to enjoy a beach house with their family. We often have guests who haven't traveled in years visit this home since it is rare to have ADA amenities. Neskowin is a tourist area (as is the entire Oregon coastal area) and tourism supports the local economy. Responsible STR owners should not be penalized for the VERY few violations that have been reported. The current ordinance is strictly enforced on all of our homes and we continue to support and enforce these regulations. We do not agree with the proposed regulations that specifically target larger homes. .

These are my top 3 general concerns:

-
- Property owners cannot lose property rights solely based on conduct of someone else.
-

-
- Restrictions
- on operations, such as reducing occupancy, are unlawful
-
-
- No
- evidence to support restrictive new regulations - only 9 violations in 4+ years
-

These are my top 3 operational specific concerns:

-
- The
- proposed max occupancy for Estate Homes is too low
-
-
- Provision
- is needed to protect STRs from harassment via unfounded complaints.
-
-
- The
- maximum occupancy fails to account for unique, over-sized properties where short term rental is the bona fide “highest and best” use.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Michael Erickson

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 10:47 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84 Draft

From: Carrie Koepke <ckoepke06@yahoo.com>
Sent: Tuesday, June 13, 2023 10:46 AM
To: Public Comments <publiccomments@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Ordinance 84 Draft

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

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Carrie Koepke
34400 Cape Kiwanda Drive
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Carrie Koepke and I am a Tillamook County Homeowner without an active STR permit. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2019. Owning a home in Tillamook County, where my husband's family originated from (he is a descendent of the Tillamook Native American Tribe) has been a lifelong dream of ours. A home that we had hoped to pass down to generations present and those to come. .

These are my top 3 general concerns:

- Oregon's beaches are public, and restricting STRs will limit public to access the beach, especially in areas with no hotels
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage

frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.

- Noise: Tillamook County needs a noise ordinance. Prohibiting "other noise" during quiet hours beyond property boundaries is unreasonable and inequitably punitive. Examples: AC unit running, car pulling into a driveway, a guest sneezing, a baby crying, etc. Reasonable decibel guidelines are needed so that the regulations are clear and fair.
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Carrie Koepke

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 11:24 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Laura Kemnitz <lkemnitz@advantiscu.org>
Sent: Tuesday, June 13, 2023 11:18 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,
I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.
Thank you,

Laura & Terry Kemnitz

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 11:25 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR's & Oregon Coast Hosts

From: Tim Budelman <TimB@Norris-Stevens.com>
Sent: Tuesday, June 13, 2023 11:15 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Patrick Ryan <patrick.ryan@vacasa.com>; oregoncoasthosts@gmail.com; piano_kilt@hotmail.com; meganleian@hotmail.com; crosslight777@hotmail.com; edwardgollihugh@gmail.com; Tim Budelman <TimB@Norris-Stevens.com>
Subject: EXTERNAL: STR's & Oregon Coast Hosts

[**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 and my family support the efforts of Oregon Coast Hosts. As a member of the commercial real estate industry for almost 20 years and involved in the Portland Business Alliance, Westside Economic Alliance, Washington County Chamber and I am the current board chair of the Forest Grove Economic Development Commission and I am grieved to be following these events the last several months where as a problem has been created that did not previously exist. First and foremost concern is the proposed ordinance change in status from a license to a permit and its effects on property rights as a whole which is egregious and disenfranchises property owners rights.

Warm Regards,



Tim Budelman
Vice President, Principal Broker

Norris & Stevens

INVESTMENT REAL ESTATE SERVICES



900 SW 5th Ave., 17th Floor (503) 225-8472 | **DIRECT**
Portland, Oregon 97204 (503) 710-1253 | **CELL**
Norris-Stevens.com (503) 223-3171 | **MAIN**

[Click Here to Download Oregon Agency Disclosure Pamphlet](#)

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Thomas Cooper
8090 Minnehaha
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Thomas Cooper and I am Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2005. This is a family gathering place made possible because of my ability to pay for it through renting it to guests..

These are my top 3 general concerns:

- Provisions for violations and loss of license are unconstitutionally vague and unclear because they are not specific about which circumstances will cause a loss of property rights.
- No evidence to support restrictive new regulations - only 9 violations in 4+ years
- Replacement of current permits with licenses

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- The bedroom minimum size requirements run afoul state building code requirements for historic structures.
- Requiring either a closet or clothing organizer is outside the scope of STR regulations.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Thomas Cooper

Lynn Tone

From: contact@vannbrann.com contact@vannbrann.com <contact@vannbrann.com>
Sent: Tuesday, June 13, 2023 11:34 AM
To: Lynn Tone
Subject: EXTERNAL: Comment for Tonight's Short Term Rental meeting- Cascade Head Scenic Research Area

[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,

Thank you for accepting and considering my comment. My name is John and I am writing because I own the Savage Cabin, a Tillamook STR with my wife. It is unique because we are located within the Cascade Head Scenic Research Area. It is also a UNESCO Biosphere Reserve. The Savage Cabin is located at the dead end of James Savage Road, and it a historic structure built in 1962 on the Salmon River Estuary and across from Camp Westwind, a further protected area in Lincoln County. The Cabin has always been used for recreational and residential use by families staying less than long term--so much so that the address has never been registered with the Post Office.

I don't think you have yet considered that for the handful (there might be 2 of us) of short term rentals located within CHSRA and Tillamook County, short term rentals are the only way members of the scientific community, locals and others there to promote the values protected by congress, and others (such as members attending classes at the Sitka Center for Art and Ecology) can have overnight accommodations within the Area. CHSRA prohibits local governments from acting contrary to CHSRA.

Congress created CHSRA in 1974 with U.S. Public Law 93-535, as part of a unique public and private effort to preserve and protect the ecological values and resources of the area for future generations. Congress' intent was to "provide present and future generations with the use and enjoyment of certain ocean headlands, rivers, streams, estuaries and forested areas to ensure the protection and encourage the study of significant areas for research and scientific purposes and to promote a more sensitive relationship between man and his environment."

Cascade Head, the Nature Conservancy Trail, the Salmon River Estuary, and Marine Reserves all draw special visitors to the Area for scientific, contemplative, recreational and artistic purposes. The disbursed residential area is specifically protected for residential occupancy and for selective recreation use. We have offered respite to families of all kinds; those passionate about ecology, fishing, kayaking, hiking, art and meditation. Each family who stays must sign a contract with us to ensure they engage in appropriate environmental behavior during their stay. More than one family has reported to us this is their favorite place on earth.

Although our cabin is privately owned by us, we feel we are called to be stewards of such a special resources, and to assist in providing limited and gentle recreational access to an area where the public is otherwise denied the "overnight" experience. Whether it is hearing seals slap in the estuary after dark, or being awakened by Elk bugles at 5 a.m., this area is a national treasure and denying continued permit of the home for short term rentals is the wrong decision. We are frequently rented 365 nights per year, and families must stay a minimum of 3 nights to ensure that they slow down and learn from such an amazing experience of nature. Stays of 1 to 2 weeks are common. Because dwellings are so disbursed, and because the protection is a barrier to adding any more dwellings, our nearest neighbor is 500 feet away.

If we gifted our home to the U.S. Forest Service or to the Nature Conservancy, the County would be very hard pressed to say it could force the use of the dwelling as a short term rental to end without violating CHSRA. We think the same is

true for private owners like us who fill the void in a national reserve with no government-owned overnight accommodations.

I join in the comments of many others who urge you to maintain the permit system, at least as to those of us who planned and relied upon it. Because CHSRA is a unique question and I don't think the Board has considered it, I urge you to consider this additional reason that the proposed ordinance might be unlawful as to existing dwelling owners.

Thank you,
John Brann

p.s. I was looking for the published notice of the ordinance in a newspaper and I don't think there is one. It would be much better practice if you gave clear notice of what the final language is and what board meeting you are going to vote on this.

Lynn Tone

From: Jacki Hinton <hintonjacki56@gmail.com>
Sent: Tuesday, June 13, 2023 11:46 AM
To: Lynn Tone
Subject: EXTERNAL: Submission of June 13 Hearing Testimony

[**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 following is offered as a written record of testimony given at the June 13th BOCC Hearing:

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

My name is Jacki Hinton. I am a Neahkahnie resident and active member of my community.

I support the proposed revisions which represent a significant improvement over the existing ordinance and once fully implemented will help address many livability concerns.

I'd like to address two outstanding matters which are critical to restoring and protecting livability in Neahkahnie.

First is the STR cap. While I understand the County's reasons for proposing a cap at 1% above existing levels, I ask you to consider the negative impact of this increase. As I and numerous other Neahkahnie residents have explained in detail, the existing level of Neahkahnie STRs is unsustainable. We simply do not have the infrastructure or public services to support existing STR levels. The proposed increase will burden our fragile community further.

From the inception of this process, it was recognized that a community-by-community approach is required. I urge you to follow through on the County's commitment to work with each unincorporated community to address its unique concerns and circumstances and develop community-specific solutions. While the proposed ordinance is a significant improvement, it is not responsive to Neahkahnie residents' concerns regarding the threat excessive STR levels pose to our community's sustainability, not to mention its livability.

Secondly, I urge the County to limit the implementation grace period for existing STRs to as few provisions and as short a time as strictly necessary. The livability benefits of the revised ordinance will not be realized until critical provisions such on-site parking and occupancy and vehicle caps are fully implemented by existing STRs.

I want to thank Chair Skaar, Director Absher and committee members for their time and participation throughout this challenging process.

Thank you for considering my comments.

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 12:36 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

From: Adena Grundy <adenagrundy@yahoo.com>
Sent: Tuesday, June 13, 2023 11:56 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

[**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, I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County. Thank you,

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 12:36 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Public Comment re: STR permit modifications

From: Benjamin Nunez <benjanunez63@gmail.com>
Sent: Tuesday, June 13, 2023 12:25 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Public Comment re: STR permit modifications

[**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: BENJAMIN NUNEZ
400 Highland Dr., Netarts, OR 97141
Tillamook County Homeowner without an active STR permit

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is BENJAMIN NUNEZ and I am Tillamook County Homeowner without an active STR permit. I am a Tillamook voter. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 1990. Over the last 30 years we have made many friends thanks to our short term rental, we have been able to introduce Netarts to people from many different places, and some people have now purchased a residence in the county and other just keep on returning to spend a good time with their family. We contribute to the local economy with tourists, our guest go to local restaurants purchase items at the local stores and of course, visit the Tillamook Cheese Factory. We have also offered a shelter to people camping when weather conditions turned sour while camping at Cape Lookout..

These are my top 3 general concerns:

-
- Replacement
- of current permits with licenses
-
-
- Provisions
- to lose property rights over a licensing lapse are unlawful
-
-
- State
- building code prohibits forcing historic buildings to “come up to code”

-

These are my top 3 operational specific concerns:

-
- Still
- have to comply with all these requirements even in your property is in a commercial zone
-
-
- Requiring
- either a closet or clothing organizer is outside the scope of STR regulations.
-
-
- 24/7
- Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due
- to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
-

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

BENJAMIN NUNEZ
(503) 547-7390
Netarts, OR

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Gibran Perrone
45775 Kinnikinnick Drive
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Gibran Perrone and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

My family has owned this property since 2022. We love our house and would not be able to afford it if we were not able to rent it out to help us pay our mortgage. I do believe there should be restrictions to STR #s where full time residents keep the majority and there should be a local contact to address issues. But taking away current rental rights would not be fair..

These are my top 3 general concerns:

- Replacement of current permits with licenses
- Restrictions on growth aimed at existing permit holders are unlawful
- No evidence to support restrictive new regulations - only 9 violations in 4+ years

These are my top 3 operational specific concerns:

- Requiring either a closet or clothing organizer is outside the scope of STR regulations.
- More than 60 day allowance is needed for major repairs flagged at reinspection - Suggest owners have one (1) full year to complete major repairs, or have applied for a building, structural, plumbing, mechanical, or electrical permit within 60 days.
- Exterior Signs - Requiring expiration dates on exterior signage is wasteful as it will necessitate new signage annually, may violate HOA rules, may invite vandalism and trespassing, especially in places where the home is not visible at all from the public right of way.

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Gibran Perrone

Lynn Tone

From: Public Comments
Sent: Tuesday, June 13, 2023 12:36 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs & Oregon Coast Hosts

-----Original Message-----

From: Rachel Criddle <rachel.criddle@hotmail.com>
Sent: Tuesday, June 13, 2023 12:31 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs & Oregon Coast Hosts

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Tillamook Board of County Commissioners,

I support Oregon Coast Hosts and their efforts to preserve property rights in Tillamook County.

