

nonpaying guest use. These nonpaying guests present the exact same issues that are being saddled onto STR properties. We do not think you can or should target rules for property use that only applies to STR rental use when the activity and issues are exactly the same with nonpaying guest use.

The proposed STR changes don't really fit our community. Neskowin has been a "Second home" town since inception with a majority of the homes being nonresidential. 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.

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.

- We support responsible renting & 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 & limiting on-street parking to 1 car.
- We support transferability of STR permits upon sale or change of ownership.
  
- 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 limitations on the number of nights per year.

There is room for improvement with the current ordinance, but we do not support major changes and significant limits considering 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,

Peter & Lori Bierma  
Neskowin Property Owner

To: Honorable Commisioner Skaar, Director Absher, STR Advisory Committee

From: Michael Woodin & Amy Bell, 37635 Beulah Reed Rd, Neahkahnie Beach

Re: Comments Oct 4 STR Advisory Committee Meeting

Most residential homes are designed for 2-8 occupants. Do you know any small residential community that has two homes with 20 occupants, another with 18, and a bunch more with 11-16 occupants, as well as over 75 homes permitted for short term rental? That's Neahkahnie!

Neahkahnie, which we have frequented for over 40 years has become less residential, more commercial and less livable. Roads and utilities that have remained largely unchanged are stressed.

What's happening now is current county STR occupancy regulations are being gamed to turn residential structures into "mini hotels", event spaces and speculative real estate opportunities that threaten the community.

We believe your committee work can halt this trend. We also believe STR's consistent with a residential community can be beneficial to Neahkahnie and the county if properly scaled. If we are to maintain a livable community, we need new STR occupancy regulations that can no longer be gamed. These new occupancy regulations need to be specific and concrete, not open to subjective interpretation, so they can be effective and enforced.

New specific, concrete STR regulations include:

- . STR occupancy limit of no more than 8
- . Parking limited to onsite
- . Cap on % of overall STR's allowed in the community
- . Ownership limit of 1 STR per community
- . No transfer of STR permits

There is a lot of work ahead. We appreciate the difficult challenge before the committee and thank you for considering our comments. Your work is very important to our entire community and we urge you to take adequate time to have careful and thorough deliberations on this critical issue.

Thank you,

Mike Woodin & Amy Bell  
37635 Beulah Reed Rd, Neahkahnie Beach

**Lynn Tone**

---

**From:** Elizabeth ARCH <elizabeth.arch@gmail.com>  
**Sent:** Monday, October 3, 2022 6:39 PM  
**To:** Lynn Tone  
**Subject:** EXTERNAL: Request to revise Ordinance 84

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

## **To: Commissioner Skaar, Director Absher and the STR Advisory Committee.**

From: Elizabeth Arch  
37737 Treasure Hunter Lane  
NeahKahNie, Oregon

As a property owner in NeahKahNie, I am concerned about the proliferation of unregulated Short Term Rentals in our community and look to the county to protect this wonderful area from becoming overused by people who just want a short stay in what is essentially a motel.

What Manzanita has done seems a good model for the county in general. The community carefully put in place a cap on the percentage of STRs permitted (plus now considering a density limit as well), prohibited the transfer of permits with the sale or transfer of a property with some exceptions, and limited the number of STR permits an individual can hold. Beyond such regulations as these, it would be helpful for the county to put a limit on the number of persons who can stay in a house, since right now there are places that allow 20 which makes them basically hotels.

Please revise Ordinance 84 along these lines to help preserve our community.

Thank you.

## Lynn Tone

---

**From:** chiphall75@gmail.com  
**Sent:** Tuesday, October 4, 2022 7:53 AM  
**To:** Lynn Tone  
**Subject:** EXTERNAL: NKN 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.]

Commissioner Skaar, Director Absher and the STR Advisory Committee,

We would like to sincerely thank you for willingness to apply the one year moratorium on STR applications. We ask that you are deliberate in your use of this time period and are willing to study the creative ways other counties in rural Oregon and Northern California have dealt with this critical issue We also ask that you be willing to recognize the enormity of STR growth and subsequent issues in the NKN area and be willing to extend the moratorium another year or two so as to make the most effective and informed decisions.

Places and neighborhoods in rural Oregon like ours are intrinsically too valuable in every conceivable way to be treated like just another commodity for the wealthy to simply become wealthier simply because they can and our local government simply allows them to do so!!!

Our neighborhood's in the NKN area of unincorporated Tillamook County are already at the crisis stage: livability, drinking water, noise, construction, safety, fire danger, road use and maintenance, the inability of the county to effectively monitor and enforce STR ordinances, to list several issues that will only be exacerbated by more STRs.

Greed is greed.                      Enough is enough.

Charles Hall,                      Native Oregonian, North Coast Tillamook County resident since 1981

Sent from my iPhone

## 2022 Short Term Rental (STR) Code Amendments

### How did we get here?

- **December 2021** | City Council was approached by concerned citizens about the impact of STRs on Bend’s housing inventory. Council asked staff to gather qualitative data from STR property owners & provide a general STR program update as it related to housing inventory.
- **March 2022** | Staff presented STR property owner survey results & a general STR program update to Councilors. Council directed staff to come back with information about the following:
  - o Increased Density Buffer Scenarios
  - o Long-term Rental Option & Proof of Use Waiver
  - o Proactive Enforcement Model (currently complaint-driven enforcement model)
  - o Increased Fees for Increased Services (possible addition of a Code Enforcement Officer)
- **May 2022** | Staff presented increased concentration limit/density buffer scenarios as well as information about long-term rental possibilities, more-proactive enforcement and costs for increased enforcement efforts.
  - o City Council directed staff to bring back code amendments to the development and municipal codes for the 500 ft. concentration limit/density buffer and a long-term rental option for STR licensees.

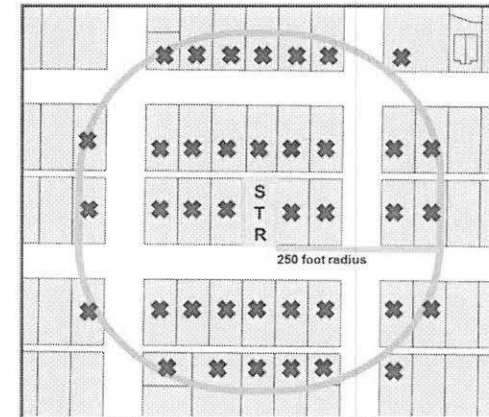
\*For more comprehensive information watch March 2, 2022 and May 18, 2022 City Council work sessions. Links to meetings, presentations & survey results are available from City Council webpage: [www.bendoregon.gov/council](http://www.bendoregon.gov/council).

### What comes next?

- **Bend Planning Commission** – [www.bendoregon.gov/committees](http://www.bendoregon.gov/committees)
  - o **August 22, 2022** | Staff presented development code amendments at the work session.
  - o **September 12, 2022** | Public hearing for development code amendments.
- **Bend City Council** – [www.bendoregon.gov/council](http://www.bendoregon.gov/council)
  - o **October 5, 2022** | Staff will present the first reading of development and municipal code amendments at this public hearing
  - o **October 19, 2022** | Second reading of amendments and adoption (if Council so chooses)
  - o **November 18, 2022** | Code amendments, if adopted, go into effect this date. Applications received on this day and going forward will be subject to the updated code requirements.

