

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)*

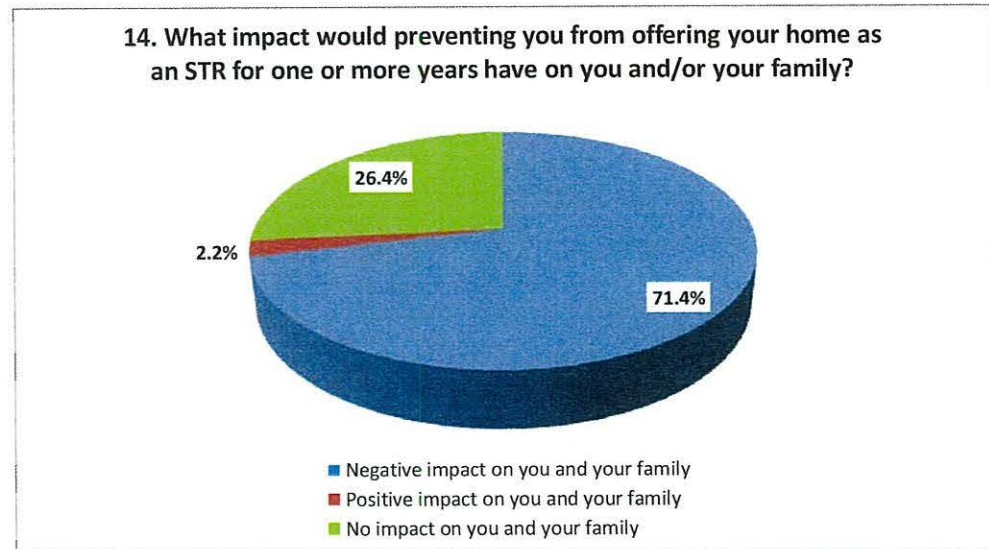
- Maybe closer to 65%, as this is a highly desirable vacation location.
- Capping STR limits in Kiwanda Shores will create an underground population of STRs that will not be subject to inspection. Owner-used houses don't have any regulations and often are more of a problem than STRs. We do not support 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.



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.



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.



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.

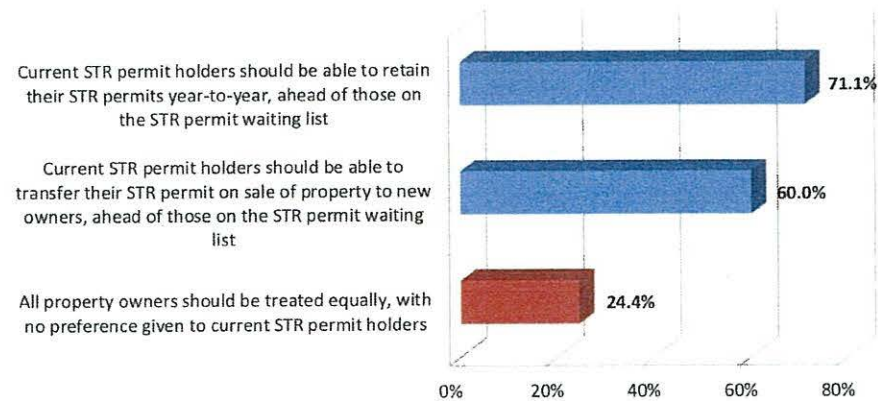


Comments on waiting list if cap imposed

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.

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)*

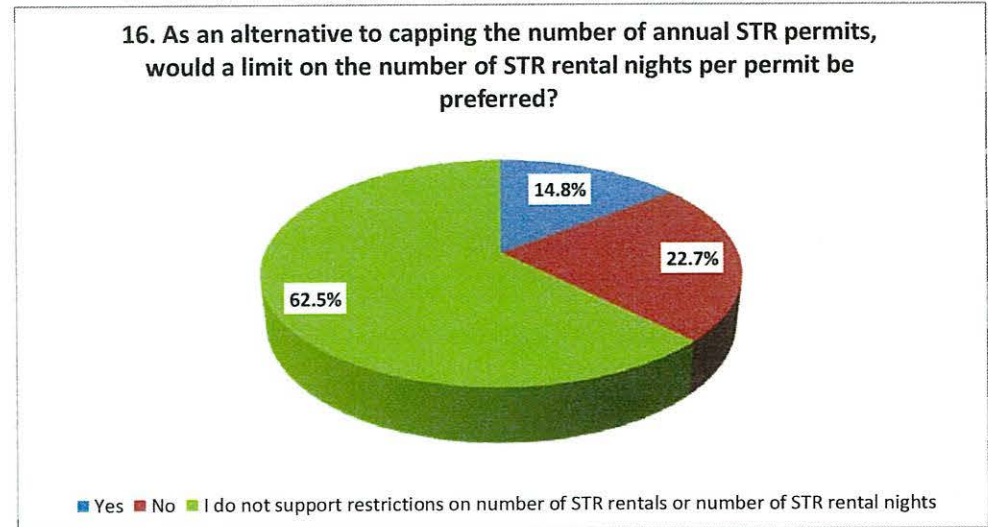
- Allowing current STR holders to retain their permits or sell them to new owners would have a seriously negative impact on my ability to maintain my home. The longer I would have to sit on the waiting list, the worse it would be. Retaining or transferring STR permits tries to address one problem (the 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.



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!



- 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.

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.



Lynn Tone

From: Public Comments
Sent: Friday, May 19, 2023 8:37 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Short Term Rentals

From: Nathan Powell <nathanmpowell@gmail.com>
Sent: Thursday, May 18, 2023 7:33 PM
To: Public Comments <Publiccomments@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rentals

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

Greetings,

I wanted to write in and make note of concerns I have with the new proposed rules for short term rentals. I purchased a vacant lot in Pacific City in December 2020 and began construction of a residence in April of 2022 with the intent that the property be used as a short term rental in addition to personal use. It was quite shocking to see this option be taken away after the large financial investment was made. Further to see homes in the middle of escrow given the ability to receive an STR permit but those in the middle construction in a similar circumstance not also given the same extension seemed intentionally unfair. To see the new proposed rules putting strict limits on STRs is problematic. Those of us in the middle of construction at the time the pause have been uniquely harmed by the actions of the County. I encourage in the strongest of terms that at a minimum those in my situation be grandfathered in and given opportunity to submit for an STR permit in the same way those who were in escrow at the time the STR moratorium went into effect.

Regards,

Nathan Powell
Homeowner in Pacific City

Lynn Tone

From: Public Comments
Sent: Friday, May 19, 2023 8:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: public comment: please make this board order carefully

From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Thursday, May 18, 2023 3:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: public comment: please make this board order carefully

[**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 trying, and even being processed and receiving 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.

The current plan of a 1% increase in allowance of permits in each area is also worrisome. That leaves somewhere between 8 and 20 more permits to be allowed in Pacific City, for example, at least per the discussions at the last meeting. However, there are 9 of us in the group of 15 who were in process of building at the time of the pause in Pacific City alone, plus I'm sure others who have bought homes or simply missed out the first time. So are we all going to be fighting for a lottery spot or first come first serve on July 3 - 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. How is this right or fair or part of our property rights that were in place as of March, 2022?

Please, PLEASE, AGAIN, consider our small group and the harm you are doing. We took land that was sitting vacant and made it beautiful. We are now paying thousands of dollars in property taxes on that land and literally cannot afford our mortgages without renting it out at least part-time, which was what we intended to do when we bought the land in March, 2022 and started building in April, 2022. We are no different from someone in escrow by July 1. Please grant us STR permits with that same exception clause, or **write into the new ordinance that we are prioritized in line and not make us fight it out for the few that will come available July 3.**

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

SAVE-OUR-NEIGHBORHOODS
NESKOWIN, OREGON 97149

May 22, 2023

TO: Erin Skaar, Commissioner, Tillamook County Board of Commissioners
Mary Faith Bell, Commissioner, Tillamook County Board of Commissioners
David Yamamoto, Commissioner, Tillamook County Board of Commissioners
Sarah Absher, Director, Department of Community Development

FROM: Tom Prehoditch, tom@kpp-law.com
Barbara Triplett, barbtriplett@gmail.com

RE: Public Testimony for the
May 30, 2023 Hearing before Tillamook County Board of Commissioners (BOCC)

We write you on behalf of the supporters of Save Our Neighborhoods. The authors of this public testimony have attended all the current Tillamook County Short-Term Rental Advisory Committee's meetings, the vast majority of them in person. As we approach the next phase, i.e., public hearings of the BOCC, we wish to thank the STR Advisory Committee members, the Department of Community Development's staff, particularly Director Absher, and Commissioner Skaar, acting as the liaison between the BOCC and the STR Advisory Committee, for their willingness to devote substantial time and attention toward modifying the ordinance governing short-term rentals in the unincorporated communities of Tillamook County.

We have been impressed by the frank, open, civil, and democratic discussion at STR Advisory Committee meetings of the many issues facing the Committee and the County. The Committee has reached a consensus on many issues, including "parking," "occupancy," "notice-to-neighbors," and "noise," and a majority position on various issues related to "caps." From the perspective of Save Our Neighborhoods, the proposed language for the amended STR Ordinance has not always been what we would propose or choose. For example, the draft language regarding occupancy establishes a numerical limit that is a bit too high in our view, and we would not create a specific exception for "estate homes." Nevertheless, we generally support the recommendations of the STR Advisory Committee and the amended draft ordinance prepared by the Department of Community Development. We understand the County's decision to attempt to reconcile and balance the competing policy goals of regulating STRs in the interest of livability concerns while at the same time supporting the continued existence of STRs, particularly those already permitted.

Although the STR Advisory Committee did not directly address "enforcement", we are encouraged by reports from Director Absher. We continually hear from Save Our Neighborhoods' supporters and others, including many STR owners, that changes in the ordinance are meaningless without an effective mechanism to report violations and appropriate consequences for the visitors who

choose to ignore the rules regulating STRs. We and our supporters applaud the efforts of the Department of Community Development in creating Granicus, a new system for logging and monitoring complaints about STRs; however how exactly enforcement will be handled beyond the local STR contact person remains uncertain to us. Enforcement is an issue we hope the BOCC and County Staff will continue to confront and clarify.

Other topics that we believe require additional time for consideration include:

(1) Limiting the number of STR licenses per individual.

After the permit “pause” is lifted, will people who own multiple STRs still be able to apply for multiple licenses? Or will people who apply for their first license in July 2023 and thereafter be limited to a single license? Restricting new applicants to a single license will allow more individuals to obtain STR licenses yet stay within the limits of the license ‘cap’ (to be determined) in their unincorporated community.

(2) Limiting the density of STRs within neighborhoods.

The available evidence from the Department of Community Development indicates a significant concentration of STRs located west of Hwy 101 and close to the beach throughout the unincorporated communities of Tillamook County. During the last year, the County has heard numerous complaints from homeowners resulting from their homes being surrounded by three or four, and as many as seven, STRs. We understand that this is a difficult issue given the County’s decision not to adopt an STR ordinance that eliminates any existing STRs. Nevertheless, we continue to hope and expect that the BOCC and County Staff reasonably considers all mechanisms for distributing STRs more uniformly in our unincorporated communities.

(3) Controlling the growth of commercial operators.

Throughout the deliberations, several committee members and numerous public comments have expressed concern that commercial operators will become the predominant form of ownership for Tillamook County STRs in the future. This notion is supported by examining trends in STR ownership nationwide and internationally. Whereas realtors and managers will continue to benefit from selling and managing STRs, the livability and ambiance of the community will be forever altered. Our challenge to the BOCC is this: will the proposed changes to Ordinance #84 be sufficient to prevent the growth of corporate ownership of STRs in Tillamook County?

(4) Limiting the hours for exterior lighting to no later than 10 PM.

In addition to the well-documented negative impacts on residents and other homeowners, light pollution harms creatures living in our nearby forests and the ocean. Artificial light in our coastal neighborhoods deleteriously affects animal behavior, especially those related to migration, hunting, and mating. Our STR visitors should be asked to join our community effort to reduce light pollution by turning off exterior lights during “quiet hours.”

(5) Educating property owners, STR managers, and realtors.

During the past year, there has been much confusion, and more than a little misinformation, spread throughout Tillamook County about whether the existing ordinance for STRs in Tillamook County needed some modifications. If and when the BOCC approves the newly proposed amendments to Ordinance #84, we strongly recommend that the Department of Community Development take a lead role in educating the public about the revised ordinance via a series of press releases and public workshops. Learning first-hand about new amendments to Ordinance #84 from the county organization tasked with administering the ordinance will significantly reduce the amount of speculation and gossip about the ordinance's consequences.

In summary, we believe that with the guidance of Director Absher, Commissioner Skaar and County Counsel Kearns, the STR Advisory Committee made substantial progress in identifying aspects of Ordinance #84 that needed adjustment. The proposed changes to Ordinance #84 as envisioned by the Department of Community Development will strengthen the Ordinance to balance the needs of STR owners with the livability concerns of Tillamook's unincorporated communities. To achieve this objective, we hope that the BOCC will also evaluate the importance of the remaining issues identified in this document. We remain steadfast in our belief that modifying Ordinance #84 is the best way to meet the aspirations of all concerned.

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 11:24 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: BOCC-final draft STR

From: Lisa Briand <lbriand@gmail.com>
Sent: Monday, May 22, 2023 10:05 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: BOCC-final draft 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.]

Please consider our comments in your staff report to the commissioners.

As STR owners, we listened to most of the hearings via Teams. At the last meeting, there was spirited debate about transfers. I felt that the committee did a good job coming up with a reasonable compromise for 2 transfers per existing STR, and noting that legal changes like LLC, family trust, etc would be exempt. In the final draft I read, I see only one transfer and nothing noted for the legal name changes. Families are often advised on how to set up properties, and we should not be punished when advised to do so as this is not a true change of hands transaction.

All along, we have understood the need for balance in the community and appreciate the committee's attempts to make things fair for all parties. We just want to be treated fairly as property owners and tax payers in the county. We respectfully ask that this 2 transfer compromise with the exception for legal name changes only (LLC, trust, etc) included.in the draft sent to the Commissioners.

Best,

Lisa and Alain Briand
Netarts

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 11:24 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Kindly consider those of us waiting for our STR permit

From: Rachael Winters <rdwinters22@gmail.com>
Sent: Monday, May 22, 2023 9:20 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, May 22, 2023 11:21 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR public comments

From: Carol Herzog <herzogcarol@hotmail.com>
Sent: Monday, May 22, 2023 12:12 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR public comments

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

To the Tillamook County Commissioners:

My family owns a home in the Pacific Seawatch development in Pacific City, which is a current short term rental.

My comments today are regarding the proposal to severely restrict the ability of a current STR owner to transfer their permit. I request that you amend the proposal which would only allow one transfer, to provide an exemption for putting the property into a different legal entity, such as a trust or an LLC.

When the property would be staying in the same family, but there is a need to do estate planning or tax planning, then that family is not really transferring the permit, and you should recognize that.

Neither change of title due to inheritance or new legal entity should require that the owners use up their one and only lifetime permit transfer. That wasn't the rule when the family acquired their coastal home, and it is not equitable to change it for people with existing permits.

Thank you for allowing me to provide public comments.

Sincerely,

Carol Herzog

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 11:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR Permits

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

From: Janelle Bertsch <jmb12.tvf@gmail.com>
Sent: Sunday, May 21, 2023 12:31 PM
To: Public Comments <Publiccomments@co.tillamook.or.us>
Cc: Rachael Winters <Rdwinters22@gmail.com>
Subject: EXTERNAL: STR Permits

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

Dear Council Members,

I am a long time visitor (born in Oregon) and tourist dollar spender along the beautiful Oregon Coast. Hiking the spectacular dunes at Pacific City is one of my earliest memories dating back to the fifties. This past winter my husband and I took pleasure in hiking the dunes, walking the beach, sipping wonderful coffee and dining within the city limits. This and former family reunions in your city are treasured times. Having a comfortable, clean & affordable property to rent made this possible. I currently reside in a community very dependent on visitor dollars to maintain a healthy, viable core community. I urge the council to consider possible unintended consequences to the core community members of Pacific City. The well maintained investment properties are an asset. The property owners who make this possible bring many dollars to local merchants and job creators by bringing visitors to Pacific City.

I respectfully ask the Council to allow that STR permits be awarded to those property owners who have invested time, labor and hard earned dollars in currently built properties.

Thank you,

Janelle M Bertsch

Harrison, Idaho.

Sent from my iPhone

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 11:20 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR regulations

From: detroitmathers@gmail.com <detroitmathers@gmail.com>
Sent: Friday, May 19, 2023 3:05 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: 'Eva Sobesky' <eva@eisstudio.com>; 'Renae Scalabrin' <renae.scalabrin@gmail.com>
Subject: EXTERNAL: 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.]

Dear Tillamook Board of County Commissioners and STR Advisory Committee:

We own two homes in Neahkahnie that are managed by a Nehalem resident, Renae Scalabrin, as high quality STRs. Her husband Jason Scalabrin built both homes as our general contractor. This is our first time commenting on the Draft STR Ordinance and Committee process. Our family also stay at these homes.

For the most part, we understand that reasonable rules re STR are worthwhile to make sure residents are not unreasonably bothered by STRs and that STRs are good neighbors.

However, any rules that greatly impair STRs, such as limits on the renewal of pre-existing STRs, would damage the investment that the owners have put in their STR homes. For example, we completely renovated both our properties, which were dilapidated when we bought them. We have paid local vendors almost \$2M for such renovations. Our two houses share the same driveway and are very close to each other. We also contributed over \$15,000 to improve the private road that goes to our homes as well as nearby homes.

We have been renting for about 10 years and have had no complaints from our neighbors.

A vast majority of the people who rent our places are Oregonians. Any rules that impede our renting will only hurt these fellow Oregonians and also all of the local businesses that our renters obviously frequent.

Moreover, any rules that impede STRs will chill investment and thus drive down the value of homes in this area. Given that the real estate market has taken a big hit due to the economy, I am sure most locals don't want the value of their homes to fall further.

I would strongly suggest that the Board proceed cautiously to avoid unintended consequences to the local economy. The Board should take minimal steps that it deems necessary. If the Board feels that more rules are needed, then it can always add more. However, if the Board goes too far and greatly damages the local economy due to hurtful STR regulations, then it will take many years to fix such economic harm to the residents and local businesses.

Thank you for your consideration.

Sincerely,

Todd Mathers and Eva Sobesky
8370 and 8380 San Dune Rd.
Nehalem, Or 97131
Todd: 310 699 9967
Eva: 310 699 9966

Lynn Tone

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Monday, May 22, 2023 11:08 AM
To: Lynn Tone
Subject: EXTERNAL: [Lynn Tone] 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.]

deb darr (darrsbeachcottage@msn.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

We have a short term vacation rental at Neskowin, Oregon and we feel that Ordinance # 84 goes way beyond it's limits ! We can't make any meetings to voice our concerns yet WE own our property and Pay ALL the taxes and have owned this property for thirty years.

What gives a group of people the right to tell us how to use our property WHEN we have always concerned our neighbors? We love our place and all of our renters ALREADY have a fairly strict set of rules they must follow in order to use our place. Now we are being TOLD how many people can stay at our place etc. REALLY?? Try coming to our place during any major holiday-- we put up with much from the general public and yet we still try to maintain a good nature about everything. However, this ordinance goes TOO FAR!!

Lynn Tone

From: Public Comments
Sent: Friday, May 19, 2023 8:36 AM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: public comment: please make this board order carefully

From: Nicole Ralston <nicoleralston@gmail.com>
Sent: Thursday, May 18, 2023 3:42 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: public comment: please make this board order carefully

[**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 trying, and even being processed and receiving 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.

The current plan of a 1% increase in allowance of permits in each area is also worrisome. That leaves somewhere between 8 and 20 more permits to be allowed in Pacific City, for example, at least per the discussions at the last meeting. However, there are 9 of us in the group of 15 who were in process of building at the time of the pause in Pacific City alone, plus I'm sure others who have bought homes or simply missed out the first time. So are we all going to be fighting for a lottery spot or first come first serve on July 3 - 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. How is this right or fair or part of our property rights that were in place as of March, 2022?

Please, PLEASE, AGAIN, consider our small group and the harm you are doing. We took land that was sitting vacant and made it beautiful. We are now paying thousands of dollars in property taxes on that land and literally cannot afford our mortgages without renting it out at least part-time, which was what we intended to do when we bought the land in March, 2022 and started building in April, 2022. We are no different from someone in escrow by July 1. Please grant us STR permits with that same exception clause, or **write into the new ordinance that we are prioritized in line and not make us fight it out for the few that will come available July 3.**

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: Erin Skaar
Sent: Friday, May 19, 2023 6:55 AM
To: Lynn Tone
Subject: FW: EXTERNAL: [Erin Skaar] Comments on Short Term Rental new rules



Erin D. Skaar (she/her) | Chair
TILLAMOOK COUNTY | Board of County Commissioners
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3403
Mobile (503) 812-9877
eskaar@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Thursday, May 18, 2023 7:34 PM
To: Erin Skaar <eskaar@co.tillamook.or.us>
Subject: EXTERNAL: [Erin Skaar] Comments on Short Term Rental new 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.]

Nathan Powell (nathanmpowell@gmail.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

Greetings,

I wanted to write in and make note of concerns I have with the new proposed rules for short term rentals. I purchased a vacant lot in Pacific City in December 2020 and began construction of a residence in April of 2022 with the intent that the property be used as a short term rental in addition to personal use. It was quite shocking to see this option be taken away after the large financial investment was made. Further to see homes in the middle of escrow given the ability to receive an STR permit but those in the middle construction in a similar circumstance not also given the same extension seemed intentionally unfair. To see the new proposed rules putting strict limits on STRs is problematic. Those of us in the middle of construction at the time the pause have been uniquely harmed by the actions of the County. I encourage in the strongest of terms that at a minimum those in my situation be grandfathered in and given opportunity to submit for an STR permit in the same way those who were in escrow at the time the STR moratorium went into effect.

Regards,

Nathan Powell
Homeowner in Pacific City

Lynn Tone

From: LAURIE KOVACK <lkovack@mac.com>
Sent: Monday, May 22, 2023 3:45 PM
To: Sarah Absher; Erin Skaar
Cc: Lynn Tone
Subject: EXTERNAL: growth management goals

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

I appreciate the work that has been done by Tillamook County to try to balance quality of life issues for residents of unincorporated Tillamook County with the presence of short term rentals in our communities.

I have attended most of the short term rental committee meetings either in person or via the internet. Many of the comments by committee members representing short term rental owners, and written and oral public comments, state that the income from short term rental revenues allow homeowners to afford a vacation home for their families when they otherwise could not. As a neighbor of short term rentals I find that this type of owner often seeks to put down roots in the community, takes good care of their homes, and makes direct connections with their neighbors during the times they and their families use the home themselves. The goal of the property ownership is primarily for their personal use. The short term rental income provides the revenue to enable the ownership. When short term rentals are allowed in our communities this seems like a model to encourage.

It appears the May 17, 2023 draft ordinance allows all current registered short term rental owners to continue renting their homes as long into the future that they continue to maintain a valid permit or license with Tillamook County. By making this a part of the ordinance it seems you have satisfied the primary concern of the current short term rental owners who told you they would be harmed if they lost their permits/license.

My observation is that the short term rental properties that cause the most problems, and harm the quality of life of residents, often have corporate ownership, and/or are investors who have multiple properties. These owners often have no personal connection to the property or community. Their primary goal is return on investment. The presence of these existing short term rentals will continue to impact their neighbors. New licenses for this type of property are detrimental to the residential community.

When Tillamook County implements growth management policies for short term rentals I encourage you to include a policy that will prioritize new short term rental licenses be issued to properties that have the dual goal of a part time residence for the owner, in addition to use as a short term rental.

There are many ways to approach this goal. I'm sure staff can provide examples from around the country that could be used as a basis for discussion. Several potential approaches that come to mind are requiring a minimum number of days usage by the owners and their families, or conversely, limiting the number of nights the property could be rented, so the rental income supplements the cost of ownership but isn't the sole purpose. Another approach might be to allow only one short term rental permit per owner, with a mechanism that prevents avoiding this limitation via LLCs etc.

I encourage the County to implement growth management strategies that will limit the growth of short term rentals, and also improve the quality of owner participation in their communities, through personal use of the property by the owners, and personal interaction with their immediate neighborhood, and greater community.

Laurie Kovack
503 880-8989

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 3:32 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Proposed STR Ordinance

From: pbirch1@comcast.net <pbirch1@comcast.net>
Sent: Monday, May 22, 2023 3:30 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Proposed 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 County Board of Commissioners
Re Proposed STR Ordinance
From: Peter Birch & Kathy Hamel

We refer to .060 B Transferability: *Transferability of STR Licenses. Any STR License existing at the time of adoption of this Ordinance is eligible for one (1) transfer to another person or entity.*

We do not have an existing STR license - we have an existing STR permit. Do you intend to revoke existing permits and replace them with licenses? If so, the legal process for doing so needs to be stated in the Ordinance.

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 3:32 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Staff Report Public Comments - Support for STRs

From: Robert Hakes <robert@roberthakescons.com>
Sent: Monday, May 22, 2023 2:50 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Staff Report Public Comments - Support for STRs

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

Hello,

Anyone that started a project based on the fact they were told by the county that they could do STR should be given the opportunity to receive the STR permit.

Thank you,

****PLEASE NOTE: OUR ADDRESS HAS CHANGED.
SEND ALL MAIL TO: PO BOX 504 BRUSH PRAIRIE, WA 98606

Robert Hakes



11515 NE 131st Street
Vancouver WA 98662
O: 360-836-8622 | C: 503-318-1863 | E: robert@roberthakescons.com

OR – CCB – 200289
WA - CCB - ROBERHC87104

Throughout committee discussions a few recurring themes were present:

- **Importance of Accurate Data** - Significant data not provided by the county
- **Enforcement** - Boots on the ground are needed to alleviate burden on neighbors to report
- **Historic Areas with Seasonal Homes** - Many homes have never been full-time residences
- **Property Rights** - Ability to STR is an important stick in the bundle of property rights
- **Livability Concerns** - Noise, Parking & Trash - Need more data to assess impact from STRs

Permits & Licenses

A vital component missing from all discussions and the proposed draft is clear information about homes with current STR permits and how they will be handled with regards to status of permits and any timeline for compliance. A solution for this would be to have two categories including current STR Permits and new STR Licenses, as seen in the following example:

Existing STRs may continue to operate with STR Permits as long as three (3) conditions are met:

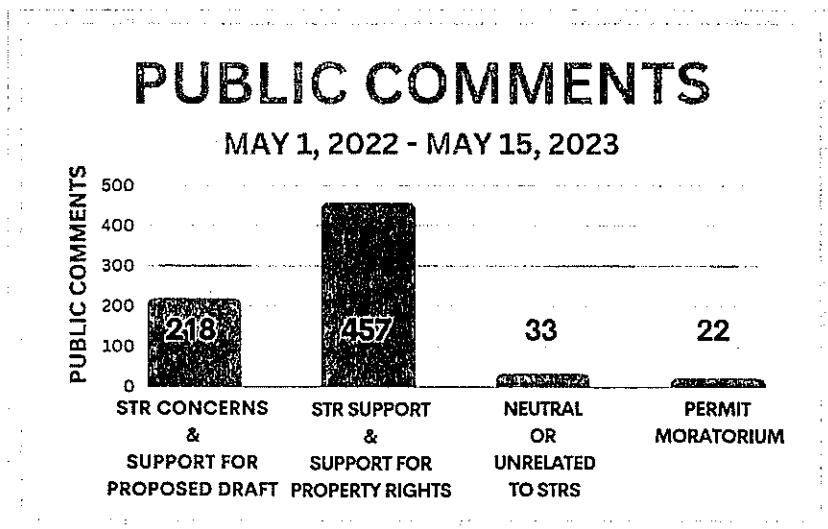
- The STR Permit must be renewed annually.
- The STR may not increase maximum occupancy.
- The STR meets basic fire & life safety requirements.

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

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

Public Comments

STR Advisory Committee responsibilities included reading all public comments. There was a wide range of comments across a spectrum of viewpoints. I acknowledge that it is not ideal to categorize opinions of community members, but for the sake of generalizing to give myself a better understanding of the feedback throughout this yearlong process, I found it helpful to keep a running tally of a full year's worth of approximately 730 public written comments divided into four general categories:



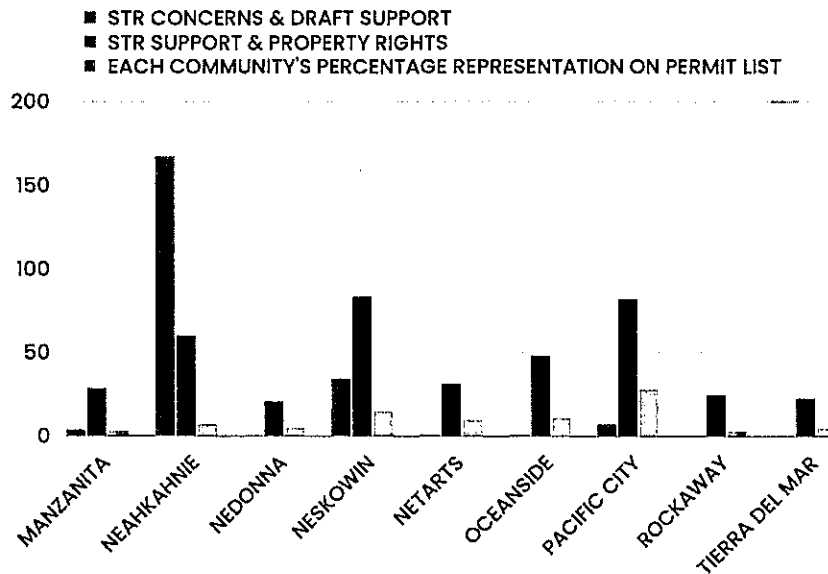
Breaking down comments by location and focusing on the two main categories was helpful in grasping the feedback throughout all of Tillamook County and seeing clearly how it varied significantly. Thirteen communities in Tillamook County did not have a single written public comment expressing STR concerns or support for the draft proposal over the full year of this process. Only two communities had stronger STR concerns and support for the draft than general STR support and support for property rights: Neahkahnie & Tillamook.

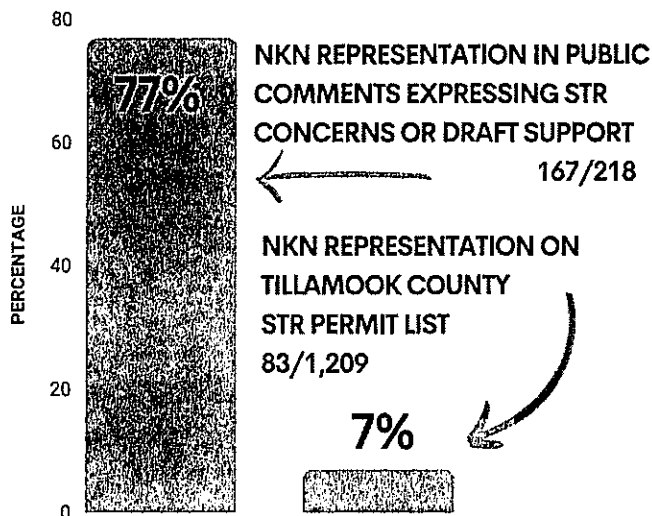
| LOCATION | GENERAL STR CONCERNS & SUPPORT FOR DRAFT | GENERAL STR SUPPORT & PROPERTY RIGHTS |
|----------------------------------|--|---------------------------------------|
| BARVIEW | 0 | 2 |
| BAY CITY | 0 | 1 |
| BEAVER | 0 | 0 |
| CAPE MEARES | 0 | 5 |
| CLOVERDALE | 0 | 7 |
| FALCON COVE | 0 | 4 |
| HEBO | 0 | 1 |
| MANZANITA | 4 | 28 |
| NEAHKAHNIE | 167 | 60 |
| NEDONNA BEACH | 0 | 20 |
| NEHALEM | 1 | 4 |
| NEKOWIN | 34 | 83 |
| NETARTS | 1 | 31 |
| OCEANSIDE | 1 | 48 |
| OTIS | 0 | 2 |
| PACIFIC CITY | 7 | 82 |
| ROCKAWAY BEACH | 0 | 24 |
| TIERRA DEL MAR | 0 | 22 |
| TILLAMOOK | 2 | 1 |
| WATSECO | 0 | 0 |
| WINEMA | 0 | 0 |
| GENERAL, BUSINESS, VISITOR, MISC | 1 | 32 |
| TOTAL | 218 | 457 |

The nine communities with the most written public comment activity are shown on the chart below:

PUBLIC COMMENTS

MAY 1, 2022 - MAY 15, 2023





As illustrated by the public comments, it is clear that a significant majority of comments supporting the draft ordinance are from a single community: Neahkahnie. The current percentage level of STRs in Neahkahnie is approximately 20% (83 STRs out of 409 improved properties). 77% of all public comments citing STR concerns or support for the draft are from Neahkahnie, while the STRs in Neahkahnie only comprise 7% of the STR permits throughout Unincorporated Tillamook County (83 permits in Neahkahnie out of 1,209 county permits listed as of Feb 2023). This disproportionate distribution of public comments shows a significant disparity from a single community, and there is valid concern that one community's efforts to strictly regulate STRs could impact the entire county.

Neskowin, was the next community behind with 34 written public comments expressing concerns or support for the draft proposal. No other communities in Tillamook County reached double digits in this category which is an important fact. Meanwhile, comments generally supportive of STRs and property rights were more widespread all throughout Tillamook County. The total number of comments with STR support (457) is more than double the number of comments with STR concerns (218). While public comments are important, they are just one factor to consider when setting STR regulations. The importance of data to make sure that regulations are evidence-based and will not result in unintended consequences should not be overlooked.

Reduction or Growth Management

I'm concerned that Tillamook County's assertion that the stated goal to manage STR growth and not reduce STRs is not supported by the draft ordinance. Simply saying there will be no impact on current permits due to a proposed percentage cap being set above the current level overlooks an unknown number of permits that may be eliminated due to the cumulative effect of stricter requirements which may seem minor, but could essentially throttle the number of current STR permits and push out family run-STRs in favor of larger operations more equipped to keep up with inequitable regulations:

- Requiring renters to park off-street - owners can't restrict use of parking on public streets (.080 E)
- Requiring immediate response to phone call - immediate is unreasonable (.080 J)
- Requiring exterior lighting to direct downwards - lighting is a safety feature (.080 K #11)
- Requiring expiration date on exterior signage - necessitates annual expenditure (.080 O #1)
- Requiring all STRs to meet current building codes - undue burden (.090 A)
- Requiring all STRs with septic tanks to have an annual inspection - 5 years is ideal (.090 C #3)
- Requiring minimum bedroom sizes larger than some currently permitted bedrooms (.030 D)
- Requiring in-person response - could be a safety risk better handled by law enforcement (.080 J)
- Limiting parking to 6 cars off-street - previously required up to 10 for large homes (.070 D #3)
- Fee no less than \$100 to change Contact Person - financial barrier to compliance (.060 A)

Strengthen Enforcement Along with Community-Wide Noise, Parking & Trash Solutions

Severe regulations are not the solution. Simple and straightforward regulations will best facilitate compliance. Tillamook County needs better enforcement of the current ordinance, a county-wide noise ordinance, "no parking" signs as needed, and curb-side recycling to reduce trash. Those suggestions all address top nuisance complaints and impact not just STRs, but the entire community. The past STR Advisory Committees have also recommended better enforcement. Neighbors should not bear the

burden of reporting concerns. Punishing all owners with STR permits instead of addressing specific problems is not appropriate. The fact that no STR has ever had a permit revoked under the "three strikes" guideline is an example of how this proposed draft is an over-reaction to a boost in visitors to the coast during the pandemic colliding with a Not-In-My-Back-Yard mentality. We need simple and straightforward regulations with effective enforcement. Best practice is to make a few measured changes, and then reevaluate to see if the intended goal is being met. If too many changes are made at once, then there could be unintended consequences and a lack of clarity on which changes were effective or ineffective.

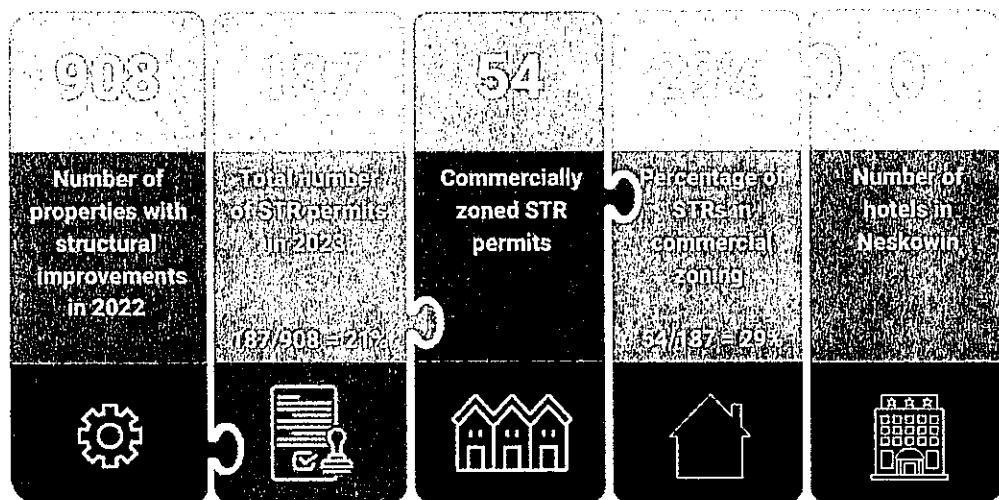
Family Ownership

Reading through all the public comments it was evident that a great number of owners are families who are sharing their personal vacation home. This is a tradition along the Oregon Coast and a labor of love for many, myself included. I've heard the rumors of corporations buying up homes in Tillamook County, but this hasn't been backed up by facts. A review of the STR permit list shows that 93% of homeowners with STR permits have only one single permit in Tillamook County.

2% Annual Cap with 3 Year Sunset

If Tillamook County insists upon implementing a percentage cap, then I can support a 2% cap with an annual increase and sunset in three years if Phase 2 is delayed. This allows for controlled growth and better data collection via Granicus hotline. I also highly recommend expediting an online STR registry with contact info (for example Bend, Oregon) & complaint link (for example Couer d'Alene, Idaho). If homeowners and property managers can easily update the contact person online, in real time, the compliance will be higher instead of requiring changes be made 14-30 days in advance with a \$100 fee.

BREAKDOWN OF STR PERMITS IN NESKOWIN



NUMBERS ARE APPROXIMATE AS OF MAY 2023

Neskowin

For all of 2022, Tillamook County reported only one single county-reported complaint for STRs in Neskowin. This complaint was for "parking in roadway" and it was resolved and did not result in a violation. Outside of signage violations, which are in their own category, for all of 2022 no violations issued for STRs in Neskowin were reported by Tillamook County.

The previously reported county-wide complaints & violations mirror Neskowin with similarly low numbers in the single digits for 2020 and 2021. Acknowledging that there is a disconnect between numbers reported by Tillamook County and experiences shared by neighbors, there are valid concerns regarding garbage, parking, and noise. However, it is difficult to pinpoint the extent to which these concerns are due to STR guests, versus day trip visitors, residents, or visitors of residents. Feedback from Neskowin is that we would like to see all homeowners be good neighbors and be held to similar standards.