Thank you,

Rachel Criddle
Property Owner at 5951 Shorepine Drive, Pacific City, OR 97135

Cell: 253-225-4410

Sent from my iPhone.

Lynn Tone

From: Mel Kistler <nwre23@yahoo.com>
Sent: Tuesday, June 13, 2023 1:08 PM
To: Lynn Tone; Public Comments
Subject: EXTERNAL: Support for Short Term Rentals and Owners Property Rights 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.]

Tillamook County Board of Commissioners

201 Laurel Avenue

Tillamook, OR 97141

Dear Commissioners,

The proposed ordinance would violate property rights and would constitute an unlawful taking of private property without compensation. This is a violation that all homeowners in this area should be concerned with and fighting back against whether or not you currently run a business.

Thank you,

Mel

To: Tillamook Board of County Commissioners
Tillamook County Community Development
publiccomments@co.tillamook.or.us
mfbell@co.tillamook.or.us
dyamamoto@co.tillamook.or.us
eskaar@co.tillamook.or.us
sabsher@co.tillamook.or.us

From: Daniel G. Koller
34340 Ocean Drive, Pacific City Oregon, 97135
Short Term Rental Owner

Re: Support for all comments and legal concerns submitted by Oregon Coast Hosts

My name is Daniel G. Koller and I am a Short Term Rental Owner. Many of these issues were raised at the last hearing and in hundreds of public comments, but the new draft does not address them. As written, if this draft proceeds to a vote and is approved, then there may be litigation.

I have owned and used my property as an STR for over 25 years without incident. My property is situated in Kiwanda Shores on the front line unsheltered from nature's abuse. The only way I can afford to maintain my property is by renting short term. Some of the many costs to maintain my property include sand removal, taxes, repairs, and insurance. All these costs are extremely expensive. Renting my property short term allows me the ability to afford this home, and the flexibility to enjoy it at my discretion. I fear that if my right to rent short term is regulated away, I will lose my home and have nothing to pass on to my children.

These are my top 3 general concerns:

- Provisions to lose property rights over a licensing lapse are unlawful
- Property owners cannot lose property rights solely based on conduct of someone else.
- Vacation rentals have always been allowed in Tillamook County

These are my top 3 operational specific concerns:

- 24/7 Contact Person - The immediate response requirement is unreasonable; even first-responders (Fire, Sheriff and Ambulance) cannot respond that quickly every time. \$100 charge to change contact person will discourage frequent changes, which are necessary due to 24/7 requirements. An online registration which allows owners or property managers to login and update the contact person in real time is an ideal solution that can be integrated with Granicus.
- Provision is needed to protect STRs from harassment via unfounded complaints.
- Revocation for 3 or more verified violations of ANY local ordinance, state or federal regulation within a 12-month period

I support fair and balanced STR regulations. Balancing the historic seasonal home ownership of our community with property rights and livability can be done with evidence-based regulations and enforcement. To truly impact livability, the rules regarding top nuisance concerns need to apply equally to all homeowners and residents.

Sincerely,

Daniel G. Koller

OREGON COAST HOSTS

Tillamook Board of County Commissioners,

June 13, 2023

This document is a summary of all written public comments provided during the Short-Term Rental Advisory Committee's tenure that were generally supportive of STRs, property rights, or the current STR Ordinance #84 - Amendment #1.

These 452 public comments do not include the numerous comments submitted after May 15, 2023.

If a comment was duplicated in the record of public comments, it was marked with (x2 etc.), but was only counted one time in this tally.

The comments below are from a variety of stakeholders including, but not limited to, homeowners with STR permits, homeowners without STR permits, neighbors of STRs, landowners, local businesses, local organizations, and visitors. Many of the people without STR permits have vested interests in future STR use.

Inclusion on this list is not an endorsement of Oregon Coast Hosts by these individuals, though many supporters are represented among the public comments.

Oregon Coast Hosts

GENERALLY SUPPORTIVE OF STRS or PROPERTY RIGHTS or #84

| NAME | DATE | LOCATION | NOTES |
|---------------------------|---------|----------------|--|
| Shelia & Dennis Clark | Sept | Neskowin | No nightly limits, hold guests accountable, bedrooms, enforcement |
| Harvey Rubinstein (x2) | Oct 1 | Neskowin | 50% cap |
| Stuart McArthur | Oct 2 | Neskowin | Maybe cap, no proximity limits |
| Dennis & Shelia Clark | Oct | Neskowin | No cap, no proximity limits |
| Tom Bates & Heather Gobet | Sept 25 | South Beach | Limits are exclusionary and elitist - access for all |
| Sandy Manning | Oct 3 | Neskowin | Same rules for all |
| Peter Bierna | Oct 3 | Neskowin | Balanced rules |
| Sally Peake | Sept 30 | Neskowin | Offset expenses |
| Mark Shifflett | Sept 30 | Neskowin | Resort community |
| Nicole Twigg | Oct 2 | Pacific City | Balanced rules |
| Karen Riley | Sept 27 | Neskowin | No caps, no limits, yes transfers |
| Gene & Karen Campbell | Sept 30 | South Beach | Offsets expenses until retirement, enforce current rules |
| Judith Ericksen | Sept 30 | South Beach | Few complaints, resort, public access, equitable rules |
| Lisa Barber | Sept 30 | Neskowin | Support local businesses |
| Arthur Bob Taylor | Sept 28 | Tierra Del Mar | Construction impacted by pause |
| David Allen | Sept 28 | Neskowin | No severe restrictions or reductions, rules for all homes |
| Hillary Gibson | Sept 30 | Neskowin | Facts & data, balance of rules, 35%-50% cap, no other limits |
| Barbara & Mark Gordon | Sept 30 | Neskowin | Offset expenses, taxation without representation, destination community, beach access, enforcement |

| | | | |
|----------------------------|---------|--------------|---|
| Shelia & Dennis Clark (x2) | Sept 30 | Neskowin | Resort, allow transfers |
| Karen Campbell | Sept 12 | Neskowin | Enforcement, property rights, transfers |
| Mark Everett (x2) | Sept 10 | Neskowin | Resort, no day limits, yes transfers, yes bedrooms |
| Allie Kato | Sept 15 | Neskowin | Enforcement, property rights, bedrooms, transfers |
| Ron & Martha Lockwood | Sept 11 | Neskowin | No proximity cap, no nightly cap, maybe % cap, yes transfer |
| Maria Barnes | July 11 | Neskowin | No nightly limit, offset expenses |
| Mark Everett | July 8 | Neskowin | No nightly limit |
| David Allen | July 12 | Neskowin | Community Development Director, Park City, Neskowin 100 year history, eliminating STRs will not eliminate problems, will reduce TLT |
| Peter Bierma | July 12 | Neskowin | Take time to study and make rules based on data |
| Scott Manning | July 14 | Neskowin | Property rights, does not support SONs |
| Dan & Missy Sullivann | Oct 22 | Pacific City | Enforcement, cap 35%-50%, no proximity limits, property rights |
| Gary & Janice Okaamoto | Oct 22 | Oceanside | Offsets expenses |
| Bret Freyer | Oct 22 | Manzanita | Offsets expenses |
| Christine Iijima | Oct 22 | Netarts | Small profit, lots of taxes, made profit 1 out of the last 20 years |
| Shelia & Dennis Clark | Oct | Neskowin | Transfers, no proximity limits in coastal market, bear cans |
| John Lee | Oct 22 | Pacific City | Positive economic impact |
| Helen Hill | Oct 22 | Neahkahnie | LTR = nightmare, STR = positive service for the community, economic impact |
| Peng Coco Chin | Oct 23 | Rockaway | parking |
| Judy Jackson | Oct 23 | Netarts | Supports accountability for guests, require local management, |
| Carla Meyer | Oct 23 | Rockaway | No trash service x2 week |

| | | | |
|----------------------------|--------|----------------|---|
| Serena Vilhelmsen | Oct 23 | Tierra del Mar | 85 years owned, renting STR keeps it maintained, supports local economy |
| Tami Ellis | Oct 24 | Netarts | General support |
| Geoffrey Gerst | Oct 24 | Neahkahnie | Work together, some ideas too drastic, supports limits on number of cars & guests, % cap at current level |
| Stuart McArthur | Oct 24 | Neskowin | Home for family, property rights |
| Kevin Quille | Oct 24 | Tierra Del Mar | Option for flexibility with personal use & renting |
| Karen Riley | Oct 24 | Neskowin | Does not support major changes due to low complaints, no percentage cap |
| Pam Statz & Justin Graham | Oct 25 | Neahkahnie | Offset expenses |
| Dennis Bartha | Oct 22 | Oceanside | No problems, current regs fine |
| Roger Wicklund | Oct 25 | Neskowin | Grandfather permit holders, no caps, no limits, same rules for all homes, max occ 8, 1 permit per person |
| Linda Wagner | Oct 22 | Neskowin | Needs income, tourists support economy |
| Jerome Mickelson | Oct 22 | Manzanita | No complaints, equal access to beach |
| Chris Durrant | Oct | Cloverdale | % cap ok, grandfather STRs, enforce rules on STRs breaking rules |
| Steve & Janice Taylor (x2) | Oct 22 | Pacific City | Boost to local economy |
| Donna Copko | Nov 3 | Tierra Del Mar | Owned since 1961, renting STR helps upkeep |
| Shae Lambert | Nov 3 | Pacific City | Yes transfers, adds resale value, pause is negatively impacting local homeowners, no nightly limits |
| Dale Copko | Nov 3 | Tierra Del Mar | Generations owned house, don't add more rules and regulations, house will sit empty |
| Northon Rodrigues | Nov 3 | Pacific City | Tourism positive economic impact, costly litigation |
| Patrick Ireton | Oct 30 | Pacific City | Allow transfers |

| | | | |
|--------------------------------|--------|----------------|--|
| Jon & Lea Way | Oct 30 | Oceanside | Don't limit choice to rent |
| Tom Gibson | Oct 31 | Netarts | No 2x week garbage, downward lights for all |
| Pam & Larry Levy | Oct 31 | Pacific City | Reasonable regulation, county revenue |
| Thomas Cooper | Oct 31 | Rockaway | Rehabbed 3 homes in poor condition, tourist destination, local economy support |
| Alicia & Scott Petersen | Oct 31 | Neskowin | Well managed STRs valuable to community |
| Paul Reynolds | Nov 1 | Neskowin | Goal to retire here, STR till then |
| Eric Houdek | Oct 25 | Rockaway | Reasonable regulations |
| Jordan Burda | Oct 25 | Pacific City | Retirement plan |
| Bob, Michael & JoEllen Neumann | Oct 26 | Neskowin | Oppose limits |
| James Farrow | Oct 27 | Oceanside | Local economy, retirement plan |
| Nigel Dean | Oct | Neahkahnie | Tourism, STRs don't make up for housing shortages, small percentage of overall county housing stock, better ways to promote multi-family dwellings |
| Lynn Guitteau | Oct 28 | Oceanside | Limit parking, community wide rules, don't only punish STRs, local economy support |
| James Farrow | Oct 29 | Oceanside | Additional restrictions xenophobic |
| Janell Dixon | Oct 29 | Rockaway | Don't penalize the majority for the minority |
| Clare Baxter | Oct 29 | Pacific City | STR was a seasonal home rarely used when purchased, no limits, yes transfers |
| Frank Moscow | Oct 29 | Pacific City | Supports local businesses, common sense regulations, no limits |
| Deb & Kevin Henne | Oct 29 | Rockaway | Offset expenses |
| Debra Marsh | Oct 29 | Tierra del Mar | Do not support restrictions as no community detriment shown, property rights |

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| Colleen Carpenter | Oct 29 | Netarts | Retirement plan |
| Skip Patten | Oct 4 | Neskowin | Constitutional protection must be grandfathered |
| Jeffie Mersereau | Nov 1 | Vacasa Manager | Severe restrictions are unfair, tourism is how most of us who live here survive |
| Becky Decesaro | Nov 1 | Manzanita | Would be devastating to Manzanita economy |
| Corey Tigner | Nov 1 | itrip Vacations | Catastrophic unintended consequences |
| Pete Stone | Oct | Nedonna | Data, not anecdotes |
| Royce Trammell | Nov 1 | Oceanside | Regulations should apply to all, or at least both STR & LTR, legal challenge, better enforcement |
| Michael Hoffmann | Nov 2 | Oceanside | Supports parking etc.. but no ban, focus on smaller rule changes |
| George Milne | Nov 2 | Neahkahnie | Some regulation needed, but owners should have right to STR |
| John Pierce | Nov 2 | Manzanita | Balanced regulations, tourism economy |
| Tialen Kelley | Nov 2 | Pacific City | Draconian legislation, enforce current rules |
| Angela Romero | Nov 2 | Unknown | 3rd generation home, was LTR for 6 years, but prefers ability to use for personal time, supports regulations |
| Tialen Kelley | Nov 2 | Pacific City | No cap, yes transfers, no proximity limits |
| Jean & David Benz | Nov 2 | Neahkahnie | Reported parking issues not from STRs |
| Kelli Payne & Nate Potter | Nov 2 | Oceanside | Balances insecurity of corporate jobs, STRs not cause of housing crisis, income covers daycare |
| Jane O'Neal | Nov 2 | Pacific City | Most beach communities are not designed for full time residents, many of whom are retired |
| Terry Sullivan (x2) | Nov 2 | Kiwanda Shores | Full time residents surrounded by STRs, have called PM 6x in 3 years and all resolved quickly, leave rules in place, no new limits |
| Stephen & Mary Leflar | Nov 3 | Oceanside | Offsets expenses |