### What are the code amendments?

- **Bend Development Code 3.6.500** | Regulates land use permitting of properties for STR use:
  1. **Section E:** Increases the concentration limit from its current distance of 250 feet to 500 feet. This means that for Type II whole-house permit applications for properties located in RL, RS, RM, RH, & MR outside of the Old Mill District boundary, there shall be at least 500 feet of separation between properties permitted as whole-house STRs. The 500 feet of separation is measured radially from the property boundary (see diagram below). This separation includes all properties that are wholly or partially within that radius. If one property within 500 feet of the property is an approved whole-house STR, then the property could not be approved as a new Type-II whole-house rental.



2. **Section K:** Adds a long-term rental exemption to the “Abandonment of Use” portion of the code and points to the municipal code updates in Bend Code Chapter 7.16 that regulates STR licensing.
- **Bend Code Chapter 7.16.070** | Regulates the licensing for properties for STR use:
    1. **Section B:** Adds a long-term exemption option to the proof of use requirement. This means that if the licensee provides proof of a long-term residential lease of 12 months or greater, drafted in compliance with the Oregon Residential Landlord and Tenant Act, they will not have to prove use of the property as a STR for their license to be renewed. This exemption may be utilized by licensees for up to three license renewal applications. Licensees must then revert to the proof of use requirement for annual renewal of the operating license.

\*To view the current codes, visit [www.bendoregon.gov/citycodes](http://www.bendoregon.gov/citycodes)

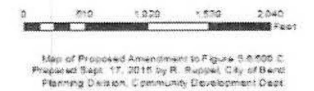
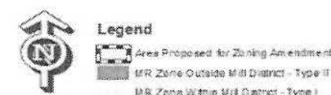
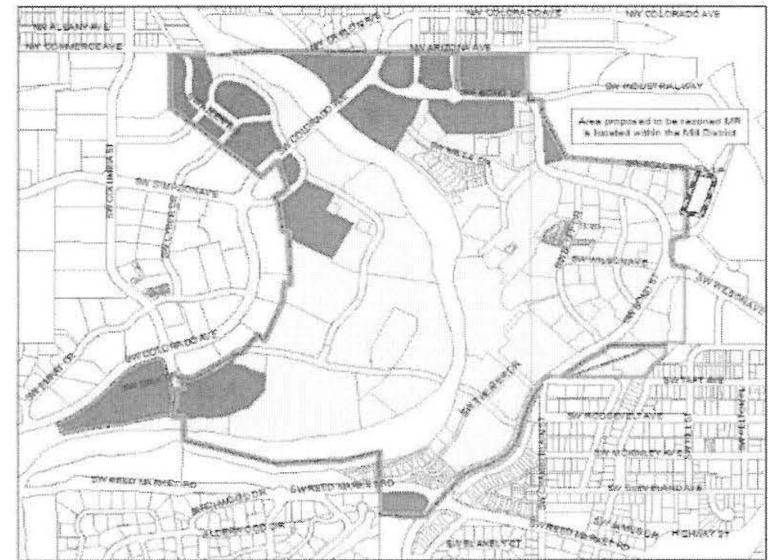
### Who will be impacted?

- **500 ft. Concentration Limit:**
  - o This will be applied to all Type-II whole-house STR permit applications that are received on or after November 18, 2022.
  - o All properties currently holding a Type-II whole-house STR permit that was applied for after rule changes on April 15, 2015 may be impacted by the new concentration limit upon sale of the property. This means that if a property that has a Type-II permit sells on or after November 18, 2022 and there is at least one other whole-house rental within the new 500 ft. concentration limit, then the new owners of the property would not be eligible to apply for their own Type-II whole-house STR permit. \*See attached table of existing types of permits/licenses\*
- **Long-term Rental Exemption:**
  - o This will be applied to all STR Operating Licensees and they may begin to take advantage of it when they renew their license on or after November 18, 2022.

### Anything else to be aware of?

- **2021 Development Code Changes 3.6.500 A.2. | One STR Dwelling per Property**
  - o A permit is required for each dwelling unit that is allowed to be a short-term rental even if located on the same legal lot. Applications submitted after November 4, 2021, located in the RL, RS, RM, RH, and MR outside of the Old Mill District boundary that include more than one dwelling unit on a property (e.g., ADUs, duplexes, triplexes, quadplexes, multi-unit, cottages, etc.) can only have one unit permitted as a short-term rental.
- **Who was/is impacted by the code amendments from 2021?**
  - o Properties with multiple STR dwellings on one property that are currently holding a STR permit that was applied for after rule changes on April 15, 2015 may be impacted upon sale of the property. If there is more than one STR on a property and the property sells, the new owner will only be able to apply for one STR permit for one dwelling (per 2021 code amendments) and must also meet the new 500 ft. concentration limit/density buffer, if the home sale occurs on or after November 18, 2022.
- **What is the Old Mill District (OMD) Boundary? See next page**
  - o Red shading indicates properties outside of the OMD boundary that are subject to the aforementioned development code changes.
  - o Yellow shading indicates properties within the OMD boundary that are not subject to the aforementioned development code changes.

Figure 3.6.500.C. Mixed Riverfront Zone and Old Mill District



**Table of existing STR permit types that are currently in use as of August 30, 2022**

Permit Type	Vacation Home Rental Type I	Vacation Room Rental Type I	Whole House STR Type II	Infrequent STR Type I	Infrequent + Owner Occupied STR Type I	Owner Occupied Room STR Type I	Permit Exempt Properties
<b>Definitions</b>	Whole house permits applied for prior to 4/15/15 rule changes	Room rental permits applied for prior to 4/15/15 rule changes	Whole house permits applied for post 4/15/15 rule changes	Whole house permits for use of no more than 30 days/yr in no more than 4 rental periods annually. Applied for post 4/15/15 rule changes	Combination of the two uses in one permit. Applied for post 4/15/15 rule changes	Up to two rooms used for rental activity while owner is occupying the residence. Applied for post 4/15/15 rule changes	Mt. Bachelor Village, Courtyards at Broken Top & Deschutes Landing
<b>Points of Interest</b>	Not subject to 250 ft. density buffer  Runs with the land – Stays active upon sale of the property to new owners, so long as new owners apply for their own license within 60 days of home sale date.  Remits Room Tax	Not subject to 250 ft. density buffer  Runs with the land – Stays active upon sale of the property to new owners, so long as new owners apply for their own license within 60 days of home sale date.  Remits Room Tax	Subject to 250 ft. buffer  Terminates upon property sale. Sellers/buyers typically use the void/authorize in escrow process.  Remits Room Tax	Not subject to 250 ft. density buffer  Terminates upon property sale  Room Tax Exempt	Not subject to 250 ft. density buffer  Terminates upon property sale  Remits Room Tax on room rental use only	Not subject to 250 ft. density buffer  Terminates upon property sale  Remits Room Tax	Not subject to 250 ft. density buffer  All licenses terminate upon property sale  Remits Room Tax

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Monday, October 3, 2022 12:33 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; County Counsel; Sarah Absher  
**Subject:** FW: EXTERNAL: Neskowin STR's



**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](mailto: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:** sally p <sweetpea34sp@gmail.com>  
**Sent:** Friday, September 30, 2022 4:30 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: Neskowin 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.]

Hi,

This is for the Tillamook Co STR meeting, specifically regarding Neskowin STRs.

I am a co-owner of an STR in Neskowin and we have owned our condo unit since they 70's when the building was built. Original owner with 3 generations of family using the unit. But we also rent it out in between our visits to help pay the upkeep and assessments, property taxes, etc associated with it.