The STR Advisory Committee was presented with county-wide data showing that the majority of nuisance calls are to second homes, and not STRs. A mere ten phone calls to the sheriff in 2020 & 2021 out of 600 nuisance calls were attributed to STRs in the entire area of Unincorporated Tillamook County.

NCAC STR Recommendations

In December, 2022 the Neskowin Citizen Advisory Committee [NCAC] submitted a 19 page report titled Recommendations for Updating Tillamook County Ordinance #84. I served on this STR sub-committee and our recommendations reflect a full year of outreach to our community, research, and two surveys. The final survey had an excellent response rate with 449 participants from eligible NCAC members, the majority of which did not have homes with STR permits. Our recommendations included the following:

- **Improved Enforcement** - enforcement officer nights & weekends in summer months
- **Percentage Cap** - also support to exclude commercially zoned areas from caps
- **Update "Sleeping Areas" to "Bedrooms"** - 2 per bedroom + 2 overall
- **Online STR Directory, Complaint Form & Exterior Signage**
- **Parking - Max 6 Vehicles**
- **Bear Resistant Trash System & Weekly Trash Pick-Up**
- **Dark Skies Initiative** - encourage for all of Neskowin & not just STRs
- **Community Rules** - equal application of rules for trash, parking & lights for everyone
- **Increase TLT Funds Allocated to Neskowin**
- **No In-Person Response Requirement**
- **No Annual Nightly Limit, No Max Occupancy Limit, No Proximity or Distance Based Limits**

Percentage Caps in Neskowin

The following information is my own deep dive into the percentage cap survey responses, and was not part of my role on the NCAC's STR sub-committee. The Neskowin survey showed 59% of respondents supported some level of percentage cap from 0%-50%, while 41% supported 100% (no cap).

| | |
|----------------|--|
| 54% cap | Average of all 449 survey responses representing the community from 0%-100% |
| 24% cap | Average of only the responses which selected 10%-50% cap Excludes 0% (ban) and excludes 100% (no cap) |
| 21% cap | Average of only the 59% of responses which selected a 0%-50% cap Excludes 41% of responses supporting 100% (no cap) |
| 40% cap | Median of all 449 survey responses representing the community from 0%-100% |

The percentage cap conversation will be an important one moving forward, and the various options above present how differently the percentage caps can look based on how the same set of data is calculated in different ways. Two options above leave out responses from community members (24% & 21%). It is my opinion that the two options which reflect all survey responses best represent the entire community of Neskowin by virtue of not excluding survey responses (54% cap & 40% cap). However, there needs to be more data behind the selection of a cap in addition to a survey, as important regulations need to be based on data and not merely opinions. For example, as a historical vacation destination with a high rate of seasonal ownership, Tillamook County has defined Neskowin as a resort area. To preserve our historical balance in this coastal market I believe a cap of approximately 30%-35%

would strike a balance. That range accounts for roughly half of the seasonal homes being permitted STRs, and roughly one-third of a balance between full-time residences, seasonal homes not used as STRs, and seasonal homes used as STRs. If there is a percentage cap, then STRs in commercial zones need to be excluded. STRs in commercial zones currently represent 29% of the STRs in Neskowin, and there is strong community support to exempt this zone from any potential percentage cap.

Workforce & Affordable Housing Crossover

Workforce Housing & Affordable Housing is a crisis in Tillamook County. There may be some minimal overlap with these types of housing and STRs, however in Neskowin that may be very limited as Neskowin is classified as being fully contained within the Coastal Zone reflecting higher than average home prices. The average sale price of homes sold in Neskowin Jan-Apr 2023 was \$1.5M (none of which had an active STR permit). Operator Fees from STR permits continue to be a new source of revenue for Tillamook County to allocate towards this vital need for more multi-family housing in our communities.


Oregon Beach Bill

In the spirit of the Oregon Beach Bill, it is vital to the diversity of our community to maintain accessibility to the Oregon Coast for all demographics regardless of socioeconomic status. If visitors do not have overnight accommodation options we are not an inclusive community.

In September 2022, a presentation by the Tillamook Coast Visitor's Association said that our county is unique because it has an extremely low number of hotel rooms: 782 hotel rooms in the entire county. To put that in perspective, the downtown Portland Hilton has two towers which also have 782 hotel rooms combined. Visitors to the Oregon Coast are reliant upon STRs. From 2014-2022, roughly \$40M in TLT has been generated for Tillamook County, and STRs account for approximately 70% of the TLT collected.

Summary

I am advocating for a balanced perspective that meets mutual goals for the greater community. I favor regulations which are evidence-based and supported with enforcement. Current STR Permit holders need to have their legal rights preserved & changes outside of clear fire and life safety regulations may only apply to new STR Licenses. A goal for the county should be to find a balance that preserves community livability, promotes renting responsibly, supports our tourism economy, and maintains accessibility to a wide variety of visitors. STRs have become a highly divisive topic for some communities, and we need to bridge the gap to bring people together with a clear understanding of both the benefits and concerns with this type of accommodation which welcomes visitors from around the world to the Oregon Coast.



Hillary Gibson

To: The Tillamook County Board of County Commissioners
Cc: Sarah Absher, STR Advisory Committee, Hillary Gibson, Karen Babbitt
Fm: John and Maria Meyer
Re: Comments to BOCC on the 5.17.23 STR Ordinance Draft
Date: May 22, 2023

Our extended family has been visiting the Oregon coast since the late 1940s. Since 2017, we have owned a vacation rental home in the Neahkahnie community north of Manzanita. We know many year-round residents and we respect and value our neighbors and their concerns. We deeply appreciate owning a home in this beautiful place on the Oregon coast. As to vacation rentals, we feel they provide a significant contribution to the economic and social well-being of all residents of Tillamook County, and we favor practical regulations that are enforced. But we also favor protecting the property rights to own and operate a vacation rental, including our right to transfer it.

We are extremely grateful for the work of this STR committee, but we would be remiss if we did not point out shortcomings in the current draft. As you know, the original purpose of addressing STR issues through an STR Advisory Committee was to build consensus to effect positive change. This draft deviated from that important objective when the county hired an attorney well known for his anti-STR positions in other counties throughout Oregon and instead of building on what was good in Ordinance 84 and has worked well, it was tossed and the committee was given an entirely new draft ordinance that reflected material elements intended to remove property rights from vacation rental owners. Some offensive elements were removed, but the current draft still reflects many such restrictive clauses, which are not "consensus recommendations" from the committee. A more informative description from staff would be that "the STR Advisory Committee is not in agreement with several elements of this draft."

We hope the BOCC will insure this document reflects the *original* purpose of this effort. Our common goal is a final document, approved by the BOCC, that preserves the best interests of all stakeholders. The STR Advisory Committee has labored to mold a consensus, a win-win document. Let our comments below serve as a guide to achieving that better balance.

Comments on Draft Ordinance

[Page references refer to the draft ordinance, copy attached]

- A. *There are a series of "whereas" type clauses in this draft which reflect an anti-STR bias. They serve no useful purpose other than to restrict the property rights of existing STR owners. We recommend removing them.***

Page 1:

O40 – “No Nonconforming Use Status Conferred” - this is directed at existing STR property rights and may be illegal. If a property has a non-conforming use or right that pre-dates this regulation, this regulation cannot strip the property owner of the right to the non-conforming use. (See also Page 6. O40 (B) – “No nonconforming Status Conferred.” – legal question is whether an existing Non-Conforming Use right is being taken away. These references should be stricken.

110 – Use of “license” replaces “permits” and registered. – this language serves no purpose but to restrict property rights of STR owners. It appears in multiple other locations. Simple solution: revert to Ordinance 84 description.

- B. There are several references describing STRs in a derogatory light. These create broad-brush assertions that these negative comments apply to the entire STR community, when in fact the number of violations and complaints over the last decade registered against STR's are minimal. This “bias” only creates divisiveness in the community and does not lead to constructive changes and recommendations. If we move on to a Phase 2 evaluation of CAPS, it is essential we start from a point of objectivity and balance. We recommend these biased clauses be removed.***

Page 2:

4. “the need to limit short-term rentals within neighborhoods...to ensure compatibility with ...established owner-occupied neighborhoods.” - Much too broad, fails to recognize STRs need to be compatible, they need to be good neighbors, we do not “need to limit” them without serious analysis and community review, which has not taken place; also, we know that some owner-occupied neighborhoods are like ghost towns and some are in locations more suitable to rentals. Some areas are predominately STRS and need to stay that way. Even the California Coast Commission recognizes this important principle. This can be evaluated on case by case (community by community) basis with objective criteria applied. The statement “STRS need to be limited” is not based on committee recommendations and there has been no evaluation of CAPs or other standards justifying limiting STRs. This clause should be eliminated.

5. Same as # 4: “Protect the character of the County’s established neighborhoods by limitingSTRS” – may be inappropriate; the character is well-established with existing STRs. Open to argumentation and divisiveness. Same conclusion as to #4 above.

B. Same as #4, #5: “County finds the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods....damaging impact on the livability of those neighborhoods.” Again, derogatory unsubstantiated claims set the stage for community divisiveness. These clauses hurt efforts to achieve consensus and divide the community. They should be eliminated.

E. “The requirements of this Ordinance are not “land use regulations.” Why is this inserted? Is this another attempt from Mr. Kearns to remove an existing property right that is legally protected under

LUBA precedents and other well established Oregon statutes? If so, on what basis is the statement included other than to show intent to remove a property right. It should be eliminated.

Page 4:

G. "Administrative Rules. The county STR Administrator shall have authority to establish administrative procedures....binding upon any owner, operator....." This language is too broad. Should simply refer to the section in the Ordinance that describes this in detail (see "Violations. 120," page 19)

H. "County Administrator...authority to administer, interpret and enforce, this Ordinance" – this is incorrect and should be removed or re-written. The ordinance does not grant the administrator these authorities. The authority actually granted is defined in "Violations .120" page 10 ff)

N. "Good cause...." This is not defined and would be grounds for significant arguments and legal actions seeking clarification. How/where is "good cause" used in the document? How is "Public health or welfare or the safety of the immediate neighborhood in which the STR is located" defined – by way of example, many year-round residents believe legally permitted STRs, by their very presence and regardless of their compliance with the regulations, violate their safety and are a public health hazard, simply by being present – these visitors affect water supply, clog traffic lanes, impede emergency vehicles, etc. This clause could be misused and easily interpreted as justification to eliminate STR's when in fact they are simply occupying a lawfully created and permitted residential home, in effect with fewer occupants than were the home occupied by year-round or part-time residents. The clause should be eliminated.

O. "Good Neighbor Policy" – question left open: is violation of good neighbor policy "good cause" for suspension or revocation of license. We believe strongly in a good neighbor policy adopted by all, but we don't support broad authority to revoke permits for "good cause" as determined subjectively by the language in "N."

C. Further concerns about specific clauses:

Page 5:

Y.Z. "Short term rental." Does this mean a homeowner is prohibited from renting part of his or her home? What about to a caregiver; what about to a farm worker, or others? Does "B&B" involve a State license as suggested here?

Page 6:

.040 – "No nonconforming Use Status Conferred." – see Page 1, same question and conclusion: serves no purpose other than to restrict property rights. Should apply to no permits only.

A. Confirm that existing permits continue. "License may be revoked for failurewith all requirements..." - Contradicted by Section .120 Violations and .130 Penalties

B. "Does not confer a property right.." – why not? Is it being taken away?

- C. "CAPS" – "the county has established a limit on the number of STR licenses..." – this language is not true. CAPS are apparently being addressed separately and this clause would only apply if specific regulations were in place, which is unlikely by the time the county is ready to approve this new ordinance.

Page 9:

.060 B – Transferability – "...STR license existing at the time of adoption of this Ordinance is eligible for one (1) transfer." Existing STR permit holders have a property right that goes with the property if it is transferred. There is no apparent justification for taking that property right other than to serve to potentially eliminate the right for that property to operate as an STR, if for example, CAPS were in place or other restrictions limiting the number of locations of STRs. We recommend a transparent discussion and evaluation of the legal implications of such a taking, including whether or not compensation would become a factor were it ultimately implemented.

Page 13:

J. Contact Information – "must be able to arrive on site at the STR within 30 minutes if a phone call is not sufficient to remedy the alleged operational problems." Could be nightmare to implement; what if the STR Administrator feels a phone call is not sufficient to remedy all alleged problems....what if fence is blown down in front of STR home; neighbor calls it in to complain.....

Page 16:

Q.6. "No ADU permitted." - why are ADU'S not permitted? What if an owner wanted to live in ADU and rent the house; or vice versa?

Page 18:

2. STR Hotline – "Unresolved complaints shall result in an immediate violation of this Ordinance" – resulting in suspension, revocation? Remember, language elsewhere confers very broad powers to the STR Administrator and they apply to "any" violation of the ordinance.

Page 19:

.120 Violations –

D. Failure to comply with the "substantive or operational standards in Sections .080,.090.100 or any conditions attached to a particular STR license." - too broad; the penalties are spelled out in the subsections. This creates a new separate ground for "violations" that is also a civil infraction; it could result in very serious penalties, but causes and basis are defined elsewhere.

.130 Penalties –

A. "In addition to the fines and revocation procedures described in this Ordinance..." - what does this mean?

Page 20:

4. "...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." - this is broad, and very subjective – one person has the authority to define what is "reasonable" and that interpretation could result in financial and civil penalties, and a revocation of the STR license. References to "reasonable judgement" should be eliminated and replaced with simple, clear descriptions of violations.

Cc: Draft Ordinance, 5.17.23, as posted on County Web Site. Highlights in yellow correspond to captions in this memorandum.

Short-Term Rental Ordinance

- 010.....Title
- 020.....Purpose and Scope
- 030.....Definitions
- 040.....Annual Short-term Rental ~~Registration Certificate~~License Required, Basic Requirements for a ~~Registration Certificate~~License, No Nonconforming Use Status Conferred
- 050.....Application and Fees
- 060.....Term of Annual ~~Registration Certificate~~License and Renewal
- 070.....Application Required and Burden for ~~Registration~~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 ~~Registered~~Licensed and Operating on the Date of its Adoption
- 120.....Violations
- 130.....Penalties
- 140.....Appeals of County Decisions Regarding Short-Term Rentals
- 150.....Severability

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

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

.020 Purpose and Scope.

- A. This Ordinance provides reasonable and necessary regulations for the ~~registration~~licensing of short-term rental use of residential dwelling units, the purposes of which are to:
 - 1. Protect the health, safety and welfare of short-term and long-term renters, property owners, and neighboring property owners throughout Tillamook County.
 - 2. Balance the legitimate livability concerns of residential neighbors with the rights of property owners to use their property as they choose.

3. Provide visitors to Tillamook County with reasonable opportunities and a range of short-term rental and vacation occupancy options.
 4. Recognize the need to limit short-term rentals within neighborhoods to ensure compatibility with, and livability of, established owner-occupied neighborhoods, while recognizing the benefits of short-term rentals in providing recreation and employment opportunities, as well as transitional housing and business or hospital related short stays.
 5. Protect the character of the County's established neighborhoods by limiting the number, concentration, and scale of full-time short-term rentals in residential neighborhoods.
 6. Provide funding support for County housing development initiatives to address local affordable and workforce housing needs and increase availability of housing for people who want to live/work in Tillamook County.
- B. With the adoption of these regulations, the County finds that the transient rental of dwelling units has the potential to be incompatible with the residential neighborhoods in which they are situated and to have a damaging impact on the livability of those neighborhoods. Therefore, special regulation of dwelling units used for short-term rental, transient or vacation occupancy, is necessary to ensure these uses will be compatible with surrounding residential neighborhoods and will not materially alter the livability of the neighborhoods in which they are located.
- C. A short-term rental license is revocable permission to operate a short-term rental, but only as provided in this Ordinance. A license may be terminated, revoked or not renewed if the standards of this Ordinance are not met. This Ordinance provides the administrative framework for certification and the operation of short-term rentals and provides a process by which owners can appeal County decisions related to short-term rentals.
- D. The regulations in this Ordinance are not intended to permit any violation of the provisions of any other law or regulation. Any exemptions allowed by this Ordinance shall not exempt the short-term rental from any other applicable requirement, regulation or ordinance adopted by Tillamook County.
- E. The requirements of this Ordinance are not "land use regulations" as defined in ORS 197.015 or 195.300(14). The regulations contained in this Ordinance are not intended to, nor do they, implement the Tillamook County Comprehensive Plan, the Tillamook County Land Use Ordinance, nor do they implement any of the State-wide Planning Goals.
- F. The short-term rental use of a dwelling unit does not, in itself, require a home occupation permit.

G. *Administrative Rules.* The County's STR Administrator shall have the authority to establish administrative procedures and regulations consistent with the provisions of this Ordinance for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the provisions of this Ordinance. A copy of such administrative procedures and regulations shall be on file in the Office of the County Recorder and shall be posted on the County's website. Any such administrative rules and regulations shall be binding upon any owner, operator or registrant of a short-term rental and upon the Hearings Officer under Section .140.

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

- A. "Adoption of this Ordinance" means the date on which this Ordinance takes effect after adoption by the Board of County Commissioners.
- B. "Applicant" means an owner of a dwelling unit who applies to the County for a Short-Term Rental License.
- C. "Authorized agent" is a property management company or other entity or person who has been designated by the property owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- D. "Bedroom" means a room intended and permitted to be used for sleeping purposes (ORSC R202) that has all of the following attributes:
- Light, ventilation, and heating (ORSC R303.1)
 - A minimum of 70 square feet of floor space and not less than 7 feet in any horizontal dimension (ORSC R304.1). If the room is intended for overnight occupancy by more than one person, it must have at least 50 square feet of floor area per person.
 - An emergency escape and rescue opening (ORSC R310)
 - A built-in closet, clothing closet organizer, armoire or similar clothing rack or clothing storage unit.
 - A smoke alarm (ORSC R314.3 item 1)
 - A carbon monoxide detector (ORSC R315.3) where required.
 - All sleeping areas used as a bedroom in a short-term rental must be permitted for that use, and no areas may be converted to a bedroom without demonstration of compliance with this Ordinance.
- E. "Change of Property Ownership" means the transfer of title from one person to another.
- F. "Contact Person" means the owner or the owner's designated agent for the Short-Term Rental, authorized to act for the owner on their behalf.
- G. "County" means Tillamook County, Oregon.

Formatted: Not Highlight

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.

Formatted: Not Highlight

L. "Enforcement Officer" means the Director of the Department of Community Development, County Building Official or their designee authorized to administer and enforce the County's civil ordinances and permits. Officer also includes the Tillamook County Sheriff, and the deputies and authorized representatives of these officials.

M. "Estate Home" means a single-family dwelling with five (5) or more bedrooms.

N. "Good Cause" for the purposes of denial, suspension, revocation, imposition of conditions, renewal and reinstatement of a Short-Term Rental License means (1) the Applicant, Owner or Contact Person has failed to comply with any of the terms, conditions, or provisions of this Ordinance or any relevant provision of a County code, State law, or any other rule or regulation promulgated thereunder; (2) the Applicant, Owner or Contact Person has failed to comply with any special conditions placed upon the Short-Term Rental License; or (3) the Short-Term Rental has been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the Short-Term Rental is located.

O. "Good Neighbor Policy" means a policy furnished by the County STR Administrator that summarizes general rules of conduct, consideration and respect, and includes without limitation provisions of this Ordinance applicable to or expected of guests occupying the Short-Term Rental.

P. "Nighttime Occupancy" means overnight occupancy between the hours of 10:00pm and 7:00am the next day. "Nighttime occupants" means the guests who may occupy a short-term rental overnight.

Formatted: Not Highlight

Formatted: Not Highlight

P.Q. "Non-transient rental" means to rent a dwelling unit or room(s) for compensation on a month-to-month or longer basis.

Q.R. _____ "Onsite Wastewater Division" means the Onsite Wastewater Division of the Department of Community Development.

R.S. _____ "Onsite Wastewater Treatment System" means any existing treatment and dispersal system of residential wastewater.

S.T. _____ "Owner" means the natural person or legal entity that owns and holds legal or equitable title to the property.

T.U. _____ "Registrant" means the owner of a dwelling unit who holds a Short-Term Rental License.

U.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".

V.W. _____ "Road Authority" means the Tillamook County Public Works Department and the Oregon Department of Transportation (ODOT).

W.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".

X.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.

Y.Z. _____ "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 calendar year but does not include a Hosted Homeshare, a bed and breakfast enterprise, hotel, motel or other types of traveler's accommodations for which a state license has been granted under Oregon Administrative Rule, Chapter 333, Division 29. 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.

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

AA.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.

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

CC.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.

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

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

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

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

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

B. No Nonconforming Status Conferred. The fact that an owner of property or other entity may hold a license on the date of adoption of this Ordinance, does not confer a property right, land use permit, or nonconforming use status under ORS 215.130 to continue operation of a short-term rental. Operation, advertisement or offering a dwelling unit for short-term rental use, in all cases, requires a valid license.

C. Cap on Number of STR Licenses In Effect for Unincorporated Communities and Properties within City Urban Growth Boundaries. The County has 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. If at the time of STR application for a new STR license there is not room within the applicable subarea cap to accommodate the new STR license, the applicant will be placed on a waiting list and will be contacted by the STR Administrator as soon as there is room within the applicable subarea cap to review the STR application. The STR license application fee shall not be collected at this time, however the applicant shall pay a \$100 fee for the County to place the applicant on a waitlist.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

.050 License Application and Fees

A. The applicant or authorized agent shall provide and certify the following information to be true and correct at the time of initial application and upon annual renewal of a Short-Term Rental License thereafter:

1. *Owner/Applicant Information.* Applicant's name, permanent residence address, telephone number, and the short-term rental address and telephone number.
2. *Representative Information.* The applicant shall provide the name, working telephone number, address and email of the contact person (authorized agent) who can be contacted concerning use of the property or complaints related to the short-term rental, as set forth in Section .070.
3. *Site plan and floor plan.* The site plan shall be a scale drawing, which can be hand-drawn, showing property boundaries, building footprint, location and dimensions of parking spaces. The floor plan shall show in rough dimensions the locations and dimensions of all bedrooms in the dwelling unit or single-family dwelling.
4. *Proof of Liability Insurance.*
5. *Proof of Garbage Service.*
6. *Proof of Access.* The applicant shall provide proof of an approved road approach for the subject property from the local road authority, where applicable.
7. *Notice to Neighbors.* The applicant shall provide notice of use of a property as a short-term rental to owners of neighboring properties adjacent to the rental property. Notification can be completed by mail or distributed by hand and shall contain the address of the rental property, the number of allowed bedrooms and maximum occupancy, and the name and contact information of the owner or representative who can respond to complaints about operation of the short-term rental. A written statement confirming notice to neighbors has been completed shall be submitted to the Department prior to issuance of a Short-Term Rental License.

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

8. *Documentation of Compliance with Operational Standards.* To be deemed complete, an application shall include documentation that the short-term rental meets the operational standards in Sections .080 and .100.

9. *Transient Lodging Tax Registration.* Evidence of transient lodging tax registration with the County for the short-term rental.
10. *Executed Indemnification and Hold Harmless Agreement.* An agreement on a form furnished by the Department of Community Development stating that the property owner agrees to indemnify, save, protect, hold harmless, and defend Tillamook County, individually and collectively, and the County's representatives, officers, officials, employees, agents and volunteers from any and all claims, demands, liabilities, or costs at any time received, incurred, or accrued as a result of, or arising, out of the Owner's actions or inaction in the operation, occupancy, use, and/or maintenance of the property.
11. Such other information as the County's STR Administrator deems reasonably necessary to administer this Ordinance.

B. *Inspections.* The applicant shall specifically acknowledge and grant permission for the County's STR Administrator to perform an inspection of the short-term rental.

1. The County's STR Administrator may conduct a site visit upon 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.

Formatted: Not Highlight

- C. *Incomplete Application.* If a short-term rental application does not include all required information and documentation, the application will be considered incomplete and the County will notify the applicant, in writing, explaining the deficiencies. If the applicant provides the missing required information within 21 calendar days of the date of the incomplete notice, the application will be reviewed. If the applicant does not provide the required information within 21 days of notice, the application will be deemed null and void.
- D. *Licensing Fees.* The fee for application for a Short-Term Rental License or license renewal shall be as established by resolution of the Board of Commissioners, but shall not be less than the following amounts:

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

.060 Term of Annual License and Renewal

- A. *Term.* A Short-Term Rental License is valid for one year (12 months) and shall automatically expire if not renewed on or before the anniversary date of each ensuing year. If the contact person (authorized agent) changes during the 12-month period, the property owner or authorized agent shall notify the County in writing of the change within thirty (30) days of the change and provide all new contact and tax payment information. Change of contact person is an alteration to an existing Short-Term Rental License and shall be subject to a fee of not less than \$100.
- B. *Transferability of STR Licenses.* Any STR License existing at the time of adoption of this Ordinance is eligible for one (1) transfer to another person or entity. The current license holder or authorized agent shall notify the STR Administrator of the change in property ownership within sixty (60) days of the change. All subsequent changes in property ownership shall require a new STR License subject to then-current ordinance provisions.
STR Licenses issued after the adoption of this Ordinance are not transferable when property ownership changes.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

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

- A. *Application Required.* Applications for a Short-Term Rental License be on forms provided by the County, demonstrating the application meets the standards required by this Ordinance.
- B. *Burden of Proof.* The applicant has the burden of proof to demonstrate compliance with each applicable criterion for initial approval or annual renewal of the Short-Term Rental License. The approval criteria also operate as continuing code

compliance obligations of the owner/contact person. County staff may verify evidence submitted and statements made in support of an application, and the applicant shall cooperate fully in any such inquiries. For the initial application renewal every three years thereafter, the applicant must also comply with the requirements of Subsection .090.

- C. *Responsibility.* The applicant shall certify that all information provided is correct and truthful. It is the applicant's responsibility to assure that the short-term rental is and remains in compliance with all applicable codes regarding fire, building, health and safety regulations, and all other relevant laws.
- D. *Parking.* Proof of required off-street parking shall be required as follows:
1. One (1) all-weather travel surface parking space shall be provided for every bedroom in the dwelling unit. If a garage is used to meet the parking requirement, a photo of the interior of the garage shall be submitted at the time of application and renewal to show the garage is available and large enough for vehicle parking. All required parking shall be on-site (off-street) except as follows:
 - a. Required parking may be permitted on another or different property within 500 feet of the subject property with a legally binding shared parking agreement or proof of legal parking access that remains valid for the length of time the subject property has a Short-Term Rental License.
 - 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. On-street parking proposals shall be reviewed by the Tillamook County Public Works Department. Written authorization of the parking spaces shall be submitted to the Department at the time of application submittal.
 - c. Designated parking is available for guests within a private development where authorization for use of parking in conjunction with a STR has been granted by the development Homeowner's Association (HOA). Written authorization from the HOA confirming use of off-site parking shall be submitted to the Department at the time of application submittal. The number and location of parking spaces authorized to be utilized in conjunction with the STR shall be included in the written authorization.
 2. Each off-street parking space shall be a minimum of 8-feet by 16-feet and configured in a manner that ensures parking spaces are accommodated within the property boundaries.
 3. No STR property shall have more than six (6) parking spaces total for overnight guests. Two (2) additional parking spaces may be allowed for daytime guests. Parking shall not, under any circumstances, hinder the path of any emergency vehicle.

- 4. Access to approved parking spaces shall be designed to limit access onto the property through the defined road approach. Alterations to the road approach for purposes of off-street parking is subject to review and approval by the local road authority.
- 5. A parking diagram of the approved parking spaces shall be provided to renters and shall be posted in a prominent location within the short-term rental dwelling unit. The contact person shall direct renters to the parking diagram for the rental property to ensure use of off-street parking are prioritized when using the short-term rental.

E. *Transient Lodging Tax Compliance.* The property owner shall be in compliance with Tillamook County Transient Lodging Tax Ordinances 74 (as amended) and 75 (as amended) and subject to the Tax Administrator's authority provided therein.

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

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

| |
|--------------------------|
| Formatted: Not Highlight |
| Formatted: Not Highlight |
| Formatted: Not Highlight |
| Formatted: Not Highlight |
| Formatted: Not Highlight |

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

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

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

| |
|--------------------------|
| Formatted: Not Highlight |
|--------------------------|

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

and is allowed a maximum nighttime occupancy of up to fourteen (14) persons plus up to three (3) children, age 12 or under, to occupy the short-term rental.

- D. The maximum daytime occupancy for any short-term rental shall be limited to the nighttime maximum occupancy plus six (6) additional people. For example, a two-bedroom dwelling unit is permitted for a maximum daytime occupancy of twelve (12) people.
- E. *Off-street Parking Spaces Required.* One (1) off-street vehicle parking space is required per bedroom in accordance with Section .070 of this Ordinance. All of the required notices and placards required by this Ordinance shall require the renters to park on-site and to not park on the street, even if on-street parking is otherwise available. The property owner of a short-term rental may contract with owners of other property within 500 feet of the perimeter of the rental property and enter into a shared parking agreement to accommodate no more than two (2) parking spaces to satisfy this requirement. Where licensing relies on contractual off-site parking arrangements, the property owner shall provide proof of availability in the form of a legally binding contract for the off-street parking for the duration of time the rental property has a Short-Term Rental License.
- F. *Noise.* Use of any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or device for the producing or reproducing of sound shall be done in a manner that does not result in unreasonable or unreasonably sustained noise beyond the property lines of the subject property where the short-term rental is located. Complaints of unreasonable or unreasonably sustained noise shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section .130.
- G. *Quiet Hours.* The hours of 10:00p.m. to 7:00a.m. the following day are quiet hours, and there shall be no amplified music or unreasonable noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property. Noise complaints during quiet hours shall be responded to within 30 minutes of receipt of the complaint by the contact person for the short-term rental. Failure to respond shall be considered a violation of this ordinance and subject to the provisions of Section 130.
- H. *Zoning Compliance.* The property shall be in compliance with all applicable County zoning requirements and any development permits related to the subject property. If the property owner claims any sort of non-conforming use status for any aspect of the property or structures thereon, the property owner shall obtain a nonconforming use verification for those aspects through an appropriate land use decision making process. In no event shall this Ordinance be construed as a land use or development regulation, nor does prior operation of a short-term rental give rise to a nonconforming use right under the County's land use ordinance.
- I. *No unpermitted improvements or bedrooms.* All electrical, structural, plumbing, venting, mechanical and other improvements made to a licensed short-term rental shall

Formatted: Font: Not Italic

Formatted: Not Highlight

be fully permitted. Electrical work shall be performed by a State or Oregon licensed electrician. Any sleeping area used as a bedroom shall be inspected and permitted in accordance with the provisions of this Ordinance. Areas not approved for use as a bedroom shall be locked and secured as deemed appropriate by the STR Administrator, and shall not be utilized as part of the short-term rental. Areas not approved for use as a bedroom shall not be included in the maximum occupancy calculation for the short-term rental. The contact person shall notify every renter, in writing, that the non-compliant bedroom may not be used for sleeping.

J. *Contact Information.* Each registrant shall provide the name and contact information of a contact person that will be available to be contacted about use of the short-term rental during and after business hours and on weekends (24 hours a day, 7 days a week). The contact person shall respond/answer immediately to a phone call complaint about operation of the short-term rental and must be able to arrive on site at the short-term rental within 30 minutes if a phone call is not sufficient to remedy all alleged operational problems. The registrant may change the contact person from time to time during the term of licensing, but only by revising the license information with the County at least 14 days prior to the change's effective date, except when the failure to do so is beyond the registrant's control. Failure to maintain current and correct contact information for the contact person with the County, failure of the contact person to respond immediately to a telephone call complaint, or failure to arrive at the property within 20 minutes of being summoned shall be a violation of this Ordinance.

K. *Fire and Life Safety.* A completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) shall be required with each annual short-term rental license application and renewal. The contact person shall be responsible for completing the fire safety checklist as part of the renewal process to ensure continued compliance.

A copy of the signed fire safety checklist shall be submitted to the Department prior to issuance or renewal of a Short-Term Rental License and may require further demonstration or proof for a renewal at the County STR Administrator's discretion.

1. At least one functioning fire extinguisher shall be accessibly located within the short-term rental dwelling unit. Extinguisher must be in a visible and placed in a secured location to ensure it is accessible to renters at all times.
2. All electrical outlets and light switches shall have face plates.
3. The electrical panel shall have all circuits labeled.
4. Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
5. Smoke detectors shall be placed and maintained in each bedroom, outside each
Smoke detectors shall be placed and maintained in each bedroom, outside each

Formatted: Not Highlight

Smoke detectors shall be placed and maintained in each bedroom, outside each bedroom in its immediate vicinity and in each additional story and basement without a bedroom.

6. A carbon monoxide detector/alarm device shall be placed and maintained in each bedroom and within 15 feet outside of each bedroom door.
7. All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly installed and vented.
8. All interior and exterior stairways with 4 or more steps and that are attached to the structure, shall be equipped with a handrail.

—All interior and exterior guardrails, such as deck railings, shall be able to withstand a 200-pound impact force.

10. Exterior hot tubs shall have adequate structural support and shall have a locking cover or other barrier to adequately protect against potential drowning when a hot tub is not available for permissive use.

11. Exterior lighting shall be directed in a downward direction to prevent glare onto adjacent properties.

12. The house number shall be prominently displayed and maintained, and be visible from the street.

Formatted: Font: (Default) Times New Roman

L. Emergency Escape and Rescue Openings for bedrooms:

1. For all dwelling units constructed after the adoption of this Ordinance, every bedroom shall have at least one operable emergency escape and rescue opening. Sill height shall not be more than 44 inches above the floor. Openings shall open directly into a public way or to a yard or court that opens to a public way. Minimum net clear opening at grade floor openings shall be 5 square feet and 5.7 square feet at upper floors. Minimum net clear height is 24 inches and net clear width is 20 inches.

2. For all dwelling units constructed prior to the adoption of this Ordinance, every bedroom shall have at least one operable emergency escape and rescue opening that has been inspected and approved by the Tillamook County Building Official pursuant to the currently-adopted Oregon Residential Specialty Code.

M.2. Solid Waste Collection – minimum service requirements. The property owner shall subscribe to and pay for weekly solid waste collection service by the local franchise hauler with assisted pick-up provided by the franchise. For the purposes of this section, assisted pick-up means the collection driver retrieves the cart from the driveway, rolls it out for service, and then places it back in its original location. The owner shall provide garbage containers with securable covers in compliance with franchise requirements that ensure the collected solid waste is not susceptible to wildlife intrusion and weather

elements. All placards and notices to renters shall include the requirement that renters shall dispose of all household garbage in the containers and keep them covered/secured. Garbage, recycling or any other waste products shall not be placed outside of designated carts/cans.

N.3. Interior Mandatory Postings. Mandatory postings issued by the County (or a copy thereof) for the short-term rental shall be displayed in a prominent location within the interior of the dwelling unit adjacent to the front door. Mandatory postings include the following:

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

O.4. Exterior Mandatory Posting. Exterior signage shall be installed outside of the dwelling unit and shall be of adequate size so that the following required information on the exterior sign is easily read from the road right-of-way:

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

4. The name of the contact person (or entity) and a telephone number (optional).

P.5. No recreational vehicle, vurt, travel trailer, or 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.6. No Accessory Dwelling Unit (ADU) permitted after the date of adoption of this Ordinance shall be used as a short-term rental or in conjunction with a short-term rental.

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

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

B. *Reinspection Requirements.* In any case where an inspection is not approved by the County Building Inspector, the County Building Inspector shall allow thirty (30) days for minor repairs or sixty (60) days for major repairs, at the completion of which the owner or authorized agent must call the Tillamook County Department of Community Development for a re-inspection. The re-inspection fee adopted in the Community Development fee schedule shall apply. If the repairs identified in the original inspection are not rectified at the time of re-inspection and within the specified timeframe, the application shall be invalidated, and the property owner must reapply and pay the requisite application and inspection fees.

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

1. If the system was installed more than five (5) years from the time of STR application submittal, the property owner shall obtain an Authorization Notice (AN) from the Department Onsite Wastewater Division. Included in the authorization must be information to allow a calculation of the number of allowed bedrooms based on the

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

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

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

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

2. *STR Hotline.* The contact person shall respond by telephone within thirty (30) minutes to complaints from or through the Hotline and shall respond in-person within thirty (30) minutes to any additional or successive complains regarding the condition, operation, or conduct of occupants of the short-term rental. Unresolved complaints shall result in an immediate violation of this Ordinance.
 2. *Record of Response.* The property owner or contact person shall maintain a record of complaints and the actions taken in response to the complaint, if relevant, in an electronic or written manner deemed reasonable to document the interaction. This record shall be made available for County inspection upon request to investigate all complaints.
- C. *Inspection.* Upon application for a Short-Term Rental License, all short-term rentals shall be subject to inspection by the County STR Administrator for compliance with this section.
1. The County's STR Administrator may conduct a site visit upon an application for operation of a short-term rental to confirm the number of bedrooms (as defined by this Ordinance) stated on the application and the number, location and availability and usability of off-street parking spaces. The site visit will be coordinated with the applicant or contact person, shall be conducted during the normal business hours, and with reasonable notice.
 2. The County's STR Administrator may visit and inspect the site of a short-term rental to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary. Code violations shall be processed in accordance with Section .120 and the County's Civil Enforcement procedures.
- D. *Specific Prohibitions.* The following activities are prohibited on the premises of a short-term rental during periods of transient rental:
1. *Events.* Events and activities that exceed maximum overnight or daytime occupancy limits.
 2. Events and activities for which a Temporary Use Permit is required and has not been issued.
 3. Unattended barking dogs.
 4. Activities that exceed noise limitations contained in this Ordinance.

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

established, licensed and operating on the date of adoption of this Ordinance (Lawful Pre-Existing Short-Term Rentals).

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

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

.130 Penalties.

- A. In addition to the fines and revocation procedures described in this Ordinance, any person or property owner who uses, or allows the use of, or advertises, the property in violation of this Ordinance is subject to the enforcement authority of the STR Administrator.
- B. Each 24-hour period in which a dwelling unit is used, or advertised, in violation of this Ordinance or any other requirement or prohibition of the Tillamook County Code shall be considered a separate occurrence and separate violation for calculation of the following fines:
 1. The first occurrence of one or more violation(s) will incur a warning with no monetary penalty.
 2. A second occurrence of one or more violation(s) within a 12-month period is subject to a fine up to \$250 per violation.
 3. A third occurrence and all subsequent occurrences of violation(s) within a 12-month period shall be subject to a fine up to \$500 per violation.
- C. *Revocation & Suspension.* The following actions are grounds for immediate revocation or suspension of a Short-Term Rental License and cessation of use of the dwelling unit for short-term tenancy:
 1. Failure to renew a Short-Term Rental License as required by Section .060 while continuing to operate a short-term rental.

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

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

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

- A. *Filing Requirements – Notice.* The property owner or authorized agent may appeal a decision to approve, renew, deny or revoke a Short-Term Rental License.
- B. *Authority to Decide Appeal.* The STR Hearings Officer shall be responsible for deciding all appeals under this Ordinance.
- C. *Time for Filing.* A property owner or authorized agent shall file a written notice of appeal, including a written description of the legal basis for the appeal, no later than 14 calendar days after the license application, license renewal or other determination being appealed was issued. This requirement is jurisdictional, and late filings shall not be accepted.
- D. *Fee for Appeal.* The County shall establish a fee for filing and appeal hearing of not less than \$500 under this section, payment of which shall be a jurisdictional requirement.