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| Kristina Lawton | Nov 2 | Cloverdale | Retirement plan, hired locally for remodel, TLT to enforcement, cap 15-20% county wide, higher in some communities, no proximity limits |
| Nicole Ralston | Nov 2 | Pacific City | Please reverse pause, need to offset expenses |
| Toby White | Nov 2 | Pacific City | Retirement plan, impacted by pause, need to offset expenses |
| Brandon Gray | Nov 2 | Pacific City | Enforce parking & occupancy rules, set higher fee structure for investors |
| Nate Lindell | Nov 2 | South Beach | 1031, supports existing regulations, unable to get permit |
| Rachelle Morrison | Nov 2 | South Tillamook | STRs = job security, Guest Services Coordinator |
| Bill Ruecker | Nov 3 | Pacific City | Economic engine, STRs not related to affordable housing, limits will destroy jobs |
| Natalie Daley | Oct 22 | Neskowin | Supports limiting the introduction of more rules that cost more - unnecessary money grab |
| Susan Peters | Nov 3 | Oceanside | Yes transfers |
| Stephanie Wiarda | Nov 6 | Neskowin PM | Income important to owners & cleaners |
| Jill Beisner | Nov 5 | Housekeeping With Care | If STRs greatly restricted will impact income |
| John & Maria Meyer (x2) | Nov 6 | Neahkahnie | Local economic boost, families gather, follow good neighbor policies, property rights |
| Mark & Janelle Thompson | Nov 11 | Nedonna | Hire locally, public access to coast, address demonstrated issues |
| Margaret Page | Nov 7 | Manzanita | No support for crippling regulations, illegal taking, draconian limits |
| Becky Kirkendell | Nov 7 | Pacific City | Transferable, extreme, lawsuits, treat all fair |
| Roberta Lampert James Piper Suzanne Lampert | Oct | Neahkahnie | Purchase price beyond affordability for many, economic support, no % caps, no proximity limits, TLT back to where collected, address specific STRs |
| John Leigh | Nov 4 | Cascade Head | Recoup some expenses, supports reasonable regulations, home would |

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| | | | otherwise sit empty |
| Kimberly Newell | Nov 4 | Tierra Del Mar | No support for new rules which only apply to STRs, supports enhanced enforcement, property rights, transfers, bedrooms, no proximity limits, cap 35%-50% |
| Ann Vaughn | Nov 5 | Oceanside | Tourism, crippling STRs will severely limit income from visitors |
| David Vaughn | Nov 6 | Oceanside | Retirement plan, important to local economy |
| annlv | Nov 5 | Unknown | Don't regulate STRs out of existence |
| Brenda & Gregg Goolsbby | Nov 5 | Manzanita | Supports balance |
| Jonathan & Carol Hager | Nov 6 | Netarts | Gearhart's small businesses closed after STR restrictions, let's work together, property rights, hired local contractors |
| Scott Hohensee & Robyn Sturgis | Nov 6 | Kiwanda Shores | Additional STR rules will jeopardize their ability to have their home contribute to local economy |
| Katie McLoughlin | Nov 6 | Neahkahnie | No complaints, no profit, retirement plan, supports cap |
| Pam Kniffin | Nov 6 | Tierra Del Mar | Family home from 1998 - STR covers cost of ownership |
| Janell Dixon | Nov 6 | Rockaway | Built new - didn't take a home off market/away from WFH, use as STR so it will pay for itself |
| Nanette & John Stevenson | Nov 6 | Neahkahnie | No trouble with surrounding STRs, current regulations good |
| Heidi Ball | Nov 6 | Manzanita | No proximity limits, no night limits |
| Brian Lippy Sarah Reese Fiona Lippy | Nov 6 | Falcon Cove | Was an STR when purchased for 20 years, full time residents moving in is more recent, never had a problem |
| Mark & Janelle Thompson | Nov | Nedonna | Tourism, invest in home, community, promote good behavior, analyze problems and tailor action to any problem, enhanced enforcement |
| Mark Gibson | Nov 6 | Neskowin | 11% of properties in Neskowin are stand-alone homes with STR permits, |

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| | | | balanced regulations, 35%-50% cap, we have no hotels |
| Mark Everett | Nov 6 | Neskowin | Resort area, no complaints, 35%-40% cap, allow transfers, restricting STRs is shortsighted |
| Desiree & Dustin McMenamain | Nov 6 | Nedonna | Unfair for STRs to be stigmatized & demonized by disgruntled locals, same rules for all, signs infringement of privacy, 25%-30% cap, show data for complaints, hire local |
| Bob & Bonnie Matson | Nov 6 | Pacific City | \$32M TLT, more STR restrictions is punitive, people just don't want tourists in their town, if you want the money we create then don't penalize us for doing STR |
| Jim Thompson | Nov 6 | Cloverdale | Hosted from all over US, not enough hotel rooms, family history in Tillamook, happy guests, revenue for area |
| Maria Barnes | Nov 5 | Neskowin | 7 decades for family, Neskowin always resort town, thrives on tourism, encourages focus on evidence, data, and objective viewpoints |
| Doris Rodrigues | Nov 6 | Pacific City | STRs are good for economy & #84 is good - don't change |
| Carol Horton | Nov 7 | Oceanside | Balance, 65+ years in community, 3rd generation, enforce rules, limit parking, quiet hours, rules for all homes, reasonable cap, transfer if STR meets new rules |
| Jim Horton | Nov 7 | Oceanside | Many vacation homes sit empty, always a destination for visitors, support property rights for all |
| Sharon Hammel | Nov 7 | Neskowin | 1970s family cabin, Neskowin always a vacation place, don't put more restrictions on STRs |
| Lyn Frisch | Nov 7 | Neahkahnie | Public not aware of STR safety standards, new regulations should be supported by data, home would sit empty if not STR |
| Michael Vawter | Nov 7 | Netarts | STR is not a loss to housing, provides jobs, opposes further limits on ability to rent home |
| Doug Coates | Nov 8 | Netarts | Density caps maybe tolerable if not retroactive & stay with property, no weekly limits, what are the benefits to more and more regulation? |

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| Katie LaRosa | Nov 7 | Oceanside | Depends on income, renovations, no limits on nights, hardworking |
| Terri Neimann | Nov 8 | Bay City | Retirement plan, helps pay bills |
| Kerry Rea | Nov 7 | Manzanita | Unreasonable restrictions is bad policy, hotels are mischaracterization, financial burden with change, public beaches, sledge hammer for occasional irresponsible renter, regulatory overreach |
| Eric Rosenberg & Terumi Kato | Nov 7 | Cloverdale | Retirement plan, support some restrictions, property values will decline, community revenue from guests, no complaints, reasonable limits, yes transfers, no nightly limits |
| Joe DeCamp | Nov 7 | Pacific City | Allowable losses instead of profit, well maintained, no complaints, more restrictions may damage local economy, don't act on speculation and emotional comments |
| Tina DeCamp | Nov 8 | Pacific City | How many violations? NVSS says no trash overflow problem, |
| Rachael Winters | Nov 9 | Pacific City | Purchased land with expectation to build family vacation home & use as STR, blindsided by pause, bbqs and bike riding is normal, would like to see number of documents complaints, strict regulations, unbalanced, no nightly limits, no density limits, positive economic impacts |
| Barbara Scott | Nov 10 | Unknown | Realtor with 90%+ buyers age 55+ who want STR until they retire - Question for attorney regarding liability.. Unfair to buyers and sellers, several buyers on hold until this is resolved, will ruin business |
| Kelli Payne | Nov 10 | Oceanside | Airbnb review |
| Becky Wethern | Dec 29 | Cloverdale | Updated home, hired local, offset expenses, zero complaints, neighbors use their STR for family, supports fair and balanced regulation, similar rules for all |
| Kim Mullen | Dec 29 | Oceanside | Inherited home & STR offsets expenses, simple restrictions on cars and guests is reasonable, or cap, local enforcement, no limits on nights, tourism, do not rescind existing STR permits |
| Nirdosh Dhakal | Dec 19 | Pacific City | Grandfather permits |
| Frank Moscow | Dec 29 | Pacific City | Small guy trying to keep a piece of heaven for family, play by the rules, I care, |

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| | | | 30 year owner, supports local businesses |
| Robin Buxton | Dec 28 | Pacific City | STR since 1960s, sees no value added for all the various taxes and fees paid, retirement income, family nature, not large corporate entity |
| Mark Everett | Dec 28 | Neskowin | Small family cabin, follow all rules, no complaints, donate to causes, supports enforcement, permit transferability, and no arbitrary limits, no proximity limits |
| Pete Stone | Dec/Jan | Nedonna | Misconceptions - Corporations, local residents not great at parking, trash not unique to STRs |
| Nicholas Lenzi | Jan 3 | Pacific City | Too controlling and paint too wide a brush stroke of limitation targeted at corporations, 1031 exchange, retirement plan, dream home |
| Karen Jackson | Jan 4 | Falcon Cove | Restored neglected home, retirement plan, focus on enforcement of existing laws |
| Christine Iijima | Jan 3 | Netarts | Offsets expenses, made profit 1 out of 19 last years, support local, supports fewer restrictions and fees |
| James Farrow | Jan 3 | Oceanside | Retirement plan, no complaints |
| Mandy & Jason Mock | Jan 2 | Oceanside | Triplex, offset expenses, resolve issues instead of limiting the number of permits, supports county enforcer, require parking & limit to spots available, trash 2x week |
| Kim Braasch (x2) | Dec 30 | Manzanita | Moves out in summer to rent for income |
| George Murdock | Jan | Shorepine Village | Appeal on rental limitation/moratorium, their home is not affordable housing, PC is not a residential area, it is a tourist destination |
| Shelia & Dennis Clark (x2) | Jan 8 | Neskowin | Concern of large corporations has no proof, property rights, family owned, love neighbors and community |
| Debbie Jackson | Jan 8 | Pacific City | 1952, rented since 1980s to pay taxes and upkeep, hire local, no nightly limits, no distance/proximity limit, no caps, no limits on transfers, many homes family owned |
| Maureen Bradley | Jan 8 | Pacific City | Doing remodel and would like to be STR, no party house, respectful, STRs |

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| | | Heights | help the local economy |
| Mitch Jones | Jan 6 | Rockaway | Public access to Oregon coast, STR restrictions hurt retirees needing to rent, violate property precedents, hurts local tourism, concerns driven by elite owners |
| Pam Statz & Justin Graham | Jan 6 | Neahkahnie | Rely on income to offset expenses, don't want home to sit empty, safety #1 priority |
| Brittany Newell | Jan 6 | Tierra Del Mar | Family home, rent to cover expenses, supports evidence based regulation and rules |
| Colin Grey | Jan 5 | Oceanside | 1940 - always used as a vacation home, STRs easy target, not likely to be low income or workforce housing, supports regulations that address nuisances, TLT to communities, no bans or nightly limits, collaborative approach |
| Neil & Lyn Burniston | Jan 5 | Nehalem | Small family cabin, many upgrades, wonderful guests |
| Bonnie McDowell & Phil Zapf | Jan 5 | Shorepine Village | SV designed as a vacation rental community, could not afford if can't rent, equitable regulations, not drastic measures |
| Nicole Ralston | Jan 5 | Dory Pointe | Built new, ban on STRs has been a severe hardship, allow them to have a permit, want to keep beach house & not sell, not seeking to many money, not a corporation |
| Brian Johnson | Jan 5 | Rockaway | Guests with many celebrations who appreciate opportunity to rent a home, respectful, support local |
| Janet & Dennis | Jan 5 | Rockaway | Can't replicate family experience elsewhere |
| Connie Perrine | Jan 5 | | Better than hotels, respectful guests, beach community |
| Arthur Bob Taylor | Jan 9 | Tierra Del Mar | Livability from day trippers mostly, grandfather in the few denial cases pre-pause while building |
| Jennifer & Matt Iversen | Jan 9 | Neskowin | Discriminatory to prevent STRs, they visit every summer, but may no longer be able to because some Neskowin homeowners could feel so privileged and entitled to prevent vacations at public beach |