That being said, I feel it is optimal and necessary, even, to allow STRs in a situation like our's, as otherwise, we would have to sell as the maintenance costs would be excessive for us. I really do not think the complaints and problem in Neskowin are from the privately owned vacation rentals. The amount of people using those units is DWARFED by the Proposal Rock Inn. HOW DID THAT EVER PASS APPROVAL to be located where it is in a little town like Neskowin. I have been against it from Day 1, but do not remember any public opinion input such as this at that time. But it has hundreds of people there with a lot of turn-over, whereas the private



home rentals are often long time repeat customers (our unit has returning clients with over 20 years of coming just to our unit), and they seem to be very loyal and treat it as a home, with respect and fondness. If there is a problem in Neskowin, look to the Proposal Rock Inn for the answer. Overcrowding, overrunning the store, restaurant and beach. Way too many people there for our little town. I firmly believe that is where the so call problem rests.

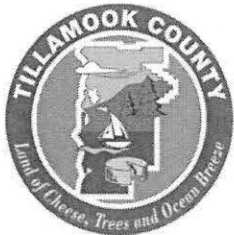
Thank you, Sally Peake

Co Owner at Pacific Sands, Neskowin

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Monday, October 3, 2022 12:33 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; County Counsel; Sarah Absher  
**Subject:** FW: EXTERNAL: RE: Short Term Rentals - STR's - - Condos - Tillamook County



**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](mailto: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:** Shifflett, Mark L :LMP Food and Nutrition <MLSHIFFL@LHS.ORG>  
**Sent:** Friday, September 30, 2022 2:22 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Cc:** Mark <mjshifflett@comcast.net>  
**Subject:** EXTERNAL: RE: Short Term Rentals - STR's - - Condos - Tillamook County

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

- I am a Condo owner at the Neskowin Resort in Tillamook County . We use Grey Fox Vacation Rentals ( Locally owned ) as our Booking agent . My family uses the Condo to visit the beach , on occasion , as well . We love the Oregon Coast , and have rented homes , Hotels , and Condos up and down the Oregon Coast for over 30 years now . When we do stay at our Studio Condo in Neskowin, (which does not have a full kitchen), we utilize all the local Restaurants in the area , buy our groceries locally , visit all the wonderful shops from Pacific City to Tillamook . We recommend to our all our Guests to do the same . I believe STR's are very important to general public for opportunities to visit and enjoy the Oregon Coast . I was raised on the East Coast , and one of the true beauties of Oregon is the Public Access to all beaches here . That is a true treasure .

I feel STR rules should be easy to enforce , and equitable to all . .We have followed all the rules that Tillamook County, pay the taxes , and ensure a safe environment for all our guests . Neskowin has a high rate of seasonal ownership , and from what I understand , has always been a resort community .

- Thank you , Mark Shifflett

10/2/22

Nicole Twigg - Public Comment for STR ordinance review in response to current ordinance markups.

I work managing vacation rentals for owners and am a committee member. We manage about 65 homes in Pacific City, Cloverdale, and Neskowin. At the beginning of this committee, I vowed to bring information regarding the practical application of these rules. We want it to make sense. Some proposed rules are arbitrary and difficult to enforce—but are actually standard practice for most rentals already.

Because we work diligently within the framework of the currently ordinance, we have intimate knowledge of how it works, and which portions of it just don't make logical sense. Working daily to be proactively compliant gives us unique perspective. We know who the guests are, how they use the properties, and owner priorities and practices.

Here our current suggested edits and/or revisions.

5-A "Contact Person" shall be person identified on contact signage posted at the front entrance of the property.

"Contact Person"- or organization? Employees change in larger companies.

Should contact signage be required to have parking ?

5-O "Sleeping Area". A room or other space within a dwelling unit designed, intended or used for sleeping.

Does "Sleeping Unit" allow for hideabeds in living rooms, dens, lofts, etc. They should be allowed if there is emergency egress.

6-D The active phone number shall be a working number and shall not be the general reservation line for a rental company.

Why can't this number be the company's general reservation line? Maybe require a local number instead of an 800? It's not practical language. Especially for larger companies—employees cell phones change.

We forward after hours from a general line to rotating employee phones. It should just say "a working number for the representative". If you are unable to require this to be a local (i.e. a remote owner who self manages) then dictating which phone line is on the sign seems a reach.

6-F Garbage shall be removed a minimum of one (1) time per week for properties renting once weekly and shall be twice (2) weekly for properties renting at least two times within a 7- day period.

This garbage language is too difficult to monitor for compliance. We are very seasonal so usage changes frequently. No owner wants garbage piling up. Requiring active service and forbidding trash accumulation should cover all evils here.

6-F Exterior lighting shall be shielded in a manner to direct light in a downward direction on the property.

Lighting requirements are arbitrary and difficult to monitor. Unless there is a county-wide mandate for all residents this should not be required. Language somewhere in the ordinance that says something like "if 2 or more neighbor complaints regarding trash, noise, lighting, parking, etc, fall outside the boundaries or limitations of this ordinance, County Code-Enforcement staff will arbitrate with owners and neighbors to guide reasonable solutions".

6-H All areas not used for vehicle parking and circulation shall be completely and permanently landscaped or maintain existing natural vegetation.

This is too vague. Not enforceable. What else would it be?

**6-V – PARKING** There shall be one (1) off-street parking space available for each approved sleeping area in a short term short-term rental, plus one (1) additional off-street parking space.-

Parking restrictions should be a separate inspection value. Right now, a 3 bedroom home might only want to accommodate 6 guests, but would be required to have 4 parking spaces. This is not logical.

A 4 bedroom home would require 5 parking spaces but only accommodate 8 guests. 8 people do not require 5 cars, as STRs are generally used for families. I have a family of 5. We travel in one car. If another family of 3 joined us, they would be in one car. This is the logical use of most vacation rentals. Requiring 5 parking spaces is too much parking.

If children are counted in the general occupancy, then cars and occupancy should not correlate.

Parking requirements can be a separate requirement and should be posted and shared with guests. Parking available can be determined at inspection Requiring superfluous parking only encourages owners to remove natural landscaping to provide parking spots that are likely not needed.

Some 3-bedroom homes can require 4 spaces. And some only 2. This is logical. A townhome in Shorepine village has 3 small bedrooms. This is a home for a small family, or maybe a small family and some grandparents. 2 cars make sense. This use would logically not require 4 cars. Other homes can be approved with 3 sleeping areas and 5 cars. Various groups might require additional parking and then they will reserve a home based on what is available.

Encouraging additional parking will only encourage less attractive landscaping. It is in owner's best interest to provide adequate parking for the groups they are marketing to.

Licenses should be issued for maximum occupancy, and maximum parking based on the home and the property.

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 8:50 AM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: Disagree = Proposed Neskowin Short Term Rental Rules

1 or 4 RE: STRs this week



**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](mailto: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:** kaz R <kaz\_r@yahoo.com>  
**Sent:** Tuesday, September 27, 2022 7:53 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: Disagree = Proposed Neskowin Short Term Rental Rules

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

Dear Tillamook County STR Advisory Committee,

Neskowin is our family's home-away-from home personal getaway. We just spent 3 months of the summer months - June, July and August, 2022 - living-full-time at our home in Neskowin Village.

We enjoy Neskowin as much as we can, If we were not able to rent our home, it would simply sit empty between our visits. We love the fact that we can offer our beautiful home to others. I personally only stay at Airbnb when I visit Oregon Coast. The Oregon Coast would not be the same if you stop Airbnb's.

*I do believe there is room for improvement and as a lover of Neskowin, good neighbor and general good citizen, however 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.

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	
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 & 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 **DO NOT** support a percentage cap on STR permits in Neskowin.

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.