- E. *Procedures.* The County's STR Administrator may establish administrative procedures to implement the appeal process provided in this section, including any required forms. The STR Administrator may adopt procedures for hearings not in conflict with this section, including but not limited to time limitations on oral testimony and on written argument.
- F. *Hearing.* Within 35 days of receiving the notice of appeal, the STR Administrator shall schedule a hearing on the appeal before the STR Hearings Officer. At the hearing, the appellant shall have the opportunity to present evidence and arguments as may be relevant.
- G. *The Record on Appeal.* The STR Hearings Officer's decision shall be based upon the record, which shall include all written documents associated with the file that is the subject of the appeal, including all Transient Lodging Tax records, 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.

Lynn Tone

From: Public Comments
Sent: Monday, May 22, 2023 1:43 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: Ordinance 84 comment

Importance: High

From: Jean Sandlin <sandlin1@mac.com>
Sent: Monday, May 22, 2023 1:32 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Ordinance 84 comment
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.]

RE: Exemption needed for Proposal Rock Inn and Neskowin Lodge in revised ordinance #84

Thank you for the work that has been done to date revising Ordinance #84.

Although we agree that the ordinance is in need of review and appreciate homeowners in residential neighborhoods who have concerns re: short term rentals, there is one important area that is not addressed and it is a revision that both sides are likely to agree.

The Problem: The Proposal Rock Inn and Neskowin Lodge properties in Neskowin are zoned NESK-C commercial. When one property manager managed the individual units as a single property, all units were covered under one permit. However, now that individual owners can seek their own property managers, each individual unit must have its own STR permit. If the County puts blanket caps on STR permits, that would impact the lodge and inn areas - which are designed to be used in this manner.

The Solution: Exempt properties located in areas zoned Nesk C - commercial from the cap, and allow all the Neskowin Lodge and Proposal Rock properties to access and maintain STR permits if the individual units meet the county's safety guidelines.

This approach would still foster new income for the county, since the STR permits would still be required (and would have to be purchased annually), keep visitors safe, and it would give both the County and Neskowin an economic boost by being able to host tourists.

Thank you for your consideration as you make revisions to Ordinance #84.

Jean and Ernie Sandlin
48988 Highway 101 S, #131
Neskowin, OR

To: Tillamook Board of County Commissioners

We are generally supportive of most of the requirements that are included in Tillamook County's draft short term rental (STR) ordinance, particularly those pertaining to safety, noise, parking, and garbage. However, we request that condominium properties such as the Breakers and Pacific Sands in Neskowin be grandfathered from some requirements, such as STR permits being capped or being limited to only one ownership transfer. We are puzzled how properties that were specially designed for and have always been STR properties for decades can suddenly be contributing to livability issues. These condominiums are set aside from the main roads with off-street parking and separate grounds for the guests and owners. Until recently most were managed with live in managers.

We have attached a brochure from the 1970's that illustrates that the Breakers has always been a complex of townhomes available for vacation rentals. The Breakers has a fifty-year history of STR's and other condominiums in Neskowin have an even longer STR history. Please consider exempting these types of condominium properties that have always been used as STR's from some of the permit requirements.

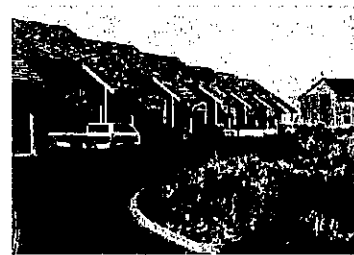
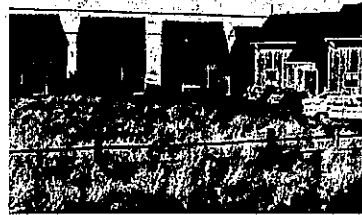
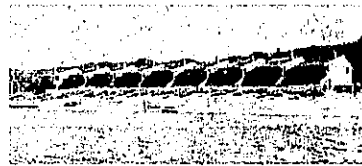
Sincerely Kathy Hamel and Peter Birch (our family has a 46-year history of owning Breakers unit #9)

THE BREAKERS

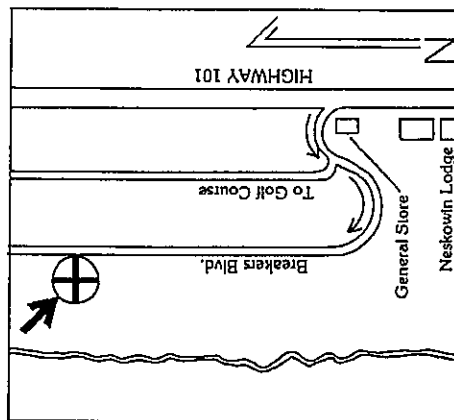
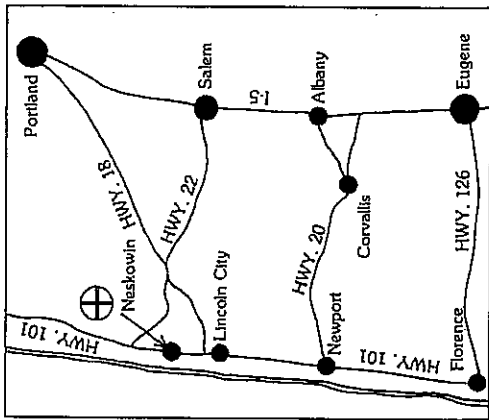
Enjoy a week or a weekend on the beautiful Oregon Coast at the Breakers, Neskowin, Oregon . . . 15 minutes north of Lincoln City.

- Golf** . . . two 9-hole courses
- Beachcombing**
- Bicycling & Horseback Riding**
- Surfing & Swimming**
- Coffee Shop . . . Lounge and Restaurant** within walking distance
- 15 minutes from the shops and restaurants of Lincoln City**
- 11 Complete Condominium units** . . . right on the beach
 - 3 Bedrooms (sleeping accommodations vary in each unit)
 - 2 Full Bathrooms
 - Kitchen Facilities (including dishwasher, cooking and eating utensils)
 - Color TV
 - Fireplace (with daily delivery of firewood)
 - Full picture window and deck views of the ocean

The Breakers
Neskowin, Oregon • (503) 392-3417



THE BREAKERS



The Breakers P.O. Box 837, Neskowin, Oregon 97149 (503) 392-3417

I would like to reserve _____ unit(s) for _____ nights beginning _____.

Name _____ No. in party _____ Unit requested _____.

Address _____ City _____ State _____ Zip _____.

Home Phone _____ Business Phone _____.

Approximate arrival time _____.

Enclosed in a check for \$ _____ for the first night's lodging.

Sorry, no credit cards. Rate \$45.00 per night, 4 people / \$3.00 per person over 4.

Lynn Tone

From: Public Comments
Sent: Thursday, May 18, 2023 1:18 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STRs in Neskowin

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

From: Lisa Barber <proposalrockinn322@gmail.com>
Sent: Thursday, May 18, 2023 1:04 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STRs in 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.]

We own a unit in Proposal Rock Inn in Neskowin. When we purchased in 2019, the units were managed by the team in the office. That has changed.

I grew up with a house in Neskowin and consider this a very important part of my life. I was married by Proposal Rock. My parents eventually sold our house on the 2nd tee - the house with the bunkhouse.

My family was key to the start of the 4th of July parade (and renaming it to a walkabout), the first flag raising, the fireworks, and all that we associate with the 4th of July. I have never missed the 4th of July in Neskowin. Finally my husband and I were able to purchase our place in 2019. We rely on STR income to keep our place as we don't live close enough to use it as much as we'd like. Many STR owners are embedded deeply in this town, not every one is here for the income.

I understand the concerns with the larger STRs but feel those issues are not relevant to PRI. We have managed our STR for years, have never had any complaints or damage from guests. We have ample parking, garbage management, and never seem to attract noisy guests. For our unit, we choose to offer one night stays. More work for us but a valuable benefit to people traveling through our beautiful town.

I fear limiting STRs in PRI related to being in the commercial zone would be detrimental to Neskowin, local business, and limit others from enjoying and discovering this very special town.

Thank you for listening
Lisa Barber/ Mark Clemens. PRI 322

Smile! It makes people wonder what you've been up to!

Lynn Tone

From: Tillamook County OR <tillamookcounty-or@municodeweb.com>
Sent: Tuesday, May 23, 2023 12:38 PM
To: Lynn Tone
Subject: EXTERNAL: [Lynn Tone] 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.]

deb darar (darrsbeachcottage@msn.com) sent a message using the contact form at <https://www.co.tillamook.or.us/>.

helo.. we are unable to attend the upcoming meeting regarding our property @ 4440 MxMinville St in Neskowin however we have plenty to comment about the preposed ordinance # 84- many of the suggested acts are an infringement on OUR rights as property owners. We feel there are many "full time" property owners who resent the fact that some of us need to rent our places and we speaking for ourselves "police" our rentals and have entrusted an agency to follow our wishes for the rental of our"STR"... WE PAY all the taxes and increasing , permits, and any other costs that occur with this property. What gives a committee the right to dictate HOW our property is managed WHEN it has not effected them? We have had other residence both STR and Full time owners voice harsh words about how some of these full time owners have told them how they should landscape, paint, or maintain THEIR property. Since as mentioned we cannot make the upcoming meeting we would appreciate a respond to this letter.

Lynn Tone

From: Christopher Beach <beachworks2@gmail.com>
Sent: Thursday, May 18, 2023 9:52 AM
To: Lynn Tone
Subject: EXTERNAL: STR comments

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

1. **Disruption to communities:** One of my primary concerns is the disruption caused by transient visitors in my residential neighborhoods. The frequent turnover of short-term renters leads to increased noise, safety concerns, and a lack of community cohesion. It also creates a sense of instability as neighborhoods experience fluctuations in occupancy and unfamiliar faces.
2. **Housing affordability:** The rise of short-term rentals reduces the availability of long-term rental housing options, thereby driving up rental prices. Property owners find it more profitable to rent their properties on a short-term basis to tourists rather than offering them to local residents on a long-term basis. This reduced housing stock can exacerbate affordability issues, particularly in a community with high demand and limited supply.
3. **Impact on local economy:** Short-term rentals can negatively impact the local economy. When properties are taken off the long-term rental market in favor of short-term rentals, it reduces the housing options available for local workers and contributes to labor shortages. Additionally, if the profits from short-term rentals flow out of the local community (e.g., to absentee landlords or large corporate entities), it limits the economic benefits for local businesses and residents.
4. **Regulatory concerns:** The need for appropriate regulations to address issues related to short-term rentals is foremost. Without proper oversight, short-term rentals will lead to zoning violations, safety hazards, and non-compliance with tax regulations. The lack of regulations creates unfair competition for traditional lodging providers, such as hotels, who are subject to more stringent requirements. My concern is the negative effect of short-term rentals on the character of our neighborhood and others. The influx of short-term renters alters the residential nature of any community and leads to the commodification of neighborhoods. I worry about the over-tourism that is resulting from unregulated short-term rentals, which puts a strain on our local infrastructure, public services, and natural resources.

Chris Beach
www.beachworkscoaching.com

909-648-0018

Lynn Tone

From: Sarah Absher
Sent: Monday, May 15, 2023 10:14 AM
To: Lynn Tone
Subject: FW: Tillamook County Short Term Rental Pause

Please include with public comments to BOCC.

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: Lindsey Boccia <lindsey.boccia@gmail.com>
Sent: Sunday, May 14, 2023 7:10 PM
To: Mary Faith Bell <mfbell@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Rachel Hagerty <rhagerty@co.tillamook.or.us>; Isabel Gilda <igilda@co.tillamook.or.us>
Subject: EXTERNAL: Tillamook County Short Term Rental Pause

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

Dear Councilors,

I'm asking for and need your help.

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

Once the permit was finally in hand (pre pandemic) two things happened: 1.) pandemic pricing doubled the estimate of the home we had permitted, pricing us out of our own permit. We had to scale down plans to a modular unit 40 x 14. 2.) after we spent years / our savings, tillamook County formed this committee to limit STR's.

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

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

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

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

Can you please help us?

Thank you,
Lindsey Boccia
503.943.0480

Lynn Tone

From: Public Comments
Sent: Tuesday, May 23, 2023 1:51 PM
To: Lynn Tone; Sarah Absher; County Counsel
Subject: FW: EXTERNAL: STR for NESK-C

From: Genie Ullrich <genie.ullrich@gmail.com>
Sent: Tuesday, May 23, 2023 1:10 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR for NESK-C

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

Proposal Rock Inn in Neskowin was built in the 1970's and has functioned as both permanent residences as well as short-term weekend stays for visitors. Many of us have been owners for years. We ask the county to maintain the already established rules for PRI and does NOT put a cap or density restriction for NESK-C for Proposal Rock Inn. Thank you for your consideration.
Genie & Frank Ullrich

EXHIBIT

P

CU
2:55PM

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

APR 19 2019
TASSI O'NEIL
COUNTY CLERK

In the Matter of Regulating Short Term)
Rentals, Establishing Standards and) ORDINANCE #84
Fees, Providing for a Permit, and) Amendment #1
Creating Penalties for Violations of)
This Ordinance)

The Board of Commissioners for Tillamook County ORDAINS as follows:

Section 1. Title

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

Section 2. Authority

This Ordinance is enacted pursuant to ORS 203.035.

Section 3. Purpose

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

Section 4. Applicability

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

Section 5. Definitions

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

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

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

Section 6. Standards

- (a) All short term rentals shall comply with the following standards. Any owner, contact person, or renter who violates any standards, or allows any standards to be violated, is subject to citation and fines in addition to and not in lieu of any other enforcement and penalties contained in this Ordinance or other County Ordinance or State law.
 - (A) The hours of 10:00 p.m. until 7:00 a.m. the next day are required quiet time and there shall be no unreasonable noise disruptive to neighbors during this time.
 - (B) The contact person shall notify every renter, in writing, of the quiet times.
 - (C) The contact person shall attempt to contact a renter by phone or in person within twenty (20) minutes of delivery of any complaint concerning the conduct of a renter.
 - (D) The name and active phone number of the contact person shall be posted so that it is visible from outside the front entrance of the short term rental. The required signage must be maintained in compliance with this Ordinance in perpetuity, or until the dwelling is no longer being utilized as a short term rental.
 - (E) No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including recreational vehicles as defined in the Tillamook County Land Use Ordinance, in conjunction with the short-term rental is permitted.
 - (F) The owner shall provide covered garbage containers that can be secured. The contact person shall notify guests that all garbage must be kept in secured containers provided for that purpose. As required by Tillamook County Ordinance

#4, garbage shall be removed by the local franchised garbage hauler a minimum of one (1) time per week unless arrangements are made with the local franchised garbage hauler to suspend or modify service during the times when the short term rental is not rented. Rentals located outside of a franchise area shall meet the provisions of Section 9(e). The contact person shall provide guests with information about recycling opportunities.

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

open directly into a public way or to a yard or court that opens to a public way.

Minimum net clear opening at grade floor openings shall be five (5) square feet and five point seven (5.7) square feet at upper floors. Minimum net clear height is twenty-four inches (24") and net clear width is twenty inches (20").

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

plus an additional two (2) persons. For the purpose of maximum occupancy, those under two (2) years of age shall not be counted. Tents and recreational vehicles shall not be used to increase the number of people approved to occupy a short term rental.

- (S) Short Term Rental with Onsite Sanitation: The maximum occupancy for a short term rental unit shall not exceed the capacity of the Onsite Wastewater Treatment System. The capacity is based on the gallons per person per day. Tents and recreational vehicles shall not be used to increase the number of people approved to occupy a short term rental.
- (T) There shall be one (1) parking space available for each approved sleeping area in a short term rental, plus one (1) additional parking space. Off-street parking shall be used if physically available. If a sufficient number of off-street parking spaces are not available for the authorized number of vehicles, then on-street shall be limited to two (2) vehicles. Parking shall not, under any circumstances, hinder the path of any emergency vehicle. Trailers for boats and all-terrain vehicles may be allowed but shall not exceed the allowable on street parking for each short term rental property. Renters may be cited and fined under existing State law or this Ordinance in the event they park illegally.
- (U) The contact person shall notify every renter in writing of the required off-street parking and other parking spaces available to serve the short term rental. Language shall be included in the notice that parking shall not, under any circumstances, hinder the path of any emergency vehicle and that renters may be cited and fined if this requirement is not adhered to.
- (V) A house number, visible from the street, shall be maintained.
- (W) The Onsite Wastewater Treatment System must be functioning as required with no discharges to the surface of the ground, surface waters or backups inside or under the structure. The Onsite Wastewater Treatment System may not be subjected to its design flow capacity in gallons per day.
- (X) 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 Permit issuance and renewal.

- (b) The County will provide to short term rental owners, either by direction on the County's website or by email or mail (if requested), with the Inspection Checklist in written form prior to the inspection so that the owner can determine what improvements, if any, will be needed before an inspection is scheduled. The owner shall ensure that all items on the checklist have been completed prior to the contact person calling for an inspection. All re-inspections due to incomplete items will be subject to the re-inspection fee described in Section 8 of this Ordinance. The County reserves the right to modify inspection requirements at the discretion of the Tillamook County Building Official to ensure compliance with fire and life safety requirements.

Section 7. Short Term Rental Permit Required and Revocation

- (a) All short term rentals shall comply with the following requirements. Any owner or contact person who violates any requirements or allows any requirements to be violated, is subject to citation and fines in addition to and not in lieu of any other enforcement and penalties contained in this Ordinance or other County Ordinance or State law.
- (b) Any owner shall obtain a permit prior to using the dwelling unit as a short term rental. Upon notification of the permit requirement by the Tillamook County Department of Community Development, continuing or subsequent instances of renting or advertising as a short term rental without a permit shall be subject to citation and fines in addition to and not in lieu of any other enforcement and penalties contained in this Ordinance or other County Ordinance or State law. A permit shall not be issued until fines related to a violation of this Ordinance and outstanding Transient Lodging Taxes for the subject property are paid in full.
- (c) The owner of each existing short term rental shall apply for and pay the appropriate fee for a Short Term Rental Permit. Within thirty (30) days of applying for the Short Term Rental Permit, it is the contact person's responsibility to contact the Tillamook County Department of Community Development to schedule an inspection and ensure that entry to the structure can be granted by a person eighteen (18) years of age or above. When a call for inspection is received by the Tillamook County Department of Community Development, the inspection will be performed before the end of the next working day.

- (d) A permit shall not be issued until a short term rental passes inspection. Once a permit is issued, a permit shall be valid for one (1) year from the date issued.
- (e) In any case where an inspection is not approved by the County Inspector, the County Inspector shall allow thirty (30) days for minor repairs or sixty (60) days for major repairs, at the completion of which the owner or agent must call the Tillamook County Department of Community Development for a re-inspection. The re-inspection fee adopted in the Community Development fee schedule may apply. If the repairs identified in the original inspection are not rectified at the time of re-inspection, the permit application shall be invalidated, and the contact person must reapply and pay the requisite application and inspection fees.
- (f) All Short Term Rental Permits shall be renewed annually by the end of the month of their application anniversary date and are subject to the annual fee.
 - (A) A permitted rental shall not be required to pass a new inspection when a permit is renewed, except in the following cases:
 - (1) there has been a fire, flood or other event that caused substantial damage to the structure;
 - (2) the permit was revoked;
 - (3) there has been an addition or substantial modification to the structure; or
 - (4) the three (3) year inspection is required.
 - (B) Billing notice will be sent to the owner in the month prior to the permit renewal date. Such payment will be due by the last business day of the anniversary month.
 - (C) If notice under subsection 7(e)(B) is provided to the owner and the payment is not received by the renewal date, a notice that the Tillamook County Department of Community Development intends to terminate the permit shall be sent to the contact person (if applicable) and owner. This notice shall allow an additional thirty (30) days to comply with renewal provisions and shall specify that failure to comply will result in expiration of the permit.
- (f) The Short Term Rental Permit is transferable to a new owner, so long as the owner of record submits a Short Term Rental Permit

application and agrees in writing, to comply with the requirements of this Ordinance. Notification of ownership change shall be made to the Tillamook County Department of Community Development within thirty (30) days of change.

- (g) Revocation of Permit
 - (A) Violating any provision in this Ordinance, as well as non-compliance with any term or condition of a Short Term Rental permit, including non-compliance with Tillamook County Ordinances #74 and #75: Tillamook County Transient Lodging Tax (TLT), or violating any County or State law, may result in revocation of permit, denial of an application to renew a permit, enforcement and penalties as outlined in this Ordinance. Permits that are terminated for non-renewal or non-payment shall not be considered a revocation of a permit.
 - (B) In the sole discretion of the County Building Official, where a Building Code or Ordinance violation exists at a short term rental that presents an immediate serious fire or life safety risk, the County Building Official may immediately revoke the Short Term Rental Permit as an emergency revocation. The County Building Official shall provide written documentation (in layman's terms) of the violation and reason for revocation prior to leaving the inspection site.
 - (C) Upon an emergency revocation, the short term rental shall not be rented or used as a short term rental.
 - (D) At any time following the emergency revocation of a Short Term Rental Permit pursuant to this subsection, the County Building Official may reinstate the permit upon a re-inspection by the County Building Official verifying that the subject Building Code or Ordinance violation has been corrected or a new Short Term Rental Permit is obtained.
- (h) If an application for a permit or the renewal of a permit is denied, or a permit is revoked, the owner may appeal to the Board of County Commissioners by written notice delivered to the Tillamook County Department of Community Development within thirty (30) days of denial or revocation.
- (i) The provisions of this Section are in addition to and not in lieu of any other enforcement and penalties contained in this Ordinance or other County Ordinance or State law.

Section 8. Fees Established

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

Section 9. Short Term Rental Permit Application Requirements

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

- (2) The maximum occupancy for the short term rental as defined by subsection 6(a)(Q and R) of this Ordinance; and
- (3) A site plan depicting the dimensions and location of the available parking spaces as required by subsection 6(a)(S) of this Ordinance.
- (C) The name, address and telephone numbers of the contact person who shall be responsible and authorized to respond to complaints concerning the use of the short term rental.
- (D) Proof of liability insurance coverage on the short term rental.
- (E) Proof of garbage service from the local franchised garbage hauler if rental is located within a franchise service area as outlined in Section 6(a)(E). Rentals outside of a franchise service area and where no franchise exists shall provide written confirmation at the time of short term rental permit application submittal of proposed method of garbage disposal at the time of permit application submittal.
- (F) Completed Transient Lodging Tax Registration Form (Tillamook County Ordinance #75).

Section 10. Continuation of a Short Term Rental

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

Section 11. Complaints

All complaints regarding short term rentals shall proceed as follows:

- (a) The complaining party shall, unless the situation justifies an immediate call to law enforcement, first attempt to communicate with the contact person designated on the permit and describe the problem.

- (b) The contact person shall respond to the complaint within the 20 minute response period and make reasonable efforts to remedy any situation that is out of compliance with this Ordinance within a reasonable timeframe.
- (c) If the contact person fails to take timely action to resolve the complaint or the complaint is not resolved satisfactorily, then the complaining party may report such failure with their contact information by any means of communication to the Director of the Tillamook County Department of Community Development. The Director shall log the complaint and contact the complaining party to assist in preparation of a written report documenting the circumstances of the complaint in writing, including available evidence regarding failure to resolve the complaint. The report shall be signed by the complaining party and a copy shall be provided to the owner and contact person. The owner and contact person may file a written response within 10 business days from the date of the Director's report. The Director shall provide a written response with a determination whether the complaint is a violation and such determination will be provided to the property owner, vacation rental management company (if applicable), complaining party, and subdivision homeowner's association (if applicable). A record of signed reports, determinations and any written responses shall be maintained by the Department and may be used in any enforcement action under this Ordinance, including but not limited to the issuance of a citation, the revocation of a permit or the denial of a request for renewal of a permit.
- (d) The provisions of this Section are in addition to and not in lieu of any other enforcement and penalties contained in this Ordinance or other County Ordinance or State law.

Section 12. Compliance, Hearings, and Arbitration

- (a) Compliance
 - (A) Owners of short term rental units shall obey all applicable Ordinances of the County, as well as all County and State laws.
 - (B) Three (3) or more violations of this Ordinance related to the same short term rental within one (1) year or if there have been three (3) or more violations of other County Ordinances related to the same short term rental within one (1) year, may result in revocation of the permit or the denial or an application to renew a permit. Violations include but are not limited to non-compliance of the requirements of this Ordinance. Failure to comply with Transient Lodging Tax

Ordinances #74 and #75 will also result in an immediate violation.

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

(b) Hearings

- (A) If a hearing before the Tillamook County Board of Commissioners is to be conducted for appeal of a revoked or denied Short Term Rental Permit, the hearing shall be scheduled at the earliest possible date and the Director of Community Development shall provide thirty (30) days written notice to all relevant parties of the time, date and place of the hearing, reason for the hearing, and a description of the allegations upon which resulted in revocation or denial of the permit shall be furnished in written form to the Board of County Commissioners and relevant parties at least seven days prior to the date of the hearing. At the hearing, each party shall present such witnesses, testimony and other evidence as that party deems relevant to the issue(s). At the conclusion of the hearing process, the Board of County Commissioners shall either deny the appeal and uphold the Department of Community Development's decision to revoke or deny a permit, reinstate the permit, rule that the permit shall be approved, continue the hearing to a date and time certain where a decision will be rendered, or take the matter under advisement and issue a written decision.

(c) Arbitration

- (A) When a permit is revoked or denied, and after completing an appeal to the Tillamook County Board of Commissioners, the owner may demand review by arbitration as permitted by Oregon law. Except as a Court may otherwise determine, the decision of the arbitrator or arbitrators shall be final and binding upon all parties to the dispute, including the owner, the County and any citizen complainant. The non-prevailing party shall pay the costs of the arbitrator, but each party

shall be responsible for their own attorney fees or other costs of arbitration.

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

Section 13. Enforcement, Penalties

(a) Enforcement

- (A) It shall be the duty of the Director of the Tillamook County Department of Community Development to supervise the administration of this Ordinance, except as otherwise specified in this Ordinance. This Ordinance may be enforced by a member or designee of the Tillamook County Department of Community Development or a member of the Tillamook County Sheriff's Office.
- (B) Whomever issues a citation shall be responsible for representing the County and prosecuting the citation in court, unless the defendant hires an attorney, then the Tillamook County Counsel shall represent the County in court.

(b) Penalties

- (A) Any owner, contact person, or renter who violates any part of this Ordinance is subject to citation and fines.
- (B) Violations of this Ordinance shall be deemed to be a violation and shall be punishable upon conviction by a minimum fine of \$250 per day and a maximum fine of \$1,000 per day, with a total fine not to exceed \$3,000 for each citation.
- (C) Each day of violation of any part of this Ordinance constitutes a separate offense and is separately punishable, but may be joined in a single prosecution.
- (D) The penalties in this Section are in addition to and not in lieu of any other authorized actions the County may take under other Sections of this Ordinance, and any criminal prosecution or penalties as provided by County or State law.

Section 14. Severability

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

Section 15. Repeal of Conflicting Ordinances

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

Section 16. Effective Date

The Board of Commissioners finds that the enactment of this Ordinance is necessary for the public health, safety and general welfare, that an emergency exists and this Ordinance shall take effect immediately upon passage by the Board of County Commissioners.

Date of First Reading: March 27, 2019.
Date of Second Reading: April 15, 2019.

ADOPTED this 17th day of April, 2019.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent



David Yamamoto, Chair

2 ___ ___/___



Bill Baertlein, Vice Chair

 ___ ___/___




Mary Faith Bell, Commissioner


8 ___ ___/___

ATTEST: Tassi O'Neil, County Clerk

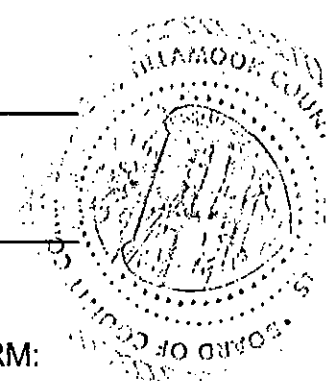
APPROVED AS TO FORM:

By: 

Isabel Gilda, Special Deputy



Joel W. Stevens, County Counsel



STRs, TLT, and how \$\$ are spent




Tillamook Coast
Visitors Association

Visit Tillamook Coast 1464 of 5195

TLT TOTALS: 2019 to Q2, 2022

Transient Lodging Tax (TLT) collected by Tillamook County and Year-over-Year (YoY) Plus or Minus percentage

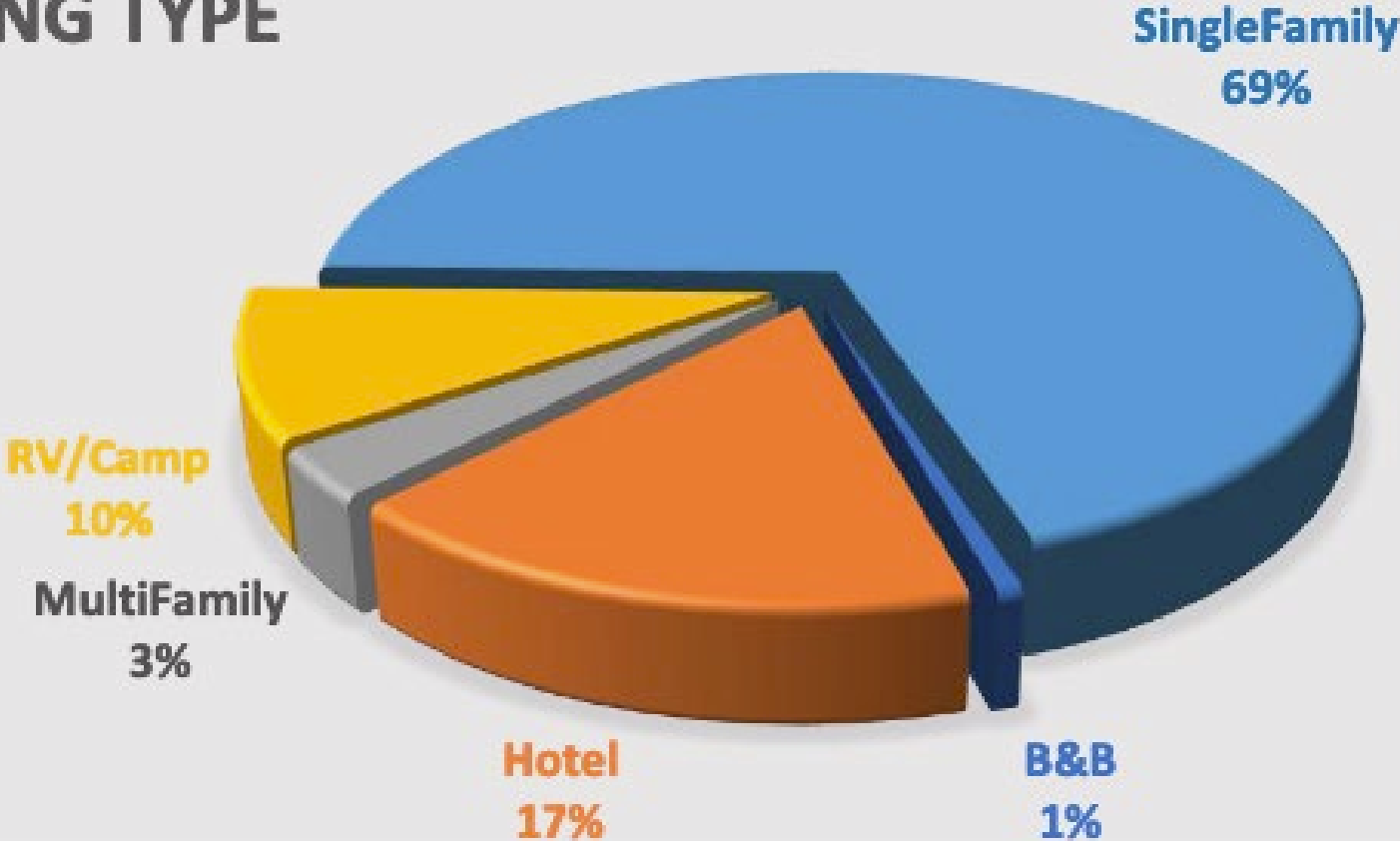
| 2019 | | | 2020 | | 2021 | | 2022 | |
|-------------|------|-------|-------------|------|-------------|-------|-------------|----------------------|
| | YoY | | | YoY | | YoY | | YoY |
| \$698,966 | +17% | Q1 | \$583,432 | -17% | \$1,502,805 | +157% | \$1,557,739 | +3% + \$54,934 |
| \$1,144,806 | +13% | Q2 | \$622,199 | -48% | \$2,078,561 | +233% | \$1,996,974 | -4% - \$81,587 |
| \$1,943,681 | +11% | Q3 | \$2,262,693 | +16% | \$2,781,602 | +20% | | |
| \$709,038 | +12% | Q4 | \$1,241,553 | +75% | \$1,219,407 | -6% | | |
| | | | | | | | | |
| \$4,496,491 | +13% | TOTAL | \$4,747,449 | +5% | \$7,538,376 | +60% | \$3,554,713 | YOY down \$26,653 |

GROSS LODGING REVENUE TOTALS: 2019 to Q2, 2022

| County-Wide Gross Lodging Receipts | | | | |
|------------------------------------|--------------|---------------|---------------|--------------------------------|
| | 2019 | 2020 | 2021 | 2022 |
| Q1 | \$12,466,788 | \$13,067,909 | \$33,728,792 | \$34,994,940 + \$1,661,148 |
| Q2 | \$20,145,913 | \$14,083,178 | \$48,102,969 | \$46,429,703 - \$1,673,266 |
| Q3 | \$34,587,676 | \$53,149,357 | \$65,205,193 | |
| Q4 | \$12,387,260 | \$30,008,334 | \$29,567,173 | |
| | | | | |
| Total | \$79,588,014 | \$110,308,778 | \$176,604,127 | 2022 Q1+Q2 total: \$81,424,643 |
| | | | | YOY difference: down \$12,118 |

Lodging inventory

LODGING TYPE



Lodging inventory

| Households in Tillamook County* | Short Term Vacation Rentals** | Hotel rooms** | B&B Rooms** | Campsites** |
|---------------------------------|---|---------------|-------------|--|
| Approx. 19,000 | 1,812 permits (from a total of 7,600 2nd homes in county) | 782 | 35 | 1,232 tent sites 1,221 RV sites |

*Portland State University study, 2019

**Tillamook County Community Development

STR INCOME 2019-2021

STR Gross Rental Income Per Year

| | 2019 | 2020 | 2021 |
|---------|----------|-----------|-----------|
| Average | \$26,784 | \$28,497 | \$46,767 |
| Maximum | \$23,120 | \$273,349 | \$389,872 |
| Median | \$22,001 | \$24,112 | \$40,538 |

STR Income Levels per Unit

| | 2019 | 2020 | 2021 |
|-------------------|--------------|--------------|--------------|
| >\$200,000 | 3 | 3 | 16 |
| >\$150,000 | 5 | 5 | 28 |
| >\$100,000 | 24 | 59 | 142 |
| >\$50,000 | 177 | 222 | 542 |
| >\$25,000 | 523 | 578 | 500 |
| >0 - \$25,000 | 799 | 721 | 378 |
| 0 (not renting) | 158 | 195 | 206 |
| Total STRs | 1,707 | 1,783 | 1,812 |



COUNTY COLLECTIONS BY LOCATION

By Location 2021

(Rounded to nearest dollar)

| Location | Quarter | | | | Grand Total |
|--------------------------------|------------------|------------------|------------------|------------------|------------------|
| | 2021 Q1 | 2021 Q2 | 2021 Q3 | 2021 Q4 | |
| Manzanita, Nehalem, Wheeler | 20,196 | 34,689 | 58,239 | 23,984 | 137,108 |
| Rockaway Beach | 17,729 | 32,891 | 59,511 | 20,544 | 130,674 |
| Tillamook, Bay City, Garibaldi | 9,457 | 18,466 | 28,897 | 13,865 | 70,685 |
| Uninc - Cloverdale | 27,036 | 48,747 | 73,670 | 26,660 | 176,113 |
| Uninc - Garibaldi | 27,337 | 37,690 | 24,358 | 6,124 | 95,508 |
| Uninc - Manzanita | 65,152 | 137,906 | 240,576 | 92,300 | 535,935 |
| Uninc - Neskowin | 57,094 | 109,662 | 208,663 | 72,638 | 448,056 |
| Uninc - Oceanside | 94,544 | 170,420 | 286,187 | 100,536 | 651,687 |
| Uninc - Pacific City | 284,722 | 516,682 | 815,540 | 290,394 | 1,907,338 |
| Uninc - Rockaway Beach | 40,370 | 71,366 | 147,970 | 50,702 | 310,408 |
| Uninc - Tillamook | 18,469 | 46,691 | 71,173 | 19,120 | 155,452 |
| Various - Online | 840,308 | 850,284 | 763,137 | 467,672 | 2,921,401 |
| Grand Total | 1,502,414 | 2,075,493 | 2,777,921 | 1,184,538 | 7,540,366 |

COUNTY COLLECTIONS BY LODGING TYPE

By Lodging Type 2021

| Lodging Type | Quarter | | | | Grand Total |
|--------------------|------------------|------------------|------------------|------------------|------------------|
| | 2021 Q1 | 2021 Q2 | 2021 Q3 | 2021 Q4 | |
| B&B | 6,889 | 14,288 | 21,302 | 9,614 | 52,092 |
| Hotel | 195,664 | 330,882 | 491,597 | 224,635 | 1,242,777 |
| MultiFamily | 35,108 | 63,348 | 99,412 | 35,598 | 233,466 |
| RV/Camp | 105,115 | 230,715 | 305,090 | 71,603 | 712,523 |
| SingleFamily | 1,159,640 | 1,436,259 | 1,860,520 | 843,089 | 5,299,507 |
| Grand Total | 1,502,414 | 2,075,493 | 2,777,921 | 1,184,538 | 7,540,366 |

TLT HISTORY AND USE: ORS 320.300

| Prior to 2003 | After 2003 | January 1, 2014 |
|--|---|--|
| <p>Room tax goes to general budget</p> | <p>Any rise in room tax subject to state law of 70/30 split</p> | <p>County implements 10% transient lodging tax; cities raise their tax to 9%</p> |
| <p>4% original lodging tax* All lodging tax goes to a city's general fund – most cities in Tillamook County had a room tax in place by the 1990s</p> | <p>4% original lodging tax* Continues to go to city's general fund</p> <p>Cities: Any increase after 2003 subject to 70/30 split: 30% goes to general budget 70% tourism facilities and/or promotions</p> <p>State adds 1.0% state tax, goes to Travel Oregon</p> | <p>4% original lodging tax* Continues to go to city's general fund</p> <p>Cities: Any increase after 2003 subject to 70/30 split: 30% goes to general budget 70% tourism facilities and/or promotions 1/10th of 10% total room tax to county</p> <p>Unincorporated: full 10% to county</p> <p>All county TLT collections: 70/30 split. 30% to roads; 70% tourism facilities and/or promotions</p> |
| <p>*example</p> | | <p>1.5% state increase - Travel Oregon</p> |