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| Tom Gibson (x3) | Jan 9 | Netarts | Lives next to large STR with a few issues, will STR current home when retirement home is built, vast majority of STRs are owned by local or regional families and not faceless corporations, family transfers, 5 year reinspection, STRs not cause of housing shortage, supports pro-STR policies |
| Scott Hohensee | Jan 9 | Pacific City | Not a faceless out of town corporation, please no additional rules and regulations |
| Carol Herzog | Jan 8 | Pacific City | Rent offsets expenses, not corporation, family, supports reasonable rules, not fair to enact new limitations after purchase |
| John & Lea Chitwood | Jan 8 | Pacific City | Restored home, property managed STR can be good, low number of complaints to county, knee jerk reaction with removal of property rights, home affordability is a nationwide issue, tourism |
| Helzer-Giese Family | Jan 8 | Manzanita | Not faceless global company, family, property built as a school and hosts reunions, etc, extreme recommendations, policies and regulations should not be made or enforced based on the loudest voices as they do not represent the views of the entire community, targeted, moderate, pragmatic |
| Tabitha Hardison | Jan 8 | Cape Meares | A Dream to Share, IG video, personal experience, legacy of love, restored home from a state of disrepair, not fair to limit ability to generate income, transferability |
| David Kratzer | Jan 8 | Oceanside | Remodeled home, hired locally, visitors |
| Ann Vaughn | Jan 8 | Oceanside | Grew up vacationing here, STR is part of retirement plan |
| April Yungen | Jan 8 | Manzanita | Family history, retirement plan, we are not the enemy, excessive rules detrimental, no limit on number of permits |
| Levi Tom | Jan 8 | Netarts | Family tradition to visit |
| Sheree Weikum | Jan 9 | Neskowin | Supports balanced tourism and evidence based rules and regulations, will pass down to generations |
| Cathy Jo Lindquist | Jan 9 | Neskowin | Guests who have been visiting Neskowin for 50 years & hope this never changes |

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| Rachel Cardman-Brewer | Jan 7 | Neskowin | Beach should not only be for the super wealthy, rent STR to cover mortgage, supports reasonable rules & cap |
| Nick & Lynn Argenti | Jan 7 | Netarts | Enhanced enforcement, permit transferability, no arbitrary limits, no proximity limits, equitable rules |
| Lyn Frisch | Jan 7 | Neahkahnie | Support Hello Neighbor |
| Rick Melner | Jan 7 | Pacific City | Surfs at coast, visited long time & bought last year, hope to retire and keep home in the family for generations, can't afford without STR |
| Steve & Janice Taylor | Jan 9 | Pacific City | 30 years, inherited house and STR to keep the house, not much income, |
| Cole & Lea Anne Gerst | Jan 6 | Neahkahnie | Support Hello Neighbor |
| John & Maria Meyer | Jan 6 | Neahkahnie | Support Hello Neighbor |
| Heather Leek | Jan 6 | Nedonna | Restored home, safety upgrades, enough guests to maintain property, buy local, need STR to afford |
| Doneg McDonough & Zan Northrip | Jan 9 | Pacific City | Vast majority of the heat around STRs generated by minority of renters, caps are a defeatist response to perceived enforcement difficulties, Hello Neighbor Plus, no distance limits, need more data |
| Mark & Janelle Thompson | Jan 9 | Nedonna | DO = random ideas, oppose 5 yr, oppose 250 ft, constitution |
| Paula Sansum | Jan 10 | Unknown | Grandfathering? Needs more time for prep with meeting materials |
| John Leigh | Jan 10 | Otis | 100 sq ft limit arbitrary - his 1 bedroom is 75 sq ft |
| Keith & Barbara Campbell | Jan 10 | Pacific City | 24 yr rental, 250 ft proximity too much, severe economic impact, resorts/motels will benefit, proposed changes targeted towards complaints vs majority interests, focus on enforcement |
| Wayne & Anna Colaric | Jan 10 | Netarts | Unequal treatment for STRs, historical tourist destination |
| Christine Binge | Jan 9 | Manzanita | DK bias, legal battle |
| Karen Jackson | Jan 11 | Falcon Cove | Retirement plan, supports sensible limits, DO is shocking, eliminating permits |

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| | | | violates property rights, A frame not eligible for permit, rules should be same for all, ignoring chat in public meeting outraged, stop vilifying us, restored property \$200k, litigation, enforcement |
| Tialen Kelley | Jan 12 | Pacific City | 20 min response time is utterly ludicrous & a debilitating burden, completely untenable |
| Jason, Deb, Elizabeth & Brooklyn Babkes | Jan 15 | Pacific City | Our Family Sanctuary, balance approach, permit holders should get to keep permits |
| Erin Laskey | Jan 16 | Manzanita | DO sounds fair, except for 250 ft limit, compensation section seems problematic with tax payers being on the hook for proven income loss |
| Margaret Page | Jan 17 | Realtor | Concern and opposition to process for steamrolling and phasing out STRs, severe economic hardship, not alleviate housing, 5 years and 250 ft = illegal takings, saying not land use is sneaky and underhanded decades of litigation, 5 complaints in a year is no need to panic |
| Ken Willett | Jan 10 | Nedonna | 1986 - DO indirect effect of uncertainty on ability to rent, economy, 2 complaints in 35 years, minor adjustments to #84 favored |
| Katherine & Dustin Somner | Jan 17 | Nedonna | STR never made a profit, 2021 Harvard Review Research & negative long term impacts of STR rules, consider other options, 20 min response impossible |
| Brian & Barbara Patterson | Jan | Pacific City | 20 yr STR, not much profit, restricting jeopardizes property values, 250 ft limit ridiculous, STRs cash cow for county |
| Andrew Clark | Jan 20 | Cloverdale | Supports professional management |
| John & Lisa Pierce | Jan 20 | Manzanita | They built one of the few ADA homes, retirement plan, favor many rules, but no support for terminating permits in 5 years, cap 180 days |
| Cynthia Lee | Jan 26 | Manzanita | Oregon laws make LTRs hard to terminate, not many hotels, economic impact, supports reasonable regulations, doesn't see any unreasonable rules, but a moratorium would be an issue |
| Pamela & Rob Kedenburg (x2) | Jan 26 | Neskowin | Rental income offsets, STR for 50 years, 5 generations enjoy, DO not fair, grandfather permits, |

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| Janell Dixon | Jan 28 | Rockaway | Not taking away from LTR, built it new, not rich or big conglomerate, disappointed in the system |
| Jordan Winters | Jan 31 | Pacific City | Permit pause - shocked, angered, frustrated, the needs of a few outweigh the needs of many, solve the problems instead of not letting people in the community, creating hardships, don't effectively ban new STRs in perpetuity |
| Colleen Hofer | Jan 31 | Neskowin | Looming demise attributable to the severe restrictions imposed by DO - Neskowin's Chamber Music, rely heavily on affordable STRs, severe STR restrictions will cut out competition, far reaching negative implications, |
| Glen Garrett Breakers HOA | Jan | Neskowin | Reconsider limiting STRs, esp in coastal resort towns specifically set up and operated as STRs for decades. 9 of 11 Breakers are STRs. Expensive to own and maintain, extremely concerned about DO, possibility to lose permits in 5 years has blindsided the owners & unnecessary financial burden when operating as STR for 50 years! Compensation filings and legal challenges to the county, local business |
| Hunter Williams | Feb 6 | Neahkahnie | 3 STR categories, 20 min response unreasonable, financial imposition to use PM, no proof of garbage service, problematic to say no unpermitted improvements - not precise enough, mandatory postings seems excessive, adds negative impact to neighborhood, eyesore, supports online, less signage, not more, restrictions on events open to abuse as rule not limited by size, penalties section needs work, cap is hard without distinguishing between STRs that are more business like, don't limit low rental rate casual STRs, cap on nights |
| James Fazio | Feb 6 | Netarts | DO serious negative consequences, no caps, floor plans & proof of access unnecessary, no events is a problem, we attract events, strongly object to posting sign at road, DO very discouraging, conditions make future endeavor very doubtful |
| Richard Freeman | Feb 6 | Unknown | 5 years and 250 ft will make Tillamook a farm area, millions out of county coffers, less funds for locals, always been vacation areas, killing this industry, hurting local businesses and contractors, retirement plan, restored two homes |
| Joseph Walter | Feb 5 | Oceanside | DO too broad, misguided, punishes owners, 1031, considerable financial loss, lifelong dream, not a party house |

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| Dave & Jean Benz | Feb 7 | Neahkahnie | How will TC decide who gets permit with 250 ft rule, not grandfathering permit lowers house value, covers mortgage, bought home based on renting to pay costs, can't own without income |
| Sam Dixon | Feb 5 | Rockaway | DO biased, unrealistic, 20 min response time impossible for 99.9% owners, would not LTR, no 250 ft buffer, don't penalize STRs without complaints |
| Teresa Vileda | Feb 5 | Unknown | Counsel impeding on my land use rights & creating very strange STR ordinance, I love ST renters, boost economy, not voting for BOCC, takes away my land use rights, legal team to protect our property rights, bundle of rights with purchase, illegal, foolish, impossible, appalled, lack of common sense very disturbing, I live here full time and don't rent my house and being there in 20 min isn't possible for me half the time, illogical, ruin economy, property rights |
| Nicole Twigg | Feb 6 | Tillamook County | Housing Data, 85% STRs not WFH level, STRs less than 7% total housing stock |
| David & Rose Friedlund | Feb 4 | Oceanside | Balance, cap, grandfather |
| Nicholas Young | Feb 4 | Oregon Vacation Rentals | No nightly limit, limiting occupancy is a fallacy |
| Pat Mulvihill | Feb 3 | Neahkahnie | 15 year STR, income offsets expenses, regulation is required, but DO does not address problems fairly, don't cut off new applicants, no transfers, rotate permits, limit income, not all or nothing, doesn't address the large homes renting at high price, trash, licensed contractor & recycling not practical, 20 min response impossible, DO does not distribute regulation burdens equally |
| April Yungen | Feb 3 | Manzanita | Guest Book |
| Peter & Tana Hatton | Feb 7 | Manzanita | STR helps cover mortgage, DO is unbearable, heartbreaking, maybe forced to sell, discriminatory clauses, to make STR codes more restrictive than others begs the question, what about LTRs? Response times faster than local emergency teams? Efforts to severely limit STRs are insane - just 7% housing stock TC, seriously revisit & retract these changes |
| Emily Draper x2 | Feb 6 | Architect | Building Code Issues, DO includes requirements that are above and beyond the code or omits exceptions, 7' ceilings, does not require 4 walls, does not |

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| | | | require closet, does not require 50 sq ft min per person, existing structures should not be forced into current code compliance, ventilated facades, wall insulation, but impractical and invasive to require on an existing structure - framing won't fit insulation requirements, should health, safety & welfare of LTR be different? Supports future STRs conforming to building code, but existing lawful STRs should not be in jeopardy, grandfathered |
| Maureen Bradley | Jan 8 | Pacific City | Doing major remodel, hiring local, would like to continue to offer as STR, high-end features, won't be a party house, disservice to local economy to restrict STRs |
| Nate Lindell | Jan 20 | Neskowin | 1031: Tillamook Co vs IRS - pause prohibits compliance with IRS rules - property is 100% unusable |
| Craig Comroe | Jan 20 | Pacific City | Full time resident, loves activity & visitors, not a single problem, tourist destination for over 100 years, complaints appear to be by residents who feel entitled to keep the area as their own, selfish, demeaning to tourists, fee/taxes income important to the county, devastating effect on homes in process of being built for STR, legal liability |
| Anon | Feb 3 | Unknown | Relevant state law & building code: building code preempts local ordinances and rules, different requirements need to be authorized by Director of Department of Consumer & Business Services, may not enforce requirements in addition to state building code, carbon monoxide alarms only required in specific situations, Electrical Safety Law allows some electrical work to be done by homeowner, TC land use ordinance says no signs within 10 ft of property line |
| Kelly Gannon | Feb 8 | Neahkahnie | Supports Ord #84 with stronger enforcement, do not agree with proposed revisions, suggests enforcing rules on everyone, including day visitors, concerns about wide scale job loss and litigation |
| Dave Allen x2 | Feb 8 | Neskowin | Need data & economic study, pause amendments, tourism is the goose that lays the golden egg, few hotels, tourism key economic driver for county, changes are trying to take back 100 years of history of tourism, tax revenue reduced, taking away STR option for future residents, need for increased enforcement while reducing revenue, legal challenges, BOCC liability, a few retired residents |