Thank you for your time,

Karen Riley

Owner: 4430 Amity Ave, Neskowin, OR 97149



## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 1:09 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: Comments regarding Short Term Rentals in Neskowin

Here's 3 of the second batch of 4



**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](mailto: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:** Karen Campbell <mabelhank@gmail.com>  
**Sent:** Friday, September 30, 2022 10:22 AM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>; info@neskowincac.org  
**Subject:** EXTERNAL: Comments regarding Short Term Rentals 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.]

Good morning,

My family has owned a vacation home in the South Beach area of Neskowin for over 10 years. Our ultimate goal is to live there permanently when we retire in a few more years. Until then, in order to make the mortgage payments, we need to rent it out to vacationers. We do not make a profit; everything we get from rents goes right back into the house. We have never gotten a single complaint about any of our guests in the 10 years we've been renting it. It feels like we "mom and pop" STR owners are being punished for the issues a few of the big houses are creating.

I have been vacationing in Neskowin since I was a little girl in the 70s. My parents vacationed there long before that. Neskowin has always been a resort community - STRs are nothing new here. We've been so proud to be a part of that tradition. Without vacationers there would be no marketplace, no restaurants, no jobs.

What "Save Our Neighborhoods" is proposing takes away our rights as property owners. I can understand wanting to limit the total percentage of rentals. But telling STR owners who have followed the rules and have

never had any complaints that they can only rent a certain number of days per year, or that we can't transfer our licenses to our descendants is crossing the line. If we were not allowed to rent our place for as many days as we choose, we'd lose our house. It's that simple. And I'm sure that's the case for all the "mom & pop" STRs in Neskowin, which are the majority. Additionally, Tillamook County would lose a large amount of revenue that they simply cannot afford to lose.

The small number of homes with large occupancy numbers are the ones causing the most issues. We need to find a better way to enforce the rules and regulations that are already in place. Not create more.

Thank you,

Gene and Karen Campbell

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 1:09 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: Everyone loves Neskowin

Here's 2 of the second batch of 4



**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](mailto: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:** Jud <ericksenpida@aol.com>  
**Sent:** Friday, September 30, 2022 9:51 AM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: Everyone loves 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.]

Oregon beaches are gorgeous! Everyone should be able to enjoy them. In order for visitors to enjoy Neskowin, they need to stay in STR's, we have no hotels, and want to keep it that way. We have been renting our home for over a decade, without complaint. This has allowed us to create great family memories for many people. And yet, I am being targeted for higher taxes and more restrictions, that make it difficult for me to continue renting. I believe:

- **STR rules should be easy to enforce & equitable**
- **STRs are important to provide the public with opportunities to visit the Oregon Coast**
- **Neskowin STRs have very few violations over the last several years**
- **Neskowin has a high rate of seasonal ownership and is a resort community**

As long as we are following the outline of our permits, we should be allowed to continue this service to the people wanting to visit our beautiful beaches.

The Ericksens

Sent from my iPhone

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 1:08 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: STRs in Neskowin

Hi, Everyone,

I'm sending another batch of 4 emails, here's 1 of those 4.

Thanks,

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.

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

From: Lisa Barber <lbarber17@gmail.com>  
Sent: Friday, September 30, 2022 9:48 AM  
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.]

I've been coming to Neskowin my entire life. First we owned a house which my parents eventually sold. My husband I and purchased a home a few years ago. Happy to once again own a home in Neskowin.

In the years between, my family continued to travel to Neskowin every year because we love our town. Through these years we heavily relied on STR availability to enjoy the town. I can't imagine what would happen if that was limited.

At this time, the cafe and store are struggling with staffing, which is a different issue but also struggling with getting enough customers in the door. If STRs are limited they will go out of business completely. They rely on the visitors to remain open.

This is a beautiful little town, near and dear to my heart. I would hate to see it destroyed

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

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 8:57 AM  
**To:** Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: Short Term Rental "pause" Impact on a personal level

4 of 4 Re: STRs



**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](mailto: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:** Bob Taylor <bob@materialcg.com>  
**Sent:** Wednesday, September 28, 2022 2:38 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: Short Term Rental "pause" Impact on a personal level

[**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 my hope that persons such as myself whom have been in an drawn out, multi-year process of building my vacation home were penalized by not being able to obtain an STR permit, due to not being able to complete construction and get an inspection. I have spent a great deal of money on land and construction, based on planning to pay that off through offering it for rent when I'm not using it. I would not have started the land acquisition and construction loan process, had I known this would happen.

I ask for the County's compassion for owners like myself, whom have had the misfortune of being denied the ability to get a permit, simply because a specific date was declared a deadline, without consideration of those whom were deep into the process. As you surely know, the building industry in the area and contractors are seriously backlogged, as is the permitting process (major factors out of my control).

I understand the other side of this issue and that some changes may be implemented. That said, I hope the County can see it as fair and reasonable to make exceptions for denial for cases like my own, in which the owners were well into the process of building when the pause was implemented. Barring such allowance, I will likely be forced to sell my vacation home at a very bad time in the market & risk losing my personal savings & investment.

Thanks for your consideration,

Arthur R. Taylor  
6075 Coates Ave, Tierra Del Mar Beach

## Lynn Tone

---

**From:** Dave <dave@monvisoinvestments.com>  
**Sent:** Wednesday, September 28, 2022 12:44 PM  
**To:** Public Comments; info@neskowincac.org; Sarah Absher; Erin Skaar; Lynn Tone  
**Subject:** EXTERNAL: STR Comments  
**Attachments:** STR Draft Mark Up Comments DEA.pdf

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

Attached is a PDF summarizing some suggested changes to the STR ordinance. I appreciate your time in addressing these issues. I think we all share the goal of maintaining Neskowin as a vibrant, peaceful, and safe community for people of from all places, walks of life, and economic backgrounds to do what has been done in Neskowin for 100+ years, to come enjoy the ocean and beauty of Neskowin. Severally reducing or restricting STRs in Neskowin will over time simply make Neskowin a community of rich vacation home owners. We cannot control the market and value of homes in this area and it is already well past the ability of many to buy, so we let families come and celebrate life and Neskowin by renting.

Thank you.

David Allen  
STR Owner Corvallis Ave



September 28, 2022

To Tillamook County Commissioners and STR Committee Members,

Below is a markup with some of my comments on the draft STR ordinance. Some are minor, some just suggestions, some are my opinion based on a lot of experience with planning, zoning, and enforcement issues.

You can see my specific comments below. But my general comment relates to the fact that for an ordinance like this to be effective, it needs to have reasonable standards that are easy to enforce. Those standards need to be based on solving the actual problems and responsibility for addressing these problems needs to be spread among all those contributing to the problems.

For example, light pollution. I am a big fan of the Dark Skies initiative. I helped create an ordinance adopted in the Park City area of Utah relating to this. If Tillamook County believes light pollution is an issue, then a comprehensive ordinance needs to be adopted to cover all areas of concerns. Having different lighting rules for STR owners versus other owners makes no sense, accomplishes nothing, and is generally "arbitrary and capricious" (a US Supreme Court standard).

Another example, requiring garbage pickup twice a week if there are 2 rentals in the week. This standard has nothing to do with garbage can capacity at a home. It accomplishes nothing because it does not recognize differences in number and size of garbage cans and potential occupancy numbers. I may rent my home out twice a week to 2 different couples, for a total of 4 people. Or I may rent it out for 7 days to a group of 14 people. Your proposed rule requires me in the first example to have two garbage pickups but only 1 in the second example.

Again, reasonable standards that are directed to addressing the actual problems. Thank you for your time.

David Allen, STR Owner in Neskowin

BEFORE THE BOARD OF COUNTY  
COMMISSIONERS FOR TILLAMOOK  
COUNTY, OREGON

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

ORDINANCE #84  
Amendment #1

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

9/13/2022 Ordinance #84 - Short Term Rental Ordinance  
Page 1 of 17

This Ordinance is enacted pursuant to ORS 203.035.