HOW TLT IS USED

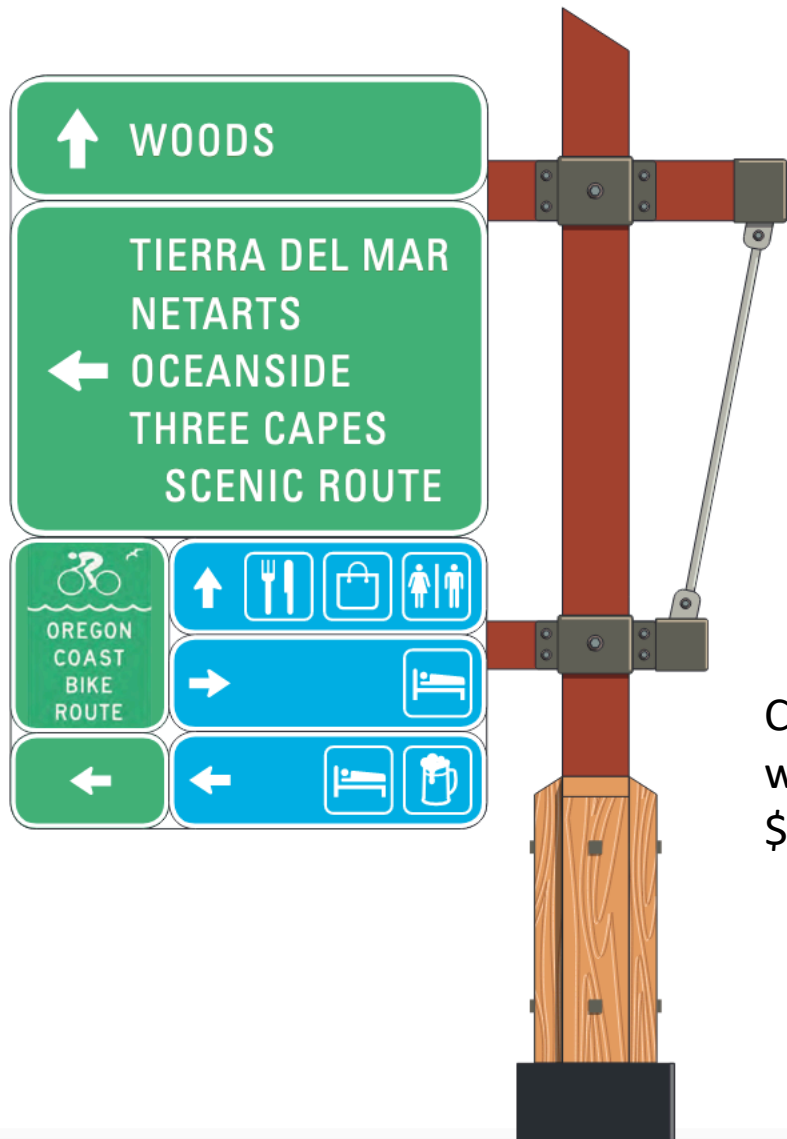
| Grants | Investments | Sponsorships (TCVA) |
|--|--|--|
| Facilities and marketing grants | Capacity Building (examples) | Community events and programs (examples) |
| <p>\$5.5 million in tourism facilities grants to agencies and nonprofits</p> <p>\$950,000 in marketing grants to nonprofits and tourism businesses</p> | <p>\$5+ million</p> <ul style="list-style-type: none"> • Jenson Property in Pacific City • Development plans for Jenson • Salmonberry Trail • Tsunami, safety and emergency access • Parking, trash management, bathrooms in peak season • Fairgrounds improvements • Pioneer Museum | <p>\$100,000</p> <ul style="list-style-type: none"> • Chamber events • Off-season community events • Scholarships for industry training • Auction items for fundraisers |

HOW TLT IS USED

| | <u>Amount</u> |
|--|---------------------|
| Walton Family Land Donation for Right of Way | \$120,000.00 |
| Community of Neskowin | \$100,000.00 |
| North Coast Regional Solutions Team | \$150,000.00 |
| Tillamook County Public Works | \$550,000.00 |
| Nestucca, Neskowin & Sandlake Watersheds Council | \$7,700.00 |
| ODFW Screening and Passage Program | \$102,200.00 |
| USFS Salmon SuperHwy Fish Passage Partnership Grant | \$38,400.00 |
| U.S. Fish and Wildlife Service (USFWS) | \$3,000.00 |
| USFWS National Fish Passage Program (NFPP) | \$40,000.00 |
| USFWS Pacific Marine and Estuarine Fish Partnership (PMEP) | \$50,000.00 |
| 2019 House Bill 5050 Section 61 | \$ 1,000,000.00 |
| Tillamook County Transient Lodging Tax | \$450,000.00 |
| Oregon Business Development Department with Oregon State Lottery Funds | \$97,500.00 |
| PROJECT COST | \$ 2,708,800.00 |



HOW TLT IS USED



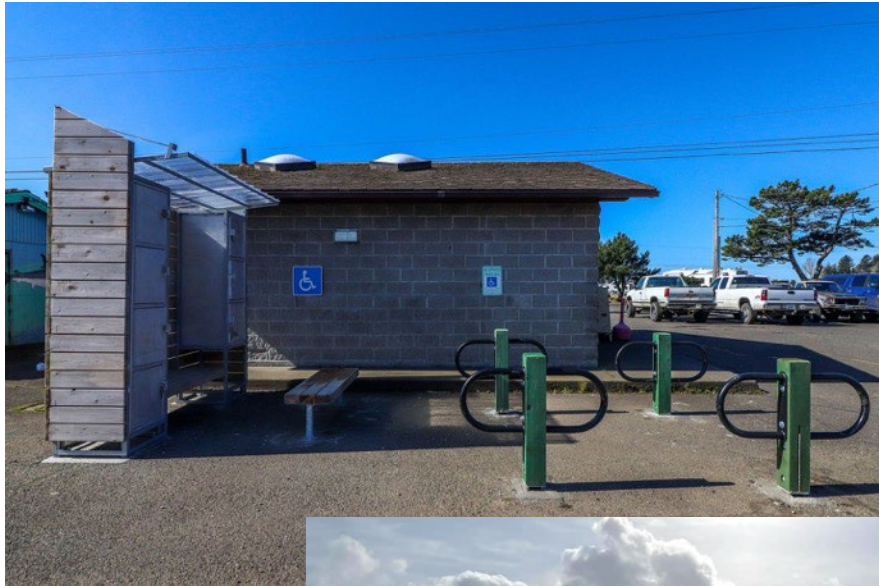
Tsunami Signage
\$40,000 (so far)

County-wide
wayfinding
\$700,000 (so far)



HOW TLT IS USED

**Port of Garibaldi
\$204,000**



Restrooms
and kiosk

Event tent



Dock



HOW TLT IS USED

\$138,000 on digital message signs at fire districts and ports



HOW TLT IS USED



Oceanside Community
Club roof repair
\$55,000



Oceanside Beach Access
\$75,000

HOW TLT IS USED



Kayak launchers (2): \$14,000



Beach wheelchairs (9): \$49,000

HOW TLT IS USED



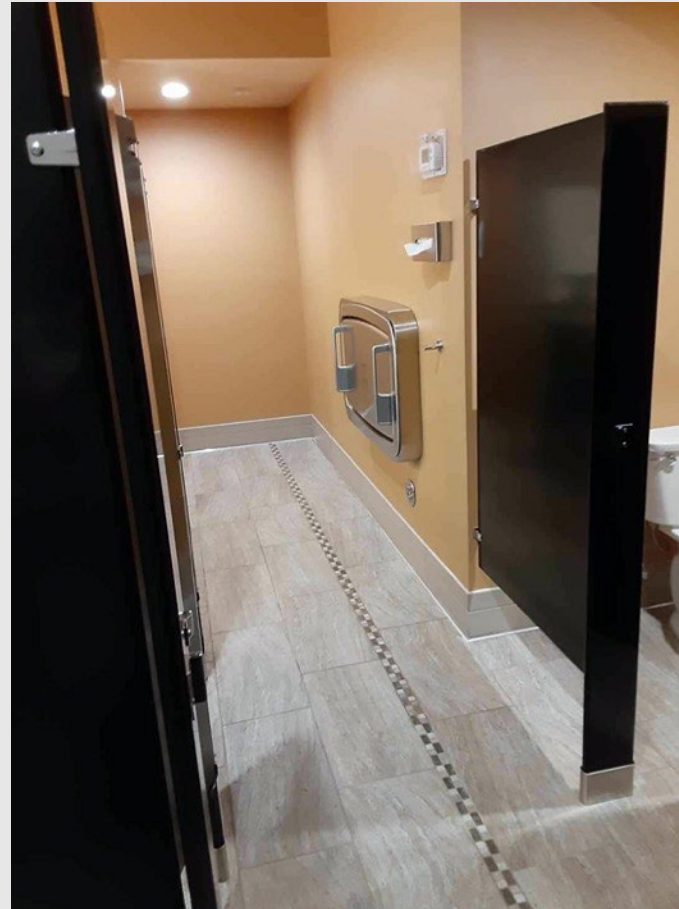
Kiawanda Community
Center addition
\$339,000

HOW TLT IS USED

\$153,000



Renovation and new seating in NCRD performing arts center



ADA bathroom and lobby remodel at NCRD

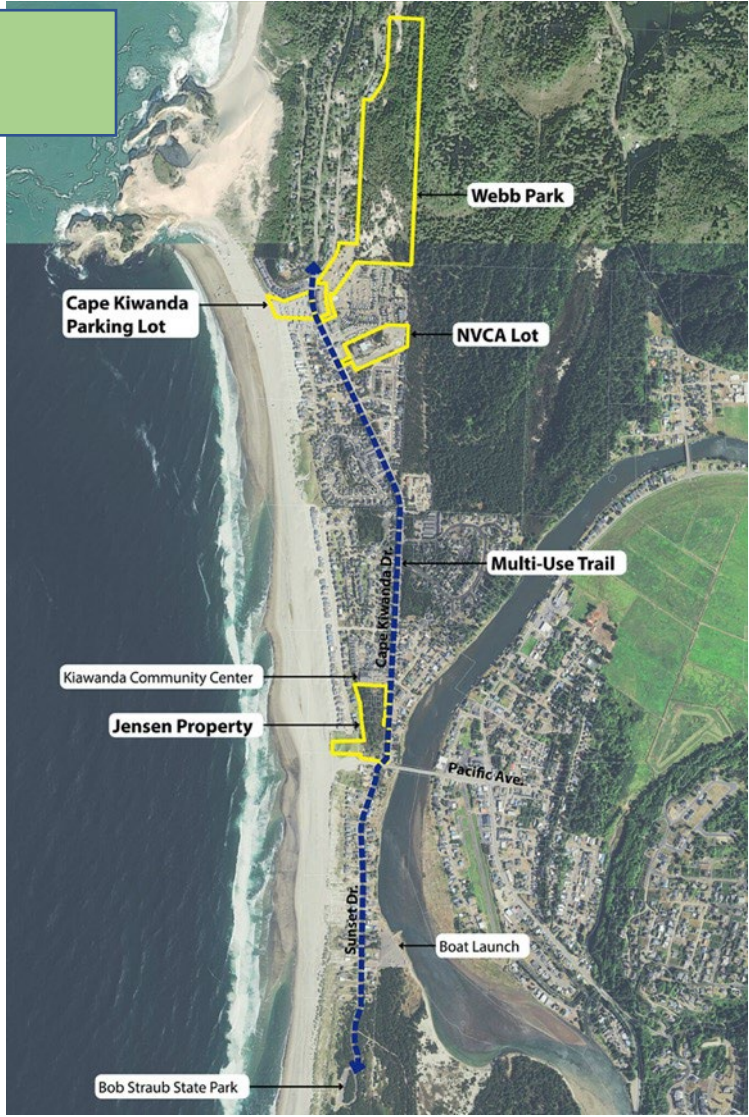


HOW TLT IS USED

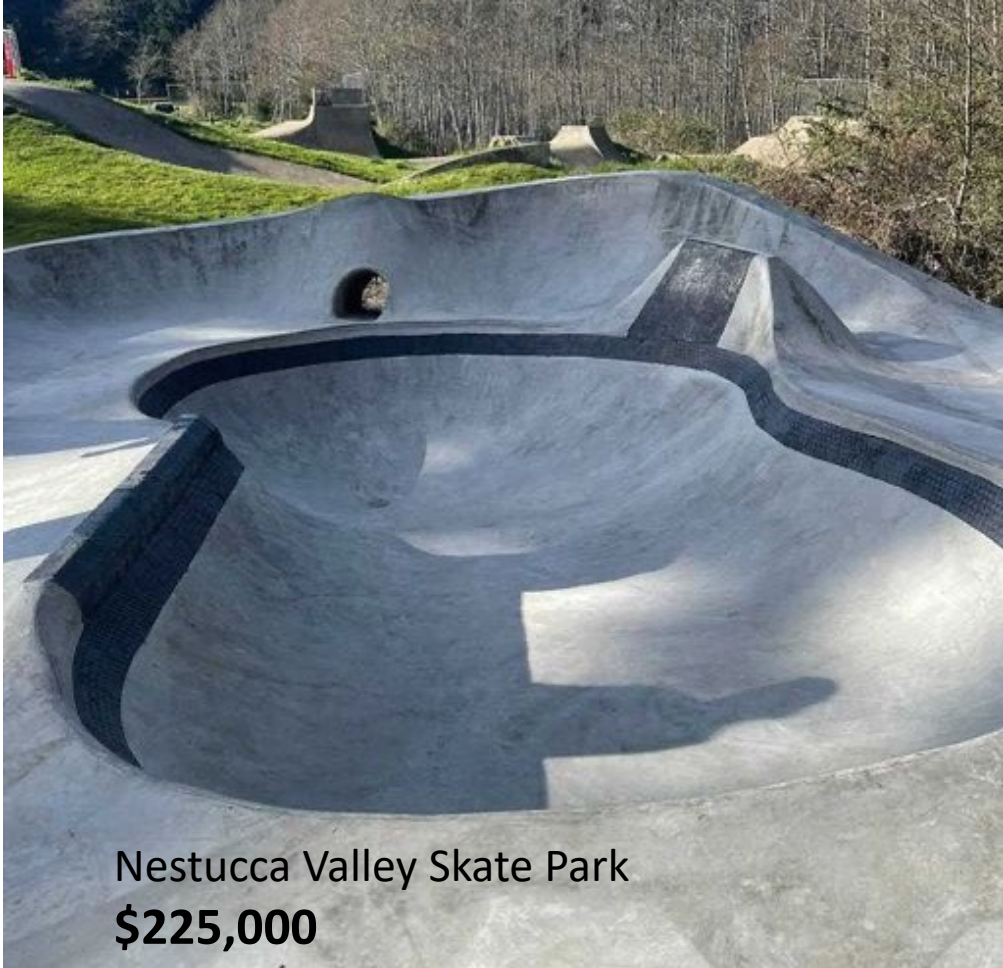


Cape Kiwanda beach access
\$132,659

Kiwanda Corridor Project
\$3,600,000 – purchase of Jensen property and planning



HOW TLT IS USED



Nestucca Valley Skate Park
\$225,000



Tillamook Skate Park
\$31,450

Benefits of local STR agencies

Can respond quickly to issues – **85% compliance** in the 20-minute response rule

Local agencies have hundreds of employees, well paid, often with benefits

Local agencies are **part of the community**

Local agencies support local businesses, such as landscapers, painters, electricians, plumbers, etc.

Local agencies are generous with community requests – donations, auction items, sponsorships

Vast majority of “nuisance calls” are not STRs and/or not locally managed

Future of STRs?

If STRs were to be shut down:

- 69% of TLT would go away, as would grants, investments, infrastructure and community development by the county and TCVA
- Businesses supported by visitors would close and hundreds of people would lose their jobs
- Lawsuits would rise like king tides
- Real estate value would go down

Management of STRs is ideal:

- City of Manzanita has a cap of 17.5% of households; mostly managed by agencies with a local presence
- Rockaway Beach is researching STR cap now
- Unincorporated areas currently have no cap, but are paused

Dear Ms Absher, Director, Community Development and Short-Term Rental Committee,

My name is Mark Roberts, a full-time resident of Neahkahnie. I'm a retired economist with 35-years of experience in forecasting, financial management, and strategic planning ... and am active in Neahkahnie/Manzanita nonprofit organizations.

I also have direct experience with short-term rentals (STRs) – I live across the street from one and, as a frequent walker and resident of this community, have ample opportunity to view and experience community/renter interactions as a resident.

I also use short-term rentals – when traveling, I like to book with STRs where I'm going. I say this to indicate I'm not "anti" short-term rentals but rather an advocate for effective and thoughtful management of short-term rentals and their impact and interaction with the larger community.

Given the Short-Term Rental Committee's review of the Tillamook County Ordinance governing Short-Term Rentals, I'll limit my current remarks to this review:

Comment #1 – Section 3

The "Purpose" of this Ordinance is specific: "regulate short term rentals in order to enhance public safety and livability within Tillamook County".

Note that the Purpose does not say anything about convenience, expense, not wanting to, not good for business, enable new investors to afford real estate investments, etc.

That is, this Ordinance speaks to safety and livability within Tillamook County – not STRs owners preferences or economic situation. Too, it doesn't say, "...anything goes because we're all making money and that is obviously good for the County."

Concerns associated with other than safety and livability in Tillamook County are, as the saying goes, 'good to know' ... but are NOT pertinent with the application of this Ordinance in its regulatory role.

With Ordinances and other laws, it is what is written rather than one's own preferences or ideas that is relevant.

Comment #2 – Section 5 Definitions

There is a key word here in this 'regulatory' Ordinance ... and that word is "shall".

"Shall" is specifically defined as "mandatory and not directory".

We're not playing with words – this **regulatory** Ordinance specifies a variety of terms and conditions that are mandatory ... for the safety and livability within Tillamook County.

Again, Sections and topics included in this Ordinance are mandatory ... and not subject to being put off until consensus is achieved, or negotiations are completed.

Frankly, the Director of Community Development is tasked with implementing this regulatory Ordinance with or without consensus ... and she must do so for the safety and livability of Tillamook County – not the convenience or financial preferences of current STR owners.

Comment #3 Definition 6(b)(A) “Contact Person”

“The owner or if designated on the application for a permit, the agent of the owner, authorized to act for the owner.” (*emphasis added*)

My comment is that this means what it says – the “Contact Person” is either the owner or the owner’s designated agent. Period. The owner may choose to designate their cleaning person as their Agent, authorized to act for the owner. I recommend some careful reflection on this designation ... but this is a key role in subsequent Ordinance sections and the Owner may make such designation ... but must abide by this designation.

Comment #4 Section 6 Standards

Not to be a ‘wise guy’, but this Standards section needs some added standards of its own.

I recommend a model, written statement (pamphlet?) describing and detailing these Standards written collectively by the Subcommittee and approved by the Director of Community Development with 80% support of industry representatives and 80% of community representatives. (I can’t help but notice that the Subcommittee is ‘over-weight’ with industry representatives i.e. nearly 50% whereas the share of STRs has reached as high as 23% so far, in the County.) Since achieving this level of Subcommittee agreement could take forever, a potential incentive for completion would be the cessation of issuing new STR permits (and renewals?) until this key, I’ll add, mandatory (“*All short term rentals shall comply with the following standards.*”) regulatory guidance necessary for the regulation for the safety and living conditions in Tillamook County, is completed.

Section 6(a)(A)

Specifically, the term “unreasonable” needs further characterization and or illustration. What is “...unreasonable noise disruptive to neighbors during this time.”?

We know this issue of noise and disruption is likely the single most contentious issue associated with STRs. This is a “livability” issue ... so its regulation and treatment is mandatory.

“Reasonable noise” may be one thing to 20- to 40-something aged renters who want to be on vacation at their special STR time at the beach ... versus we full-time, yes, retired 70+ people who have a different definition of “reasonable noise”.

Here's my definition: "If I can hear you during quiet hours while standing on my property, you are too, unreasonably, loud." I welcome the Subcommittee's definition.

Section 6(a)(C)

"The contact person shall attempt to contact a renter" (emphasis added)

Uh, 'attempt' isn't good enough. This provides WAY too much latitude to the offending party- i.e. Having a great time? Don't answer the phone! Party on!

We've got excellent cell phone coverage here in Neahkahnie ... and most of Tillamook County. No cell phone coverage? Install a phone inside the house. This is a public safety and livability issue.

All renters, owners, and contact people know, in advance, the requirements to be reachable.

Frankly, there is nothing more maddening than 'unreasonable noise disruptive to neighbors' during this (quiet) time. And, likely, nothing more dangerous for personal safety and livability than a neighbor personally confronting a renter regarding 'unreasonable noise'. Finally, it ought not be a resident's job to supervise, advise, or correct the behavior of another, temporary, renter.

Section 6(a)(D)

"The name and active phone number of the contact person shall be posted so that it is visible from outside the front entrance of the short term rental."

This information is mandatory (*shall be posted*) and a critical quality that this information should also be readable. I've attached at the back of these comments examples of permits with the required information ... and these examples demonstrate that while "visible", the signage is either so small and/or illegible that it is a mockery of meeting the forthright communication intention of this Standard. It is not fair or safe to require neighbors to closely approach an occupied rental to gain this information.

Example or model signage with more finely crafted definition of standards are needed to meet this signage requirement. We should be specific regarding the basic, legible signage which can be read by a person with 20/20 corrected vision while standing on the street looking toward the front entrance of the rental.

Section 6(a)(G) thru Section 6(a)(P)(4)

These are very important safety-oriented standards ... which I yield to others' interpretation and choices regarding these parameters.

Personally, I believe having 'sleeping capacity' as high as are currently being permitted is inherently unsafe.

The vast majority of the current housing stock being used for STRs was built for families of two, three, four, five, or maybe even six family members (or close guests) ... who were deeply familiar with the home in which they lived or frequently visited.

The current standard enables 'packing in' ("sleeps up to 14, 16, 18, even 20!) significantly more people who are unfamiliar with the structure ... and what might this mean during a potential emergency?

Section 6(a)(T)

The math behind this Standard eludes me – I can rarely make sense of it. However, I do know and believe the number of cars parked at STRs is one of the biggest issues in coastal communities.

Back to the quaint old days when families lived in houses, the typical household might have had one ... maybe two cars. Perhaps they might have a weekend guest or two ... such that on rare occasions there might be four cars, max, at a house.

Today, in the post-resident, but zoned residential area, the Sleeping Area calculations of cars needs clarity ... and a specified maximum per STR. STRs that sleep 20 need an expressed maximum.

Finally, community members who volunteer as Board members to manage community infrastructure such as water, fire, and waste management have noticed that a house built for two, four, or maybe six individuals performs very differently with substantially different use patterns when occupied by four, six, eight, ten, fourteen, let alone twenty individuals. New community investments in adequate infrastructure are now being evaluated ... including who pays for this incremental investment. More to come on this issue.

Section 6(a)(X)

This Standard is TOTALLY inadequate.

It is not IF but WHEN the next tsunami inundation occurs.

Hopefully the next Cascadia earthquake and tsunami is in the far-off future ... but you know, I buy fire insurance every year ... and I'm not upset that my house has never caught fire. I'll keep buying fire insurance.

Likewise, prudent investments concerning 'high consequence, low probability' events requires thinking, planning, and making expenditures ahead of need. The 'need' will arise with only a 15-minute warning – the earthquake. The cost of planning ahead is low compared to the absence of planning. 'Got insurance?'

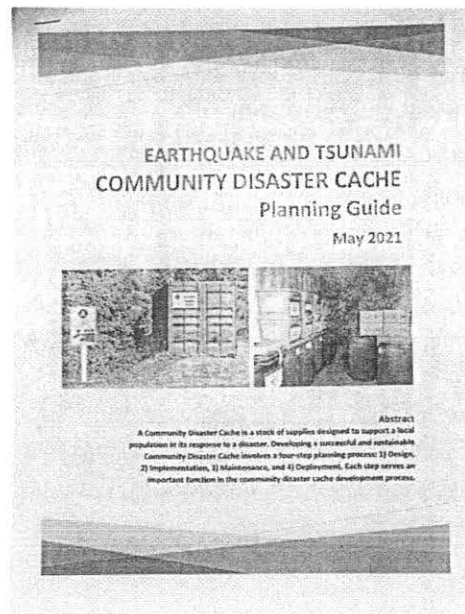
What is the County and STR industry plan for the safety of the STR community and other tourists encouraged to come to the coast via TLT-based promotions?

We'll have a 15-minute head start on providing for the needs of STR parties and other tourists for the subsequent 21- or more days, if they survive the tsunami. Food, shelter, medical care, and more when the Cascadia earthquake occurs with zero warning.

Residents have the knowledge to make informed choices – I've got my 'Go Bag' ... and since I want to eat for the subsequent 21-days or more, I've also got freeze-dried food (I have to replace it every 30-years, so I don't stress about expiration dates), fuel, water filter, and other supplies as well. I've got a neighbor's food supply, too, who has a house in the inundation zone. I practice my 'Yellow Radio' drills with the Emergency Volunteer Corp of Nehalem Bay every Thursday evening at 6 pm. I'll practice the emergency evacuation drills to my 'neighborhood pod' designated spot.

I have NOT made plans for the STR house across the street nor the STR down the street, let alone tourists parked along the beach road.

DOGAMI recommends Community Disaster Caches via a published [planning guide](#), published May 2021.



My recommendation is that Community Development takes the lead with other community emergency groups ... and either uses funds from the existing TLT monies ... or boosts the tax rate a smidge, to fund the NECESSARY emergency caches sized to the relevant rental and visitor community. These caches could be located in many areas – in Neahkahnie, the Neahkahnie Water District has multiple locations where caches are well above the tsunami inundation zone.

If we must use TLT funds to promote tourism at the coast, the least we must do is use TLT funds to save tourist lives once they are unfortunate enough to be here when 'the BIG One occurs'.

Section 8 Fees Established

"The fees established by this Section shall be reviewed annually and, if necessary, increased by Board Order in amounts sufficient to reimburse the County's costs for administering the short term rental program, except that:

(A) An increase in the annual short term rental license fee shall not exceed five percent (5%) annually.”

I've previously objected to this 5% increase limitation. The bargain between STRs and the County was that this program would not be subsidized by the County taxpayer. First, the costs of this relatively new program are still being learned ... and adjusting the costs to correctly administer the program are still being ascertained by the Director of Community Development. Second, the 5% limitation of these costs may prevent any necessary adjustment to correctly recover the actual costs of correctly administering the program and or any increase brought about by inflation of relevant costs in excess of 5%.

Added comment, as an economist ...

One thing I've heard repeatedly regarding short term rentals is that they've enabled people who are otherwise not able to afford beach property ... to afford this property via the ability to rent it out to help with the mortgage or other expenses.

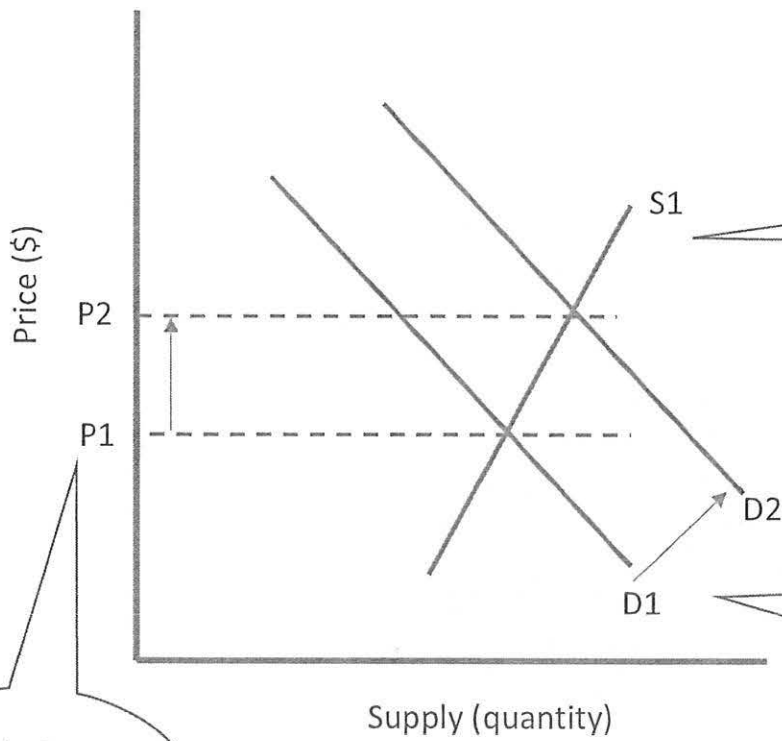
This is great news for these individuals ... though the next thought ought to be, what does this do to or for the larger community?

The short answer is that it clearly increases the price of housing throughout the (relevant) community! The theory is illustrated below, but it stands to reason that if you increase the number and financing of potential buyers, the new demand will bid up the cost of the items (houses) of interest.

Economists consider this type of question using graphs to illustrate the concept of changes in supply and demand for a good or service. Also, economists isolate the question by freezing every other aspect of our very complex economy – that is, assume 'everything else is frozen or not changing' i.e. *ceteris paribus* – other things being equal.

Why does this increase in income (STR rents) increase property prices? This new found source of income (rental income), in economic-speak, “shifts” the Demand Curve to the right for beach housing resulting in increased prices for housing. (See <https://www.thebalance.com/shift-in-demand-curve-when-price-doesn-t-matter-3305720>)

See illustration below:

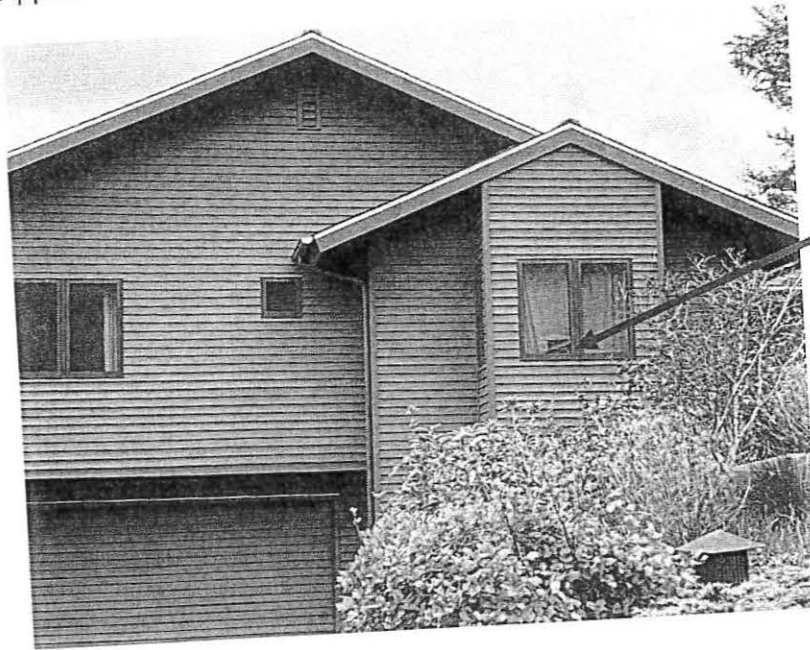


Second – In the short term, the Supply of housing is fixed

First - New short term rental income expands pool of qualified buyers ...shifting the Demand Curve to the right from D1 to D2

Third – Given increased Demand and fixed Supply, a new, higher Price, P2, results

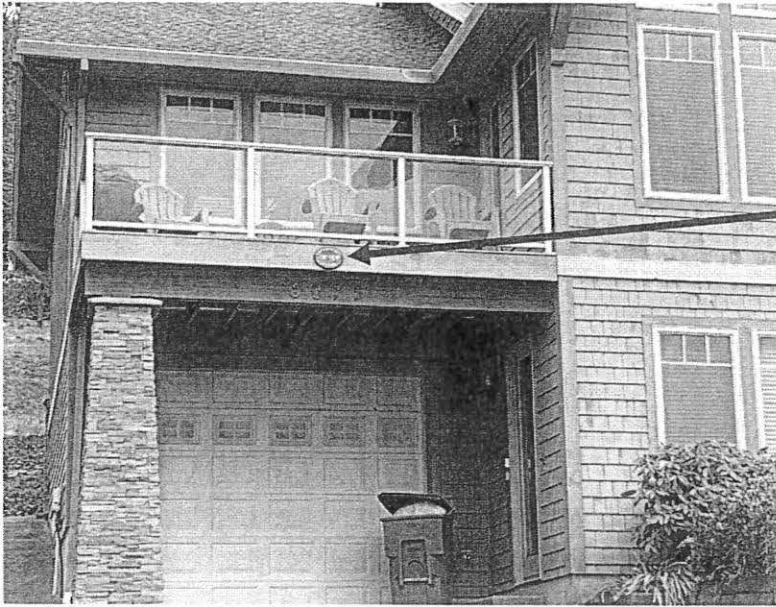
Appendix – Examples of Signage



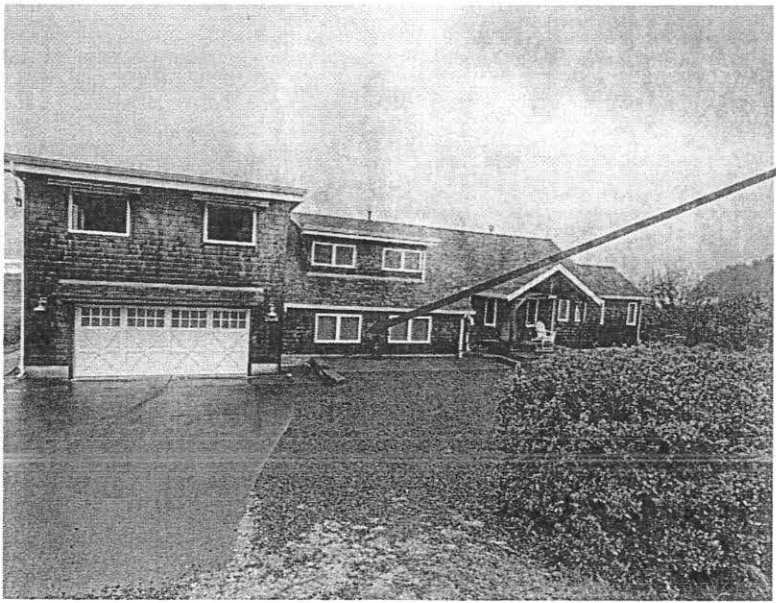
Impossible to read from street



Readable from 3' to 4'



Most people
need a
telephoto
lens to read



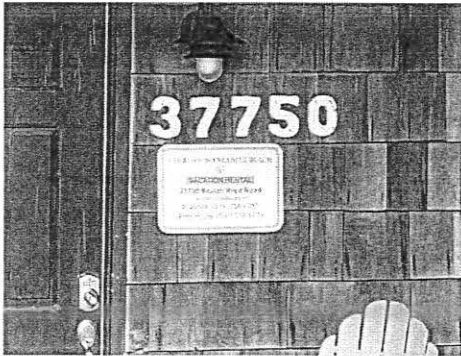
It is almost
visible;
certainly not
readable



While not
legible from
the street, it
otherwise is a
good sign



It is almost
visible; nearly
readable



Lynn Tone

From: Oceanside NA <oceansidefriends@gmail.com>
Sent: Monday, May 2, 2022 11:35 PM
To: Sarah Absher; Lynn Tone
Subject: EXTERNAL: STR Meeting Tuesday

[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 and Lynn -

I am out of state and won't be able to make the meeting Tuesday. I understand that the committee is evaluating the enforcement provisions of the ordinance and would appreciate it if you would share the gist of this concept with the committee in abbreviated form and/or forward this email to committee members for consideration.

Most of the residents I've interacted with as President of our community association do not oppose short term rentals per se. They mainly object to discourteous conduct by STR customers that the STR owners themselves would not tolerate if it occurred in the neighborhoods near their own primary residences. If the conduct issue were effectively addressed, the push to cap or ban short term rentals would lose a lot of its momentum.

To be clear, I realize that STR visitors do not cause all of the problems attributed to tourists by full time residents, but that is not a reason to avoid addressing the ones that they do.

That said, I believe the current complaint and response procedures outlined in the ordinance are sufficient for the most part. Bolstering them will never make more than a marginal difference until there is an effective enforcement response when residents attempt to make use of those procedures. Currently, the quality and speed of a response depends entirely on the individual STR owner or management company to whom a problem is reported by a resident. A credible, uniform system for receiving and responding to complaints is needed to make the current procedures work as they were intended.

We all know that the Sheriff's department cannot and should not devote its resources to addressing issues like unruly pets, illegal fireworks, late night noise or illegal parking in all of the unincorporated areas where they occur. Instead, I suggest that the county or visitor's association construct a pilot program that would assemble a trained group of CIVIL response personnel (a county "Courtesy Corps"?) and assign them to patrol problem areas during peak visitor periods. This would be comparable to the "Clean and Safe" program in downtown Portland, where merchants have donated to a nonprofit fund that hires private patrols of problem areas like Pioneer Square. When I explored this concept with Undersheriff Kelly in connection with introducing it in Oceanside several years ago, he saw no immediate problems with the concept for his office and volunteered that the private tourist development at Sunriver, Oregon, near Bend operates a private patrol based on similar principles.

Under this proposal, the county would publish a single telephone number or email address for complaints that would then be routed to the local Courtesy Corps representative. They would then visit the problem location, alert the visitors of the complaint and warn that further complaints might result in a citation.

The main practical issues with this are:

1. Funding. The pilot program and any expansion should be funded from the Short Term Rental Operator's Fee. Currently, 25% of the fee goes to "law enforcement" with no direct correlation to law enforcement needs related

to short term rentals. Under this proposal, the ordinance would be amended to direct that such funds be utilized directly to address problems created by the same enterprise that is generating this revenue, i.e. short term rentals.

2. Management/Liability. I doubt the Department of Community Development would or could muster the resources to manage this - especially the liability issues. My suggestion would be to form a group comparable to the new parking enforcement entity recently formed in Pacific City/Woods. It would be important, however, to take the steps necessary to bring and insure the "Corps" under the county's Tort Claims Act purview.

This is as far as I can take the idea. It is one of the ideas being proposed for Oceanside in the event it incorporates, but it seems at least potentially feasible for incorporated communities as well.

Respectfully submitted,

Jerry Keene

3.

Lynn Tone

From: Sarah Absher
Sent: Monday, May 23, 2022 5:21 PM
To: Lynn Tone
Subject: Please suspend short-term rental applications

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

From: John Osburn <[REDACTED]@comcast.net>
Sent: Monday, May 23, 2022 4:59 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Please suspend short-term rental applications

[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 own a home in Neahkahnie that is not in the rental market. We write to request that you suspend short-term rental applications to consider a more stringent approval process.

As you know, sales and new construction of homes has increased during the pandemic. It is apparent to residents that many of these are being turned into short-term rentals. This appears exacerbated by the fact that neighboring jurisdictions have placed limitations on rental applications. We ask that you take immediate action at the next public meeting to halt further processing of rental applications in order to develop a reasonable approach to controlling unchecked growth of commercial housing in the County.

Thank you for your consideration.

John R. Osburn & Kathryn Koepke

[REDACTED]
37305 1st St. Nehalem

Lynn Tone

From: Sarah Absher
Sent: Monday, May 23, 2022 4:14 PM
To: Lynn Tone
Subject: STR Comments

From: Begonia Zack [bzbeck2@yahoo.com]
Sent: Monday, May 23, 2022 12:01 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STRs

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

Dear Commissioners, Sarah Absher and STR Committee,

We built our house, live in Neahkahnie, have lived in the area for 30+ years and have watched the community change.

I am writing to ask that the **Tillamook County Commissioners institute a ‘pause’ in the issuance of STR permits.** Recently the Tillamook County Director Community Development reported an unprecedented number of requests for new STR permits over the past several **weeks. Why?** Because Lincoln County, Clatsop County and even the City of Manzanita have called for a moratorium on issuance of STR permits.

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

We need a **reasonable cap** on the number of STRs permitted.

Permits should be held to an **expiration period.**

Water already has and will be an issue in the future. Do you wash your towels and sheets every day? A hotel does. In a mini-hotel of vacationers, how much excess water will be used over a residential usage.