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| Hillary Gibson | Jan 9 | Neskowin | Most STR owners are not corporations, pandemic boom, occupancy going back down, most owners no complaints, labor of love, income will take long time to offset renovation expenses, Neskowin historical vacation destination, cottage never full time, inherent property rights, hire local, all should have equal say in this process |
| Shelia Clark | Feb 12 | Neskowin | DO extreme, penalizing, restricting, Neskowin is a resort community, grandfather all current STRs, 5 yr exemption is punitive, ability to transfer is critical, agrees limit occupancy by bedroom, closets not an issue, parking spot measurements not needed, on-street parking not used in calculation of permit, coastal market, no density limits due to village and what your neighbor does shouldn't change what you can do, infringes on property rights, 35%-50% percentage cap, realtor view that STRs do not impact affordable housing, Oregon LTR rights very difficult for owners, many home sales & opportunities to buy, free market, supports seeking mindful regulations that target issues |
| Ken Jones | Feb 12 | Neahkahnie | Rents max 10 weeks/year, regarding cap - proposed lottery approach - taking away an existing right creates inequities, questions regarding scenarios for grandfathering, 250 ft buffer seems problematic, how do these restrictions compare to others nearby, Oregon says parking space is 16 ft, so why is this for 20, cannot find ORSC requirement for closets |
| Pam Statz & Justin Graham | Feb 10 | Neahkahnie | Support of STRs, opposes DO, implementing as written will make owning a home in Neahkahnie only possible for the super rich, has to rent or will sell, DO is extreme and harsh to rule followers |
| Robert Govender-Towle | Feb 9 | Tierra del Mar | Supports reasonable & thoughtful debate, yet to see any meaningful and objective data supporting quality of life concerns, just anecdotal stories of living with neighbors, look at real data vs stories, reducing STRs won't help WFH but will reduce fees to support WFH, legal & financial exposure via Measure 49, supports reasoned regulations |
| Ron Shippers | Feb 16 | Beach Home Maintenance | STRs have significant positive contribution |
| Lindsey Boccia | Feb 15 | Netarts Bay | Family has direct financial impact - home now too expensive to build without ability to STR as planned - end this soon - loss of property value |

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| Bill Reucker | March 6 | Unknown | Virtually no cross over between LTR & STR, revisions have severe unintended consequences. |
| Lauren Howe | March 5 | PDX - visitor | Favorite spots to visit are in TillCounty, like STRs, restricting may negatively impact local economy |
| Dave Benz | March 5 | Neahkahnie | No complaints among STRs on street, comparison to Sun River, retired & rental income pays the mortgage |
| Nick Argenti | March 5 | Netarts | STRs enhance the community, economic impact on community, enhanced enforcement, transferability, no arbitrary limits, equitable rules for all, support STRs & reference to county study suggesting tourism is good |
| Lynn Guitteau | March 5 | Oceanside | Family cabin 50 years, no closet requirement, doesn't have parking that is 8x20, has had permit since county first issued |
| Lisa & Alain Briand | March 5 | Netarts | Rules heading in unequitable direction, businesses will suffer, real estate values down, reasonable rules and natural correction of travel post covid will maintain cooperation |
| Melanie Rogers Kassandra Cassily | March 5 | Neskowin | Neskowin resort- many have kitchenettes & not suitable for long term housing, employ cleaners, unreasonable to limit STR use of this 50-60 year old resort |
| Rob & Carrie Hughes | March 5 | Neskowin | New rules would force them not to rent, many return renters, money for tourism, similar condos are not the problem |
| Paul Cosgrove | March 4 | Neahkahnie | Rent retirement home, can't LTR because they use their property, no reduction occupancy, no forfeiting of right to rent |
| Catherine Lewis | March 3 | Realtor | Property Rights video |
| Kevin & Debra Henne | March 2 | Rockaway | STR retirement plan to defer expenses. 1910 home does not meet closet & bedroom sizes proposed, will not sell or rent long term. Lost revenue for town. |

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| Jill, Elizabeth, Gabe & Joel Willard | March | Neskowin | Love the coast, Support reasonable STR rules, supports balance by slowing the issuance of new STR licenses, but revoking licenses will draw legal challenges, |
| Adena Grundy | Feb 26 | Cape Meares | Supports #84, major limitations on STRs is an elitist attitude, just another blow to the middle class |
| Keith & Joyce Garlinghouse | Feb 25 | Pacific City | 30+ year owners, live in home 9 months a year, not wealthy, STR helps cover costs, balance, economic reliance on tourism, concerns about process for revoking a license, concerns no explanation for who will lose permit, proposes overlay zone where STRs are allowed, few complaints, LTRs should have permits too, PC would not exist if not for tourism, opposed to any cap and density limit in their neighborhood in PC, historic use of properties for vacations, complaining voices is a few locations doesn't warrant wholesale changes |
| David Harris | Feb 26 | Netarts | Built in 2005 and STR is part of retirement plan, if taken away our dream of living in Netarts will be lost, allow to continue with good rules |
| Anonymous | Jan 26 | Unknown | Notes from Jan Meeting - Benefits of STRs submitted with Visit Tillamook Coast presentation slides |
| Christine Binge | Feb 16 | Manzanita | Hopes 250 ft rules doesn't apply in unincorporated Manzanita - knows all neighbors & active in community. Bend - no one lost permits with distance rules - just prevented new permits. Supports #84 with help enforcing. Don't remove a stick from someone's bundle of property rights. |
| Ryan McGlone x3 | Feb 14 | Pacific City | Supports #84. New draft could invoke great economic hardship on coastal communities without due diligence. Realtor perspective - no measurable change in housing affordability in Bend with stricter STR regs, higher-end neighborhoods with high demand even when not eligible for STR permit, houses still selling high with moratorium. BOCC needs 3rd party economic impact study, discretionary spending by guests, if no permit house will sit empty between visits with no economic benefit to the community. BOCC are fiduciaries of their community & need to weigh economic benefits with |

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| | | | relatively uncommon nuisance |
| Steve Wecks x2 | Feb 14 | Barview | Concerns for legality of relevant state law and building code, existing residents are not required to meet current codes, state building codes preempt county rules, size requirement not from state code, 4 walls to ceiling not required, 7 ft ceiling not required, built in closets not required, carbon monoxide exceeds code, mandatory postings at property line not legal within 10 ft of property line |
| Lisa & Jason Greenke | Mar 10 | Pacific City | Bought existing STR at high price in 2022 & essential to offset costs with STR while sharing piece of paradise with friends, tourist area, pride in community, supports removal of caps and density text, visitors coming whether they can STR or not, not enough hotels, work together. |
| John & Nanette Stevenson | Mar 10 | Unknown | Supports current STR rules & regulations, local businesses, schools, and public tourism in Tillamook County. |
| Adam & Rachel Roselli | Feb 13 | Pacific City | Frequent STR guest & new owner, not a wealthy investor, cashed in retirement to purchase family beach house to create memories - require revenue of renting when not using it. Hold bad actors accountable and don't unduly punish families who have done nothing wrong, support local community |
| Pete Stone | Mar 10 | Nedonna | If new standards are critically important, why don't they apply to all? Rules violate state law regarding building code, has anyone proof read this draft? Annual notice to neighbors seems excessive. What other businesses are required to have a hold harmless agreement with the county? Can't require guests to not park on street, 20 or 30 min response times, county can't respond that fast, septic requirements too much, alleged violations can result in revocation... |
| Rachael Winters | Mar 12 | Pacific City | All of Oregon visits the coast - limiting STRs won't solve problems. Coast should be shared. Facing decision to sell. Ask to have permit app reviewed with same land-use laws up until pause. |

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| Jon McLoughlin | Feb 12 | Neahkahnie | Built with goal to STR until can move in 5-7 years, home is part of retirement plan, never a complaint, manage it ourselves, yearly income barely covers expenses, very disappointed in new draft - extreme, biased, excessive, absurd, overstepping state codes and laws, totally against 5 year exemption & 250 ft limit, ok with a reasonable cap, grandfather all STRs, inactive permits skew the data, parking restrictions for all - not just STR guests, never an LTR and over WFH, pandemic boom is over, Oregon Coast is a tourist destination, new laws applicable to all, committee needs facts and data for recommendations |
| Paul Lusk & Debbie Stiles-Lusk | Feb | Neskowin | Condo has been in family for 50 years & always an STR - family cannot afford to own without rental income, families love the beach, please grandfather the STR rights of owners in condos that have been operating under current ordinance |
| Laurie Sonnenfeld | Feb 13 | Netarts | Balance - Do not repeal #84 - needs more public participation, no existing lawful STR permit should be in jeopardy and should be transferable if sold, supports caps on future permits, supports buffers on future permits, supports codes for future STRs |
| Rob Towle | Feb 12 | Tierra Del Mar | Data vs anecdotal stories, county needs to know true economic impact, very little housing west of 101 is affordable, Measure 49, family built vacation home 42 years ago |
| Shelia Clark | Feb 12 | Neskowin | Resort community, not enough hotels, supports grandfathering, no 5 year exemption, supports transferability, closets not needed, no leased parking, no off street parking to count for permit, limits not warranted in Neskowin, no violations 2022, 35%-50% percentage cap, not affordable housing, LTR rules in Oregon too tenant friendly so folks turning to STRs |
| Robyn Sturgis | Feb 12 | Pacific City | Majority in neighborhood are STRs, supports grandfathering current permit holders |
| Samantha Wolf | Feb 12 | Tierra Del Mar | Will be inherited from father, loves PC, urges not eliminating permit in 5 years, will need STR to afford to keep it |

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| Laurie Balzer | Feb 12 | Pacific City | Built in 1975, deep Tillamook roots, PM is in Lincoln City, 2021 is the only year since 2012 she's made profit, tourism major income source for the area |
| Beth Redman | Feb 12 | Hebo | New ordinance will make it harder to make ends meet - let the regulations not be so cumbersome that we are run out of business |
| Janet Spalding | Feb 12 | Tierra Del Mar | Responsible, respectful, rent on VRBO, strict guidelines, taking away a homeowners opportunity to rent their own property is wrong |
| Mike Dooley | Feb 12 | Neahkahnie | STR permit holder - built in 1995 and always an STR for 27 years. Zero issues with guests or complaints from neighbors. Does not support draft. LTR purpose and scope is questionable, pandemic was extraordinary - 3x rent, but now back to pre-pandemic levels, unreasonable changes, revisit the issue after a few years back to normal rental market |
| Nanette Stevensonn | Feb 12 | Unknown | Favors keeping current regs- no complaints and none from 2 others nearby |
| Brandon Gray | Feb 12 | Pacific City | Drastic over reach to fix issues that could already be resolved if current regulations were enforced - pay a couple people to drive around and issue citations |
| Pete Hatton | Feb 8 | Manzanita | STR covers costs, follow laws, support local shops, less than 4% incidents are STR related, 7% housing stock STR |
| Jay Nalbach | Feb 8 | Neahkahnie | Supports current rules, would like same rules for day visitors, new ordinance will lead to mass withdrawal of visitors, immediate increase in unemployment, bankrupt local businesses, ludicrous, vast misuse and waste of the county's time and taxpayer money, not supported by data nor facts, solution looking for a problem |
| Maria Barnes | Feb 9 | Neskowin | Hugely disappointed, seems BOCC solely reps voters, empowering the voice of the minority few to the detriment of the local economy, gut the lifeblood of tourism in our area, Measure 49 |
| Kendall Crosby | Feb 9 | Neahkahnie | STR, wonderful guests, instead of house sitting empty the visitors spend |