Section 3. Purpose

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

Section 4. Applicability

This Ordinance shall apply within the unincorporated areas of Tillamook County, including areas within urban growth boundaries, but shall not apply within the boundaries of any incorporated City. This Ordinance does not apply to Bed and Breakfasts or 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:

(E) "Contact Person". The owner or if designated on the application for a permit, the agent of the owner, authorized to act for the owner. "Contact Person" shall be person identified on contact signage posted at the front entrance of the property.

(F) "Contact Signage". Add definition here? Purpose, minimum size requirements, font size?

(G) "Cooking Facility". Cooking stove, hot plate, range hood, microwave oven or similar facility.

(H) "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 contains:

- 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

(I) "Maximum Occupancy". Create definition that establishes maximum number of persons permitted to occupy the dwelling- either for purposes of sleeping or in general for how many persons may be allowed to occupy the dwelling at any given time. Establish a maximum number of persons. Add exception for persons younger than 2 years of age or establish an age where exception applies.

(J) "Onsite Wastewater Treatment System". Means any existing treatment and dispersal system of residential wastewater.

(K) "Owner". The owner or owners of a short-term rental.

(L) "Permit". A Short-Term Rental Permit.

(M) "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.

Formatted: Indent: Left: 1.5", No bullets or numbering

Formatted: Indent: First line: 0"

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.5"

Commented [DA1]: This should be based on bedrooms, not some random maximum. A 6 bedroom can obviously accommodate more than a 3 bedroom.

Commented [DA2]: I don't think the goal is to be anti-kid here. 2 years old is unreasonable. I have a 4 year old and he doesn't create anymore impact, doesn't drive a car, doesn't set off late night fireworks, and he sleeps in our bedroom. A more reasonable age is 16 because that is when they have mobility on their own, or perhaps 12 at the lowest.

- (JC) "Rental". An agreement granting the use of a dwelling unit to a person. Use of a dwelling unit by a recorded owner or other person or persons without monetary consideration shall not be considered to be a rental under this Ordinance.
- (ISW) "Rented". The use of a dwelling unit granted to a person in exchange for monetary consideration.
- (L) "Renter". A person who rents a ~~short term~~ ~~short-term~~ rental.
- (M.I) "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.
- (FK) "Short Term Rental". A ~~lawfully established~~ dwelling unit ~~(including any accessory guest house on the same property)~~ that is rented to any person on a ~~day to day~~ ~~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.
- (Qb) "Steeping 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 steeping area.

**Section 6. Standards**

- (a) All ~~short term~~ ~~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. ~~Parties who violate this standard may be issued a citation and be subject to a~~

~~Formatted: Font (Default) Auto~~  
~~Formatted: Font (Default) Auto~~

- (B) The contact person shall notify every renter, in writing, of the quiet times. The owner may be fined for violations under this Ordinance.
- (C) The contact person shall attempt to contact a renter by phone or in person within twenty (20) minutes of delivery of any complaint concerning the conduct of a renter.
- (D) The name and active phone number of the contact person shall be posted so that it is visible from outside the front entrance of the short term short-term rental and visible from the property boundary adjacent to the front entrance. The required signage must be a minimum of 1-foot by 1-foot in size with letters and numbers in font size and style easily readable from the property boundary. Contact signage shall be maintained in compliance with this Ordinance in perpetuity, or until the dwelling is no longer being utilized as a short term short-term rental. The active phone number shall be a working number and shall not be the general reservation line for a rental company.
- (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 are secured in a manner acceptable to the local local franchised garbage hauler. The contact person shall notify guests that all garbage must be kept in secured containers provided for that purpose. There shall be no uncovered and unsecured accumulation of trash at any time on the exterior premises of the property or within road right-of-way. As required by Tillamook County Ordinance #4, garbage shall be removed by the local franchised garbage hauler. Garbage shall be removed a minimum of one (1) time per week for properties renting once weekly and shall be twice (2) weekly for properties renting at least two times within a 7-day period. a minimum of one (1) time per week unless arrangements are made with the local franchised garbage hauler to be serviced more frequently--self-vehicle-cleaning #5--times when the short term rental is not rented. Proof of garbage service shall be provided to the Department at the time of permit application submittal, at the time of permit transfer, and at the time of permit renewal. The contact person shall provide guests with information about recycling opportunities.

Commented [SA]: Should be in a different area. Not part of standards.

Formatted: Indent: First line: 0"

Formatted: Numbered+ Level: 1+ Numbering Style: A, B, C, ... Start at: 1+ Alignment: Left+ Aligned at: 1"+ Indent at: 1.5"

Commented [DA3]: This is the correct standard and addresses the issue-- have adequate trash cans.

Commented [DA4]: This is random and accomplishes nothing. A home rented once a week for 6 days versus a home rented twice a week for 2 days each creates more trash. I may rent my home to a nice couple for two days, and then a few days later, another nice couple. It would be ridiculous to require that example to have garbage emptied twice. In addition, I have 3 large cans so we accommodate our trash. That is the goal. I could get 1 can and empty twice a week but that would be less capacity than my 3 cans. Goal is not arbitrary rules, it is that everyone, STR or not, should take care of their trash.

- (G) Exterior lighting shall be shielded in a manner to direct light in a downward direction on the property.
- (H) All areas not used for vehicle parking and circulation shall be completely and permanently landscaped or maintain existing natural vegetation.
- (I) At least one (1) functioning fire extinguisher shall be accessibly located within the dwelling unit.
- (J) All plug-ins and light switches shall have face plates.
- (K) The electrical panel shall have all circuits labeled.
- (L) Ground Fault Circuit Interrupter (GFCI) protected receptacles shall be provided at outdoor locations and at kitchen and bathroom sinks.
- (M) 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.
- (N) A combination carbon monoxide/smoke detector device shall be placed and maintained on each floor of a ~~short term rental~~ rental and within 15-feet of each sleeping area.
- (O) All fireplaces, fireplace inserts, and other fuel burning heat sources shall be properly installed and vented.
- (P) 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.
- (Q) All interior and exterior guardrails, such as deck railings, must be able to withstand a ~~two hundred~~ 200# impact force.
- (R) 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.

**Commented [DA5]:** If we are serious about this, we need to have this apply to all homes in Neskowin and have much, much more detail. Regulations like this deal with foot candles, light going off the property, etc.... Downward lights from a 2nd story accomplishes nothing. If lighting is a problem, lets adopt a county wide ordinance that impacts everyone. Dark sky is great, but everyone needs to be part of the solution.

**Commented [DA6]:** No landscaping is "permanent". In addition, this needs to exclude structures, patios, garbage areas, etc.... This just says everything not for parking has to be landscaped which ignores everything else on the property.

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.

Commented [DA7]: How does this differ from 1 above? 1 escape for each sleeping area? If we are just trying to say the County can approve other alternatives, lets just say that at the end of 1.

- (3) Every sleeping area in a short termshort-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 termshort-term rental. Such a non-compliant sleeping area shall not be included in the maximum occupancy calculation for the short termshort-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 termshort-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.

- (5) 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.

Commented [DA8]: No rules for interior hot tubs?

- (7) Short Term Rental Served by Sewer. If the maximum occupancy for a short termshort-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/short-term~~ rental.