Noise is an issue therefore a safety and livability concern. How far will the Sheriff travel to contend with a “noise issue”?

These are just some of the concerns. Our community of residents feels very vulnerable.

Thank you for your efforts,
Barbara Rippey

Lynn Tone

From: Sarah Absher
Sent: Wednesday, May 18, 2022 8:32 PM
To: Lynn Tone
Subject: FW: STR Advisory Committee comments

Hello Lynn,

We will want to share these comments with the STR committee.

Sincerely,



Sarah Absher, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3317
sabsher@co.tillamook.or.us

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Wednesday, May 18, 2022 6:20 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STR Advisory Committee 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 Ms Absher and STR Advisory Committee,

My name is Michael Booker and my address is 8185 Blackberry Lane, Nehalem, OR 97131. I am a registered voter in Tillamook County. My residence is in the Neahkahnie Beach neighborhood. I have written the Tillamook County Board supporting the "pause" in regards to new STR applications.

I have read Ordinance 84. If there are possible changes to Ordinance 84, I have a few suggestions.

1) I sincerely doubt a fee of \$250 covers the administration of the program. Even if it does, I believe the "costs" of the program should be expanded to include the neighbors who's property lines are contiguous with an STR. Since investors and all the folks who say they deserve a return on their investment, I can agree if the return is shared by all those who actually "pay" and that would be the neighbors who now live next to an STR. Each neighbor should be compensated \$5,000 ANNUALLY now that they live next to a motel. The cost can surely be passed on to renters. It's just business they say but neighbors should be able to live next to neighbors in a neighborhood which is zoned residential and if now living next to a business and not a neighbor their livability has been diminished and they should be compensated.

I would also add to "costs" the cost to infrastructure and limited resources like water.

2) The ordinance makes clear complaints should not be directed to law enforcement. And that enforcement of penalties is shared with law enforcement and not their sole responsibility. Section 13 (b)(B) should be updated to make the threat of penalties really matter. \$3000? That's 2-3 nights rent in several Neahkahnie Beach STRs. How about \$30,000 for violation of not having a permit. How about a penalty of up to \$10,000 if repeated complaints received?

Basically, STRs are motels and should be discouraged as business enterprises in residential neighborhoods with increased up front costs (fees and neighbor compensation) and high penalties for violations. The County benefits if every home becomes an STR for the TLT but that money does not come back to those who have to live with an STR or motel next door. The proposal by Save-Our-Neighborhoods.org has many good points. I would support that effort.

Thank you,

Michael Booker

My name is David Boone and I am a full-time resident of Neahkahnie and a member of the Board of Commissioners for the Neahkahnie Water District. I have several comments and thoughts regarding the effect of short-term rentals on our community. First, I want to be clear that I am not opposed to certain properties being used as short-term rentals (STRs). Before moving to Oregon in 2015, we rented properties in various areas on the coast including Arch Cape, Cannon Beach and Neahkahnie. Renting a house is a great way to stay in an area long enough to truly enjoy the region in a more relaxed way.

Nonetheless, there is a point at which the percentage of STRs in a neighborhood irrevocably changes the character of that neighborhood. I do not want, nor do I know anyone who wants to live surrounded by STRs. Based on current trends and the lack of Tillamook County action to date on this issue, I am afraid Neahkahnie will soon irrevocably change.

Some basic information regarding Neahkahnie:

1. Approximately 100 full-time residences (local mailing address).
2. Approximately 211 part-time residences (non-local mailing address).
3. There are 70 permitted STRs (last list I saw).
4. Approximately 170 full time residents in 2022.
5. Of the approximately 311 non-STR residences, 33 are in an area governed by HOA rules that limit the ability to rent the property.
6. Neahkahnie is zoned for single-family residences and owner-occupied bed & breakfasts with no more than 2 guest rooms. An STR in Neahkahnie advertises sleeping up to 20.
7. Determining the percentage of STRs in Neahkahnie depends on the denominator used in the calculation so care must be taken to be sure the percentage used is not misleading:
 - STRs vs full time residences: $70/100 = 70\%$
 - STRs vs (STRs + full time residences): $70/170 = 41\%$
 - STRs vs (STRs + all residences): $70/(70+311) = 18\%$
 - STRs vs (STRs + all non-HOA residences): $70/(70+[311-33]) = 20\%$
8. Broad community percentages are misleading since STRs may be concentrated in certain neighborhoods. In Neahkahnie STRs are concentrated close to the beach.
9. Due to the probable capping of STRs in unincorporated Clatsop County and in Manzanita, Neahkahnie has become a prime acquisition target for STR business owners. Note: I am referring to STR BUSINESS OWNERS not part time residents who occasionally rent their house.
10. Neahkahnie depends on 4 springs for its water supply. The output of these springs is at its lowest when the tourist and part time resident populations are at their peak in the summer months. High occupancy STRs use significantly more water than full time residents (average of STR use in the July/August period of 2022 was almost 50% higher than the average use of full time residents). Continued unlimited STR permitting will create significant challenges for the Neahkahnie Water District in the future.

Comments on STR issues:

1. Current Tillamook County policy of granting an STR Permit in Perpetuity:

- This is a policy that seriously limits flexibility for serious community planning
- Serious legal research should be performed to obtain a competent legal opinion on the County's ability to modify the existing permits and limit any future permits
- All new permits should have a time limit (e.g. 5 years) with renewal at the County's sole option with certain set considerations, e.g. number of STRs in a neighborhood
- Permits should not be automatically transferred to a new property owner and, in fact, should terminate upon sale of the property
- The number of permits should be limited for a property owner, e.g. one per owner (as in Manzanita)
- Permit applications that are waitlisted should not be automatically granted once a permit freeze/pause has been lifted. Otherwise, that along with automatic renewals and transfer with sale means there will be no cap on STRs!
- New permits should be occupancy limited regardless of the size of the STR (see occupancy comments below).

Proposal: No new STR permit will be granted where is an existing STR in the same block and where the overall community level of STRs would exceed 15% (#STRs/Total # residences).

2. Parking: Off property parking of vehicles of the guests of certain STRs on Neahkahnie's narrow roads can hinder normal and emergency traffic and poses a danger to pedestrians walking the roads of Neahkahnie which have no sidewalks.

Proposal: All vehicles of STR guests must be parked on the property of the STR.

3. Signage: The Tillamook County STR ordinances require the STR to post the phone number for a contact. However, many of the STRs in Neahkahnie have a contact that is out of state (the owner apparently). Many of the signs on the STR can not be read from the street. For example, the sign for one property is up the driveway and hidden behind a shrub.

- All signs should be easily read without entering the property---and without the need for binoculars!
- Preferably signs would be posted near the street for easy reading
- The contact should be a local management company and able to respond within a specified amount of time depending upon the nature of the complaint (see Clatsop County for examples)
- The signage should include the street address of the STR, for ease of reporting a problem as well as for first responder purposes

Proposal: A sign (standardized by the County) containing a local contact phone number, residence address, and permitted occupancy be placed on the easement in front of the STR so there is no need to go on the property to get necessary information.

4. Occupancy: One selling point of STRs is they permit one or two families to affordably rent housing to visit the Oregon coast.

- Some STRs are being operated as mini-hotels, sleeping 20 people, and even holding business conferences

- Occupancy should be limited to sleeping no more than 2 people (over the age of 10) per bedroom (actual bedroom, not sleeper sofas in living rooms or rec rooms or tiers of bunk beds as in one STR)
- Current levels of occupancy in some STRs create a potential safety issue in the event of an emergency
- Permitted overnight occupancy should be posted on the signage (see above)

Proposal: Occupancy be limited based on actual bedrooms and in no event to exceed 12 adults (Clatsop apparently has a 14 person limit)

5. Public access of STR permit information

- The permit for each STR should be in an easily accessible database maintained by the County, at least as accessible as property tax records
- Claims that such posting creates privacy issues and increases the danger of breakins are specious arguments at best. As indicated above, all STRs are required to have signage with contact information. Most STRs advertise and it takes little effort to find a particular STR's location. If STR owners are concerned about burglary, they can collectively hire a watch service to regularly patrol the area. In reality the residences of absent full time residents are probably at higher risk since they generally contain more personal property than an unoccupied STR.
- The City of Manzanita on their website has a "Short Term Rental Contact List" that contains the STR address, name of the local contact, phone number of the contact and allowed occupancy for the STR!!! (<https://ci.manzanita.or.us/str-contact-list/>)
- The data base information should include the permitted capacity and permitted number of vehicles as well as the local contact information.

6. Safety Considerations for STR Guests

- All STRs in the tsunami evacuation area should have evacuation route signage. Failure to post such information should be grounds for revoking the permit.
- All guests should be provided with information (standardized by the County) regarding tsunami and earthquake risks on the coast as well as quiet hours, parking requirements, speed limits, garbage, pet control, open burning/fires, fireworks, drones, trespassing, and other issues as needed.
- All STRs should have a "GoBag" with 3 days of emergency supplies for each permitted occupant, including food, rain gear, water, water filter, etc. Neither the Federal Government, Oregon State Government nor Tillamook County has provided any supplies for emergencies such as "the big one". At this point, any care for tourists in the event of a disaster will have to be provided by local residents.

7. Enforcement of Regulations

- At this point there seems to be little or no enforcement of those STR regulations that do exist. The Sheriff's Department is understaffed and enforcing STR regulations is a poor use of their time.
- Absent immediate safety issues where the Sheriff's Department is appropriately involved, most complaints and regulation enforcement can be addressed by non-law enforcement personnel.

Proposal: STRs should pay for enforcement personnel to assure compliance with issues such as signage, evacuation information, emergency supplies, etc.

8. Neighborhood Livability

- The constant turnover of customers in an STR disrupts the character of a neighborhood even if the customers are considerate.
- To function, the community and Tillamook County depends on the dedication and skills of volunteers. These volunteers comprise full and part time residents, NOT STR customers or absentee STR owners.
- The increased occupancy of STRs relative to other residences in the neighborhood creates increased vehicle traffic with many visitors ignoring the 25-mph speed limit on most of the roads. Enforcement of speed limits is by the Sheriff's Department which is understaffed and focused on other issues.
- It is not uncommon to have overflowing garbage containers in front of an STR. Some of the local managing companies are very responsive to complaints but complaints still have to be made and the out of state contacts often do not respond.
- Many STR occupants (particularly at the mini-hotel STRs) are understandably at the coast for a good time and are not considerate of the noise they are making. This obviously impacts the livability of a neighborhood, particularly when there are multiple STRs close to one another.
- Both residents and visitors depend on the service workers in area businesses who are faced with unaffordable housing in part due to long term rental units being converted to STRs and the price of houses artificially increasing due to STR demand. This is not an issue unique to Tillamook (<https://inthesetimes.com/article/rural-housing-crisis-vacation-rentals-bans>).
- Tillamook County (and other locales) has created a policy that while generating significant money for the County has driven up housing costs making it more difficult to entice other businesses to move to Tillamook County.

Thanks to everyone serving on the STR Advisory Committee. It is important work that you are doing. I trust that you will work as a group to represent the interests of our communities and provide serious, independent proposals to the Board of Commissioners. The work product of the Committee will impact everyone in unincorporated Tillamook County (and indirectly the incorporated areas too). I greatly appreciate your consideration of my comments.

David Boone

Daveboone01@gmail.com

Lynn Tone

From: Sarah Absher
Sent: Monday, May 16, 2022 10:23 AM
To: Lynn Tone
Subject: STR review

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

From: Larry & Debbie Kiser <ladsfk@nehalem.tel.net>
Sent: Monday, May 16, 2022 9:56 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STR review

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

My wife and I have been full time residents of Neahkahnie for over 20 years having moved here from the Seattle area. We hope that your committee will put a hold on the county STR rules while the subject gets a full review. We have seen a big increase in number of rentals in our community and it has definitely changed the livability of our area. Since we are so close to Manzanita who have stronger STR rules and a cap we have noticed a big increase in STR units in Neahkahnie. We hope that your committee will work with our residents and Manzanita council to adopt similar rules for us. We are not against STR units here but see a need to set uniform rules to keep our community a place for all residents and visitors to enjoy our coastal area.

Larry & Debbie Kiser

Lynn Tone

From: Sarah Absher
Sent: Monday, May 16, 2022 10:03 AM
To: Lynn Tone
Subject: Fw: Short term rentals

From: Marc Johnson <[REDACTED]>
Sent: Monday, May 16, 2022 7:47 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short term rentals

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

Sarah:

My wife and I are full-time residents in the Neahkahnie Meadows area near Manzanita. Our home is, obviously, in the unincorporated area of Tillamook County.

I am writing to encourage you and the commissioners to institute a pause in new short-term rentals in this general area as you consider revisions to the existing ordinance.

I am certainly aware of the complexities surrounding this issue, everything from parking to excessive water use. The very complexity, it seems to me, dictates the need for time and thought about effective county policy regarding short term rentals. A pause would allow Tillamook County to further study the issue, including efforts in Lincoln and Clatsop County to regulate short term rentals. Ultimately, we would like to see much stronger controls. We are fortunate to live in a wonderful place. We could love it to death.

Thanks for your consideration.

Marc C. Johnson

[REDACTED]
[REDACTED]
Manzanita, OR 97130

[REDACTED]
8750 Braeridge Drive

Marc C. Johnson, Author

Tuesday Night Massacre: Four Senate Elections and the Radicalization of the Republican Party (University of Oklahoma Press, 2021)

Political Hell-Raiser: The Life and Times of Senator Burton K. Wheeler of Montana (University of Oklahoma Press, 2019)

Lynn Tone

From: Sarah Absher
Sent: Monday, May 23, 2022 3:32 PM
To: Lynn Tone
Subject: STR Comments: Tillamook County short term rental ordinance

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

From: Jill Carter <jcarter1217@gmail.com>
Sent: Monday, May 23, 2022 2:33 PM
To: David Yamamoto <dyamamoto@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Tillamook County short term rental ordinance

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

To: Commissioner David Yamamoto

From: Darryl Carter / Neahkahnie

Dear David,

I have been keeping up with the current issues surrounding the short term rental ordinance. You will recall, that you and I were attendees in the initial phases of the ordinance being enacted. We were both there to obtain equity for our communities. We didn't do a very good job. It appears to me that what we feared has happened. This current ordinance needs to be reviewed and amendments added to it. I would fully support commissioners issuing a ban on future permits until this is done. If it is not done it's just going to get worse.

Other jurisdictions have tighter controls and limits on rentals. As a result, these investors are now coming into Tillamook County because we have minimal control without limits. For practical purposes any house in Tillamook County unincorporated areas can become a motel. This is not true elsewhere in Clatsop County and probably in Lincoln County. This loose environment for investment is creating multiple ownership of income producing properties in our residential neighborhoods. One owner in Neahkahnie has five homes I understand with one of them sleeping 20. How can you commissioners call this a residential use?

In my opinion, you need to set some limits both in the number of rentals in a community as well as how many rentals one owner can have. Frankly, there are a lot of other things that should be done and I hope the committee takes them up. Although, I was on the first short term rental committee and unfortunately, it was dominated by commercial interests. I certainly hope the current one isn't the same.

Best regards,

Darryl

Sent from my iPad

May 23, 2022

To: Tillamook County Board of Commissioners

Re: A pause on short-term rental permits

My name is Terri Desaro and I am a full-time resident in Neahkahnie. My husband and I were full-time residents of Manzanita from 2006 - 2018 and moved to Neahkahnie in the fall of 2018. I have owned a business in Manzanita since 2011 and have seen many changes to our community; some of them positive, some of them not so.

I am asking the Board of Commissioners to consider an immediate "pause" on additional short-term rental permits at this time. Time is needed to review comments from residents and to adopt new policies and regulations on the capping of STRs in unincorporated Tillamook County. (Neahkahnie is my particular concern but I'm aware of many other neighborhoods in our county with the same concerns.)

My concerns about short-term rentals are:

Our neighborhoods are being disrupted by homes that are being turned into businesses. The constant coming-and-going of guests and cleaning crews, increased traffic, etc. are not what we expect in our once peaceful residential neighborhoods.

Neahkahnie zoning is residential and does not allow for a commercial business (without a variance to a building permit). In my opinion a short-term rental is basically a boutique hotel, in other words, a commercial business. Investors (some of them out of state) are acquiring real estate as alternative investments, converting the properties to STRs, with no intent to live in the homes. Their ownership seems to be purely motivated by profit. It is also a concern that a person or group can own more than one STR property.

Our roads and infrastructure are deteriorating due to increased traffic. Increased water usage by STRs is a concern as these renters are typically unaware of and have little regard for our limited water supply. As residents we have been asked to reduce our water usage while STRs have excessively increased their water usage. Increased trash and dog waste is a burden on our community.

Sometimes, not always, the renters are disruptive, with little regard to the residents in the neighborhood. Loud late-night parties, illegal fireworks, drones flying over our homes (which creates privacy concerns) are just a few issues. One renter used a drone to harass bald eagles who regularly perch in nearby trees. Enforcement of infractions is a burden on our already short-staffed and overworked agencies, and many times go unanswered.

I appreciate your time and consideration to this important issue. Please "pause" on the issuance of short-term rental permits at this time.

Sincerely,
Terri Desaro

T.DESARO@GMAIL.COM

Lynn Tone

From: Dave Holt <daveholt52@gmail.com>
Sent: Friday, May 20, 2022 1:57 PM
To: Public Comments; Sarah Absher
Subject: EXTERNAL: STR comments and questions for the County Commissioners and STR Advisory Committee

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

Tillamook County Commissioners Yamamoto, Bell and Skaar

Thank you for considering my feedback and suggestions regarding our current Short Term Rental situation.

How did we get from the idea of someone owning a beach house and sharing it with friends and family to the current situation where people/businesses are acquiring beach town properties solely for investment purposes as STRs?

How it happened...

The problem of rapid STR proliferation can be directly tied to two things. The residential real estate market pushing the idea of potential rental income to vacation/second home shoppers and the emergence of the online platforms that make it easy to globally promote STRs – Vrbo (as we know it) in 2006 and Airbnb in 2008.

In 2006, when I was in the process of purchasing my first house in Manzanita, my realtor pointed out that if I purchased a home, I could rent it out when I wasn't using it to create additional income to help pay for the mortgage, taxes and upkeep – even if this was not my intent. There was nothing unique about my experience then. By the early 2000's, the idea that your property could generate income when you weren't using it was becoming the norm. More recently, in the last 5 years, the STR investment concept has become mainstream and created a ghost industry that has invaded our neighborhoods and sense of community. The COVID pandemic has only fanned the flames, as the county's current research demonstrates.

The residential real estate industry is alarmed at the possibility of a possible STR pause or cap and the negative impact it may have on their property sales. But they are complicit in how we arrived at where we are today. The allure of the STR investment opportunities has created an unsustainable situation. Limiting the number of STRs will not be ruinous for the residential real estate. Instead of selling what has been traditionally thought of as residences, they are now peddling income opportunities – or businesses. Commissioner Commissioner Yamamoto stated in the May 11th meeting that we now have businesses operating in our residential neighborhoods.

It is also important to note that there is a hidden cost to these STR/investment properties that is not being borne by the STR owners. These costs are instead burdening our communities and permanent residents. Some of these include:

- E-prep resources for STR visitors.
- Overuse of local resources, including water.
- Congestion and nuisance.

- Law enforcement, including STR enforcement.
- Lack of investment in the local economy (STR profits often do not stay in the local economy).

In addition, the strong STR market is also amplifying the residential real estate prices and demand. This can make it difficult for first and second home buyers to buy homes in our area. We currently have a severe shortage of long-term rental properties. The lack of long term rentals and affordable housing is contributing to staffing shortages for many of our local businesses and services. Recent developments regarding the limiting of STRs in neighboring Lincoln and Clatsop County, along with the city of Manzanita are likely to create more intense interest in Tillamook County.

What can and cannot be done to address the STR proliferation and their impact on our communities?

- Can we differentiate between having investment properties and second homes in our neighborhoods? Are these two things actually the same or are there significant differences?
- Can we limit the # of people per house to 6, for example? The traditional second home/beach home wasn't designed to accommodate a large (8 – 12) people. It was designed to accommodate the typical family (4-6 people).
- Can we limit the amount of time per year a home can be rented? Traditionally the second/vacation home would be used periodically by family and extended family members. People who can not live with these limitations should be encouraged to develop their business in areas that are defined as business zones – not residential neighborhoods.

Lastly, limiting STRs does not translate to limiting visitors. Limited STRs will make it more attractive for hotel developers who can accommodate the visitor demand and also concentrate that activity in our business zones, which will help support our local retail and also our local labor force.

I believe it makes sense to "pause" the issuance of additional STR permits while the County looks for more input and solutions to this problem. I am personally in favor of eventual STR caps for the identified communities in coastal, unincorporated Tillamook County (Neahkahnie, Cape Meares, Oceanside, Pacific City, Netarts, Tierra del Mar and Neskowin).

Questions and suggestions for the STR Committee in their review of County Ordinance 84

- How are the physical boundaries of the communities that are being considered for additional STR regulation being determined?
- I believe it would be prudent to have a separate E-Prep fee for each STR (based on stated occupancy of each STR) that funds the infrastructure, supplies and administrative needs to accommodate our STR guest community in the event of a major disaster.
- There should be an enforcement fee that covers the cost of adequate enforcement resources. Currently, according to the Tillamook Sheriff's department, there are not enough resources to operate at the expected level and to respond to STR complaints.
- The STR fee should also cover the cost of a standardized STR sign which would be produced and distributed by the County. A standard sign with the correct size, information and location installation instructions. If it's decided that these permits have an expiration date, then these signs could have the requisite month/year stickers like our car license plates.

- Should there be a limit on how many STR's a person can own in one community, or the county as a whole? Also, can a business own a STR?

Sincerely,
Dave Holt
Neahkahnie resident

Lynn Tone

From: Linda Cook [lindaphoto43@gmail.com >]
Sent: Saturday, May 21, 2022 4:04 PM
To: Public Comments
Subject: EXTERNAL: May 24 Board Meeting of Commissioners RE: 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 Tillamook County Commissioners,

I am so grateful to have this opportunity to share my views on the importance of giving time for the STR Advisory committee to do a very thoughtful, comprehensive response to the way forward with the potential for new STRs. Having time to make this a good course forward is essential, not some rushed half backed idea which will not serve the entire county.

Having been a leader in Go Bag education I am acutely aware of what happens when STRs are not prepared for providing emergency information, maps & supplies to their renters. When the big event or even fires, flooding happen just how are these people going to survive? Full time residents cannot provide for their own needs & visitors. This is itself a very big issue. Of course too many cars parked at a rental, noise after 10pm are some other issues to address along water & sewer use. How many STRs can a community handle & still work well? Certainly the under staffed Sheriffs office will not be able to help w/ any violation enforcement. And from the view of anyone wanting to offer their house as a NEW STR they need to know clearly what all is required of them before they take that step to apply.

I realize when we were a young family renting someone's home was the only way we could afford to stay in a beach location. I am not opposed to having rentals. It is the number of new STR which suddenly is upon our county. All of these issues need to be carefully addressed far beyond the present ordinance 84. This requires plenty of time to get this thought through. Manzanita, & our surrounding counties have looked carefully at that. We too in Tillamook County need to take our time to let the advisory committee work.

Thank you for this opportunity,

Linda Cook

Mailing address:

[REDACTED]

Nehalem

Physical address is in Neahkahnie

Lynn Tone

From: Paula Sansum <psansum@gmail.com>
Sent: Saturday, May 21, 2022 1:06 PM
To: Public Comments
Subject: EXTERNAL: STRs in Tillamook County

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

County Commissioners,

Please add our names to those requesting a 'pause', with follow up limitations of Short Term Rentals (STRs), in Tillamook county.

We have been fortunate to have lived, worked, and volunteered in Tillamook county for 35 years. We have always tried to embrace & adapt to the inevitable changes of our growing communities.

Our experiences with STRs in our area have been both positive & negative. The rapid rate of STRs in Neahkahnie has become a major concern for us on many levels. As you know, we are a rural community in the far Northern region of Tillamook county. Many of our citizens enjoy walking for health and well being. Elders with waning abilities, pets, & youngsters visiting grandparents use our roads, daily. STRs create a significant increase in vehicle traffic creating an increase in danger as we have no sidewalks or broad shoulders to move safely out of harms way. Many of those vehicles move at greater speeds in an unfamiliar area elevating this safety concern.

Last summer, on two occasions, there was someone staying at a STR up the road, shooting off a gun. Those of us who enjoy gardening or just sitting out in our yards, moved indoors as it wasn't clear where the bullets were traveling. A neighbor called the Manzanita police as well as the Tillamook sheriffs dept. leaving messages which were returned two days post the shooting events. A little late for any effective action.

As you may know, our water supply can be limited, especially in summer months and drought like conditions. We are happy to do our part in using good conservation practices daily as well as seasonally, in our gardening, which also is a seasonal, supplemental food source for us.

Last August, we were instructed to forego

outdoor watering & limit indoor water usage as our water reserves had reached an all time low. We did our best to comply, but I must tell you, it was frustrating to witness neighborhood STRs with 5 to 7

vehicles parked out front. That seems like a condition that may support large consumptions of water at a time when full time residents are in need of this precious resource to manage their daily lives.

I have become aware of the fact that many of the recent STRs in our area are owned by corporate and other types of investors whose focus is on making profits. This, in itself, is of major concern. Many of these entities are absent and do not add to the on going care & livability of our community. We have experienced a rise in noise and nuisance that can no longer be effectively managed due to the shortage & stress on law enforcement. Neighborhoods are inundated with strangers & domestic pets who do not reside here. Additional stressors on our, mostly senior, population.

Thank you for your time and consideration for taking a pause in and limiting the volume of STRs in our Neahkahnie Neighborhoods.

Sincerely,

Paula & Robb Sansum

37325 3rd St.

Neahkahnie

Lynn Tone

From: Judith Jones [redacted] judithcj1@gmail.com
Sent: Saturday, May 21, 2022 10:54 AM
To: Public Comments
Subject: EXTERNAL: Short term rentals

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

I am a full time owner in Neahkanie oregon. [redacted] 97131. I would like to address the following issues.

1. There should be a pause in issuing STR permits until the issues are addressed and resolved to everyone's satisfaction.
2. There should be a cap on the number of STR allowed in our area because the visitors have no invested interest in the politics. You will not see signs or voters supporting candidates or issues like the library, TBCC, tides of change etc.
3. There should be a cap on the number of people in a unit. This is a residential area which would like to keep it quiet in order to enjoy the wildlife, scenery and ambiance .
4. Should be expirations on permits and when a house is sold so the permits can be up to date .

Thank you for your consideration and I hope you will pause this process so the above issues can be addressed wisely .

Lynn Tone

From: Michael Maginnis <mmaginnis007@gmail.com>
Sent: Saturday, May 21, 2022 6:44 AM
To: Public Comments; Sarah Absher
Subject: EXTERNAL: STRs

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

I am writing to express our concerns around the short term rental situation in Neahkahnie. The current situation is leading to a loss of our neighborhood livability.

Please give full time residents the same consideration as STR management companies, STR owners and realtors.

Please pause the issuance of permits while regulations are reviewed.

We need a hard cap on the number of permitted STRs.

We need a limit on the maximum number of occupants.

We need an expiration time on permits and a termination of permits when property ownership changes.

Thank you, Michael Maginnis and Tela Skinner

Lynn Tone

From: Christopher Johnson <cmj11235@gmail.com>
Sent: Sunday, May 22, 2022 7:47 PM
To: Public Comments
Subject: EXTERNAL: issuance of short-term rental permits 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.]

DATE: May 22, 2022

TO: The Honorable David Yamamoto
The Honorable Erin Skaar
The Honorable Mary Faith Bell

RE: Issuance of STR permits in Tillamook County

Dear Commissioners:

My family has lived in Neahkahnie since 1960. Since that time, the area has of course changed. However, the recent growth in short-term rental properties in our neighborhood poses real risks to the livability and beauty of this community. Our family's greatest concern is the impact on our water system from increasing rental activity. The system was not designed for the increased level of use due to STR activity.

I urge you to do the right thing and pause your issuance of STR permits in Tillamook County so that you can study the reasoning that led to similar restrictions in our neighboring counties. We are counting on you to take similar precautionary steps in order to protect the livability of our community. Thank you for your consideration and your service to our county.

Christopher Johnson
37395 Second Street, Neahkahnie Beach
Nehalem, OR 97131.

Lynn Tone

From: Terri Maragos <helidon@nehalemtel.net>
Sent: Sunday, May 22, 2022 6:09 PM
To: Public Comments; Sarah Absher
Subject: EXTERNAL: Short-Term Rentals in Unincorporated Tillamook County

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

To: The Tillamook County Commissioners and STR Advisory Committee
Re: County STR Rules and Regulations
From: Anne "Terri" Maragos

I have lived at 37235 2nd St in Neahkahnie since 2004. My husband and I found a lot and built our retirement home there. The peaceful neighborhood has changed so much with all the short-term rental houses now.

There are two STRs across the street from me on 2nd St and another right across the junction of Indian Gap and 2nd St. All these houses - I can't say homes - have ever-changing occupants with their noise and apparent lack of concern for permanent residents. The ones near me often leave very bright outside lights on all night which shine into my bedroom and make sleep difficult. The extra folks who stay in these short-term rentals mean more traffic on our already poor roads. They park on the street since the places where they stay weren't meant to accommodate extra vehicles. Water usage hasn't been a serious problem for us permanent residents. Now we worry about having enough water in our system to accommodate the overflow population we are seeing.

The character of my neighborhood has changed. Something needs to be done NOW to prevent Neahkahnie from becoming a Vegas Strip instead of the beloved coastal community so treasured by permanent residents.

I respectfully request that you put a pause on STR licenses here. There should be a cap on the ratio of STRs to homes of single-family permanent residents. It is up to you, our representatives, to take charge of this situation. I hope you can remedy impending problems and impose a moratorium now on STRs until a permanent solution can be reached.

Sincerely yours - Anne "Terri" Maragos

Lynn Tone

From: Elaine <ejhanby@nehalemtel.net>
Sent: Sunday, May 22, 2022 11:54 AM
To: Public Comments
Cc: Sarah Absher
Subject: EXTERNAL: 2022 STR Permits, unincorporated Tillamook County

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

Attention: Mary Faith Bell
David Yamamoto
Erin Skaar

As full-time residents of North Tillamook County for over 15 years (part-time 5 years prior), we have watched steady changes that are negatively affecting the character of our local communities. It feels like the pattern of rampant growth that Cannon Beach experienced that shifted the charm of that coastal community vibe to continual crowds of tourists/vacationers, along with investors keen on profiting from tourist income. These are visitors and investors who, often, hold no little or no particular interest in the long-term health of a given community. Once lost, our relaxing, spacious quality-of-life aspect cannot be restored.

For much too long a time, this pattern has been happening in Tillamook's coastal communities, and now as well, in the less populated spaces of Tillamook County. Surely, when requests for permits double in a one-year time span, it is a crucial time for Tillamook County officials to put a damper on the growth of STR permits. It is time to restore emphasis on one of the most valuable resources Tillamook County has - empowering the talent and energy of it's full-time residents.

I urge the Commissioners' full support of the STR Committee to take an encompassing look at the management of such permits and act on change for the following reasons;

- Any voter can see that recent STR permit restrictions in adjacent counties, as well as incorporated areas of Tillamook County, results in an overload of demand from investors for opportunities in the unincorporated areas of the county. It is vital to head off that flood of applications to protect what we still have left of single occupancy homes. It is clear that Tillamook County public safety agencies are already overwhelmed; STR rentals incrementally increase the pressure on all public services.
- Current administration of STR permits is outdated, still geared to a time when applications were less numerous. Permits issued need be capped at this time, given the unprecedented demand.

Permits need to carry an expiration date or at least a requirement to reapply in alignment with timely regulations. I realize that in years past, perhaps there was not a need for a limit on the number of occupants, but it is obvious to neighbors, and the agencies tasked for public safety, that appropriate limitations should accompany each permit.

- We voters apply our common sense to self-serving "studies" claiming that the STR rental market does not impact the availability of affordable housing in our County. Stories abound of large investors outbidding hopeful buyers who want to have a permanent residence close to their work. We all know what it's like to be out-

maneuvered on an opportunity. Cap the STR's and lets put our priority on affordable housing for those who would be permanent residents.

I urge you as elected representatives to listen carefully to the voters who trust you - take this opportunity to cap STR permits. Use this opportunity to do the hard, basic work to revamp the STR program so it addresses long-term, controlled growth in Tillamook County and protects the investments of its' residents. This is not the time to protect the out-of-region investors. The environment of Tillamook County will always naturally attract lots of vacationers. With thoughtful guidance, the interests of residents/voters can be a priority, and investors/vacationers will find a fine-tuned system to accommodate their needs.

Wouldn't it be wonderful, 5-10 years from now, to be applauding the 2022 slate of Tillamook County Commissioners for applying long-range vision to address property use for the good of all?

Thank you,
Elaine Hanby

785 Twana Trace
Nehalem, OR

Lynn Tone

From: Manfred Baetscher <manfredbaetscher@mac.com>
Sent: Sunday, May 22, 2022 10:31 AM
To: Public Comments
Subject: EXTERNAL: Petition for temporary moratorium for Issuance of New Short-Term Rental Permits in Neahkahnie
Attachments: Letter to Tillamook Board re STR 5-22.docx

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

To whom it may concern:

Attached please find a petition for temporary moratorium for issuance of new short-term rental permits in the Neahkahine area of Tillamook County. Please forward the petition to the County Commissioners and Ms Sarah Absher, Director of the Department of Community Development. I'd appreciate it.

Sincerely,

Manfred Baetscher
37360 2nd Street
Nehalem, OR 97131

Lynn Tone

From: Dianne Bloom <dannerbloom@gmail.com>
Sent: Sunday, May 22, 2022 7:55 AM
To: Public Comments
Subject: EXTERNAL: Pending decision re Short Term Rentals in Tillamook County

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

Dear County Commissioners,

We elected you and now you need to protect and help us! I am begging you, **Please put a pause on short term rentals for Tillamook County.** I live in Neahkahnie, I am one of approximately 100 full time residents. We have at least 70 permitted STR's in our community and the number of houses, advertising vacation rentals on my short street alone, has gone from 0 to 3 in the past 5 years with 2 more neighbors seriously considering turning their homes into vacation rentals. We don't have an adequate water supply to support this type influx. Our community life is deteriorating. It used to be vacation rentals were a June-Oct event, now, since the pandemic, our community is packed with vacation rentals every week of the year! Full time rentals for folks (health care providers, firefighters, wait staff etc.) that support our community services are no longer available, because everything is short term rentals. With moratoriums on short term rentals in all of our neighboring counties and communities, we are the last place left standing with free and easy short term rental policies. **Please think this thru!**

Please put a moratorium and pause on short term rentals until Tillamook County can develop a fair and equitable STR plan.

Respectfully,

Dianne R Bloom
37430 3RD ST
Nehalem OR 97131

Lynn Tone

From: Bar Barry [redacted] busybees@yahoo.com
Sent: Saturday, May 21, 2022 8:54 PM
To: Public Comments
Subject: EXTERNAL: limits on short term rentals

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

Our community here in Neahkahnie has hugely changed in our plus years here. There are many more full time residents here, and LOTS of short term rentals. Our social and institutional structures are small and vulnerable....certainly not designed for so many short term hotels in our midst. Our streets are frail, our sewers are designed for single family use, our water district doesn't have enough supply for the growth, the county sheriff lacks coverage for the new problems, the State Park fails to patrol for dangerous beach fires by visitors, and we lack walkways out of the paved lanes for walkers. The short term rentals are ruining our public and private domains here. Visitors behave differently from residents.

There should be a long pause on issuance of any new str permits for now, as we see to the north and south.

There also needs to be a cap on the percentage of housing permitted to this commercial use in our neighborhoods, as in Manzanita and Cannon Beach.

Short Term Rental permits should have expiration dates, and not pass to new owners.

Houses should have a limit on the number of renters...these are neighborhood houses and not hotels or multifamily units. The impacts on residents should be softened.

This has gotten out of control for a long time and is accelerating to even worse levels.

Please wake up to this issue and stop the acceleration for now until reasonable rules can be implemented.

I sincerely this can be altered for the good of all of us who live here and love this place.

Regards,

Barry Marshall

Lynn Tone

From: Becky Berg <beckyberg1911@gmail.com>
Sent: Saturday, May 21, 2022 5:29 PM
To: Public Comments
Subject: EXTERNAL: Short Term Rentals, Neahkahnie, Tillamook Co.

[**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 circulation to Three Commissioners and Sarah Absher

I am writing to support a pause on issuance of short term rentals #s in order to revisit the regulations in Neahkahnie.. I also am in favor of a reasonable cap vs. unlimited number of STR plus a maximum limits on occupancy.

Thank you for your consideration on these matters.
Rebecca L Berg

John M. Bloom
37430 3 St
Nehalem, OR 97131

Tillamook County Commissioners
Short Term Rental Committee
Tillamook, OR

I strongly urge the County Commissioners and Short Term Rental Committee put in place a moratorium on Short Term Rentals (STR) for all of Tillamook County as soon as possible so as to ensure a viable future for current home owners and tax payers.

Rapacious West Coast developers are focusing on Tillamook County for the simple reason that it has been reticent about putting in place any sort of updated moratorium. This is understandable in that no one wants to suppress free enterprise. But the documented consequences of unbridled STR's up and down West Coast communities cannot be ignored: increase crime, increased water usage, accelerated wear & tear on infrastructure, over crowding, inflated prices and so on.

Many of these problems can be avoided or mitigated by a well thought out STR plan which Tillamook County does not have yet, therefore I urge a moratorium until we do.

Respectfully,

Jack Bloom

Lynn Tone

From: Michelle Vinciguerra <maybeach@yahoo.com>
Sent: Saturday, May 21, 2022 12:08 PM
To: Sarah Absher; Public Comments
Subject: EXTERNAL: Please pause the issuance of new STR permits 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 Sarah,

Dear Commissioners,

We have lived in Neahkahnie for over 20 years and are very concerned that Neahkahnie is running out of water and becoming a short term rental village. We have many more rental houses on our street now than we did 10 years ago. We very strongly support limiting short term rentals in Neahkahnie. Please convey our wishes to the Tillamook County Commissioners that we wish them to support a pause on the issuance of STR permits by the adoption of a reasonable limit on the number of permits issued each year. As you know:Manzanita capped the total # of STRs at the current level for up to 3 years to allow time to determine how to responsibly regulate its STRs. Plus Clatsop and Lincoln counties currently have moratoriums on STR permitting which leaves **Tillamook as the only county in the upper half of the Oregon Coast with an open door to STR businesses**. This is very very concerning to us!!

Sincerely,

Dr. and Mrs Anthony Vinciguerra

Lynn Tone

From: Elizabeth ARCH [elizabeth.arch@gmail.com]
Sent: Saturday, May 21, 2022 10:48 AM
To: Public Comments
Subject: EXTERNAL: Pause in issuing new 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.]

As a part time resident of Neahkahnie I urge the county to pause the issuance of new STR permits. As an unincorporated area we are seeing the result of caps set in the incorporated area which restrict the number of STRs. The increase in numbers in our area has affected the livability and character of Neahkahnie. We need to establish a reasonable cap, limit the number of occupants, and provide for permits to expire or be terminated when appropriate. The committee working on revising Ordinance 84 needs time to accomplish these goals before we are further inundated with STRs. Please pause the issuing of new STRs until the revision process can be completed.