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| | | | money locally, current draft too regulatory, no data to show that getting rid of STRs will improve livability, extreme strategies were not requested by the committee members and the misuse of review process |
| Thomas Cooper | Feb 9 | Rockaway | Took 3 properties that would have been condemned and used local contractors to bring them up to code, low complaints, revenue for county, few hotel options |
| Janell Dixon | Feb 11 | Rockaway | Complaints by petty people, squeaky wheel gets the grease |
| Lara Spangler x2 | Feb 11 | Neahkahnie | Consider regional economic impacts & property rights, surveillance by neighbors isn't appropriate for enforcement, no 250 ft limit, educate committee in regard to historical record/context of development areas and tourist destinations? Provides Neahkahnie tourist background links, public cultural resource, make efforts to use tax revenue for community support |
| Lyn Frisch & Michael Theobald | Feb 11 | Neahkahnie | STR owner, no 250 ft rule, no 5 year limit, supports caps, and building codes for all homes, work together for reasonable solution |
| Jason Cassell | Feb 10 | Nedonna | Homeowner without STR permit, favors tourism, shops locally, limiting STRs would negatively impact tourism. Refers to neighbors speaking against STRs and not knowing who to call, but notes the phone numbers are clearly on the homes & neighbor complained of cars parked, but those were for a private residence and their personal guests. Many regulations should apply to all |
| Anne Stewart & Diane Del Rosso | Feb 10 | Oceanside | Rents part time since 2006 - fixed income & rely on revenue. Suggests managing issues via funding enforcement. State Park generates a lot of traffic, density limits won't work in village, plan to sell eventually to fund long term care and want to protect property rights and transferability, supports #84 |
| Pam Statz & Justin Graham | Feb 10 | Neahkahnie | Opposes DO, owns in LLC, no profit from renting - helps cover mortgage. Regs will make owning in Neahkahnie only possible for the super rich - is the purpose to drive out the middle class? If STRs banned they will still rent, just without rules, |

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| Michael & Bob Neumann | Feb 10 | Neskowin | Owner at Breakers - Neskowin is a coastal resort town and Breakers was specifically set up for STR for decades, funds \$250,000 rock wall which protects all of Neskowin, provides jobs, supports local businesses, retirement income, guests, limits funds for maintenance, lowers property value, lowers buyer pool. Grandfather in condo associations & do not move forward with DO |
| Kim Braasch | Feb 12 | Manzanita | McCall - would rather have people visit here than build and move here |
| Rachel Cardman-Brewer | Feb 12 | Neskowin | STR permit - supports balanced regulations, retire someday, 40 year old single mom, not wealthy, longevity of my dream is dependent on STR being allowed. Vast impact without STRs, community will change to older white people only, those who can afford to buy a place and not have it occupied |
| Cole & Lea Anne Gerst | Feb 12 | Neahkahnie | \$100k improvements, rent to offset cost, new regs mostly unnecessary - house designed by architect to not be full time and therefore doesn't have closets - not a safety issue. Paused renting and neighbor's house got broken into and perp slept there, would not LTR, homes in Neahkahnie not affordable, the idea that opening up beach properties by reducing STRs will have zero effect on affordable housing - better to subsidize lower income housing via TLT, don't rent to max occ, never any complaints, why can full timers park all over the street but not STRs? Full time neighbors have parked broken down and wrecked cars in front of their home, rules for all, cleaners asking for more work, 20 min response not reasonable, supports cap at current level, yes transfers, no 250 ft limit, 5 years not enough for compensation, coast not just for rich & retired, pandemic surge is subsidizing, suspect you'll already see a decline in the county's revenue when the problem is fixing itself |
| Casey Capone Felix | Feb 12 | Unknown | 250 ft rule violates land use rights and eliminates ability to rent, will sue, Kearns wants steady paycheck, will eliminate tourism, publicly biased lawyer, more taxes to cover gaps from STRs, winston churchill quote - can BOCC explain why |
| Emma Heathershaw | Feb 12 | Cloverdale | STR since 2015 - this is only income since dairy farm is closed, no |

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| | | | complaints or issues, we live close and manage - Sand Dollar Restaurant |
| Janell Dixon | Feb 12 | Rockaway | Guests are harmless, problems are with STRs with 15-20 guests, party atmosphere with noise, lives full time in neighborhood, the only nearby STR is the one with 20 guests - max guests 10 |
| Heather Lou Weigler x2 | Feb 12 | Cape Meares | 1977 - generations owned & cover expenses with STR, never a complaint, employ several, DO unconstitutional taking of my right, tourism is vital, supports reasonable regulations, expect to be embroiled in controversy and litigation |
| Maureen Bradley | Feb 12 | Pacific City | STR owner turned eyesore into investment remodel with local contractors, not suitable for LTR, would sell - likely to an out of town buyer, need more data to understand problems being solved, very much against proposed changes |
| Karen Jackson | Feb 12 | Falcon Cove | Don't repeal, supports enforcement, retirement plan, violating land use rights, paid over asking with sensible regulations in place, substantial financial harm, rules not evidence based, extremely unreasonable, discriminatory, not LTR, invested \$175k to restore |
| Barbara Taylor | Feb 12 | Pacific City | Lives full time in PC, long time back hard to find STRs for family to stay, delighted to have that option now, friends love PC, permanent home surrounded by STRs and no difference at all - all second homes not suitable for WFH, please keep #84, STRs are getting blame for day trippers, not shocked by Not In My Backyard folks, slight improvements to #84 support |
| Carol Horton | Feb 12 | Oceanside | #84 needs enforcement, no support DO, STRs blamed for problems but not backed up with data, STRs valuable resource for tourists and income to county, too many rules, rules should be for all homes, 5 years not fair, in 40 years home has never been a full time residence, supports local businesses |
| Tim Duyck | Feb 13 | Neskowin | Prefer to rent homes when visiting, bought lot in Neskowin with plans to build and STR, most people can't enjoy living at the beach full time so only way to vacation there is to rent, Oregon coastline is a very limited commodity |

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| Jonathan & Carol Hager | Feb 12 | Netarts | Myth regarding STRs and affordable housing - 2017 Creating a Healthy Housing Market & 2019 Housing Needs Analysis - complex interplay of factors - buildable land and supply, low wage economy, coastal market, interior market - 5 miles from ocean, nightly prices will increase, Cannon Beach, cap will have effect of making rentals more lucrative |
| Lloyd Hayne | Feb 9 | Oceanside | STR is part of retirement plan, no complaints, "poison pill" restrictions, 5 years no support, issues need to be backed by data and addresses by better enforcement, everyone loses if STRs are gone |
| Andrew Crosby | Feb 9 | Nehalem | Part-time residents and STR - support thoughtful STR regulations, some DO provisions threaten to confuse the STR market and undermine overall quality - 5 renewals seeks to eliminate STRs, intolerance, inconsistent with purpose for regulation, don't support density limits, made significant improvements to the property, professional PM, no problems or complaints, 5 years undermines investments and relationships worked hard to build, time & effort to equip an STR, 5 year sunset will spark a race to the bottom to get the most income before permit lost, some type of community cap good, but not 250ft, will randomly eliminate good STRs, including this in draft was administrative overreach |
| Andrew Crosby | Feb 12 | Nehalem | Committee was supposed to improve compatibility with neighborhoods, but now exploring ways to reduce STRs - not the committee's charge - 250 ft limit and 5 year license will eliminate STRs, don't conflate paths of effective management with elimination, need rigorous study of economic impacts, bias of certain committee members, anecdotal info, tourism is vital, misguided to think if STRs are restricted that the homes will be occupied by full time residents, no impact on affordable housing with restrictions, economically dangerous to reduce STRs |
| David Kratzer | Feb 12 | Oceanside | Visited for years & now purchased, want to share home |
| Steve Stephen Woods | Feb 12 | Neskowin | 70th bday, had a group of 16 which wouldn't be possible with new rules, used all 9 bedrooms, enjoyed being all together in one place, 250ft limit won't work, what if rules change in 5 years, are we chasing a problem that doesn't exist? |

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| | | | How many complaints? Many letters sound like a group similar to LC, does their opinion count more, infringements, little understanding of long term impact |
| Robert & Wendy Hakes x2 | Feb 13 | Oceanside | Do not repeal #84, duplex STR, met with county planning in 2021 and got green light - have spent over \$400k and now can't get STR permit, projects underway should have permit |
| Jason & Dusty Muth | Feb 13 | Nedonna | STR supports local stores, economic impact |
| Mark & Janelle Thompson | Feb 13 | Nedonna | STR family dream, reconsider proposed restrictions, greater enforcement, no support 250 ft, entitled to compensation, this is land use and can't change with a certificate, code too strict, rentals down rapidly from pandemic level |
| Sharon Hammel | Feb 13 | Neskowin | 1970s, STR, no problems, huge increase in rentals 2020, but 2023 significant decline, code makes no sense, no 250 ft, no percentage cap in vacation town, local businesses need renters, never full time residence |
| Karen Campbell | Feb 13 | Neskowin | STR 2012, retirement plan helps pay mortgage until then, family has been renting in Neskowin since 1960s and STRs are nothing new and part of the fabric of our community, 5 years unreasonable compensation for investment and infringes on property rights, should be grandfathered, STRs do not impact affordable housing, very few full time residents in Neskowin to support our businesses, small percentage are homes, TC will lose TLT, favors increased enforcement of current regulations |
| Annette Nickels Dhein | Feb 13 | Rockaway | 5 generations - rebuilt home and opted to rent to offset some increased costs, used local contractor, proud to share, neighbors love new house instead of ramshackle cabin, no complaints, proposed standards should apply to all homes, based on data vs conjecture, economic study |
| Dave Parker | Feb 13 | Manzanita | Bought lot 28 years ago, just build small house, didn't use often so set up STR and income will help with maintenance and taxes |
| Michael Sprando | Feb 13 | Manzanita | Rely on supplemental income for high school & college tuition, on their street |

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| | | | they have 43 homes and 1 full time resident, MZ is a vacation destination, DO is premature, very unfair and very likely illegal, no formal notice to homeowners, request for all homeowners to receive notice |
| Sally Greer | Feb 13 | Neskowin | Breakers Condos - retirement plan - HOA dues, capital reserves, safe, guests have been coming for 50 years, off street parking, designed as STRs and bylaws prevent permanent living, losing STR great hardship |
| Stephen Piucci & Melissa Powers | Feb 13 | Neahkahnie | 25 years of coastal ownership, STRs, no complaints, MZ is tourist-drive, unconstitutional taking won't solve affordable housing |
| Steve Bruegge | Feb 13 | Visitor | Not an owner - writing as a guest at STRs, enjoys and would look to other places to spend vacation if restricted, tourism is major economic contributor |
| Sarah Wolf | Feb 13 | Tierra Del Mar | Will inherit with sister from dad, urging to not eliminate permit in 5 years, unlikely they can afford without STR |
| Anthony Power | Feb 13 | Pacific City | STR quite some time before purchase with STRs all around or seasonal homes - live out of state but come two months a year, clearly a change in occupancy since peak covid 2021, those years were atypical, Good Neighbor should apply to all, financial impact on retirement plan, transferability important, no cap on nights |
| John & Maria Meyer | Feb 13 | Neahkahnie | Lifelong dream, generations to come, only possible to purchase if able to STR, many happy guests, vacation rentals since 1940s in Neahkahnie, very fabric of our state and opportunity to share the Oregon Coast, DO is draconian, sole objective to restrict and eliminate, undoes good intentions of committee, creates distrust and animosity, thousands of hours of community participation ruined by the pen of an attorney opposed to STRs |
| Ronald Wolf | Feb 13 | Tierra del Mar | Part-time resident, STR since 2016 helps offset ownership, balance and middle ground supports, not overcrowded in his experience, supports discouraging out of proportion growth vs reduction, grandfather within reason |
| Lee Stuart | Feb 13 | Pacific City | 2019 bought little cottage in need of repair, ended up needing demolition and |

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| | | | invested several hundred thousand dollars & now STR, family spends 3 months in town and rents when not in use, housed workers during fires, support local community, proposed new regulations on STRs will financially harm us in a significant manner, not a party house |
| Kathy Hamel | Feb | Neskowin | Supports safety issues in DO, urges grandfathering for condo properties originally developed to be STRs - Chelan, Pacific Sands, Breakers - always been STRs for 50 years - inherited, unaware of parking and noise complaints, use revenue to hire a compliance officer |
| Alan Coppola & Cindy Bernert-Coppola | Feb 13 | Pacific City | Not against caps, but should start from current level and be set at 20% more and apply to all land used for housing equally including RV parks, hotels, etc..., 20 min not fruitful, max occ for all properties in the county, will not make a profit, if permit revoked based on new regulations they'll consider that a Land Use breach of contract and take appropriate action |
| Lee Mercer & Laurie Chadwick | Feb 13 | Pacific City | STR provides modest supplement to retirement income, bought for investment, vast majority of homes appear to be rarely used vacation homes, while STRs provide income for local workers and places for tourists to stay, DO is ridiculously complex, regulations beyond building codes, supports WFH through extra fees |
| Dick Binns | Feb 13 | Oceanside | Owned 30 years, but economic situation changed in 2014 and used as STR, DO does little to accomplish goal of WFH and affordable housing - many STRs will not enter the residential pool, cost too much for WFH, overreaction to an ephemeral problem - covid boost dropping off, no 250 ft, 5 years is a taking, need economic impact analysis on how many STRs lost if implemented, throws the baby out with the bathwater - needs to be shelved and instead focus on enforcement mechanisms at high tourist times |
| Shawn MacDonald | Feb 13 | Pacific City | Never rented - President Dory Pointe Neighborhood - Owns several lots and would like to build and use as STR or LTR. DO is extreme measures, policies based on emotion and not facts, no sales in last 15 years (including at low price points) have been purchased by local workforce community, values of homes near the ocean are terrible WFH, county govt is to support citizens |