**Commented [SA2]:** Not sure this is effective. Maximum occupancy may be determined differently through this process.

- (U) ~~Short Term Rental with Onsite Sanitation:~~ The maximum occupancy for a ~~short term/short-term~~ rental unit shall ~~not exceed~~ shall be the lower of the capacity of the Onsite Wastewater Treatment System or the approved number of ~~people~~. The capacity is based on the gallons per person per day. Tents and recreational vehicles shall not be used to

**Commented [DA9]:** Point is, capacity is in many cases not limited by the onsite sewer capacity, so it would defer to maximum approved occupancy.

increase the number of people approved to occupy a ~~Small term/short-term~~ rental.

**Commented [SA3]:** Maximum occupancy may need to be adjusted based upon size of onsite sanitation system.

- (V) There shall be one (1) ~~off-street parking~~ space available for each approved sleeping area in a ~~short term/short-term~~ rental, plus one (1) additional ~~off-street parking space~~. Each ~~parking space shall be a minimum of 8-foot by 20-foot and shall be oriented within the property boundaries in a manner that allows for the maneuvering of vehicles.~~ 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. ~~Parade of vehicles may include boats and trailers within designated off-street parking spaces.~~ Parking of any vehicle, trailer for boats, and all-terrain vehicles 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 or park in a manner that hinders the path of an emergency vehicle.

**Commented [DA10]:** This ignores how people travel to STRs. We have never had as many cars parking at our home as we have sleeping areas. Maybe at hotels this is more accurate, but we have families that travel to our place, often 10 people with 2 cars. My friend group of 12 rented one giant van last month. This is an arbitrary number. Rule should just be that renters should be limited to the number of approved spaces. If I am approved for 4 parking spaces, I need to tell my renters that is the max.

~~Parking spaces shall have clearly defined boundaries marked by a fence, planting or other suitable means.~~

~~Off-street parking on adjacent properties should this be prohibited? Should a lease agreement between the owner of the rental and the property owner whose property is being utilized to satisfy off-street parking requirements be required?~~

- (VV) The contact person shall notify every renter in writing of the required off-street parking requirements and other parking spaces available to serve the ~~short term/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 at all times.

(Y) 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.

( V ) The Onsite Wastewater Treatment System must be functioning as required with no discharges to the surface of the ground, surface waters or backups inside or under the structure. The Onsite Wastewater Treatment System may not be subjected to its design flow capacity in gallons per day.

(AA) Fire pits or outside designated warming fire areas standards?

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

Commented [DA11]: If regulating fire pits is a goal, it should apply to all homes in Neskowin. PLUS, I would love it if we are serious about fire concern, lets get the state to prohibit beach fires. They make a mess, smell, and eliminate a lot of drift wood that can help limit erosion. So, either standards for all or none.

#### Section 7. Short Term Rental Permit Required and Revocation

Commented [SA4]: Needs Work.

(a) Any new short term rental owner shall obtain a permit prior to using the dwelling unit as a short-term rental. Failure to comply with this Section shall be considered a violation that may be enforced under Section 13 of this Ordinance and subject to a fine of not less than Two Hundred Fifty Dollars (\$250) and not more than Five Hundred Dollars (\$500) per day, which must be paid prior to the issuance of a Short-Term Rental Permit. After being made aware of

## Lynn Tone

---

**From:** Steven Klein <steven.klein@kidder.com>  
**Sent:** Wednesday, September 28, 2022 10:04 AM  
**To:** Sarah Absher; Erin Skaar  
**Cc:** 'Neah Kahnier'; JERRY PARSONS; Lynn Tone  
**Subject:** RE: Tillamook County STR

Thank you for the quick response. There is no HOA in our neighborhood. So, what you are saying is that if you are within the coastline set back that has say a height restriction for structures to not exceed 21' in height (just making up a number), you can plant trees all around your home that can grow to 50' in height without any restrictions?

---

**From:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Sent:** Wednesday, September 28, 2022 9:39 AM  
**To:** Steven Klein <steven.klein@kidder.com>; Erin Skaar <eskaar@co.tillamook.or.us>  
**Cc:** 'Neah Kahnier' <nkncac@gmail.com>; JERRY PARSONS <jp49236@aol.com>; Lynn Tone <ltone@co.tillamook.or.us>  
**Subject:** RE: Tillamook County STR

### EXTERNAL

Good Morning Mr. Klein,

Thank you for the follow-up email. Commissioner Skaar are in meetings together most of the day and will be sure to let her know I am in receipt of your email. Lynn will also make sure copies are shared with the Short Term Rental Advisory Committee meeting next week.

Ordinance 84 currently does not have a prohibition on the number of rentals that an entity or individual can own. This topic has been raised through STR Advisory Committee conversations and I anticipate a deeper conversation taking place in November or December. With respect to vegetation management requirements for view protection, County Ordinances in general do not speak to vegetation management for view protection purposes. Vegetation management requirements regulated through local ordinances are focused on efforts to promote ground stabilization in geologic hazard areas and water quality.

There are Homeowner Associations that do address vegetation management for view protection purposes. Is your property and the properties of concern within an area that has an active HOA?

Sincerely,



**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](mailto:sabsher@co.tillamook.or.us)

---

**From:** Steven Klein <[steven.klein@kidder.com](mailto:steven.klein@kidder.com)>  
**Sent:** Wednesday, September 28, 2022 9:27 AM  
**To:** Erin Skaar <[eskaar@co.tillamook.or.us](mailto:eskaar@co.tillamook.or.us)>; Sarah Absher <[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)>  
**Cc:** 'Neah Kahnier' <[nkncac@gmail.com](mailto:nkncac@gmail.com)>; JERRY PARSONS <[jp49236@aol.com](mailto:jp49236@aol.com)>  
**Subject:** RE: EXTERNAL: Tillamook County STR

Good morning, Erin, and Sarah

I wanted to follow up on my email below. I mentioned there was an investor who has bought 4 homes around us for the purpose of renting them out, turns out they own 5 or 6 homes, and most are within a couple hundred feet of our home. You may want to check out their website <https://www.vacationrentalsmanzanita.com/>.

One of the homes right in front of us is advertised as sleeping 20. The weekend before last I was at our home and relaxing on the deck when some live music started up on the deck. I counted about 16 adults and a musician playing an electric guitar with back up music, but I am sure there were more inside the home. The home was rented out for a large birthday celebration. It is very typical to have large groups at the house and you can image, if there are 20 adults there is likely 10 plus cars.

This is no longer a situation of renting out your second home, it has obviously become a big business.

On another note, when a home is being newly constructed or remodeled there are height restrictions that are in place for several reasons, including, but not limited to, proximity to the coastline and also to not block views by other homeowners. However, there seems to be no restriction on planting trees that are fast growing and in a very short period of time exceed the height limitations of a home structure. It seems to me that someone should not be able to plant trees or shrubs that would exceed the height of the home. This is the case for one of the homes shown on the website that sleeps 20. At the time they did a major remodel to the home, they planted trees on the south property line that don't appear to be indigenous to the area and are growing at a rapid rate. Does the county have a process for approving tree plantings that could block the view of a neighbor or exceed the height restrictions of a structure. The evergreen trees that were planted could easily reach 40' to 50' in height and likely even more.

I would appreciate your thoughts and answers to my questions. My concerns are also the concerns of many of our neighbors.