Thank you,

Elizabeth Arch

57737 Treasure Hunter Lane Neahkahnie

Lynn Tone

From: Michael Cook [mikerusts@gmail.com]
Sent: Friday, May 20, 2022 7:39 PM
To: Public Comments
Subject: EXTERNAL: May 24 Board of Commissioners 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.]

Commissioners, I'm writing to urge an immediate pause in further STR licensing to allow time for the STR advisory committee and our communities time to develop an updated process that can better address the increasing impacts of STRs. My wife and I are residents of Neahkahnie of some 20 years and been working on community emergency preparations on our street and with our adjoining neighborhoods for half that time. And, I've participated in previous Neahkahnie calls for STR restrictions urging a managed approach. I appreciate the county's original attempts at managing the impacts of rentals, but the wave of new STR's is now a serious concern - stressing public services and our ability to meet emergency needs in a disaster. Over 1/2 of our cluster of neighborhoods here are in the inundation zone - mostly STRs and part-timers. It's important your committee have time to develop a plan with rules and charges based on cost benefit analysis that better addresses not just ongoing and emerging impacts and benefits, but the county's share of responsibility for lives in this very certain and devastating disaster.

Respectfully,
Mike

Mike Cook
37345 First St
Nehalem (Neahkahnie) 97131
503-368-3048



Virus-free. www.avg.com

May 22, 2022

John Hanby, Full-time NKN Resident

hanby@nehalemtel.net

TC Commissioners David Yamamoto, Erin Skaar and Mary Faith Bell
TC Director Community Development Sarah Absher

RE: Short-term Rentals (STRs) in Unincorporated Tillamook County

I urge you to put a pause on issuance of STR permits. I typically do not advocate "kicking the can" down the road, but the subject of STRs is much too crucial to the livability of unincorporated coastal areas to risk premature decisions. The STR Advisory Committee is currently functioning. The Committee should have opportunity to complete its task and present recommendations. I refer you to the following thoughts.

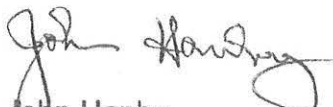
As we look around us, we note that incorporated communities in our region and adjacent counties are placing limitations on STRs. There's a reason for this. They recognize that insufficiently regulated STRs erode the character and livability of the communities. The issue is then compounded in Tillamook County where insufficient regulation invites STR applications; Tillamook County has become a target, and we are being invaded.

I am not opposed to STRs. STRs properly guided and regulated can be part of a well-functioning community. Left unregulated or poorly regulated, STRs become destructive to the character and livability of our communities. What is the proper limit on STRs? I understand that around 18% of NKN homes are STRs. This seems too high. What about when a STR property is sold - should the STR license pass to the new owner - should it be a license in perpetuity? What about the number of occupants in a STR unit, parking, the distribution/concentration of STRs in a community, disproportionate demand of STRs for water? The list goes on; this is why we have the STR Advisory Committee.

Livability in the Nehalem Bay area has greatly benefitted from the community mindedness of many of its residents. As an example, I am very involved with the Emergency Volunteer Corps. Previously I was treasurer for the Manzanita Branch of the Tillamook County library. Many of our neighbors are similarly involved. Occupants of STRs are not participants; nor am I aware of involvement by owners of STR properties. The character of this community depends on our residents. Expanding STRs dilutes the resource of its residents and will eventually drive away residents as the community becomes less inviting. During this year's budget committee meeting for the NKN Water District, I heard information on disproportionately high water usage at some STR sites. Here's another impact from STRs that needs consideration.

I close by expressing confidence in the Tillamook County Commissioners in taking the STR situation very seriously and supporting livability of its unincorporated coastal communities.

Respectfully submitted,


John Hanby

Commissioner Yamamoto
Commissioner Skaar
Commissioner Bell
Director Absher

May 20, 2022

My name is Mark Roberts ... and I wish to comment on Short-Term Rentals and Tillamook County.

I am a full-time, permanent resident, and registered voter in Tillamook County, very active in local non-profits (four), ... and just summoned for Jury Duty! My wife and I have owned our home in Neahkahnie since 1995. I was the Board Chair of the Neahkahnie Water District for twelve-years. I've been appointed to the Tillamook County Planning Commission since 2017.

I wish to commend each of you for your thoughtful comments regarding short-term rentals in Tillamook County.

I urge the Board of Commissioners to:

1. Pump the brakes now ... before the issues worsen and become even more difficult to unwind. With more restrictions being added by counties to the north and south (ditto for municipalities of Manzanita and Cannon Beach), it feels like a 'land rush' for Short-Term Rental (STR) investors here in Neahkahnie. Time to start taking numbers and get lined up for 'if' new permits are available at some future date.
2. Stop issuing new permits (but for renewals) as soon as is legally prudent. Any further adjustment to short term rental requirements will take time – it's unlikely we'll decide to merely return to the current approach.
3. Empower the Short-Term Rental Committee to examine livability and safety issues and recommend improvements. This is going to take hard work while listening to the larger community and learning from other locales. The County's responsibility is to assure the livability and safety of Tillamook County. It is NOT the County's responsibility to make STR investor business plans "work".
4. Decide whether to adopt or reject Committee recommendations and whether to issue any new permits or not with any new requirements at some future date.

This is indeed a serious and complex issue – we need careful consideration ... and a decision. After all, no decision is a decision to maintain the status quo – one of accelerating growth of short-term rentals in Tillamook's beach communities.

In summary, I urge the immediate pause in issuing any new short-term rental permits, followed by the orderly reduction of this number to a lower, more appropriate level for a single-family community. Further, there continues to be additional work and investment in issues of livability and safety which need to be ameliorated.

Thank you

Mark Roberts

Extended Comments and Discussion regarding Short-Term Rentals in Tillamook County Mark Roberts

My morning walk today illustrates the complexity of Short-Term Rentals:

While walking from the beach this morning, my wife and I encountered a group of eight young men walking down the road. (Clearly visitors since no full time Neahkahnie resident is under age 65.) They were pretty animated and cheery. They asked about an access trail to the beach ... which we described as being a mere 100-feet ahead across a little footbridge. AND, as we parted, they shared that one of their group was going to be married this weekend ... and this group was celebrating this special event here at the beach. (The thermoses they carried undoubtedly contained lemonade.)

My wife and I celebrate this sharing of the beach with visitors – we visited my aunt’s beach cabin in Manzanita many times in our early dating and married life nearly forty-years ago. Short-term rentals do serve a valuable, similar role in providing wider access to this scarce natural resource.

The issue before us regarding short-term rentals is not ‘yes’ or ‘no’, but of balance and respectful sharing.

Short-term rentals comprise 19% of the Neahkahnie housing stock – nearly one in five dwellings!

This is a HUGE number. And, given the large fraction of part-time residents, we full-time residents, who are primarily retirees over 65, wonder who is able and willing to do the work of making a livable community.

Our Neahkahnie community, in close orbit with Manzanita and nearby villages of Nehalem and Wheeler, is maintained by numerous volunteers and non-profits (municipal governments with volunteer Mayors and Board members, special districts beyond number, library, art center, historical society, community garden, food bank, Emergency Volunteer Corps of Nehalem Bay, Nehalem Bay Health District, and many more).

To be blunt, short-term renters aren’t conscious of nor care for volunteering and local non-profits in Neahkahnie ... and part-time residents only slightly more so. Most STR visitors and part-time folk are coming for a good time or a respite from their ‘real world’ – a holiday. However, more short-term rentals will further erode the volunteer capacity to “carry on” what it takes to maintain a viable community.

Respectful sharing of community is in part a function of scale. Neahkahnie has always been zoned as a single-family oriented community. (The original Neahkahnie Community Plan emphasized this single-family quality.) And, Neahkahnie has always been a community of full-time and many part-time owners and their guests.

Then, short-term rentals appeared – with no limits in number or size. And there are new issues of impact.

Today, the internet has transformed the rental business – from 3”X 5” cards pinned to the church or office bulletin board to worldwide internet service providers, management companies, and established cleaners and repairers. It’s an industry. A big and fast-growing industry.

From 'mom and pop' trying to merely make ends meet to out of state property speculators, LLCs, and multiple-dwellings businesses (several businesses, located out of state, own/operate four or even six STR properties in Neahkahnie or Manzanita! – in single family designated areas). The impacts of this scale of operations have impacted communities everywhere – including the immediate municipalities and counties to the north of us and to the south.

There are interesting perspectives in the recent survey of Neahkahnie property owners (technically, recipients of water service – the mailing list was the complete list of connections to the Neahkahnie Water District. The survey included ALL Neahkahnie property owners ... though about 1/3^d responded – suggestive but not conclusive information.

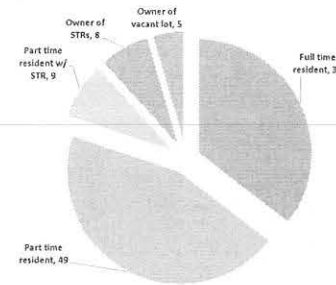
Most full-time residents agree there are serious or some problems with current levels of short-term rentals. Perhaps unsurprisingly, only those who have a direct, financial interest in short term rentals have no problems with short term rentals.

Neahkahnie Community Survey



January/February 2022

Summarizing the 110 survey responses
(this is a 64% response rate)



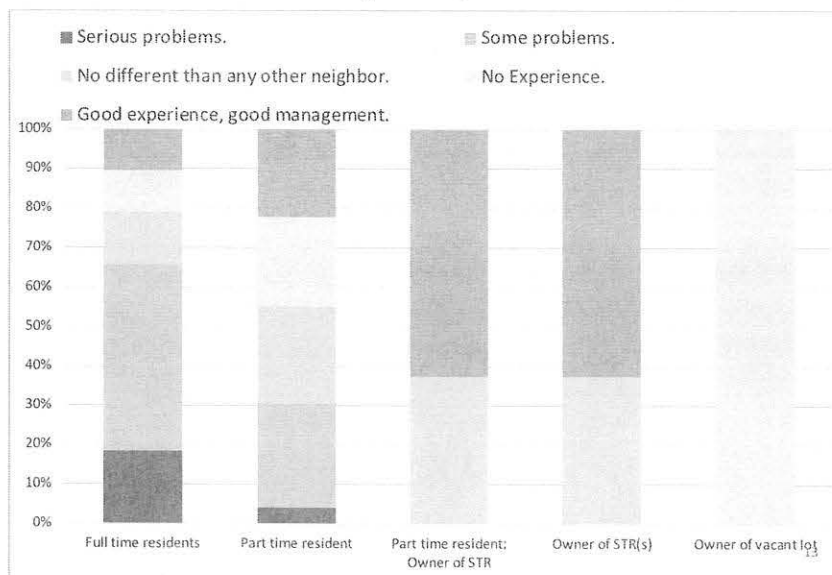
For perspective, the Neahkahnie Water District estimates* that:

- Permitted Short-term Rentals (STRs) = 68 water connections (18% of connections)
- Estimated Full-time residents = 102 water connections (27% of connections)
- Estimated Part-time residents = 208 water connections (55% of connections)

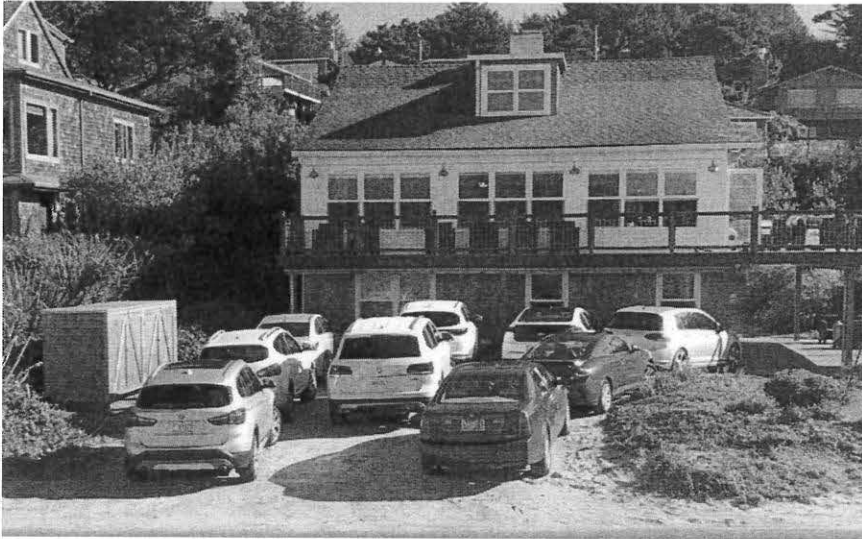
1

* These estimates assumed that local billing addresses were full-time residents, out of area billing addresses were part-time, and the STRs were permitted by Tillamook County.

However, most Full-Time residents have problems with STRs.
Part-Time residents have mixed experience with STRs.
Whereas STR Owners have good experiences with STRs.



Scale and impact of short-term rentals is important. One Neahkahnie house has been transformed into one of the largest short-term rental in the community – up to 18 guests. This number of ‘it’s a party’ oriented guests don’t ‘share’ the environment, they dominate it. (One measure, below, suggests STRs have the capacity to sleep four-times the number of people as compared to full-time residents.)



Residence
or Boutique Hotel?

This AirBnB facility rents for \$600 to \$1,900 per night; sleeps 20, includes 7 bedrooms, and 5 bathrooms ... and is rated by clients with 5 stars!

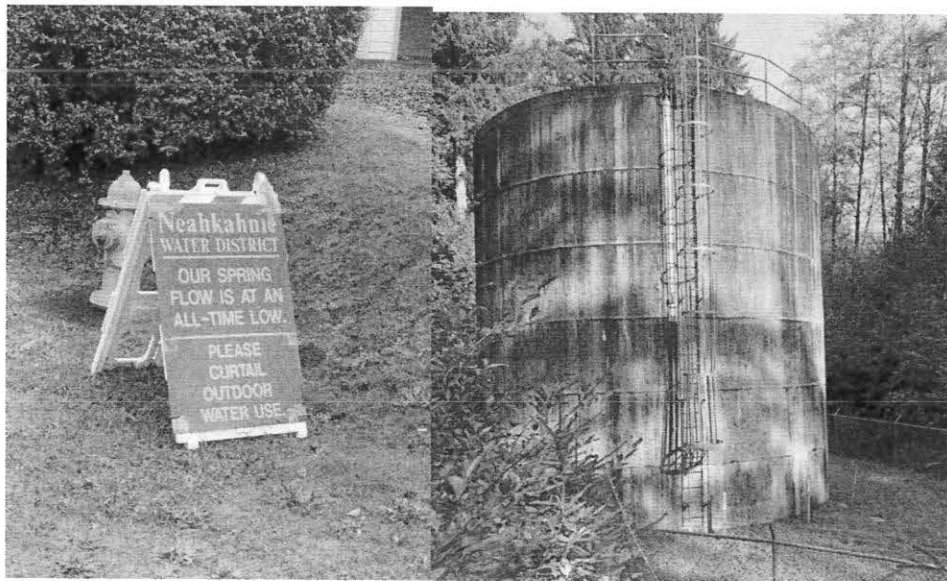
It is nearly fully booked thru December

Yes, it is zoned residential NK-7.5

Safety is becoming a more recognized issue:

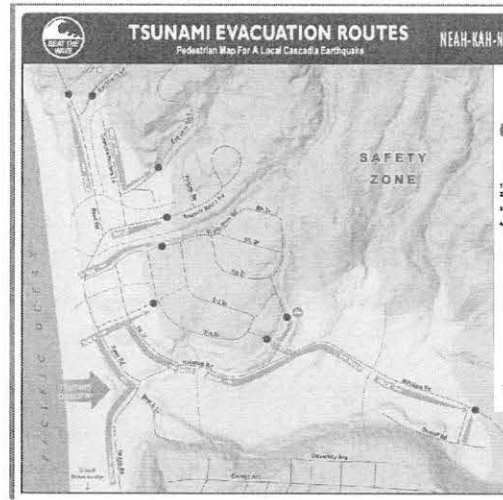
-the Neahkahnie Water District is studying whether their ‘fire flow’ oriented storage tank is refilling during the peak tourist/summer months. Their initial data suggests that the tank is NOT refilling such that fire-fighting capacity is diminished, now.

Adding more consumption (short-term rentals sleeping four to twenty guests use WAY more water than the planned for two to four full-time or part-time residents.) is complicated and expensive. Who pays is always a vital and lively question.



-who provides for tourists and short-term renters in event of the anticipated Cascadia earthquake and tsunami?

We know short term rentals favor beach front, tsunami-exposed locations:



Full-time residents make informed choices whether to prepare 'go bags' and stock three to six weeks of food for survival after the 'event'. I've got mine. I haven't planned for STR guests.

The Department of Geology and Mineral Industries (DOGAMI) has prepared the Earthquake and Tsunami Community Disaster Cache Planning Guide. If we can promote and encourage tourists to visit the coast, the least we can do is help them survive an event we know will someday occur. Let's plan and finance this now. Think of it like fire insurance – you always pay for the insurance ... and are still glad that you didn't need it.



EARTHQUAKE AND TSUNAMI COMMUNITY DISASTER CACHE Planning Guide May 2021



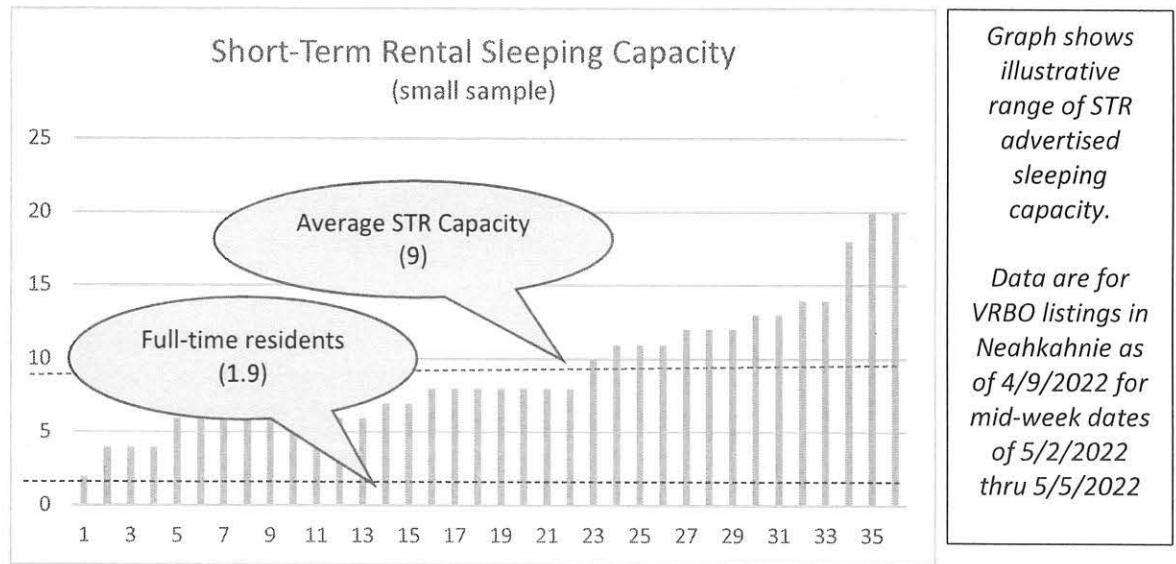
Abstract
A Community Disaster Cache is a stock of supplies designed to support a local population in its response to a disaster. Developing a successful and sustainable Community Disaster Cache involves a four-step planning process: 1) Design, 2) Implementation, 3) Maintenance, and 4) Deployment. Each step serves an important function in the community disaster cache development process.



-I'm skeptical that State and County transportation planners have adequately prepared for the number of tourists and visitors during peak periods in the summer/fall periods. Professionally, I used to forecast energy consumption for the Pacific Northwest ... and we forecasters analyzed certain factors like size of households or electricity use per customer. I

expect that transportation planners, like water districts or waste-water management forecasters, make similar planning analyses and forecasts.

Today's short-term rentals throw all historically based, nearly constant data out the window – it's a new day when a house built for a traditional family of two or four family members now houses 9 to 18 transient guests.

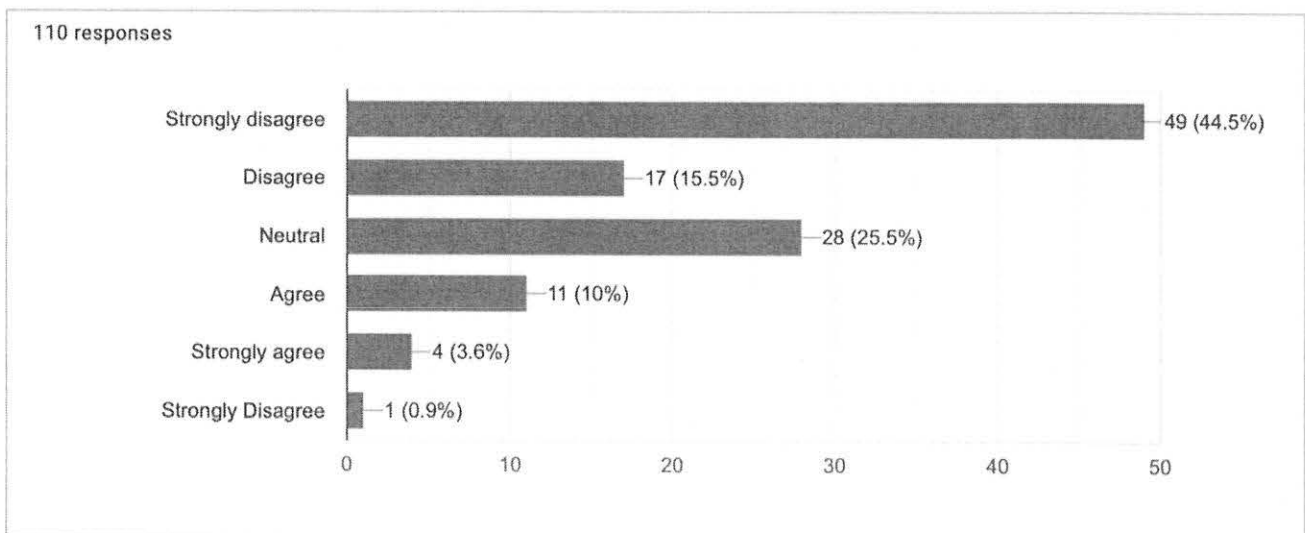


Short-term rentals sleeping 18 to 20, with as many as nine cars all coming and going in close temporal proximity to each other, compound an already fraught situation on highway 101. (Parking along the beach road during the summer season is already hazardous. There are NO sidewalks in Neahkahnie. I doubt road widths meet Tillamook County road standards.)

In summary, a change to limit short-term rentals is favored – even strongly favored – by the vast majority of residents in Neahkahnie.

The recent Community Survey of Neahkahnie property owners asked:

“What is your opinion of the current Tillamook County policy of NO LIMIT on the number of Neahkahnie properties that can be permitted for use as short-term rentals?”



In summary, we in Neahkahnie are at or even beyond capacity now.

With a pause in issuing new permits in place, we may study STRs and their impacts thoughtfully, learn from our peers, and better establish the balance and other livability and safety measures that rise to the top in this review.

I urge the Board of Commissioners to pause in issuing new permits ... and promote the careful analysis and recommendations which address current issues of livability and safety in the unincorporated communities, including Neahkahnie, of Tillamook County

Mark Roberts

Lynn Tone

From: Barbarry [bbusybees@yahoo.com]
Sent: Sunday, May 22, 2022 11:48 AM
To: Public Comments
Subject: EXTERNAL: short term rentals

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

I would like to add a couple more perspectives on this issue:

1-The lack of water in July, August and September forced our water district to ask residents to curtail all outdoor water use. This is a hardship for those of us who actually grow gardens and supply much of our food from these gardens. We have invested many years of work and money hauling and amending the soil, developing our food crops, and installing drip irrigation systems as requested by the water district 5 or 6 years ago. I don't understand how this is less important than having more tourists toilets and giving their money to absentee landlords. Growing one's own food is a basic human activity that is threatened by the wave of vacation rentals in our neighborhoods.

2-It appears that many or most of our local short term rentals are being bought and built by investors from elsewhere. This is a big shift from longtime owners who decided to rent out their second homes when they aren't using them. These are now primarily investments. The benefits are flowing to people outside our community and the costs are building up for all of us who live here.

Thank you for your efforts to somehow alleviate this destructive force on our fragile communities.
Barry Marshall

On Saturday, May 21, 2022, 08:53:35 PM PDT, Barbarry [bbusybees@yahoo.com] wrote:

Our community here in Neahkahnie has hugely changed in our plus years here. There are many more full time residents here, and LOTS of short term rentals. Our social and institutional structures are small and vulnerable....certainly not designed for so many short term hotels in our midst. Our streets are frail, our sewers are designed for single family use, our water district doesn't have enough supply for the growth, the county sheriff lacks coverage for the new problems, the State Park fails to patrol for dangerous beach fires by visitors, and we lack walkways out of the paved lanes for walkers. The short term rentals are ruining our public and private domains here. Visitors behave differently from residents.

There should be a long pause on issuance of any new str permits for now, as we see to the north and south.

There also needs to be a cap on the percentage of housing permitted to this commercial use in our neighborhoods, as in Manzanita and Cannon Beach.

Short Term Rental permits should have expiration dates, and not pass to new owners. Houses should have a limit on the number of renters...these are neighborhood houses and not hotels or multifamily units. The impacts on residents should be softened.

This has gotten out of control for a long time and is accelerating to even worse levels. Please wake up to this issue and stop the acceleration for now until reasonable rules can be implemented.

I sincerely this can be altered for the good of all of us who live here and love this place.
Regards,

Barry Marshall

Lynn Tone

From: craig nern [cner@gmail.com]
Sent: Sunday, May 22, 2022 9:35 AM
To: Public Comments
Subject: EXTERNAL: Short Term Rental Pause

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

To: Tillamook County Commissioners
From: Craig Nern
Re: Support for Pause in STR Permits

I have been a full-time resident of Tillamook County for 15 years, and since 2019 a resident of the Neahkahnie neighborhood.

It is my observation that events of the last several years, including greater tourism interest in the North Coast as well as pandemic fueled changes in travel and work patterns, have **outrun the County's regulatory framework** for managing short term rentals (STR).

What once was a modest aspect of life in our coastal areas has now become a people intensive central feature. Further, the costs and benefits of extensive short-term rentals, especially those run as multiple property businesses, are **not proportionally allocated**.

There are highly significant problems to be addressed: the **lack of limitations on the number** of allowed rentals; **lack of limitations on the size/capacity** of a single unit; the **overly liberal perpetuity** of permits (including transfer upon sale); impacts on **local infrastructure** (e.g. water) and services; impacts on **affordable housing**, and the effects on **quality of life** for year round residents.

Only a pause in permit issuance can give the County, in concert with citizens, time to address these issues and determine reasonable standards. **I strongly urge the Commissioners to institute an indefinite pause on STR permitting.**

Thank you for considering my comments.

Craig Nern

8065 Kahnie Trail Loop

Nehalem, OR 91731

Lynn Tone

From: Sarah Absher
Sent: Monday, May 23, 2022 8:33 AM
To: Lynn Tone
Subject: STR Comments: Short-Term Rentals in Unincorporated Tillamook County

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

From: Terri Maragos <[REDACTED]>
Sent: Sunday, May 22, 2022 6:09 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short-Term Rentals in Unincorporated Tillamook County

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

To: The Tillamook County Commissioners and STR Advisory Committee
Re: County STR Rules and Regulations
From: Anne "Terri" Maragos

I have lived at [REDACTED] in Neahkahnie since 2004. My husband and I found a lot and built our retirement home there. The peaceful neighborhood has changed so much with all the short-term rental houses now.

There are two STRs across the street from me on 2nd St and another right across the junction of Indian Gap and 2nd St. All these houses - I can't say homes - have ever-changing occupants with their noise and apparent lack of concern for permanent residents. The ones near me often leave very bright outside lights on all night which shine into my bedroom and make sleep difficult. The extra folks who stay in these short-term rentals mean more traffic on our already poor roads. They park on the street since the places where they stay weren't meant to accommodate extra vehicles. Water usage hasn't been a serious problem for us permanent residents. Now we worry about having enough water in our system to accommodate the overflow population we are seeing.

The character of my neighborhood has changed. Something needs to be done NOW to prevent Neahkahnie from becoming a Vegas Strip instead of the beloved coastal community so treasured by permanent residents.

I respectfully request that you put a pause on STR licenses here. There should be a cap on the ratio of STRs to homes of single-family permanent residents. It is up to you, our representatives, to take charge of this situation. I hope you can remedy impending problems and impose a moratorium now on STRs until a permanent solution can be reached.

Sincerely yours - Anne "Terri" Maragos

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 1:14 PM
To: Lynn Tone
Subject: STR Comments: Tillamook County Ordinance 84 / STRs

From: Teresa Taylor <taylorfe.123@gmail.com>
Sent: Sunday, May 22, 2022 1:11 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Tillamook County Ordinance 84 / 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.]

Attention Tillamook County Commissioners:

Juie Resnick and myself are long-term residents of Neahkahnie and we are very perturbed about the increasing number of requests for Short Term Rentals in this area with no cap or adequate policies to regulate such development. We have a strong community in this area and such unregulated development is a very real threat to our quality of life.

Of course change and growth happen - but to maintain the safety, stability and liveability of our community, such growth needs to be regulated. Due to caps on STRs in neighboring areas, commercial interests are focusing on this area and threaten to undermine quality of life for full time residents unless paused immediately and future caps considered.

We ask for an immediate pause to the issuance of permits for STRs in this area until full consideration of the impact of such development can result in a reasonable cap.

The percentage of transient population to permanent residents is a core issue when noise factors, traffic and security have all become increasing concerns. (Apart from the local consideration of water supply in the Neahkahnie community.) We have minimal law enforcement and official oversight. Some of the nearby rentals have occupancies of 12 to 20 persons, bringing them to the size of Boutique Hotels with no equivalent licensing, tax or oversight.

We urge you to take the reasonable and responsible path of instigating an immediate pause to the issuance of STR permits and begin a full and considerate review of the situation. Thank you.

Sincerely

Teresa Taylor
Neahkahnie resident

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 12:08 PM
To: Lynn Tone
Subject: STR Comments: 2022 STR Permits, unincorporated Tillamook County

From: Elaine <[REDACTED]>
Sent: Sunday, May 22, 2022 11:54 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: 2022 STR Permits, unincorporated Tillamook County

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

Attention: Mary Faith Bell
David Yamamoto
Erin Skaar

As full-time residents of North Tillamook County for over 15 years (part-time 5 years prior), we have watched steady changes that are negatively affecting the character of our local communities. It feels like the pattern of rampant growth that Cannon Beach experienced that shifted the charm of that coastal community vibe to continual crowds of tourists/vacationers, along with investors keen on profiting from tourist income. These are visitors and investors who, often, hold no little or no particular interest in the long-term health of a given community. Once lost, our relaxing, spacious quality-of-life aspect cannot be restored.

For much too long a time, this pattern has been happening in Tillamook's coastal communities, and now as well, in the less populated spaces of Tillamook County. Surely, when requests for permits double in a one-year time span, it is a crucial time for Tillamook County officials to put a damper on the growth of STR permits. It is time to restore emphasis on one of the most valuable resources Tillamook County has - empowering the talent and energy of it's full-time residents.

I urge the Commissioners' full support of the STR Committee to take an encompassing look at the management of such permits and act on change for the following reasons;

- Any voter can see that recent STR permit restrictions in adjacent counties, as well as incorporated areas of Tillamook County, results in an overload of demand from investors for opportunities in the unincorporated areas of the county. It is vital to head off that flood of applications to protect what we still have left of single occupancy homes. It is clear that Tillamook County public safety agencies are already overwhelmed; STR rentals incrementally increase the pressure on all public services.
- Current administration of STR permits is outdated, still geared to a time when applications were less numerous. Permits issued need be capped at this time, given the unprecedented demand.

Permits need to carry an expiration date or at least a requirement to reapply in alignment with timely regulations. I realize that in years past, perhaps there was not a need for a limit on the number of occupants, but it is obvious to neighbors, and the agencies tasked for public safety, that appropriate limitations should accompany each permit.

- We voters apply our common sense to self-serving “studies” claiming that the STR rental market does not impact the availability of affordable housing in our County. Stories abound of large investors outbidding hopeful buyers who want to have a permanent residence close to their work. We all know what it’s like to be out-manuevered on an opportunity. Cap the STR’s and lets put our priority on affordable housing for those who would be permanent residents.

I urge you as elected representatives to listen carefully to the voters who trust you - take this opportunity to cap STR permits. Use this opportunity to do the hard, basic work to revamp the STR program so it addresses long-term, controlled growth in Tillamook County and protects the investments of its' residents. This is not the time to protect the out-of-region investors. The environment of Tillamook County will always naturally attract lots of vacationers. With thoughtful guidance, the interests of residents/voters can be a priority, and investors/vacationers will find a fine-tuned system to accommodate their needs.

Wouldn't it be wonderful, 5-10 years from now, to be applauding the 2022 slate of Tillamook County Commissioners for applying long-range vision to address property use for the good of all?

Thank you,
Elaine Hanby

7785 Twana Trace

Nehalem, OR

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:45 AM
To: Lynn Tone
Subject: STR Comments Upcoming 5/25/22 BOCC meeting

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

From: Public Comments <publiccomments@co.tillamook.or.us>
Sent: Wednesday, May 18, 2022 5:02 PM
To: Erin Skaar <eskaar@co.tillamook.or.us>; David Yamamoto <dyamamoto@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>
Cc: Rachel Hagerty <rhagerty@co.tillamook.or.us>; William K Sargent <bill@williamksargent.com>; Joel Stevens <jstevens@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: FW: EXTERNAL: Upcoming 5/25/22 BOCC meeting

Good Afternoon Commissioners,
We have received another public comment concerning STRs in Tillamook County, please see below.
Thank you,
Isabel

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

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

From: Michael Booker <doc-holladay@earthlink.net>
Sent: Wednesday, May 18, 2022 4:53 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Upcoming 5/25/22 BOCC 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.]

My name is Michael Booker and my address is 185 Blackberry Lane, Nehalem, OR 97131. I am a registered voter in Tillamook County. I would like to petition the Board to vote "yes" on taking a pause regarding new Short Term Rental applications. Other coastal counties have taken action on this issue and I believe it would be in Tillamook County's best interest to take time to study the issues and to learn from the Clatsop and Lincoln County experience that a pause would allow. The STR Advisory Committee needs time and the issues with STRs have been magnified by the action taken by

Clatsop and Lincoln Counties. Tillamook deserves a thoughtful approach and residents of Tillamook County should not be subject to unintended consequences of other coastal counties regarding this issue.

Thank you for your time and consideration.

Michael Booker

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:44 AM
To: Lynn Tone
Subject: STR Advisory Committee comments

From: Michael Booker <[REDACTED]>
Sent: Wednesday, May 18, 2022 6:20 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STR Advisory Committee 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 Ms Absher and STR Advisory Committee,

My name is Michael Booker and my address is [REDACTED] Nehalem, OR 97131. I am a registered voter in Tillamook County. My residence is in the Neahkahnie Beach neighborhood. I have written the Tillamook County Board supporting the "pause" in regards to new STR applications.

I have read Ordinance 84. If there are possible changes to Ordinance 84, I have a few suggestions.

1) I sincerely doubt a fee of \$250 covers the administration of the program. Even if it does, I believe the "costs" of the program should be expanded to include the neighbors who's property lines are contiguous with an STR. Since investors and all the folks who say they deserve a return on their investment, I can agree if the return is shared by all those who actually "pay" and that would be the neighbors who now live next to an STR. Each neighbor should be compensated \$5,000 ANNUALLY now that they live next to a motel. The cost can surely be passed on to renters. It's just business they say but neighbors should be able to live next to neighbors in a neighborhood which is zoned residential and if now living next to a business and not a neighbor their livability has been diminished and they should be compensated.

I would also add to "costs" the cost to infrastructure and limited resources like water.

2) The ordinance makes clear complaints should not be directed to law enforcement. And that enforcement of penalties is shared with law enforcement and not their sole responsibility. Section 13 (b)(B) should be updated to make the threat of penalties really matter. \$3000? That's 2-3 nights rent in several Neahkahnie Beach STRs. How about \$30,000 for violation of not having a permit. How about a penalty of up to \$10,000 if repeated complaints received?

Basically, STRs are motels and should be discouraged as business enterprises in residential neighborhoods with increased up front costs (fees and neighbor compensation) and high penalties for violations. The County benefits if every home becomes an STR for the TLT but that money does not come back to those who have to live with an STR or motel next door. The proposal by Save-Our-Neighborhoods.org has many good points. I would support that effort.

Thank you,

Michael Booker

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:43 AM
To: Lynn Tone
Subject: STR Comments: Short Term Rental Pause

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

From: Public Comments <publiccomments@co.tillamook.or.us>
Sent: Thursday, May 19, 2022 11:02 AM
To: David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>
Cc: Rachel Hagerty <rhagerty@co.tillamook.or.us>; County Counsel <countycounsel@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: FW: EXTERNAL: Short Term Rental Pause

Good Morning Commissioners,
Please see a public comment received today concerning STRs in Tillamook County.
Thank you,
Isabel

Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY|BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

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

From: [REDACTED] <[REDACTED]@comcast.net>
Sent: Thursday, May 19, 2022 10:19 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rental Pause

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

My husband and I are part time residence of Neahkahnie. My family has owned a home in Neahkahnie since the 1950's, so I have seen many changes in this community over the years. The rapid increase of short term rentals is an unwelcome change. Many houses are no longer homes, but merely sources of income for remotely located owners.

Some of those who rent are good (short term) neighbors, while many are not. One major concern of the great influx of population due to rentals housing up to 10-20 people is our water supply. Since my childhood in the 50's ,can remember summer water shortages in Neahkahnie. Water sources have fortunately improved since then, but water is still a limited commodity. Supplying a household of 4 with water is quite different than showers, cooking, etc., for 20.

I strongly urge the Commissioners to consider a pause on permits for short term rentals, before the character of our community is irreversibly changed and our water resources are compromised.

Thank you,

Susan Ritz Williams

7450 3rd Street

Neahkahnie

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:42 AM
To: Lynn Tone
Subject: STR Comments: Pausing Short-Term Rental Permits

From: Bruce Bishop <babishopdx@me.com>
Sent: Thursday, May 19, 2022 11:29 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: nknckc@gmail.com; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Pausing Short-Term Rental Permits

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

To the Tillamook County Board of Commissioners—

As an owner of a Neahkahnie home not rented on a short-term basis, I'm writing to urge your support of an immediate suspension in the issuance of new permits for short-term rentals. This action is warranted because of the apparent surge in applications for such permits as our neighboring counties and municipalities are restricting such rentals. And it will enable your STR advisory committee to develop its recommendations deliberately.

I intend to submit more specific recommendations about Ordinance 84 to the advisory committee before its June meeting.

Thank you for helping to keep our neighborhoods safe and livable.

Bruce Bishop
37305 First Street
Neahkahnie, Oregon 97131

Lynn Tone

From: gail young <gailmyoung@me.com>
Sent: Thursday, May 19, 2022 11:03 AM
To: Public Comments; Sarah Absher
Subject: EXTERNAL: A 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 Commissioners Bell, Skaar and Yamamoto -

For the past twenty years, we have been full-time residents on [redacted] in Neahkahnie. Over the years, we've seen gradual changes in our community and in Manzanita - inevitable and progressive - as our communities have grown. However, an increase in the number of new homes and of homes used as Short Term Rentals has escalated dramatically in just the past few years. While other communities have had regulations to provide structure for such growth, Neahkahnie has not, and now we're seeing a situation that threatens the livability and character of this community. Because our resources (e.g. water and safety) are limited, we're calling on our Commissioners to work toward developing a strategy for managing growth in Neahkahnie.