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| | | | and stakeholders in the community, voting or not, tourists are lifeblood and critical component of tourism infrastructure, should be nurtured and supported, not eliminated, shockingly low stats showing STR complaints, follow the facts, not the anecdotes, why are STRs singled out vs hotels and motels, this is a land use issue & can't make outright changes to previously permitted legal use of properties, 250 ft rule bad (maybe just 3-4 STRs out of 73 lots in Dory Point) |
| Heather Crawford | Feb 13 | Oceanside | Oregon laws protect LTR tenants too much, so not a viable alternative to STR, been told sincere 2018 that permits would be grandfathered, owned and managed home for family dealing with cancer - all STR owners aren't out of the county, many owners use as part of retirement plan, bought house #2 in 2021 with retirement savings and got permit right before pause, single mom with 4 kids, donates heavily to community, pulling permits after 5 years will single handedly destroy small businesses in TC, setting up large corporations like Vacasa to thrive, but small like Oceanside Beach Rentals won't survive, cap per PM, manage complaints, so much built for tourists, but now people moving here and don't like the culture and history and trying to change it, will never convert to LTR, STRs could lose homes if can't rent |
| Adam & Rachel Roselli | Feb 14 | Pacific City | STR owners, but not wealthy investors, require rental revenue, no 250 ft rule, no 5 year taking, possible upgrades required daunting, hold bad actors accountable, don't punish those who have done nothing wrong, support many local businesses, renters are better than unoccupied, donated to Skate Park, cleaned up 4th of July on beach |
| Mark Shifflett | Feb 14 | Neskowin | STR condo, no extra restrictions, same enforcement for all, economic benefits, tourism, flexibility for travelers, community building |
| Scott Hohensee | Feb 14 | Pacific City | 5 year limit penalizes owners, DO conflates STR regulation with long term housing solutions and building codes, Kiwanda Shores has 2 full time residents |
| Jamie Rea x2 | Feb 13 | Manzanita | Concerned about sudden change, 5 renewals limited by cap is vague, unclear and unfair, renting reduces some of the financial burden, not knowing |

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| | | | in 5 years is hard for planning, permits should be grandfathered, 250 ft limit unclear, why is it a problem to be close, local police don't have turnaround time of 20 min for call + 30 min on site, how many complaints have there been? |
| All Star Appliance Allen Burris | Feb 15 | Tillamook | We rely heavily on STRs - make up a large portion of all our service business - lessening STRs will impact local businesses |
| Jeff & Jan Spalding | Feb 12 | Tierra del Mar | I co-own two places with STR permits, average \$5k TLT, plus guests spending money locally, current regulations are sufficient, enforce requirements if not, no complaints in 5 years operating, would not switch to LTR - likes flexibility to vacation |
| Christine Iijima | Feb 12 | Netarts | Family depends on income, home is their base as they travel for work, have one neighbor, don't limit rights of all owners, be careful of over imposing rules on everyone just because there is a small percentage of complaints |
| Shiloh Elkins Cham | Feb 12 | Oceanside | Roseanna's Cafe manager - Since STRs have taken off we have year round increase in business allows staff to work year round. Our business relies on tourism, we don't have enough local business to keep our staff working year round |
| Carol Herzog | Feb 12 | Pacific City | STR owner, preferred lodging type, vacationers will just go elsewhere, vital to economy of coastal areas, misguided to link STRs and affordable housing, process has gone off the rails, complete hijacking of the advisory committee's original purpose, onerous regulations |
| Stephanie Wiarda | Feb 12 | Unknown | Do not repeal #84 - Support STRs (no content in email) |
| Barbara & Mark Gordon | Feb 12 | Neskowin | The lawyer's full employment ordinance, angry, not honest attempt to address valid livability concerns, but penalize small percentage of homeowners who share their homes, county can't prove violations from STRs because it doesn't enforce or investigate, house an STR over 30 years, no complaints for renters, Neskowin directory is good, if no permit will cancel local business services and not be LTR, if county can't enforce #84 how will it keep up with |

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| | | | building codes, 250 ft maps, etc..lower revenues but oversight tripled, lottery system not good, nightmare, hold all homeowners to same rules, home sales already falling through, fewer tax dollars, over-vocal minority NIMBY, supports a balanced ordinance |
| James Farrow | Feb 12 | Visitor | Love to visit coast and rent STR - enforce rules and focus more on jobs and road repair |
| Pat Rice | Feb 12 | Tierra del Mar | Concerns, #84 is already fair and balanced, focus on enforcing valid complaints attributed to STRs, RMV don't equate to affordable housing |
| Melissa Scott | Feb 12 | Pacific City | Please reconsider taking away STR permits, majority of guests are families, STRs support town and businesses |
| Bonnie McDowell & Phil Zapf | Feb 12 | Pacific City | Shorepine Village - Want to share when not there, can't afford to keep it if can't rent, not affordable WFH, 20 min response unreasonable as sheriff can't comply, not reasonable to constantly comply with current building codes |
| Nick & Lynn Argenti | Feb 12 | Netarts | STR, they are caring people, not commercial real estate, economic impact, Pacific Restaurant needs more business to be open more, enhanced enforcement, transferability, no arbitrary limits, tied to land use, no distance limits, no change in occupancy limits, all in community should follow rules for noise, garbage and parking, equitable rules, hire local, clear rules, county should support STRs, cite 2014 tourism plan "Tourism has the potential to further diversify the TC economy and provide important benefits for residents, businesses, and visitor..." Downtown Tillamook has many distressed and vacant buildings |
| Genna Golden | Feb 12 | Cape Meares | Do you want tax revenue? Not WFH price range, what is the major opposition? |
| Dennis Clark | Feb 12 | Neskowin | DO purpose seems to be to eliminate STRs, where are beach goers going to stay? Why a closet? Permit should remain in place under agreement at time granted, transferable, no signs, won't help livability, complaints minimal, hold owners accountable |

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| Matt Caldwell | Feb 14 | Nedonna | Invested and followed rules, be careful tourism dollars keep your county afloat, do not over reach and punish the very people who invested their hard earned money in your community, complaints are completely overblown, spring is quiet as a church, recommend no changes |
| Tom Kearney | Feb 14 | Oceanside | 5 years should be extended to 10, existing STRs should be transferable, remove 250 ft limit, use percentage cap instead, include B&Bs in density calculations |
| Christine Eisenschmidt | Feb 13 | Netarts | STR permits since 2012 for duplex cabin, but no closets in bedrooms - Purchased in 1933 by FIL - never designed nor used as a full time residence, no room nor need for closet, no safety issue, behavior problem better solved through rules, not closets and building heights |
| Peter & Lori Bierma | Feb 13 | Neskowin | Built as summer home, never been a full time residence, long accepted use in the coastal region, inherent property value with renting, new rules seem to be trying to change an established property right and land use pattern - needs to be grandfathering, STR covers cost of maintenance, STR nomenclature takes away historical context - people aren't buying residential homes and turning them into STRs to profit - most have been vacation homes for a long time, covid boom is over, get the data - how many homes used for personal tax return mailing - only 2 nearby |
| Vishal Duriseti | Feb 13 | Tierra Del Mar | Supports current rules, no complaints, grandfather, transfers, no limits on nights |
| Barbara Campbell | Feb 13 | Pacific City | Own one STR, home built 1998 always seasonal home, 1 complaint addressed quickly, no caps, no 250 buffer, 5 year exemption not long enough, occupancy 12 max, 4-6 cars max |
| Eden & David Toner | Feb 13 | Tillamook | Do not repeal, part time residents since 1994, retired, income is crucial to care for property, DO is onerous and overreaching, no public options for Cape Meares so public beach access would be severely curtailed |
| Carol Kearns | Feb 13 | Oceanside | STR for 7 years, retired, full time resident since 1981, rents upstairs and lives |

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| | | | downstairs, pays mortgage, no support 5 years, no 250 ft limit, can't restrict current permits, just new, no complaints, transfers to family only, no sense to meet current building codes, do support cap |
| Peter Birch & Kathy Hamel x2 | | Neskowin | 30 year owners at Breakers, very rare exception for poor behavior, fear 5 year phase out will have property values plummet, already a reduction predicted after pandemic boost, hire enforcement officer, support safety revisions |
| Douglas Dixon | Mar 21 | Rockaway | Retirement plan, very few residents who are unhappy that tourists com to a tourist town |
| Susan Ward | Mar 21 | Visitor | Built lasting memories with family in small cottage in Neskowin |
| Justin Graham | Mar 19 | Neahkahnie | Rely on ability to STR & enjoy guests staying, proposed ordinance will make owning a home on Neahkahnie Mountain only possible for the very wealthy |
| Florin Dragu | Mar 19 | Neahkahnie | Supports most regulations, STR is future retirement home, does not support % caps, density limits or 5 year max |
| Tiffany Brown | Mar 19 | Oceanside | 5 year proposal should have been disclosed by county when realtor called county prior to sale, a local resident cannot afford this home |
| Florin Dragu | Mar 19 | Neahkahnie | Real problem is national companies and people owning many STRs, retirement plan, built on a difficult lot based on 2020 STR rules, density or proximity rules may force sale |
| Doneg McDonough x2 | Mar 18 | Pacific City | Favors enhanced enforcement tools, opposed to caps, significant impact from caps to PC's overall economy, analysis - new homeowner applications will be locked out of securing an STR permit for 5 years, current holders on waiting list in year 6 after new applicants, property values will decline, constant permit turnover, work on enhanced enforcement before permit caps, recommend the county commission an analysis of the economic impact on PC and the county |

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| Craig Pratt & Pratt Family | Mar 13 | Oceanside | Bought house in bad shape, remodel more costly than anticipated, started renting to vacationers to help offset costs, historic coastal towns not intended for long term housing, intended for vacationers, worried some people want to close the door to those that cannot afford to live and work full-time at the coast, recent surge is an echo of the pandemic, bookings down considerably, Gearhart is a coastal town of absentee owners, devoid of visitors and vacationers - candy store and restaurants are gone, McMenemy's is struggling, almost no people, ghost town, changing the rules and the spirit of how these towns were formed is unfair and unhealthy, let the market do its thing and don't allow the temporary STR trends to be used to advance the agendas of those who want to make the Oregon coast theirs instead of ours |
| Phillip Marshall | Mar 13 | Oceanside | Half-time resident, STR income is only income, supports enforcing strong standards in safety and livability, while also supportive of local businesses who rely on STRs, supports requiring parking, noise ordinances, nighttime lighting, occupancy caps, garbage management, all new appliances purchased locally, STRs are many of the nicest homes, invested heavily, create standards that if properly enforced will create vibrant communities |
| Lyn Frisch | Mar 13 | Neahkahnie | More work needed on draft to be fair, current ordinance seems to be working well, not clear it needs to be rewritten, supports STRs in Neahkahnie |
| Adam | Mar 13 | Neskowin | Home has never been used for anything else than an STR, retirement plan, unable to attend meetings due to work, adores solitude of Neskowin, minority of bad actors, scared about what is being said, hostility, do not have luxury of merely discontinuing STR, worried county will revoke my license, 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 believe strongly in the community |
| Nicol Ralston | Mar 7 | Pacific City | Jointly purchased lot March 2022, planned STR to offset costs, Yamamoto quote about pause & intent to get this done in next 6 months, no difference between construction and a home in escrow, submitted STR app Jan 2023, permit denied, unlikely to get permit in July 2023 due to proposed caps and distance limits, please review same as escrow |