Thank you, Steven

Steven Klein  
503.318.0916

---

**From:** Erin Skaar <[eskaar@co.tillamook.or.us](mailto:eskaar@co.tillamook.or.us)>  
**Sent:** Friday, August 12, 2022 8:29 AM  
**To:** Steven Klein <[steven.klein@kidder.com](mailto:steven.klein@kidder.com)>; Sarah Absher <[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)>  
**Subject:** RE: EXTERNAL: Tillamook County STR

**EXTERNAL**

Thank you for your input Steven! We will share this with the committee.

erin



**Erin D. Skaar** (she/her) | Commissioner  
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](mailto: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:** Steven Klein <[steven.klein@kidder.com](mailto:steven.klein@kidder.com)>  
**Sent:** Friday, August 12, 2022 8:25 AM  
**To:** Erin Skaar <[eskaar@co.tillamook.or.us](mailto:eskaar@co.tillamook.or.us)>; Sarah Absher <[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)>  
**Subject:** EXTERNAL: Tillamook County STR

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

Good morning, Commissioner Skaar and Director Absher

Our family owns a home at 37350 First Street, Nehalem (just north of Manzanita in the area known as Neahkahnie) and we have had concerns over STR's. I don't know if anyone has brought up investors who are buying up multiple homes and renting them out. We have a neighbor that now owns 4 homes all around us and another fifth home up the street. So, we are surrounded by renters coming and going all the time and all around us. I believe there should also be restrictions on the number of homes that anyone owner can permit for an STR. I am sure there are ways around this like creating a different single asset LLC for each property, but I's like to see something like a limitation on number of homes that any single owner can have permitted. The City of Manzanita effectively addresses the matter of limiting the number of STR permits an individual can hold in its STR Ordinance 10-03 (as amended). There are two specific relevant provisions:

**Section 3b** provides in relevant part "... The application shall identify and be signed by all Persons shown as Owners or having any beneficial ownership in any form of ownership of the Dwelling Unit on the most recent Tillamook County Assessor's tax records or recorded title. If the Dwelling Unit is owned by a corporation or other entity, legal documentation, acceptable to the City, detailing the names of all Persons with any ownership interest in the entity shall be submitted with the application. ..."

**Section 3c** provides "Effective June 4, 2010, a Person holding a Short-Term Rental License or an interest in a property for which a Short-Term Rental License has been issued shall not be eligible to apply for or hold, as a member of a group or any other form of beneficial Ownership, a Short- Term Rental License covering any other property within Manzanita. A Short-Term Rental License may be issued only for a single Dwelling Unit on a single property or for a single Dwelling Unit within a duplex on a single property.

The Short-Term Rental License is issued to the Owner and does not transfer with the sale or conveyance of the property. All Short-Term Rental License holders must report to the City any change of Ownership of their Short-Term Rental, in whatever form, before the conveyance deed is recorded. If the Owner is an entity, then any transfer of fifty percent or more of all ownership interest in the Owner will also constitute a change of Ownership of the Short-Term Rental. The transfer of the property from (1) a natural Person(s) to a Trust serving the same natural Person(s) or to a family member pursuant to a Trust or (2) the transfer of Ownership pursuant to a will or bequest upon the death of the Owner is not deemed to be a transfer of Ownership for purposes of this Ordinance."

Perhaps you can consider this as well.

Would you happen to know if there is a way to access a list of those property owners that have applications for STRs pending?

Thank you, Steven

**Steven Klein**

## Lynn Tone

---

**From:** Public Comments  
**Sent:** Friday, September 30, 2022 8:51 AM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: STRs - Personal Statement  
**Attachments:** HG.personalSTRstatement.pdf

3 or 4 RE: STRs

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.

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

**From:** Hillary Gibson <hillary.gibson@me.com>  
**Sent:** Wednesday, September 28, 2022 1:49 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: STRs - Personal Statement

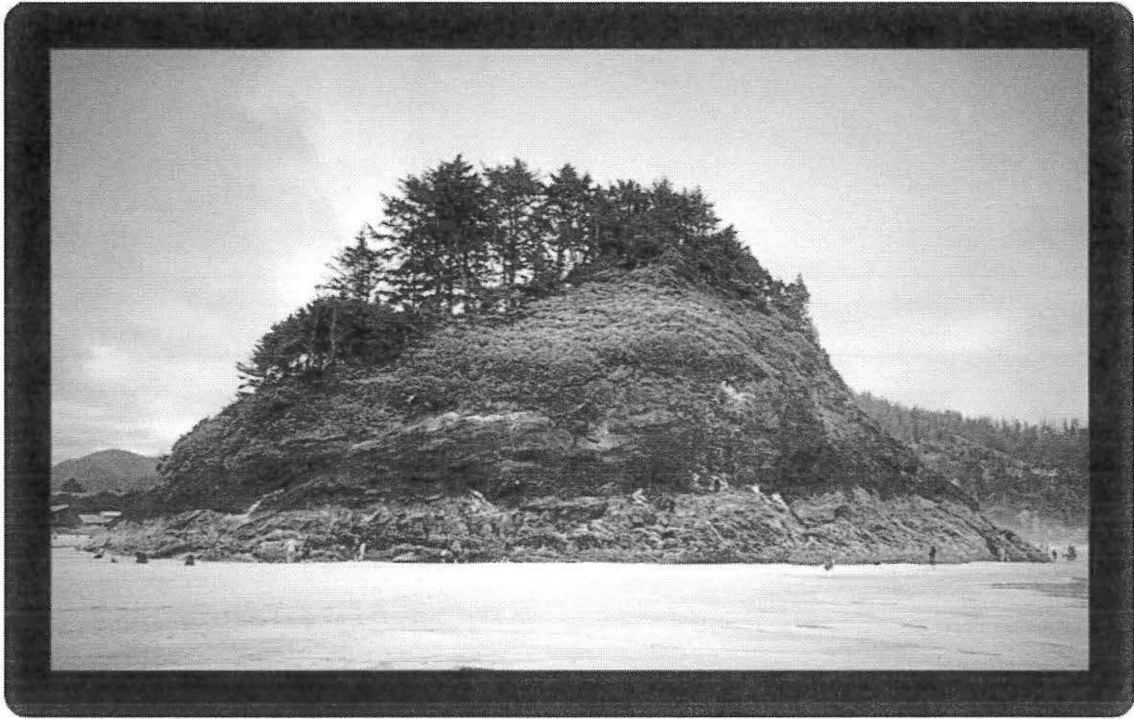
[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Greetings!

I'm sending along my personal statement regarding STRs in Neskowin - This statement reflects my own personal opinion and is not intended to represent other members of the community. My apologies in advance for the lengthiness - I'm sure we all agree it's a complex topic! Thanks to my various involvements on this issue I've made it a priority to seek facts and data, and that resulted in a thorough packet which I'd like to share, with the disclaimer that it's my personal opinion.

Thank you,  
Hillary Gibson  
Neskowin Home Owner

# **NESKOWIN**



## **SHORT TERM RENTALS IN THE COASTAL RESORT COMMUNITY OF NESKOWIN, OREGON**

**personal statement  
HILLARY GIBSON**

September 28, 2022

Tillamook County Board of Commissioners & STR Advisory Committee,

I am reaching out to share a packet of information I assembled for your consideration as the rules & regulations for Ordinance 84 are updated. I own a home in Neskowin which my family enjoys as our personal vacation getaway, and we also offer it as a short term rental (STR) and occasionally as a furnished long term rental (LTR). My background includes managing both STR & LTR homes in 3 states and familiarity with various regulations for STRs. I have attended several nationwide STR conferences to learn best practices. I formerly served on VRBO's Customer Advisory Board, and I partnered with fellow owners to write Good Neighbor Guidelines for STRs in Big Trees, CA. I am very familiar with STRs in Neskowin due to my involvement in our community. I am connected to several groups including Neighbors for Neskowin, the Neskowin Citizen Advisory Committee's STR sub-committee, and I am also Neskowin's representative on the Tillamook County STR Advisory Committee. I am fair and balanced when it comes to my roles on the committees as I strongly feel everyone should have their voice heard and feedback shared. This packet reflects my own personal opinion and is not intended to represent other members of the community.