Our request is that you immediately put a pause on the issuance of permits for Short Term Rentals in NKN while developing such a strategy.

Thank you for considering our request and for serving Tillamook County.

Gail and Richard Young

Lynn Tone

From: Jeff Welty <raleighworld@earthlink.net>
Sent: Thursday, May 19, 2022 7:29 PM
To: Public Comments
Subject: EXTERNAL: Comments for 25May22 BOCC 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.]

Greetings,

My name is Jeff Welty and my spouse and I own a property in Neahkahnie Beach (3185 Blackberry Ln, Nehalem, OR 97131). I believe that it would be prudent for the Board to vote "yes" to pause the acceptance of new Short Term Rental Applications while it considers the ramifications of further growth in this sector.

Our neighboring counties have decided to take action on short term rentals after reviewing the effects that these properties have had on their respective citizens. The actions of Clatsop and Lincoln counties will no doubt have an impact on us in Tillamook county and we need to understand and manage that dynamic for the long term livability for all of our citizens. Without a thorough review of the STR situation it will be very difficult to undue the inevitable unintended consequences of not having a thoughtful management of this business that impacts so many residents.

Thank you for the opportunity to weigh in on this matter.

Jeff Welty

raleighworld@earthlink.net

Lynn Tone

From: Bruce Bishop <bbishopdx@me.com>
Sent: Thursday, May 19, 2022 11:29 AM
To: Public Comments
Cc: [REDACTED] Sarah Absher
Subject: EXTERNAL: Pausing Short-Term Rental Permits

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

To the Tillamook County Board of Commissioners—

As an owner of a Neahkahnie home not rented on a short-term basis, I'm writing to urge your support of an immediate suspension in the issuance of new permits for short-term rentals. This action is warranted because of the apparent surge in applications for such permits as our neighboring counties and municipalities are restricting such rentals. And it will enable your STR advisory committee to develop its recommendations deliberately.

I intend to submit more specific recommendations about Ordinance 84 to the advisory committee before its June meeting.

Thank you for helping to keep our neighborhoods safe and livable.

Bruce Bishop
[REDACTED]
Neahkahnie, Oregon 97131

Lynn Tone

From: Ross and Nancy Duran <[redacted]@comcast.net>
Sent: Thursday, May 19, 2022 8:37 PM
To: Public Comments
Subject: EXTERNAL: STRs

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

Honorable Board of Commissioners of Tillamook County:

As homeowners in unincorporated Tillamook County we are writing to encourage you to pause the STR rental permits to complete further study and evaluation. Too many rentals lose the community and neighborly feel of the area; would be a shame if the area became just a large resort hotel campus. Thank you.

Nancy Duran

[redacted]
37305 First Avenue

[redacted]
503-201-2362

Lynn Tone

From: Frantz Coe <coastercoe@gmail.com>
Sent: Thursday, May 19, 2022 5:04 PM
To: Public Comments
Subject: EXTERNAL: 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.]

David Yamam, Erin Skaar, Mary Faith Bell

Dear Commissioners,

I am writing to ask you to cap the issuance of Short-Term Rental permits for Tillamook County. As a 25 year home owner in Neahkahnie I am seeing the impact higher occupancy rates are having on our water system. For the first time ever we were asked to not water our garden last summer. Our system is not able to accommodate the increasing level of occupancy.

You are the ruling authority that can cap and limit short term rental permits in Neahkahnie.

There is a reason the counties to the north and south of us have instituted limitations on short term

rentals and I urge you to study and understand those reasons before issuing additional permits in the Neahkahnie area.

Permits are hard to get back once they are issued.

Frantz and Laurie Coe

37295 1st street

Lynn Tone

From: susan goelz <sgoelz@gmail.com>
Sent: Thursday, May 19, 2022 10:28 PM
To: Public Comments
Subject: EXTERNAL: Neahkahne Short term rentals

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

I own a house in Neahkahnie and am asking to pause the issuance of STR permits until a more careful assessment of impact to our community can be made and the process of revising the regulations can be completed. There is no need to let the rental companies push through their permits while the process of revising the STR regulations continues. I hope you listen to the residents of NKH rather than the companies who desire to make as much money as possible but are not living with the often negative impact of too many renters.

Sincerely
Susan Goelz

36380 2nd St. Nehalem/Neahkahnie

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:29 AM
To: Lynn Tone
Subject: FW: Comments on STR issues_ "pause" on new short term rentals

Importance: High

From: [REDACTED] <[REDACTED]>
Sent: Friday, May 20, 2022 9:26 AM
To: [REDACTED]
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: comments on STR issues_ "pause" on new short term rentals
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.]

To the STR Advisory Committee and Tillamook BOCC:

I have had a house in Neahkahnie (NKN) for over 40 years. I support the proposal to adopt a temporary "pause" on new short term rental permit applications at this time. Since it appears likely that the BOCC will enact new conditions/restrictions on STRs, I think that it is prudent to hold off on allowing new rentals until the future requirements are established. I also feel that if a pause is enacted, it should be for a specified period of time in order to encourage timely resolution of the STR issues.

Also, given the new STR "Operators' Fee", I believe that the BOCC could gain understanding and support from home owners who will be required to pay the new tax if the Commission would clearly define for each community that is subject to the new fee; 1) how much revenue is expected to be raised, 2) what increased service levels will be provided by the County in that community, and 3) how the impact of the increased service levels will be measured in the areas of law enforcement, community safety, and livability.
Thank you.

Ken Jones

[REDACTED]
503-970-5256

May 18, 2022

Tillamook County Commissioners,

My name is Bob Joseph and as a home owner and full time resident of Neahkahnie, I would like to weigh in on the Short Term Rental (STR) discussion. I apologize for not attending the previous discussion meetings that were held by Sarah Absher for the Neahkahnie area.

I am a member of the Board of Commissioners of the Neahkahnie Water District and have been for over 10 years. Up until this past year we never had to concern ourselves with the water supply but recently, (this past summer) we had a short time when the spring water inflow was not enough to counteract the water usage during the high point of the day. This brings me to my concern of STRs and even to the fact that more and more people are spending more time at their homes. There is definitely additional water being used by the STRs as compared to other homes as seen in our meter readings. As this usage continues and more rentals are allowed, we expect to have to monitor and maybe put restrictions on outdoor water usage in the future. It is also essential for fire protection that we are able to keep our tanks full.

Other observations:

The STR issue is not going away and I am not opposed to STRs but I believe they must be controlled and that Ordinance 84 is enforced. Manzanita has a 17.5% limit presently and they are also concerned and are rethinking their STR Ordinance.

Along Beulah Reed Road there are more and more cars parked along the beach side as well as the east side. This causes safety concerns as families with small children must walk in the street and traffic can be too close for comfort.

Some of the homes are owned and operated as a business, not just as a way of paying expenses. One of these homes advertises that it sleeps up to 22 people and I have seen as many as 9 cars in the driveway and additional cars across the street on the beach side.

Manzanita has a restriction that one owner can only have one rental home. The county has no such limitation. We have one owner that has at least four homes.

Enforcement is virtually not happening either by the Tillamook County Sheriff's Office nor the Nehalem Bay State Park Rangers which have control of the beach side. Unless some enforcement and penalties exist, I fear that all the ordinances in the world won't have much value.

Every city along the coast is facing this same dilemma and having to rethink their STR agreements. I believe Tillamook County should review and listen to the arguments, talk to other beach towns along the coast, talk to property management representatives and improve on Ordinance 84.

I understand that the Board of Commissioners is contemplating a 'pause' in issuing additional STR permits. I encourage the Board to do just that and study the long term effects of STRs before issuing more permits.

Thank you for the opportunity to join in on the discussion,

Bob Joseph

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:22 AM
To: Lynn Tone
Subject: STR comments and questions for the County Commissioners and STR Advisory Committee

From: Dave Holt <daveholt52@gmail.com>
Sent: Friday, May 20, 2022 1:57 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STR comments and questions for the County Commissioners and STR Advisory Committee

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

Tillamook County Commissioners Yamamoto, Bell and Skaar

Thank you for considering my feedback and suggestions regarding our current Short Term Rental situation.

How did we get from the idea of someone owning a beach house and sharing it with friends and family to the current situation where people/businesses are acquiring beach town properties solely for investment purposes as STRs?

How it happened...

The problem of rapid STR proliferation can be directly tied to two things. The residential real estate market pushing the idea of potential rental income to vacation/second home shoppers and the emergence of the online platforms that make it easy to globally promote STRs – Vrbo (as we know it) in 2006 and Airbnb in 2008.

In 2006, when I was in the process of purchasing my first house in Manzanita, my realtor pointed out that if I purchased a home, I could rent it out when I wasn't using it to create additional income to help pay for the mortgage, taxes and upkeep – even if this was not my intent. There was nothing unique about my experience then. By the early 2000's, the idea that your property could generate income when you weren't using it was becoming the norm. More recently, in the last 5 years, the STR investment concept has become mainstream and created a ghost industry that has invaded our neighborhoods and sense of community. The COVID pandemic has only fanned the flames, as the county's current research demonstrates.

The residential real estate industry is alarmed at the possibility of a possible STR pause or cap and the negative impact it may have on their property sales. But they are complicit in how we arrived at where we are today. The allure of the STR investment opportunities has created an unsustainable situation. Limiting the number of STRs will not be ruinous for the residential real estate. Instead of selling what has been traditionally thought of as residences, they are now peddling income opportunities – or businesses. Commissioner Commissioner Yamamoto stated

in the May 11th meeting that we now have businesses operating in our residential neighborhoods.

It is also important to note that there is a hidden cost to these STR/investment properties that is not being borne by the STR owners. These costs are instead burdening our communities and permanent residents. Some of these include:

- E-prep resources for STR visitors.
- Overuse of local resources, including water.
- Congestion and nuisance.
- Law enforcement, including STR enforcement.
- Lack of investment in the local economy (STR profits often do not stay in the local economy).

In addition, the strong STR market is also amplifying the residential real estate prices and demand. This can make it difficult for first and second home buyers to buy homes in our area. We currently have a severe shortage of long-term rental properties. The lack of long term rentals and affordable housing is contributing to staffing shortages for many of our local businesses and services. Recent developments regarding the limiting of STRs in neighboring Lincoln and Clatsop County, along with the city of Manzanita are likely to create more intense interest in Tillamook County.

What can and cannot be done to address the STR proliferation and their impact on our communities?

- Can we differentiate between having investment properties and second homes in our neighborhoods? Are these two things actually the same or are there significant differences?
- Can we limit the # of people per house to 6, for example? The traditional second home/beach home wasn't designed to accommodate a large (8 – 12) people. It was designed to accommodate the typical family (4-6 people).
- Can we limit the amount of time per year a home can be rented? Traditionally the second/vacation home would be used periodically by family and extended family members. People who can not live with these limitations should be encouraged to develop their business in areas that are defined as business zones – not residential neighborhoods.

Lastly, limiting STRs does not translate to limiting visitors. Limited STRs will make it more attractive for hotel developers who can accommodate the visitor demand and also concentrate that activity in our business zones, which will help support our local retail and also our local labor force.

I believe it makes sense to "pause" the issuance of additional STR permits while the County looks for more input and solutions to this problem. I am personally in favor of eventual STR caps for the identified communities in coastal, unincorporated Tillamook County (Neahkahnie, Cape Meares, Oceanside, Pacific City, Netarts, Tierra del Mar and Neskowin).

Questions and suggestions for the STR Committee in their review of County Ordinance

84

- How are the physical boundaries of the communities that are being considered for additional STR regulation being determined?
- I believe it would be prudent to have a separate E-Prep fee for each STR (based on stated occupancy of each STR) that funds the infrastructure, supplies and administrative needs to accommodate our STR guest community in the event of a major disaster.
- There should be an enforcement fee that covers the cost of adequate enforcement resources. Currently, according to the Tillamook Sheriff's department, there are not enough resources to operate at the expected level and to respond to STR complaints.
- The STR fee should also cover the cost of a standardized STR sign which would be produced and distributed by the County. A standard sign with the correct size, information and location installation instructions. If it's decided that these permits have an expiration date, then these signs could have the requisite month/year stickers like our car license plates.
- Should there be a limit on how many STR's a person can own in one community, or the county as a whole? Also, can a business own a STR?

Sincerely,
Dave Holt
Neahkahnie resident

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:17 AM
To: Lynn Tone
Subject: STRs

--Original Message-----

From: Michael Maginnis <mmaginnis007@gmail.com>
Sent: Saturday, May 21, 2022 6:44 AM
To: Public Comments <publiccomments@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: STRs

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

I am writing to express our concerns around the short term rental situation in Neahkahnie. The current situation is leading to a loss of our neighborhood livability.

Please give full time residents the same consideration as STR management companies, STR owners and realtors.

Please pause the issuance of permits while regulations are reviewed.

We need a hard cap on the number of permitted STRs.

We need a limit on the maximum number of occupants.

We need an expiration time on permits and a termination of permits when property ownership changes.

Thank you, Michael Maginnis and Tela Skinner

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:17 AM
To: Lynn Tone
Subject: Pause in issuing new STR permits

From: Elizabeth ARCH <elizabeth.arch@gmail.com>
Sent: Saturday, May 21, 2022 10:56 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Fwd: Pause in issuing new 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.]

Begin forwarded message:

From: Elizabeth ARCH <elizabeth.arch@gmail.com>
Date: May 21, 2022 at 10:47:37 AM PDT
To: publiccomments@co.tillamook.or.us
Subject: Pause in issuing new STR permits

As a part time resident of Neahkahnie I urge the county to pause the issuance of new STR permits. As an unincorporated area we are seeing the result of caps set in the incorporated area which restrict the number of STRs. The increase in numbers in our area has affected the livability and character of Neahkahnie. We need to establish a reasonable cap, limit the number of occupants, and provide for permits to expire or be terminated when appropriate. The committee working on revising Ordinance 84 needs time to accomplish these goals before we are further inundated with STRs. Please pause the issuing of new STRs until the revision process can be completed.

Thank you,
Elizabeth Arch

37737 Treasure Hunter Lane Neahkahnie

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:16 AM
To: Lynn Tone
Subject: STR Comments: Please pause the issuance of new STR permits in Tillamook County!

Not sure if I sent this to you yet...

From: Michelle Vinciguerra <maybeach@yahoo.com>
Sent: Saturday, May 21, 2022 12:08 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>; Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Please pause the issuance of new STR permits 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 Sarah,

Dear Commissioners,

We have lived in Neahkahnie for over 20 years and are very concerned that Neahkahnie is running out of water and becoming a short term rental village. We have many more rental houses on our street now than we did 10 years ago. We very strongly support limiting short term rentals in Neahkahnie. Please convey our wishes to the Tillamook County Commissioners that we wish them to support a pause on the issuance of STR permits by the adoption of a reasonable limit on the number of permits issued each year. As you know:Manzanita capped the total # of STRs at the current level for up to 3 years to allow time to determine how to responsibly regulate its STRs. Plus Clatsop and Lincoln counties currently have moratoriums on STR permitting which leaves **Tillamook as the only county in the upper half of the Oregon Coast with an open door to STR businesses.** This is very very concerning to us!!

Sincerely,

Dr. and Mrs Anthony Vinciguerra

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:16 AM
To: Lynn Tone
Subject: Short term rentals

From: Judith Jones <judithcj1@gmail.com>
Sent: Saturday, May 21, 2022 11:02 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Cc: Neah Kahnle <nkncac@gmail.com>; Jacki Hinton <hintonjacki56@gmail.com>
Subject: EXTERNAL: Fwd: Short term rentals

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

Begin forwarded message:

From: Judith Jones <judithcj1@gmail.com>
Date: May 21, 2022 at 10:53:57 AM PDT
To: publiccomments@co.tillamook.or.us
Subject: Short term rentals

I am a full time owner in Neahkanie oregon. 38300 reed rd 97131. I would like to address the following issues.

1. There should be a pause in issuing STR permits until the issues are addressed and resolved to everyone's satisfaction.
2. There should be a cap on the number of STR allowed in our area because the visitors have no invested interest in the politics. You will not see signs or voters supporting candidates or issues like the library, TBCC, tides of change etc.
3. There should be a cap on the number of people in a unit. This is a residential area which would like to keep it quiet in order to enjoy the wildlife, scenery and ambiance .
4. Should be expirations on permits and when a house is sold so the permits can be up to date .

Thank you for your consideration and I hope you will pause this process so the above issues can be addressed wisely .

John M. Bloom
[REDACTED]
Nehalem, OR 97131

Tillamook County Commissioners
Short Term Rental Committee
Tillamook, OR

I strongly urge the County Commissioners and Short Term Rental Committee put in place a moratorium on Short Term Rentals (STR) for all of Tillamook County as soon as possible so as to ensure a viable future for current home owners and tax payers.

Rapacious West Coast developers are focusing on Tillamook County for the simple reason that it has been reticent about putting in place any sort of updated moratorium. This is understandable in that no one wants to suppress free enterprise. But the documented consequences of unbridled STR's up and down West Coast communities cannot be ignored: increase crime, increased water usage, accelerated wear & tear on infrastructure, over crowding, inflated prices and so on.

Many of these problems can be avoided or mitigated by a well thought out STR plan which Tillamook County does not have yet, therefore I urge a moratorium until we do.

Respectfully,

Jack Bloom

Lynn Tone

From: Sarah Absher
Sent: Sunday, May 22, 2022 11:14 AM
To: Lynn Tone
Subject: STR Comments: Pending Short Term Rental Decision

From: Dianne Bloom <diannerbloom@gmail.com>
Sent: Sunday, May 22, 2022 7:51 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Pending Short Term Rental Decision

[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 Sara Absher and Short Term Rental Committee,

I am begging you, **Please put a pause on short term rentals for Tillamook County.** I live in Neahkahnie, I am one of approximately 100 full time residents. We have at least 70 permitted STR's in our community and the number of houses, advertising vacation rentals on my short street alone, has gone from 0 to 3 in the past 5 years with 2 more neighbors seriously considering turning their homes into vacation rentals. We don't have an adequate water supply to support this type influx. Our community life is deteriorating. It used to be vacation rentals were a June-Oct event, now, since the pandemic, our community is packed with vacation rentals every week of the year! Full time rentals for folks (health care providers, firefighters, wait staff etc.) that support our community services are no longer available, because everything is short term rentals. With moratoriums on short term rentals in all of our neighboring counties and communities, we are the last place left standing with free and easy short term rental policies. **Please think this thru!**

Please put a moratorium and pause on short term rentals until Tillamook County can develop a fair and equitable STR plan.

Respectfully,

Dianne R Bloom
37430 3RD ST
Nehalem OR 97131

March 23, 2022

To: Honorable Commissioners Yamamoto, Skaar and Bell
From: Michael Woodin and Amy Bell of Neahkahnie Beach

Re: ***Comments supporting an immediate new short-term rental permit pause or moratorium***

1. Thank you for your decision to revise current short-term rental regulations and establish a short-term rental advisory committee to assist you.
2. We also urge you to immediately enact a pause or moratorium on new short-term rental permits so that your revision work can be more meaningful and effective.

We are owners of 37635 Beulah Reed Rd. in Neahkahnie and frequent part-time residents for over 25 years. Although we have never rented ours, others nearby over that period have infrequently rented homes mostly through vacation rental companies, which caused little concern in the neighborhood and community.

For many of those years little changed, but now the pace and frequency of short-term renting has quickened and is accelerating rapidly. It began with the internet and is being magnified by many factors, including the pandemic drawing more people here year round. The community is quickly becoming more commercial and less residential, raising many concerns.

Neahkahnie already has a high concentration of short-term rentals. Some homes have been converted to be solely short term rental businesses and some owners have acquired and are operating multiple properties for that single business purpose. Individuals and even out of state corporations and investment groups are seeking to acquire and develop income properties here and have solicited us to purchase our property on several occasions. These entities will target Neahkahnie even more now that short-term rental limits are in place in the adjacent county and municipality.

Up and down the coast and in the county, many see these accelerating pressures as an emergency. One very threateningly concern to our community was the serious water shortage we experienced last summer.

We appreciate you undertaking a serious effort to examine and revise the county's short-term rental regulations. Short-term rentals and our community will benefit from workable and balanced regulation. Please enact immediately a pause or moratorium on new short-term rental permits so you can act before it's too late.

Thank you,

Mike Woodin and Amy Bell

~~woodin@comcast.net; amybell@comcast.net~~

Date Deadline Noon May 24, 2022 1 of 2

From: Sarah Arbiser
Tillamook County
Planning.

Dave Benz <dave.r.benz@gmail.com>



Form submission from: Public Comment Registration

2 messages

Tillamook County OR <tillamookcounty-or@municodeweb.com>
Reply-To: Tillamook County OR <webmaster@co.tillamook.or.us>
To: [redacted]

Wed, May 18, 2022 at 1:43 PM

Thank you for registering. Someone will reach out to you with additional information before the meeting.

Dave Benz <dave.r.benz@gmail.com>
To: Neah Kahnier <KNOAC@gmail.com>
Cc: Amy VanDyke <amy@ssvr.com>

Wed, May 18, 2022 at 1:58 PM

May 18, 2022

Karen,

I tried to submit my public comments re. STR proposed changes fir Neahkanie, using website you provided. I am not able to submit my comments I received this notice. above.

- I am most interested in stating a few key bits of information.
- A. I as an owner want to be represented by my comments and or cite on changes. However as a non resident, one of many in Neahkanie, how does my vote count. On my street in Neahkanie not o e person is a resident of Tillamook County, but three of the four owners have owned a home on my street for minimum 20 years.
- B. Complaints about liter are partly a result of only two (2) ^{WASTE} ~~Easter~~ containers along Manzanita and Neahkanie beaches. One smal 1 foot diameter x 3 foot high waste container, is at end of Laneda and the other at Neahkanie. These are for pet waste only. More are needed.
- C. Manzanita State Park has booked by May 1, solid every day June, July August this year. EVERY person camping at Manzanita State Park is a Short Term Renter, who brings cans, liter waster to the area. These hundreds of people daily use Manzanita and Neahkanie Beaches. If STR's are going to be capped, limited etc., then the hundreds using this park and motels must be limited also!

I am asking you to please copy Sarah Arbiser, Tillamook Legsl Deot. and the committee my comments, and they are allowed by me for public publication and entering into committee minutes.

Sincerely,

David R and Jean N Benz

[redacted]
[Quoted text hidden]
[redacted]

David R Benz



Dave Benz [redacted]

NEAHKANIE STR PROPOSAL IDEA'S

1 message

Dave Benz <[redacted]>
To: Neah Kahnio [redacted]
Cc: Amy VanDyke [redacted]

Tue, May 17, 2022 at 5:56 PM

May 17, 2022

For: Karen Babbitt and Sarah Absher,

Karen your note regarding STR comments being received by May 24, noon, was received today, May 17, 2022.

I commented in an earlier note to you this afternoon, and I would like to make another comment for the record, your legal dept. and committee.

You stated investors are flocking to purchase homes to rent near the ocean.

I would like to point out per Sotheby's Real Estate Records Manzanita office, published May 2022.

Homes sold:
02/27/2019 to 02/27/2020 total of 16 homes
02/27/2020 to 02/27/2022 total of 9 homes

This shows again per Sotheby's Real Estate Manzanita, that the number of homes sold in 2020-2021 was down 43%.

What I would like to know prior to any final vote or proposal acceptance or recommendation is in Neahkanie only what is:

Population of permanent vs non permanent owners
A discrepancy exists between almost any records including US Census Block Group.
Also of the non permanent resident how many are registered voters in Oregon.

If an STR "proposal" is approved how will that be voted into law? If registered voters in the county vote that seems very unfair as the number of voters in Neahkanie is extremely small in number, perhaps as low as 200. And how does an owner residing outside Oregon be provided a vote?

Thanks very much for your time! This note and the earlier one from me also dated today is allowed to be reviewed by tillamook County Legal Dept., and for public notice.

Sincere Personal regards,
Jean & David Benz
[redacted]
Nehalem/Neahkanie, OR 97131
[redacted]

Date Deadline - Now May 24 2022

P 1 of 2

Gmail - Form submission from: Public Comment Registration

5/20/22, 9:43 AM

From: Karen Babbitt



Dave Benz <[redacted]>

Form submission from: Public Comment Registration

2 messages

Tillamook County OR <tillamookcounty-or@unicodeweb.com>
Reply-To: Tillamook County OR <webmaster@co.tillamook.or.us>
To: [redacted]

Wed, May 18, 2022 at 1:43 PM

Thank you for registering. Someone will reach out to you with additional information before the meeting.

Dave Benz <dave.r.benz@gmail.com>
To: Neah Kahnier <NKNCAC@gmail.com>
Cc: Amy VanDyke <amy@ssvr.com>

Wed, May 18, 2022 at 1:58 PM

May 18, 2022

Karen,

I tried to submit my public comments re. STR proposed changes fir Neahkanie, using website you provided. I am not able to submit my comments I received this notice. above.

I am most interested in stating a few key bits of information.

A. I as an owner want to be represented by my comments and or cite on changes. However as a non resident, one of many in Neahkanie, how does my vote count.

On my street in Neahkanie not o e person is a resident of Tillamook County, but three of the four owners have owned a home on my street for minimum 20 years.

B. Complaints about liter are partly a result of only two (2) ^{WASTE} ~~Easter~~ containers along Manzanita and Neahkanie beaches. One smal 1 foot diameter x 3 foot high waste container, is at end of Laneda and the other at Neahkanie. These are for pet waste only. More are needed.

C. Manzanita State Park has booked by May 1, solid every day June, July August this year. EVERY person camping at Manzanita State Park is a Short Term Renter, who brings cans, liter waster to the area. These hundred of people daily use Manzanita and Neahkanie Beaches. If STR's are going to be capped, limited etc., then the hundreds using this park and motels must be limited also!

I am asking you to please copy Sarah Arbiser, Tillamook Legsl Deot. and the committee my comments, and they are allowed by me for public publication and entering into committee minutes.

Sincerely,

David R and Jean N Benz

Owners- 8194 Neahkanie Rd

[Quoted text hidden]

[redacted]

PROR



Dave Benz <[redacted]>

NEAHKANIE STR PROPOSAL IDEA'S

1 message

Dave Benz <[redacted]>
To: Neah Kahnio <[redacted]>
Cc: Amy VanDyke <[redacted]>

Tue, May 17, 2022 at 5:56 PM

May 17, 2022

For: Karen Babbitt and Sarah Absher,

Karen your note regarding STR comments being received by May 24, noon, was received today, May 17, 2022.

I commented in an earlier note to you this afternoon, and I would like to make another comment for the record, your legal dept. and committee.

You stated investors are flocking to purchase homes to rent near the ocean.

I would like to point out per Sotheby's Real Estate Records Manzanita office, published May 2022.

Homes sold:
02/27/2019 to 02/27/2020 total of 16 homes
02/27/2020 to 02/27/2022 total of 9 homes

This shows again per Sotheby's Real Estate Manzanita, that the number of homes old in 2020-2021 was down 43%.

What I would like to know prior to any final vote or proposal acceptance or recommendation is in Neahkanie only what is:

Population of permanent vs non permanent owners
A discrepancy exists between almost any records including US Census Block Group.
Also of the non permanent resident how many are registered voters in Oregon.

If an STR "proposal" is approved how will that be voted into law? If registered voters in the county vote that seems very unfair as the number of voters in Neahkanie is extremely small in number, perhaps as low as 200. And how does an owner residing outside Oregon be provided a vote?

Thanks very much for your time! This note and the earlier one from me also dated today is allowed to be reviewed by tillamook County Legal Dept., and for public notice.

Sincere Personal regards,
Jean & David Benz
[redacted]
Nehalem/Neahkanie, OR 97131
[redacted]
[redacted]

Lynn Tone

From: Sarah Absher
Sent: Tuesday, May 24, 2022 11:04 AM
To: Lynn Tone
Subject: STRs Short Term Rental Issues in Neahkahnie, Tillamook County

From: Laurie McCray [mailto:mccrayla7@yahoo.com]
Sent: Tuesday, May 24, 2022 9:59 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Short Term Rental Issues in Neahkahnie, Tillamook County

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

Regarding STRs in Neahkahnie/ unincorporated Tillamook County:

I am a full time resident in Neahkahnie, I do not own another home in another jurisdiction. I moved back to Tillamook County in 2015 and chose my home as I loved the quiet neighborhood and sense of community. It is quickly becoming a place I do not recognize and am concerned for the future of unincorporated Tillamook County as it continues to receive the pressure to build very large houses (often investment development, these are not ever intended as single family homes) as currently allowed by the lack of adequate development ordinances that address the adverse impacts of STRs on small rural neighborhoods.

My home has STRs on two sides of my property, this was not the case when I moved here. This will soon change as the remaining lots around me are currently undeveloped or under developed. My enjoyment of my home and property has already diminished and is stressful. Some of the issues regarding the lack of STRs in my neighborhood as as follows:

- 1) **Water Supply** from the Neahkahnie Water District is not adequate to meet the needs of both residents and STR occupants during peak season. In the summer of 2021, the Water District was unable to supply sufficient water to all of the current water hookups resulting in outdoor watering to be disallowed. I have a a vegetable garden that supplies me with a large part of of my food needs. It did not sit well that I was not allowed to water my plants while the houses around me were packed with visitors using water indiscriminately . It may have been a drought year but I anticipate this restriction becoming more frequent in the future as development increases. More STRs will exacerbate this situation.
- 2) **Neighborhood character** has changed and not for the better. Vacationers are in general not good neighbors. Noise, traffic, driving too fast on narrow streets, off-site parking spilling onto narrow roads, trash, parties, increased risk of fires and uncontrolled dogs make living here in the summer unpleasant. Some of what were formerly owner occupied residences on my street are now STRs, others have been built explicitly as investment income properties and have never been occupied by someone who knows and cares about the neighborhood.
- 3) **Enjoyment of my property and neighborhood have diminished** with the increase in STRs. There are different groups of people in the two houses adjacent to my property on any given weekend and throughout the summer. The house built explicitly as a STR rental behind me was designed with a balcony that nearly hangs over the back of my property. I no longer have privacy in my outdoor space. Renters often stand on this balcony and talk loudly which encourages my dog to bark. The house next door to me rents to people with dogs. My dog has been trained not to bark under normal circumstances. Having a constant flow of unfamiliar people and dogs next door (plus walking past my home) is not a

normal circumstance and often requires me to keep my dog indoors when the houses are rented. The thought of additional STRs on my street will make living here more unpleasant.

4) **Loss of a sense of community** occurs when you no longer have the opportunity to know your neighbors. When an annoyance occurs with neighbors, it can be addressed directly with a person you know. This is not the case when a "residence" is occupied by a short term visitor without an investment in maintaining a quiet neighborhood.

5) **Emergency services are inadequate** to handle large fluctuations in population in a rural neighborhood brought in by unregulated STRs. This relates to fire, police, ambulance as well as planning for a significant emergency such as an earthquake. I am involved in emergency preparedness for my neighborhood but we are not equipped to care for more than our residents in such an event.

In closing, STRs in my Neahkahnie neighborhood function as commercial properties and must be managed and regulated as such. Many were constructed and operate explicitly for this purpose. As Tillamook county's popularity increases, the pressure to provide vacation lodging for visitors increases, particularly as adjacent jurisdictions have instituted moratoria on STRs while they attempt to get a handle on the issues. There are places more compatible to accommodate tourism than rural neighborhoods.

Please develop reasonable regulations on STRs in unincorporated Tillamook County in time to retain some of the character that makes it an attractive place to live.

Thank you,

Laurie McCray

37365 3rd St

Nehalem, Oregon 97131

Lynn Tone

From: Sarah Absher
Sent: Wednesday, May 18, 2022 9:12 AM
To: Lynn Tone
Subject: STR Commentary: Neskowin STRs

Good Morning Lynn,

Please include the commentary below for the upcoming May 25, 2022, public meeting.

Thank You,
Sarah Absher, CFM, Director
TILLAMOOK COUNTY | Community Development 1510-B Third Street Tillamook, OR 97141 Phone (503) 842-3408
x3317 sabsher@co.tillamook.or.us

Sarah

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

From: Guy Sievert <gsievert@icloud.com>
Sent: Thursday, May 12, 2022 11:12 AM
To: David Yamamoto <dyamamoto@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: Neskowin STRs

Commissioners,

First I want to say I appreciate your consideration of the impact of STRs on our community. An issue that goes right to the core of what our coastal towns will become.

I want to offer a suggestion for your consideration as you explore options for STRs. My primary concern about the growth of STRs is the impact it has on affordable/workforce housing in south county. Every story you hear, from the Adventist clinic, the fire and rescue district, the cafe's and stores, even our watershed council, has a common theme. Workers can't find housing and are not accepting our jobs. Or are commuting such long distances that working locally becomes impractical. Or services are being cut. You've heard this before. And it's happening at a time when our communities are seeing an increase in visitors, primarily because of the availability of STRs.

So here's my suggestion. Give STR owners an incentive to rent long term. One year at a time, maybe even less. That incentive can be property tax forgiveness or other financial incentives. If we fix the number of STRs in our communities we need to give those who want to rent an option. We could use the income formula we are using for the King Fisher apartments. Something that will encourage the use of these rentals for those who want to work in our communities. Clearly I am not an expert in how incentives could work. But if we pause we need to consider this issue as well. STR owners need options and that should be part of our review process.

There are many difficult decisions you make as elected officials. But few that will have such an impact for years to come. And not taking action, or delaying action, is a decision that will lead to major changes in our coastal communities. That is why I wrote to you to support the pause. It's time to balance the competing housing needs in ways only the county government can.

Guy Sievert
Neskowin

Lynn Tone

From: Public Comments
Sent: Tuesday, May 24, 2022 2:13 PM
To: Lynn Tone
Subject: FW: EXTERNAL: Please consider an immediate moratorium on the further issuance of short term rental permits

The below comment came in right at noon. Can you please add to your packet and I will make sure it is included in the packets that you dropped off for the Commissioners?

Thanks,
Isabel



Isabel Gilda | Executive Assistant
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS
201 Laurel Avenue
Tillamook, OR 97141
Phone (503) 842-3431
igilda@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Pam Greene <pam.s.greene@gmail.com>
Sent: Tuesday, May 24, 2022 11:59 AM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Please consider an immediate moratorium on the further issuance of short term rental permits

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

Dear Tillamook County Commissioners and Tillamook County Director of Community Development,

Please kindly consider this request from a fellow Tillamook county resident who values the fabric of our community and believes in supporting a reasonable balance of BOTH commerce AND livability.

1. It is imperative that we as a county place an immediate moratorium on the further issuance of short term rental permits while reasonable guidelines and rules can be established for the true benefit of all. There is a need for a **'pause'** on issuance of permits while the process of reviewing and revising STR regulations continues. Why? Because certain Tillamook County communities are already well beyond a reasonable percentage of homes used for STR business purposes. Neahkahnie (NKN) is one of them.
2. There is a need for a **reasonable cap** on the number of STRs permitted — NOT unlimited #'s as allowed under the current regulations.

We understand there are many who are lobbying in favor of no limits, to continue to expand STR business operations in neighborhoods previously zoned as residential. This effectively turns neighborhood residential districts into commercial business districts, this just doesn't seem fair.

What if everyone was able to turn their residential home into a day spa, a laundromat, a rental kitchen or gym? What if everyone was able to turn their yards into wedding or party event venues, or parking lots- packed full of customers and their cars - every day and night of the week? These would be classified as business pursuits and subject to heavy restrictions in residential neighborhoods, or relegated exclusively to commercial business districts because they impact the livability of the surrounding neighborhood. Yet this is what neighbors are living with, the only difference is a bed is offered with the business activity.

STRs are miniature motel businesses.

Short term renters, **(customers) pay for the time they use the facilities:** they rent the structure, appliances, furnishings and outdoor areas.

3. There is a need for a **reasonable limit on the maximum number of occupants** permitted in an STR...these are single family homes in a R1 zoned community — NOT boutique hotels.

Why? Because STR business operators understandably like to maximize their profitability and fill their facilities with as many beds as possible, and turn front yards into parking lots.

This places an unbalanced burden on the neighbors, and an unplanned burden on neighborhood infrastructure, and the community as a whole. We need an STR issuance moratorium to put reasonable STR business facility capacity limits in place.

4.A There is a need for a **reasonable expiration time for STR permits** — NOT in perpetuity as under the current regulations.

4.B There is a need for **termination of STR permits when property ownership changes** — NOT the automatic transfer of STR permit along with the property forever as provided under the current regulations.

Why? Because we need to draw up new guidelines for a fair and equitable way to rotate the benefits of running an STR to all property owners, not just a select few who capitalized early. Circumstances for property owners change, and **every one of us should have a fair shot at applying for an STR permit**, perhaps through a 3-4 year permit rotation with a lottery draw. This will stimulate the building trades and economy for all homes, while reducing the incentive for property speculators to play monopoly with the fabric of our communities.

5. We also understand Tillamook county benefits from the financial gain from the issuance of short term rental permits and STR fees. This is a good thing!

A pause would enable a rewriting of the code, and a fresh look at the amounts Tillamook can charge for STR business licenses, to enable Tillamook to take a larger percentage and greater revenue- even while having the same number of current rentals. The current yearly STR fee is a pittance compared to a nightly rental fee of \$1,500!

I believe Tillamook county needs to prosper, but turning our neighborhoods into business commercial zones is not the answer.

Please place an immediate moratorium on the further issuance of short term rental permits.

Respectfully submitted,

Pam Greene

Neahkahnne homeowner and resident.

My name is Shelia Clark and I appreciate the opportunity to share suggestions as Tillamook County evaluates the STR ordinance. I also want to thank everyone that has volunteered their time on these committees to make our communities a better place to work, live and play.

My Husband and I live in Florence, OR where I am a licensed Realtor serving the Oregon Coast and Willamette Valley. We also own a beach cottage in Neskowin Village where we spend half our time each month.

We began our personal experience with STRs several years ago where we owned and managed several STRs in Seaside for ourselves and family. During this time we were fortunate enough to work alongside a exceptional mngt co who had strict rules and quick to respond to issues. We learned a lot!

In my profession I have also helped several clients with their STR search/purchase and sale which led to navigating and learning various city and county STR ordinances throughout Oregon.

In Neskowin with 2 STRs across the street we too have had all the experiences as most. However trying to deal with a local mngt co was the exact opposite experience we had with the quality company in Seaside. When we called about their out of control renters we were sternly told to just call the Sheriff .

This was a stark contrast to previous mngt cos I had worked with and quickly learned this local company didn't really care, they were not held accountable, took no responsibility and it was my problem not theirs. I believe its this mindset that has gotten us to where we are today.

STRs have become a hot topic for many communities, leading to further restrictions and regulations on property owners which is not going to resolve this problem. With the consistent and escalating complaints of STRS such as noise, garbage, parking, and sometimes a complete disregard for other property owners and our neighborhoods, my question is why are the management companies not held accountable for their guests in this ordinance?

I just recently learned about these groups and committees and havent had enough time to read all the documents or watch videos, but as far as I can see in the ordinance and many others, management companies are left out of this conversation. I think this is a critical component to resolving this issue, not further

restrictions on property owners .

From my recent experience, the companies book the guests, charge their credit card and look the other way. I know there are good companies and not all companies act in this manner, but this is what happens with this mindset.