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| Carrie Koepke | Mar 10 | Pacific City | Construction - Pause has been mentally crippling and financially devastating, dream being destroyed, dream home very quickly slipping away every month unable to rent is digging a deeper hole in retirement and financial stability, wants to pass down to kids |
| Steve Wecks | Mar 21 | Barview | Legality of requiring private citizens to enforce county noise or parking rules: Comparisons to other counties - parking response within 24 hours, no other jurisdictions require owners to enforce noise or parking laws, and no other jurisdictions allow "alleged violations" or "unresolved complaints" to penalize owners, refers back to 2019 STR report concluding that active enforcement of Ord #84 had committee consensus, only a peace officer can enforce a county ordinance |
| Susan Caney-Peterson | Mar 22 | Pacific City | Kiwanda Shores - Non STR - oppose caps - bureaucratic nightmare, unintended poor consequences, will create winners and losers all around, residents/non-guests are biggest source of complaints in KSMA, created rules for livability, trash standards, partnered with tow company, dog waste bags, 99% in compliance with signage helps with noise, owners/agencies very responsive to issues, wealth gap, process not solved by punishing all homeowners, supports regulations |
| Andrew Crosby | Mar 26 | Neahkahnie | STR, support regulations, oppose 5 year limit on renewals, lacks purpose, unfair, legal counsel has an agenda, strikethrough yet reappears, spiteful, disrespectful, divisive provision that adds no discernible benefit |
| Pete Stone | Mar 29 | Nedonna | Does not support rule for only 1 vehicle per bedroom, owners and managers are not enforcement officers and limited in powers, can hardly ask guests to [not] do something that both local citizens and other tourists freely do, parking limits are ineffective and misguided |
| John & Letty Giese x2 | Mar 31 | Manzanita | Manzanita School House - unique size doesn't fit into "Estate Home" category, 1+ acre lot, 9 bedrooms, sleeps 19, can only be used as an STR, would have to close small family business, invested in improvements, no complaints, supports focus on enforcement, draft will result in losses for all, significant financial damage, compensation |

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| Andrew Crosby x2 | Apr 3 | Neahkahnie | 5 year limit on renewal lacks identifiable regulatory purpose, support thoughtful regulations, committee members did not request this provision, divisive provision that adds no discernible benefit |
| Pam Kniffin x2 | Apr 3 | Tierra Del Mar | Family home since 1997, in order to keep home in the family they rent to pay taxes and upkeep, no complaints about noise or cars, 250 ft rule not ok, plenty of parking |
| Nucleon.prompts0z@icloud.com | Apr 5 | Unknown | STRs allow equal access to the beach & stimulate local economy. CA Coastal Commission & Malibu rules restriction of visitors would diminish the public's ability to access and recreate on the coast, keep our beaches accessible to all and not a backyard for the rich |
| Nicole Ralston | Apr 7 | Unknown | Concerned about items that continue to be "tabled" with July 1 quickly approaching, density caps & distance limits would severely impact the 10 of us awaiting permits, please consider a grace period before implementing new rules, please reconsider the 5 year proposed rules - need more than 5 years, protect us instead of harming us and forcing us out, today's part time members are the future's full time members |
| Oceanfront Vacation Rental | Apr 9 | Rockaway | Didn't realize another round of changes to soon, would like to continue to use den and loft as sleeping areas, remove 4 wall requirement, supports lower parking requirements |
| Mandy Mock | Apr 12 | Oceanside | Tri-Plex, bought because have large family and want to use for family gatherings, which are one of the most common uses of larger houses in vacation communities, larger lot, ample parking, need a diversity of accommodation sizes to host families of different sizes, no need for separate category, just same practical limitations... |
| Kelly Gannon | Apr 13 | Neahkahnie | Address Neahkahnie public comments against STRs related to water usage, Neahkahnie published data shows water usage by full time, part time, and STRs shows STR usage is not excessive with respect to other residences [slide showing part time residences were highest number of highest category of use], supports all building, parking, noise and safety restrictions equally to |

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| | | | any residence |
| Dan & Kathy Houf | Apr 18 | Pacific City | 2nd house constructed Shorepine Village - STR since 1996 - almost 27 years - quiet neighborhood. Restrictions will reduce property values, hurt overall economy, could be considered a "taking" of established use, disagree with DO which says STRs are "incompatible with residential neighborhoods" - any specific studies to substantiate the language? Full time residential use can have the same impacts, do not support proximity limits or limits on numbers |
| Alan McRobert | Apr 19 | Netarts | Two LLCs with attached condos with HOA allowing STRs, has been coming to Happy Camp for 60 years, must have STR to pay expenses, forcing to sell is a hardship, needs to be accommodation for approved STRs, county approved parking spot size |
| Nate Castillo | Apr 18 | Oceanside | 20 year TC residents, 250 ft distance and parking dimensions are unrealistic and cumbersome, ongoing new proposals appear to be creating barriers for owners |
| Brett Butcher | Apr 18 | Unknown | Policies will not affect any of the current rentals from which the complaints are based & instead penalize future and pending applications, builders who obtained building permits not allowed to apply even though told their property eligible for STR, supports a solution to focus on existing rentals causing issues |
| OCH - Shelia Clark x2 | Apr 17 | Tillamook Co | Tourism Business Survey Responses - Request for more data |
| Nick & Lynn Arrgenti | Apr 17 | Netarts | STR owners - Engineer & Nurse, not a commercial real estate company, have strict rules in place, provide community benefits, FEMA could result in financial headwinds to entire community, favors enhanced enforcement, permit transferability, no arbitrary limits, land use, no caps, etc. everyone in community should comply with noise & parking rules, equitable rules, TC should not limit or deter, but should take a more supportive role, references Tillamook Coast's goal for tourism to further diversify the economy |
| Royce Trammell | | Oceanside | Legal challenges to STR cap & density language, 250 ft = 2% allowed STR |

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| | | | permits, 5 year renewal info/waiting list issue, density would allow 1 STR in neighborhood, last permits to expire are lucky permit lottery winners because less competition and higher rates, but completely opposed on the other hand if on list of STR losers, what is the planned implementation date |
| Zan Northrip | Apr 17 | Pacific City | Core issue driving the activity and angst is an extremely small minority of STR operators who don't follow county rules, refusing to issue new STR permits is a defeatist response that basically gives up on enforcement, create an enforcement regime with teeth, analogy to reckless drivers - we don't refuse to issue more drivers licenses, instead we punish the reckless drivers, any economic impact analysis that stops at the effect on TLT will be grossly inadequate and misleading, capping permits without an analysis would be negligent and reckless, stripping economic rights, deferred compliance with rotating waiting list is not conducive to mortgage payments, restrict buyers, permit haves & have nots - allowing via transfer cuts out someone under development, residents will have to wait years because the county allocated special property rights to some, but denied others, support strong enforcement, only cap to support is one for all owners but restricted to a certain number of rental nights per year, anything else futile to defend, stating it's not land use doesn't make it so |
| Brenda Huffstutler & Kevin Wingert | Apr 16 | Netarts | Happy Camp - vacation rental spot for 100+ years, STR long existed in the fabric and economic engine of TC, daughter with sensory issues & challenges that make travel impractical, loves ocean, subjective complaints against STRs, no clear data or analytics, issues being legislated without data to confirm real and tangible problem, parking tags for residents, 250 ft is a football field, no one has that much space, historically rental cottages, bedrooms & parking tied together is not tenable. additional regulatory burden is a draconian arbitrary connection, unintended consequences, many of these measures will result in elimination of established STRs, left with day-trippers, STRs support local businesses |
| Leslie Kay | Apr 16 | Oceanside | Augusta Rule STR permit holder, no support for distance limitations, percentage caps inequitable outcomes, propose tiered permits: 365 nights, |

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| | | | 30, 14 or less (Augusta Rule), have not rented since 2019, but maintain my permit |
| Janell & Doug Dixon | Apr 17 | Rockaway | Voters, STR owner, no complaints, 250 ft rule no support, 2nd of 4 STRs in a row, who keeps their permit, OCH questions put off by the county, steamrolled, lawyers rejected a seat at the table, we need info, expensive lawsuit |
| Lloyd Hayne | Apr 14 | Avalon West Oceanside | Analysis of 250 minimum distance - devastating to existing STR license holders, urge county not adopt, maps attached |
| Rachael Winters | Apr 17 | Pacific City | We are in the minority group in great need waiting for permits, humbly asking for a permit so not forced to sell, pause has brought on anxiety and financial hardship |
| OCH - Rob Govender Towle | Apr 14 | Tillamook Co | STR Permit Holder Survey - Top 5 Concerns |
| John & Maria Meyer | Apr 17 | Neahkahnie | 1940s, appreciation to promote livability, support for concerns in Tonkon Torp letter, current permits grandfathered & transferable, land use, no different codes, no indemnification of the county, please put on agenda, avoid litigation |
| James Fazio | Apr 17 | Netarts | 14 acres, proposed ordinance runs counter to entrepreneurship goals, these conditions imposed by this ordinance make the future of our endeavor in TC very doubtful, will not provide more housing for resident workers, draconian, will reduce tourists and income, concerning a govt entity can dictate the number of businesses allowed in a community, floor & site plans, proof of access unnecessary, unchecked discretion to any county administrator is frightening, have abundant parking, eliminating hosting of small events is a problem - we hold weddings, receptions, reunions, retreats on our spacious lawns, no problems, no support for roadside sign requirement - do not want to alert passerby that our remote property is a rental, RVs ok, have already lost revenue/occupancy from septic limits |
| Jordan Winters | Apr 17 | Pacific City | Implore you to consider the overwhelming support in favor of keeping STRs and not further capping or restricting this viable means of lodging, don't let |

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| | | | the voice of a very few minority become the driving factor in all of these decisions |
| Allie Kato | Apr 17 | Neskowin | 250 ft buffer is an unreasonable limitation, more sense to limit the percentage within Neskowin village |
| Pete Stone | Apr 17 | Nedonna | Need data. Noise, septic, building code only apply to STRs, occupants all doing the same so new rules are punitive, minimal complaints, reference to Marion County's noise ordinance, violation of state law to require complying with current building codes, why reinspect septic when approved at time of construction, rule-making without determining legality or basing on real data, choose a more responsible path to avoid litigation |
| John Leigh x2 | Apr 25 | Otis | Concern about square footage requirement for bedrooms - should be accommodation for small houses with limited bedroom space - exempt 1-2 bedroom homes |
| Kristie Carter | Apr 24 | Oceanside | 2021 purchased land in Oceanside, already underway planning when pause hit, consider enforcing current rules before capping additional permits, we love Oceanside, privilege to own a vacation home and share, could new construction be allowed a permit since it's not impacting current housing numbers, ban fireworks, no transferability for permits as its not fair to not have the same opportunity, focus rules on revoking permits vs capping them |
| Nancy (Kat) Nordland | Apr 24 | Neskowin | Oppose: 1% increase, minimum occupancy standards, current building codes. 1% removes property rights, limits growth, removes revenue, do not create ghost towns, supports qualitative (3 STRs within 500 ft), minimum occupancy - oppose - have a long term guest, provides needed housing, please do not make occupancy a contingency on being permitted, my choice, requirement to have 50-70 year old cottages meet current building codes is ludicrous, safety inspection should suffice, 16 years STR without a complaint, requirements are overreaching and infringe on property rights, please revise or delete |
| Thomas Pak | Apr 23 | Manzanita | Deeply concerned about efforts to 'manage' STRs, necessary growth must be |

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| | | | mirrored by simultaneous growth in tourism, uncontrolled transformation into STR not sustainable nor desirable, but unfairly limiting STRs or stripping property owners of their rights is un-American, decisions need to be data driven, decisions made by anecdotes and 'feels' are destined to cause harm, data must support that limiting STRs will correspond to reduction in complaints. Support to require local manager, zoning and revenue from STRs to build affordable housing, enforcement of the visitors misbehaving, decisions must be data driven |
| Katie La Rosa Nordt | Apr 23 | Oceanside | New occupancy rules will significantly reduce the number of people who can rent spacious home, used to sit empty with owners who lived 5 hours away, now a part of the community, intrusive big government, our home helps the local community compared to its previous use |
| Maureen Bradley | Apr 28 | Pacific City | Purchased a "fixer-upper" - major remodel last year - neighbors express gratitude, proposed revisions are too restrictive, against the 30 day rental requirement will inhibit owner' abilities to make improvements, hard to find complaint data, likelihood of lawsuits |
| Todd Huegli | May 1 | Pacific City | Kiwanda Shores - STRS provide necessary and vital service for the community, small businesses are vital, revenue, not aware of complaints, caps will likely hurt small businesses, if permits not transferable value of properties will drop, many forced to sell |
| Dennis & Janet Broderick | May 1 | Nedonna | Strongly encourage support of health STR relationships that makes them affordable, safe, and plentiful, hire local, part of local economy |
| Tom Cooper | May 1 | Rockaway | Suggest moderation with STR amendments, concerns with existing permit holders being forced to modify their homes to comply, no complaints in 15 years, use local businesses, quirky old beach houses, remove fence for parking, ceilings low, families gather, 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 my houses, I feel like I'm paying the price for complaints from Neahkahnie |