They should be held accountable for the actions of their guests which can only happen with an addition to the ordinance resulting in penalties that actually affect these companies. This is a critical part of their job or should be– to assure the neighborhood is not terrorized, rules and regulations are followed and swift/appropriate action is taken if needed.

Equally, the owner of the STR should be as responsible and I feel that the county needs stricter regulations and fines for STR owners and mngt companies alike. I would think this would be a huge motivator! - Let them police their guests as opposed to neighborhoods.

These issues should not be left at the feet of local law enforcement. The county, at this point does not need to hire “STR enforcement” and take on additional costs before tighter regulations that penalize both the property owner and brings management companies into the fold to be equally held responsible are enacted.

Rental Limit: Rental days should not be limited to 100 days. This is penalizing everyone for the lack over over site of guests from a few mngt cos and STR owners. Many people invest in STRs for addtl income, retirement or just the ability to own a home at the beach. The rules simply need to be enforced, and a strong ordinance requiring mngt cos involvement would

Parking: There should be no “on street” parking offered to STRs to qualify for their permit. It should be restricted to the actual parking space available on the property of the STR which is common for most communities. I can only speak for Neskowin but parking and street space is already a huge issue. We can barely drive down the streets as is and to add to STR parking would be hazardous for all.

Noise Complaints: Section 6 AA - “Renters may be issued a citation and fine” Since this is such a huge issue it should not be treated so lightly. After 1 notice there should be fines for everyone, renters, STR owners and Mngt cos alike. Again there needs to be stronger accountability and penalties for violations so people will take this seriously and take action.

I agree with a previous email dated May 3 noting section 6 AC – There is too much latitude using the statement “attempt to contact” it should state “they **will** contact the renter within 20 mins” this needs absolute wording so it is clear what is expected and action is taken. As it stands its too open ended, allows the mindset instead of “maybe I will, maybe I wont” approach and does not stress the importance of the ordinance. This wording is too casual.

Sleeping Spaces: should be noted as actual bedrooms available

We are not at all against STRs and believe everyone should have the opportunity to enjoy the beach like we do. Property owners should be able to use their property as they choose without government interference as long as it does not harm others.

I truly believe if management companies had something to loose along with STR owners in the way of fines or penalties or possibly loosing a license, we would see a huge improvement in this issue.

STR Ordinances need to be enforced:

Mngt cos are in best position to enforce the rules and need to be encouraged to be more proactive. They are in the best position to control the actions of guests. Guest who blatantly violate rules should be blacklisted from renting.

Thank you for your consideration of our suggestions. We hope are suggestions and insight has made a small contribution to a resolution.

Sincerely,

Shelia & Dennis Clark
541- 914-4472
sdclark1224@yahoo.com

Florence, OR
Neskowin, OR

Lynn Tone

From: Michael Cook <mikerusts@gmail.com>
Sent: Monday, September 12, 2022 12:09 PM
To: Lynn Tone
Cc: Neah Kahnle
Subject: EXTERNAL: Fwd: Important Short-Term Rental Advisory Committee Meeting 9/13/22 at 9:30 am

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

Director Absher and Commissioner Erin Skaar

I appreciate necessary pause in STR licensing and all the attention that the county is now giving to the STR/TLT along with the support of our CAC. I'm sorry to be missing this meeting, but wanted to add to my earlier testimony below to comment on the welcome introduction of ORLA's participation. In addition to emphasizing the most challenging threat of "illegal hotels" their entry into the discussion provides an opportunity facilitate discussion on the impact of their own STR properties.

In your deliberations please consider the following:

- the need for disclosure of permitted properties to assist in local planning and enforcement
- the impacts of all STR's on emergency preparedness and related costs in order to better inform visitors, prepare properties, and provide emergency supplies via licensing requirements, fees, TLT reapportionment.
- the relationship between workforce housing planning and STR impacts by requiring periods of affordable long term rentals in the equation.

Respectfully,
Mike

Mike Cook
37335 First St.
Nehalem (Neahkahnie) 97131
503-368-3048

Subject: May 24 Board of Commissioners meeting

Date: Fri, 20 May 2022 19:39:18 -0700

From: Michael Cook <mikerusts@gmail.com>

To: publiccomments@co.tillamook.or.us

Commissioners, I'm writing to urge an immediate pause in further STR licensing to allow time for the STR advisory committee and our communities time to develop an updated process that can better address the increasing impacts of STRs. My wife and I are residents of Neahkahnie of some 20 years and been working on community emergency preparations on our street and with our adjoining neighborhoods for half that time. And, I've participated in previous Neahkahnie calls for STR restrictions urging a managed approach. I appreciate the county's original attempts at managing the impacts of rentals. But, the wave of new STR's is now a serious concern - stressing public services and our ability to meet emergency needs in a disaster. Over 1/2 of our cluster of neighborhoods here are in the inundation zone - mostly STRs and part-timers. It's important your committee have time to develop a plan with rules and charges based on cost benefit analysis that better addresses not just ongoing and emerging impacts and benefits, but the county's share of responsibility for lives in this very certain and devastating disaster.

Respectfully,
Mike

Mike Cook
37335 First St.
Nehalem (Neahkahnie) 97131
503-368-3048

Subject: May 24 Board of Commissioners meeting

Date: Fri, 20 May 2022 19:39:18 -0700

From: Michael Cook <mikerusts@gmail.com>

To: publiccomments@co.tillamook.or.us

Lynn Tone

From: Jill Carter <jcarter1217@gmail.com>
Sent: Sunday, September 11, 2022 6:41 PM
To: Sarah Absher; Lynn Tone
Subject: EXTERNAL: Short term rental 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.]

September 11, 2022

To: Ms. Sarah Absher

From: Darryl Carter / Neahkahnie

As you are aware, I have been on occasion heavily involved with the short term rental issue in Tillamook County. The situation is as I see it has gotten continually worse for the families living in the unincorporated areas of the county. The obvious reason is that the county has allowed the single-family zoning to No longer be meaningful. The Current situation allows any home in the Unincorporated communities to become a defacto motel. Homes in this program are no longer managed by the owner. It is now done by professional managers employed by corporations. Thanks to the Internet, reservations are taken and there's little or no vetting of the users. Families have no clue who is residing 12 feet from their home. This is unnerving and shouldn't be allowed in a single family zoned community. Tillamook County has commercial zoning and that is where this activity belongs.

This commercial activity also puts undue stress on Community water and sewer systems designed to accommodate Single families as they use significantly more of these resources. One remodeled home in Neahkahnie will now sleep 20. An architect friend advised me that a new client of his bought a home in Neahkahnie and wanted it redesigned get the maximum number of beds. This couple is from California and want to receive maximum revenue to pay for this commercial investment. Our local realtors use this is a big selling point when trying to move a very expensive beach property.

I think the following changes should be made to the ordinance:

1. Severely limit the percentage of homes in a community that can be in the program. I think no more than 10% of a communities homes Would lessen the impact of this activity. Manzanita has a cap of 17%. I think this is too high but it's better than no cap at all as we currently have.
2. Make the approval process for obtaining a rental license exactly the same as a conditional use application for a bed and breakfast. As you know, the bed-and-breakfast application also involves community input. The bed-and-breakfast also requires an on-site manager and no more than two bedrooms dedicated to the rental program. Why should short-term rentals be allowed virtually without public input or onsite management? Why should the neighbors not have a say in what goes on in their neighborhood?
3. No longer allow applications for multiple ownership. Let those currently licensed expire at the end of the new ordinance and not be renewable. This has turned into a purely commercial enterprise as opposed to families trying to recoup a mortgage payment which was the original intent.

4. These rental homes have become public accommodations. Make them subject to the disabled American disabilities act. They will be required to bring structures up to higher standards making it safer for the public to use them.

5. Raise the licensing fee very significantly so that a full-time manager and staff can be Added to your staff to manage this activity. This is a very significant business and it takes In hundreds of thousands of dollars annually. The owners should be required to pay for the staff necessary to regulate their activities.

I would further ask you to review the activities of Lincoln County in dealing with short term rentals. They have become more restrictive and in fact tried to Sunset rentals per se. I understand The court has sent this case to Luba.

I am hopeful that the commission We'll take actions that Will benefit the residents of Tillamook County as opposed to the commercial interests.

Best regards,

Darryl Carter

Lynn Tone

From: Sarah Absher
Sent: Monday, September 5, 2022 10:15 AM
To: Lynn Tone
Subject: STR PARKING COMPLAINTS

Please make copies for the STR meeting next week.

Thank You,



Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3317
sabsher@co.tillamook.or.us

From: Gus Meyer <gusmeyer9@gmail.com>
Sent: Saturday, September 3, 2022 9:15 PM
To: Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Cc: Nan TLT <nan@tillamookcoast.com>; Chris Laity <claity@co.tillamook.or.us>
Subject: EXTERNAL: STR PARKING 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.]

Tillamook County STR Commissioner Liaison; Erin Skarr
Tillamook County CD Director; Sarah Absher

Regards: STR Related Parking Problems

My son, whom works on STR hot tubs, reaffirms my community reviews of Tillamook Unincorporated parking problems on his usual STR rounds of Central and North Tillamook County.

A number of these parking problems are caused by diminished beach accesses, wherever the ocean is within easy walking distance with limited beach access parking space .

I've noticed dogs in attendance going to the beaches from some poorly parked vehicles, most likely misidentified as STR complaints.

Thereby "*Beach Access*" is once again on the Tillamook County complaint docket.

Recall Kiwanda parking problems, as well as Cape Meares, Oceanside, Netarts, and other ocean access problems in most of Tillamook County Beach areas, including Short Sands Beach.

Life is compounded and complicated at our beaches.

Gus Meyer,
STR Committee Member

WHAT'S THE DIFFERENCE BETWEEN A HOTEL AND A COMMERCIAL SHORT TERM RENTAL (STR)?

ONE BIG THING...

| CHARACTERISTICS | HOTELS | COMMERCIAL STR |
|---|-----------|----------------|
| Provide lodging on a nightly basis | Yes | Yes |
| Objective is net profit, not cost reimbursement | Yes | Yes |
| Accept reservations and credit card payments online | Yes | Yes |
| Provide housekeeping. | Yes | Yes |
| Advertise their businesses as “resorts” | Yes | Yes |
| Pay state and county transient lodging taxes | Yes | Yes |
| Operate in single family neighborhoods | No | Yes |

Thank you for the opportunity to testify this morning. I will be succinct.

I am Bruce Bishop, a homeowner in the lower Neahkahnie area. We are one block above the beach, within the tsunami zone, and not in the Short-Term Rental pool. In my view, the most pressing issue facing the North Coast is the lack of affordable housing, particularly for families and workers. The existence and proliferation of short term rentals, particularly of large, non-owner-occupied commercial operations, only makes this problem worse.

I support the Neahkahnie Urban Residential Zone as expressed in the current Comprehensive Plan: “The permitted uses are those that appear most suitable for a coastal community that wished [sic] to maintain a primarily single-family residential character.” (3.300 (1)).

The only commercial activities Tillamook County allows in Neahkahnie are home occupations operated compatibly with county law, and STRs don't meet the requirements for this exception. Neither do hotels or any other congregate living arrangements other than single-family residences. Neahkahnie is, in my understanding, unique among unincorporated communities in Tillamook County in this regard.

For this reason, I urge the committee to recommend a Neahkahnie-specific ordinance that conforms to our community land-use plan and zoning and only allows short-term rentals consistent with single-family residential uses. Such rentals should not be permitted more frequently than 13 weeks (or 91 days) per year at any property. Existing permit holders should be given not longer than three years to comply with this requirement, either by changing their business practices or by selling their property.

In addition, the committee should recommend such health and safety standards as are necessary to maintain Neahkahnie's single-family residential character. These should include occupancy, parking, noise, sanitation, traffic, and other limits, many of which are specified in the current STR ordinance, as well as effective complaint resolution processes.

Finally, the committee should recommend that the enforcement of STR regulations be a civil responsibility outside the sheriff's law enforcement responsibilities, funded by the county from either transient lodging taxes or other county funds, including STR permit fees.

Oregonians are justifiably proud of our state's land use planning laws. I don't believe they can or should be circumvented by a local ordinance permitting commercial developments in single-family residential communities.

Thank you for the opportunity to testify.

publiccomments@co.tillamook.or.us

info@neskowincac.org

Dear Members of the Tillamook County STR Advisory Committee:

My name is Harvey Rubinstein. My wife and I own Sea Here, a beach cabin in Neskowin, The cabin has been in our family for five decades. I love Neskowin and the diverse population it hosts throughout the year. In addition to serving as our family's vacation home, we also operate as short-term rental under the rules and regulations of the county. I understand that the county is considering changes to those regulations and is seeking input through the offices of the Tillamook County STR Advisory Committee. I offer below my comments and suggestions.

I reach out to provide feedback on various changes to STR rules and regulations that are being considered at the county level that may impact our STR in Neskowin.

I support responsible renting and being a good neighbor. I do not support new rules which only apply to STR use when the activity of non STR guest use or residents is indistinguishable and presents the same policy issues. I support an owner's right to rent their property, whether it be short term or long term, as they are essentially equivalent.

I support allocating TLT funds towards enhanced enforcement via public safety grant.

I support tightening up occupancy maximums by changing the ordinance to apply to "bedrooms" instead of "sleeping areas" and maintaining the 2 per bedroom + 2 overall limit for overnight occupancy

I support requiring an STR offer a minimum number of off-street parking spots equal to number of bedrooms and limiting on-street parking to 1 car and that these regulations be applied to full time residents' properties.

I support transferability of STR permits upon sale or change of ownership as the permits represent a tangible value of the property.

I do not support an arbitrary limit on the number of nights a home may be rented annually This proposal infringes on property rights, may result in significantly lower TLT revenues, It may lead to owners limiting guest occupancy to peak summer season, resulting in reduced commerce at our neighborhood businesses.

I do not support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes close together, and one central STR may limit several others from lawfully operating with an STR permit.

I support a percentage cap on STR permits in Neskowin at a level of 50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years.

Any potential percentage cap for Neskowin should exclude condominiums in the calculations and not have any type of percentage limit. These include Proposal Rock Inn, The Chelan, Pacific Sands & Breakers Beach Houses.

Neskowin presently offers only a single market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. These businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.

STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high cost that can be associated with a coastal home. Our support teams include house cleaners, handypersons, window washers, pest control, painters, general contractors.

There is room for improvement with the current ordinance, but I do not support major changes or significant limits. As the county seeks to strike a fair and equitable balance between welcoming visitors, both short- and long-term rental activity, property rights, and livability in our communities, please keep in mind the long history of Neskowin being primarily a seasonal vacation getaway.

Thank you for considering my comments and recommendations. I would be happy to answer any questions you may have to discuss them at public forum.

Sincerely,

Harvey Rubinstein

Neskowin Property Owner

Lynn Tone

From: Public Comments
Sent: Tuesday, October 4, 2022 8:43 AM
To: Lynn Tone
Subject: FW: EXTERNAL: Neskowin STR rules & regulations



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

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: McArthur, Stuart <Stuart.McArthur@nike.com>
Sent: Sunday, October 2, 2022 9:17 PM
To: Public Comments <publiccomments@co.tillamook.or.us>; info@neskowincac.org
Subject: EXTERNAL: Neskowin STR rules & regulations

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

Dear Tillamook County, STR Advisory Committee,

Having discussed the various changes to STR rules & regulations that are being considered at the county level that may impact our STR in Neskowin I feel the need to reach out with comment.

We are a family of 4, who moved to Oregon 8 years ago and fell in love with the place. It is our home but growing up in Scotland by the sea we desperately miss it and have been renting in Neskowin for the past few years, it has been our remedy. We were lucky enough to be able to gather the funds to buy our own second home, that we love dearly and will use for our holidays. But we had to pay a lot of money for the place, and it seems crazy to sit empty while we are not there. We have been respectful renters previously and would like to manage the expense of the mortgage by renting till one day it is paid off by which time who knows it may time for our kids to go to college and us to retire. It seems unfair to limit people who are genuinely careful with their own properties and limit their potential to revive old properties that need our help, to last for next generation to come with funds raised through renting, not to mention all the family fun we are going to have there.

We have discussed the below points and they are all consistent with our beliefs;

| PROPOSAL | YES | NO | MAYBE |
|--|-----|----|-------|
| TLT funds dedicated to enhanced enforcement | X | | |
| Property rights | X | | |
| Reducing max occupancy by limiting to bedrooms instead of sleeping areas | X | | |
| Transferability of STR permits | X | | |
| Annual limit on number of nights rented | | X | |
| Percentage cap on number of STR permits | | | X |
| Distance or proximity based limits | | X | |

- I love Neskowin and the people who live and stay there. My family has been made welcome and we want the best for all. We wish to be responsible renting & being a good neighbor
- I do not support new rules which only apply to STR use when the activity of non STR guest use is indistinguishable and presents the exact same issues.
- I support allocating TLT towards enhanced enforcement via public safety grant.
- I support an owner's right to rent their property, whether it be short term or long term, as they are commercially equivalent.
- I support tightening up occupancy maximums by changing the ordinance to apply to "bedrooms" instead of "sleeping areas" and maintaining the 2 per bedroom + 2 overall limit for overnight occupancy.
- I support requiring a minimum number of off-street parking spots equal to number of bedrooms & limiting on-street parking to 1 car.
- I support transferability of STR permits upon sale or change of ownership.
- I do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce & track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.

- I do NOT support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes very close together, and one central STR may limit several others from lawfully operating with an STR permit.
- I support a percentage cap on STR permits in Neskowin at a level of 35%-50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years, this range is appropriate. On the low end, 35% represents approximately half of the seasonally owned homes. There is already a natural ebb and flow of STR permits opening and closing through the years as families make varied choices about how they'd like to use their home. A percentage cap that is too low may lead to owners holding onto inactive permits for fear of losing their right to rent, thereby squeezing out owners who would like to actively rent their home.
- Any potential percentage cap for Neskowin should exclude condos in the calculations and not have any type of percentage limit: Proposal Rock Inn, The Chelan, Pacific Sands & Breakers Beach Houses.
- Of the total living units only approximately 18% have STR permits. This does not break out condos which are not part of the perceived problem. This does not correlate to "use" because not all STRs are active. Neskowin seasonal home ownership ranks very high at 67% (2019). If you do straight numbers 18% STR = approximately 26% of the seasonal homes are listed as STRs. So, is the county even focused on the correct issue? Nonpaying guests are most likely make a larger impact (74% of potential use) on the community and would present the exact same issues being targeted with STR rules. Because Neskowin has so many seasonal homes (which have similar use as STR homes) the proposed STR rules seem very arbitrary. Effectively rules are being applied to 26% of the potential problem. Most of the home use in our community is transitory with second homeowners, family, non-paying guests, as well as STR rental guests and just part of the accepted fabric of our vacation community.
- Long ago, commercial development in Neskowin was purposefully very limited by timed deed restrictions for 50 years, and that's part of the heritage that makes Neskowin such a special place today with so many homes and very limited local businesses that are more common in larger towns.
- Neskowin has only a market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. All of these businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.
- Unlike many coastal communities, Neskowin is in a unique predicament by not having any hotels for visitors (Neskowin Beach Resort & Proposal Rock Inn are both comprised of privately owned condos). Our visitors are fully reliant on our network of amazing owners who open up their homes to welcome visitors to our special area. A wide variety of options from condos with a studio bedroom, to quaint cottages in the village, to large homes in South Beach able to accommodate large families gathering for a vacation, are an integral part of helping visitors access Neskowin. Renting a vacation home in Neskowin is actually how many owners first discovered this special getaway!
- STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high costs that can be associated with a coastal home. Our teams include house cleaners, handymen, window washers, pest control, painters, general contractors, and landscapers just to name a few.
- STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.
- Only 15% of recent home sales (2020-2022) have new STR permits, which is right in line with the approximate overall level of STRs in our area (118 home sales with 18 new permits issued, 6 transferred to new owners, and 14 permits closed post-sale, which is a net gain of 4 permits from recent home sales 2020-2022).
- The Oregon Coast has seen a jump in the number of visitors we welcome. In our neighborhood, sometimes bad behavior happens, but it can be a challenge to say with accuracy that it was a guest at an STR, especially when we have so many day trip visitors and owners with families who may be responsible as well.
- Tillamook County housing studies define Neskowin as a "resort" town and in 2019 our seasonal home ownership ranked very high at 67%, while vacancy rates for long term rentals were zero. According to the 2017 housing report, Neskowin is entirely within their defined "Coastal Market" and this recognizes our history as a resort

community. Neskowin does not have the hallmarks of a traditional residential area, as we have no public school, no large grocery store, no gas station, and no post office - this is truly a community for visitors and some people are lucky enough to live here full time.

- ORLA's Position Statement on "Illegal Hotels" may be an issue elsewhere in Tillamook county, but in Neskowin we are not aware of any STRs that can be classified as unregulated commercial activity or a "de facto hotel" operating unregulated and flouting zoning laws. If rules are being "skirted" then it's up to the county to enforce as needed. Please do not lump together rule-following and legally permitted STRs with ORLA's "illegal hotels" statement. Permitted STRs go through safety inspections, are required to provide proof of liability insurance, required to post contact info on the exterior, and are required to collect and remit TLT quarterly. I do support the county working with 3rd party software to identify and isolate these cases, but I believe they are nominal in Neskowin.
- My home in Neskowin is our family's personal beach getaway. We enjoy it as much as we can, and we also enjoy welcoming guests when we are not able to enjoy our home ourselves. If we were not able to rent our home, it would simply sit empty between our visits. It would not be available as a long term rental.
- There is room for improvement with the current ordinance, but I do not support major changes and significant limits in light of the overall low number of documented complaints and low number of enforcement violations in Neskowin. As the county looks to strike an important balance between welcoming visitors, property rights, and livability in our communities, please factor in the long history that Neskowin has in being primarily a seasonal getaway.

Sincerely,

Stuart McArthur

4430 Amity Avenue
Neskowin
Oregon
97149

Proposal to Revise the Definition of a Short-Term Rental in Tillamook County

One of the challenges we face in regulating STRs is that they are currently difficult to define in a manner that clearly contrasts them from “Travelers Accommodations” in the State statutes and “Motels” in the County LUO. If not addressed, this lack of a clear distinction creates confusion and some inequities, particularly with regard to full-time commercial STRs.

Below in the right-most column, is a draft of a proposed revision to Ordinance #84 that would create a clear distinction:

| Sarah’s Current Draft | Relevant State & County Law | Proposed New Language |
|---|---|--|
| <p>"Short Term Rental". A lawfully established dwelling unit (including any accessory guest house on the same property) that is rented to any person on day-to-day basis for a consecutive period of 30 days or less during the year. No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including recreational vehicles as defined in the Tillamook County Land Use Ordinance, in conjunction with the short-term rental is permitted.</p> | <p>Oregon Revised Statute 446.310 defines “Travelers Accommodation” as ... <i>any establishment, which is not a hostel, having rooms, apartments or sleeping facilities rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities.</i></p> | <p>"Short Term Rental". A lawfully established dwelling unit (including any accessory guest house on the same property) that is: 1) rented to any person on day-to-day basis for a consecutive period of 30 days or less during the year, 2) not a motel and 3) rented less than 120 nights each year. No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including recreational vehicles as defined in the Tillamook County Land Use Ordinance, in conjunction with the short-term rental is permitted.</p> |
| <p>(QB) "Dwelling Unit". A lawfully established dwelling unit comprised of one (1) or more rooms occupied, designed or intended for occupancy as separate living quarters that contains cooking facilities and contain. Three (3) two (2) or more of the following:</p> <ul style="list-style-type: none"> • Refrigeration • Cooking facility (including cooking stove, hot plate, range, hood, microwave, oven or similar facility) • Dishwashing machine • Sink intended for meal preparation (not including a wet bar) • Garbage disposal • Toilet | <p>Tillamook County’s Land Use Ordinance defines a motel as: <i>“A building or group of buildings used for transient residential purposes that contains guest rooms or dwelling units, and which is designed, intended or used primarily for the accommodation of transient automobile travelers.”</i></p> | <p>(QB) "Dwelling Unit". A lawfully established dwelling unit comprised of one (1) or more rooms occupied, designed or intended for occupancy as separate living quarters that contains cooking facilities and contain. Three (3) two (2) or more of the following:</p> <ul style="list-style-type: none"> • Refrigeration • Cooking facility (including cooking stove, hot plate, range, hood, microwave, oven or similar facility) • Dishwashing machine • Sink intended for meal preparation (not including a wet bar) • Garbage disposal • Toilet |

Dear Tillamook County STR Advisory Committee,

I am reaching out to provide feedback on various changes to STR rules & regulations that are being considered at the county level that may impact our STR in Neskowin.

| PROPOSAL | YES | NO | MAYBE |
|--|-----|----|-------|
| TLT funds dedicated to enhanced enforcement | X | | |
| Property rights | X | | |
| Reducing max occupancy by limiting to bedrooms instead of sleeping areas | X | | |
| Transferability of STR permits | X | | |
| Annual limit on number of nights rented | | X | |
| Percentage cap on number of STR permits | | X | |
| Distance or proximity based limits | | X | |

I support responsible renting & being a good neighbor.

I do not support new rules which only apply to STR use when the activity of non STR guest use is indistinguishable and presents the exact same issues.

I support allocating TLT towards enhanced enforcement via public safety grant.

I support an owner's right to rent their property, whether it be short term or long term, as they are commercially equivalent.

I support tightening up occupancy maximums by changing the ordinance to apply to "bedrooms" instead of "sleeping areas" and maintaining the 2 per bedroom + 2 overall limit for

overnight occupancy.

I support requiring a minimum number of off-street parking spots equal to number of bedrooms + one more spot – no on-street parking.

I support transfer ability of STR permits upon sale or change of ownership.

I believe the STR management cos need to be brought into the fold of these issues – meaning they need to be held accountable for their guests and fined as well as the property owner for violations. They are the first line of defense and obviously have a large part in why we are at this point today.

I do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce & track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.

I do NOT support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes very close together, and one central STR may limit several others from lawfully operating with an STR permit.

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

Any potential percentage cap for Neskowin should exclude condos in the calculations and not have any type of percentage limit: Proposal Rock Inn, The Chelan, Pacific Sands & Breakers Beach Houses.

Of the total living units only approximately 18% have STR permits. This does not break out condos which are not part of the perceived problem. This does not correlate to “use” because not all STRs are active. Neskowin seasonal home ownership ranks very high at 67% (2019). If

you do straight numbers 18% STR = approximately 26% of the seasonal homes are listed as STRs. So, is the county even focused on the correct issue? Nonpaying guests are most likely make a larger impact (74% of potential use) on the community and would present the exact same issues being targeted with STR rules. Because Neskowin has so many seasonal homes (which have similar use as STR homes) the proposed STR rules seem very arbitrary. Effectively rules are being applied to 26% of the potential problem. Most of the home use in our community is transitory with second homeowners, family, non-paying guests, as well as STR rental guests and just part of the accepted fabric of our vacation community.

Long ago, commercial development in Neskowin was purposefully very limited by timed deed restrictions for 50 years, and that's part of the heritage that makes Neskowin such a special place today with so many homes and very limited local businesses that are more common in larger towns.

Neskowin has only a market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. All of these businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.

Unlike many coastal communities, Neskowin is in a unique predicament by not having any hotels for visitors (Neskowin Beach Resort & Proposal Rock Inn are both comprised of privately owned condos). Our visitors are fully reliant on our network of amazing owners who open up their homes to welcome visitors to our special area. A wide variety of options from condos with a studio bedroom, to quaint cottages in the village, to large homes in South Beach able to accommodate large families gathering for a vacation, are an integral part of helping visitors access Neskowin. Renting a vacation home in Neskowin is actually how many owners first discovered this special getaway!

STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high costs that can be associated with a coastal home. Our teams include house cleaners, handymen, window washers, pest control, painters, general contractors, and landscapers just to name a few.

STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.

Only 15% of recent home sales (2020-2022) have new STR permits, which is right in line with the approximate overall level of STRs in our area (118 home sales with 18 new permits issued, 6 transferred to new owners, and 14 permits closed post-sale, which is a net gain of 4 permits from recent home sales 2020-2022).

The Oregon Coast has seen a jump in the number of visitors we welcome. In our neighborhood, sometimes bad behavior happens, but it can be a challenge to say with accuracy that it was a guest at an STR, especially when we have so many day trip visitors and owners with families who may be responsible as well.

Tillamook County housing studies define Neskowin as a "resort" town and in 2019 our seasonal home ownership ranked very high at 67%, while vacancy rates for long term rentals were zero. According to the 2017 housing report, Neskowin is entirely within their defined "Coastal Market" and this recognizes our history as a resort community. Neskowin does not have the hallmarks of a traditional residential area, as we have no public school, no large grocery store, no gas station, and no post office - this is truly a community for visitors and some people are lucky enough to live here full time.

ORLA's Position Statement on "Illegal Hotels" may be an issue elsewhere in Tillamook county, but in Neskowin we are not aware of any STRs that can be classified as unregulated commercial activity or a "de facto hotel" operating unregulated and flouting zoning laws. If rules are being "skirted" then it's up to the county to enforce as needed. Please do not lump together rule-following and legally permitted STRs with ORLA's "illegal hotels" statement. Permitted STRs go through safety inspections, are required to provide proof of liability insurance, required to post contact info on the exterior, and are required to collect and remit TLT quarterly. I do support the county working with 3rd party software to identify and isolate these cases, but I believe they are nominal in Neskowin.

My home in Neskowin is our family's personal beach getaway. We enjoy it as much as we can, and we also enjoy welcoming guests when we are not able to enjoy our home ourselves. If we were not able to rent our home, it would simply sit empty between our visits. It would not be available as a long term rental.

· There is room for improvement with the current ordinance, but I do not support major changes and significant limits in light of the overall low number of documented complaints and low number of enforcement violations in Neskowin. As the county looks to strike an important balance between welcoming visitors, property rights, and livability in our communities, please factor in the long history that Neskowin has in being primarily a seasonal getaway.

Sincerely,
Dennis and Shelia Clark
4405 Independence Ave

Lynn Tone

From: Public Comments
Sent: Tuesday, October 4, 2022 8:43 AM
To: Lynn Tone
Subject: FW: EXTERNAL: Homeowner feedback on proposed changes to STR rules and regulations



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

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Heather Gobet <heather@westerndisplay.com>
Sent: Sunday, September 25, 2022 12:23 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Cc: Tom Bates <Tom@westerndisplay.com>
Subject: EXTERNAL: Homeowner feedback on proposed changes to STR rules and regulations

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

Dear Tillamook County STR Advisory Committee,

We purchased our home in the South Beach area of Neskowin in February of 2020. It is truly our dream home, and we take great pride in maintaining the home and yard. We are lifelong Oregon residents, and it has always been a goal to retire on the Oregon Coast, and specifically in the special community of Neskowin. It is our hope to someday live in our Neskowin home full time, but we are not yet at a point in our lives where that is financially feasible. So currently we are only able to enjoy it on weekends and for short vacations. Rather than have it sit vacant, we have used it as a vacation rental property when we are unable to visit. This activity is also allowing us to pay the mortgage off more quickly and expedite our goal to live in the home full time. Our home is professionally managed through Meredith Lodging, and we also personally monitor it closely to make sure it is always impeccably maintained.

We understand that various changes to STR rules and regulations are being considered at the county level that may impact the use of our home in Neskowin. There are elements of these proposed changes we support:

- We support responsible renting and being a good neighbor.
- We support allocating TLT towards enhanced enforcement via public safety grant.

- We support an owner's right to rent their property, whether it be short term or long term, as they are commercially equivalent.
- We support tightening up occupancy maximums by changing the ordinance to apply to "bedrooms" instead of "sleeping areas" and maintaining the 2 per bedroom + 2 overall limit for overnight occupancy.
- We support requiring a minimum number of off-street parking spots equal to number of bedrooms and limiting on-street parking to 1 car.
- We support transferability of STR permits upon sale or change of ownership.
- We support a percentage cap on STR permits in Neskowin at a level of 35%-50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years, this range is appropriate. On the low end, 35% represents approximately half of the seasonally owned homes. There is already a natural ebb and flow of STR permits opening and closing through the years as families make varied choices about how they'd like to use their home. A percentage cap that is too low may lead to owners holding onto inactive permits for fear of losing their right to rent, thereby squeezing out owners who would like to actively rent their home. Any potential percentage cap for Neskowin should exclude condos in the calculations and not have any type of percentage limit: Proposal Rock Inn, The Chelan, Pacific Sands and Breakers Beach Houses.

However, there are several proposed changes that we do not support for the reasons listed below:

- We do not support new rules which only apply to STR use when the activity of non STR guest use is indistinguishable and presents the exact same issues.
- We do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce and track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.
- We do NOT support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes very close together, and one central STR may limit several others from lawfully operating with an STR permit.
- Of the total living units only approximately 18% have STR permits. This does not break out condos which are not part of the perceived problem. This does not correlate to "use" because not all STRs are active. Neskowin seasonal home ownership ranks very high at 67% (2019). If you do straight numbers 18% STR = approximately 26% of the seasonal homes are listed as STRs. So, is the county even focused on the correct issue? Nonpaying guests are most likely make a larger impact (74% of potential use) on the community and would present the exact same issues being targeted with STR rules. Because Neskowin has so many seasonal homes (which have similar use as STR homes) the proposed STR rules seem very arbitrary. Effectively rules are being applied to 26% of the potential problem. Most of the home use in our community is transitory with second homeowners, family, non-paying guests, as well as STR rental guests and just part of the accepted fabric of our vacation community.
- Neskowin has only a market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. All of these businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.
- Unlike many coastal communities, Neskowin is in a unique predicament by not having any hotels for visitors (Neskowin Beach Resort and Proposal Rock Inn are both comprised of privately owned condos). Our visitors are fully reliant on owners who open up their homes to welcome visitors to our special area. A wide variety of options from condos with a studio bedroom, to quaint cottages in the village, to large homes in South Beach are able to accommodate large families gathering for a vacation, are an integral part of helping visitors access Neskowin. Renting a vacation home in Neskowin is actually how many owners first discovered this special getaway!

- STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high costs that can be associated with a coastal home. Our teams include house cleaners, handymen, window washers, pest control, painters, general contractors, and landscapers just to name a few.
- STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.
- Only 15% of recent home sales (2020-2022) have new STR permits, which is right in line with the approximate overall level of STRs in our area (118 home sales with 18 new permits issued, 6 transferred to new owners, and 14 permits closed post-sale, which is a net gain of 4 permits from recent home sales 2020-2022).
- The Oregon Coast has seen a jump in the number of visitors we welcome. In our neighborhood, sometimes bad behavior happens, but it can be a challenge to say with accuracy that it was a guest at an STR, especially when we have so many day trip visitors and owners with families who may be responsible as well.
- Tillamook County housing studies define Neskowin as a "resort" town and in 2019 our seasonal home ownership ranked very high at 67%, while vacancy rates for long term rentals were zero. According to the 2017 housing report, Neskowin is entirely within their defined "Coastal Market" and this recognizes our history as a resort community. Neskowin does not have the hallmarks of a traditional residential area, as we have no public school, no large grocery store, no gas station, and no post office - this is truly a community for visitors and some people are lucky enough to live here full time.
- ORLA's Position Statement on "Illegal Hotels" may be an issue elsewhere in Tillamook county, but in Neskowin we are not aware of any STRs that can be classified as unregulated commercial activity or a "de facto hotel" operating unregulated and flouting zoning laws. If rules are being "skirted" then it's up to the county to enforce as needed. Please do not lump together rule-following and legally permitted STRs with ORLA's "illegal hotels" statement. Permitted STRs go through safety inspections, are required to provide proof of liability insurance, required to post contact info on the exterior, and are required to collect and remit TLT quarterly. We do support the county working with 3rd party software to identify and isolate these cases, but I believe they are nominal in Neskowin.
- Our home in Neskowin is our family's personal beach getaway. We enjoy it as much as we can, and we also enjoy welcoming guests when we are not able to enjoy our home ourselves. If we were not able to rent our home, it would simply sit empty between our visits or we would be forced to sell it and abandon our dream of living there full time in the future. It would not be available as a long-term rental and even if it were the rent that would be required would not in any way be classified as affordable housing.

There is room for improvement with the current ordinance, but we do not support major changes, significant limits and unnecessary restrictions in light of the overall low number of documented complaints and low number of enforcement violations in Neskowin. As the county looks to strike an important balance between welcoming visitors, property rights, and livability in our communities, please factor in the long history that Neskowin has in being primarily a seasonal getaway.

As prices soar for gas, lodging, and meals the ability for a family to rent a STR and gather in a home setting offers an affordable alternative to enjoy an overnight stay in our beautiful community. **In addition to all the reasons listed above I think the exclusionary and elitist mindset that our coastal communities are for a chosen very wealthy few is very unfortunate. Gov. Tom McCall had the vision to open Oregon's beaches for all to enjoy. The trend of disallowing the rental of homes in communities throughout the Oregon Coast is in direct opposition to this vision.**

We hope that a balance can be found as STR regulations are reviewed and that the loud voices of a select few do not drive an unreasonable "solution" to a problem that does not exist.

Sincerely,

Thomas Bates and Heather Gobet
Property Owners at
49995 S Beach Road, Neskowin

Lynn Tone

From: Public Comments
Sent: Tuesday, October 4, 2022 8:44 AM
To: Lynn Tone
Subject: FW: EXTERNAL: STR's

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

From: Sandy Manning <SandyManning@comcast.net>
Sent: Monday, October 3, 2022 6:19 PM
To: Public Comments <publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: STR's

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

It feels like STR's are being discriminated against. If any laws change it should also include owner occupied. Neskowin has always been a tourist designation that helps the economy with supporting the local store and restaurants that also helps the STR owners pay their taxes, mortgages and monthly expenses so the owners can also have a place to stay and enjoy.

Since last year a new STR tax went into affect to help the community.

There has been little complaints made on STR homes and yet there is a lot of talk in making very strict rules from minimal night stays of 100 nights, garbage twice a week, 20 ft parking spaces, distance from one STR from another and the list goes on and on.

With all the money that is paid by the STR owners and only a few complaints, why not use some of the money to hire someone to handle the incoming complaints and not try to discriminate against all STR owners.

If any regulations are passed it should also be a requirement of both homeowners and STR's to abide.

Let's all get along, use the STR funds to deal with any problem resident, STR or homeowner and enjoy beautiful Neskowin.

Warmly,
Sandy Manning

Lynn Tone

From: Public Comments
Sent: Tuesday, October 4, 2022 8:44 AM
To: Lynn Tone
Subject: FW: EXTERNAL: Neskowin STR Input



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

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Peter <peter@sym-agro.com>
Sent: Monday, October 3, 2022 3:21 PM
To: Public Comments <Publiccomments@co.tillamook.or.us>
Subject: EXTERNAL: Neskowin STR Input

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

Dear Tillamook County, STR Advisory Committee:

We are reaching out to provide feedback on various changes to STR rules & regulations that are being considered at the county level that may impact our Beach Home / STR in Neskowin.

We purchased our home in Neskowin over 18 years ago and it is our family's personal beach getaway. We enjoy it as much as we can, but with family schedules we are not able to use it as much as we like. Renting our home allows others access to the beauty of Neskowin and helps us to offset maintenance cost and keep our home good condition. If we were not able to rent our home, it would simply sit empty between our visits. It would not be available as a long-term rental.

We do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce & track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.

The proposed changes only apply to STR rentals and not vacation home use by nonpaying family and guests. This creates a very unfair application of rules because so many homes in Neskowin are vacation homes and many owners allow