Neskowin is truly a special gem along the Oregon Coast. I'd like to see solutions for STRs bring people together instead of create division among neighbors. I compiled this packet in response to contrary sentiments regarding STRs. When considering updates to Ordinance #84 it is helpful to consider facts for Neskowin. These facts don't always fit the narrative of some neighbors who would like to severely limit STRs in Neskowin, but facts are more important than speculations and anecdotes. Neskowin has had slow & steady of growth of STRs, but I do not feel that there is an imbalance. Historically, Neskowin has been a seasonal destination welcoming visitors for over 100 years. There are very few complaints to the county and negligible ordinance violations over the past several years (zero violations this year through Labor Day 2022). STRs are also a vital part of our local economy. Aside from generating TLT, our guests support our local businesses, and owners hire a wide variety of people to help take good care of our homes. The guests I have welcomed to Neskowin have been genuinely kind and respectful, and enjoy our special community. Like so many of us, I was once a visitor myself. It's important to continue to welcome guests and balance that dynamic with livability and respect for all neighbors. 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.

Thank you for taking the time to consider the information in this packet:

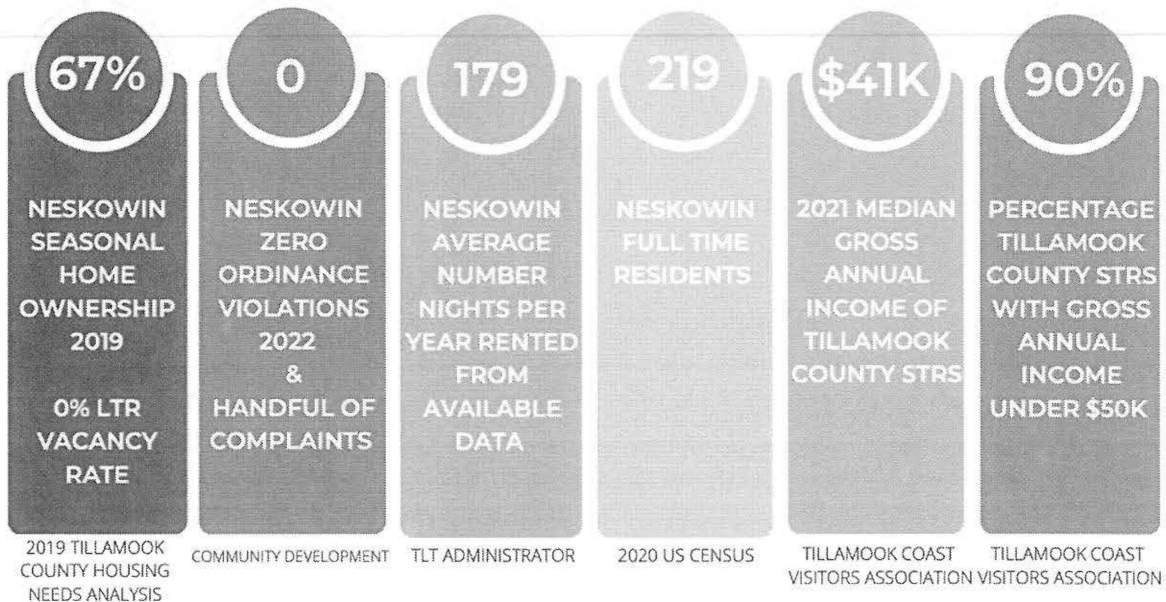
- Neskowin Stats
- Ordinance #84 Recommendations
- Hotel vs STR
- Breakdown of STR Permits in Neskowin
- Neskowin Home Sales
- TLT
- Guest Word Cloud
- Resource List



Hillary Gibson



# NESKOWIN TILLAMOOK COUNTY



Neskowin is an historic tourist destination along the Oregon Coast. For over 100 years visitors have made Neskowin their getaway and marveled at Proposal Rock and the Ghost Forest. For 50 years there were deed restrictions in Neskowin which greatly limited commercial development and fostered our seasonal resort community which continues to thrive today. This is likely a large factor in why Neskowin has very few commercially zoned businesses, and is more of a resort area than a traditional town as it lacks infrastructure to support full time living such as a supermarket, gas station, pharmacy, library, public school, bank, medical clinic, post office, hardware store etc... Neskowin has none of those basic resources.

The graphic above presents some facts which may clarify some misconceptions. Neskowin has a uniquely high rate of seasonal home ownership, and a relatively low number of full time residents. A majority of seasonal owners choose not to rent their homes. Less than one-third of seasonal homes have STR permits. Some seasonal owners choose to rent simply to help offset the high cost of ownership in a coastal zone. The median STR gross annual income in Tillamook County is \$40,538 before common expenses such as cleaning fees, property management commissions, Transient Lodging Tax, permit related fees, insurance, etc.... Renting is not a significant source of income for most homes with STR permits, even with close to 200 nights per year rented on average. In fact, 90% of STRs in Tillamook County reported annual gross income under \$50,000 in 2021. As the county dives into updating Ordinance #84 it's worth noting that in 2022 there were a handful of official complaints made about STRs, but as of Sept 2022 there were no ordinance violations issued to any STRs in Neskowin.

I am advocating for a balanced perspective that meets mutual goals for the greater community of Neskowin. Enhanced enforcement with some fine-tuning of the current rules could be an

effective way to address livability concerns. Tillamook County would benefit from a more robust enforcement program which would ideally not rely on sheriffs to respond to non-emergency complaints. TLT funds earmarked for tourism could be an option for funding enhanced enforcement. Rules should be reasonable and should not place an undue burden on STRs. For example, the Dark Skies initiative is a great recommendation for all neighbors, but should not be a requirement solely for STRs.

## ORDINANCE RECOMMENDATIONS

**Limit occupancy to 2 per BEDROOM + 2 extra**

**Require STR permit number on online advertising**

**Recommend opt-in online list with contact info for each STR**

**Require 1 off street parking spot per bedroom up to 6 parking spots  
6 vehicle max**

**Recommend bear resistant trash carts  
Require after 1 trash violation within one year**

**Neskowin percentage cap 35%-50%**

**Maintain transferability of STR permits**

**No limits on nights rented, proximity or distance between STRs**

In the spirit of public safety, I'd like to see the overall maximum occupancy of STRs be tied to some combination of overall square footage, bathrooms, and bedrooms instead of "sleeping areas" which would result in slightly decreased occupancy for some STRs. 2 per bedroom + 2 overall occupancy means a studio condo could sleep 2 people max, while a 9 bedroom home could sleep up to 20 guests. As a couple extreme examples, Neskowin STR listings show a home with 1 bathroom and max occupancy 8, or 7 bedrooms with max occupancy 21. My cottage is 1,000 sq ft with 2 bedrooms & 2 bathrooms and was granted a max occupancy of 8. Many owners, myself included, have voluntarily reduced our max occupancy approved by Tillamook County. Additionally, I'd also like parking spots to be tied to bedrooms, but with a max of 6 vehicles.

As STR permits are tied to homes and not people, transferability of a home's permit should be allowed when accompanied by an updated safety inspection and application by a new owner. If STR permits are deemed non-transferable, then I'd like to see exceptions for transfers to family members and grandfathering of transferability to all permits granted to STR applications that were received before the 2022 pause.

# HOTEL VS SHORT TERM RENTAL

## Similarities

- PROVIDE LODGING ON A NIGHTLY BASIS
- ACCEPT RESERVATIONS & CREDIT CARD PAYMENTS ONLINE
- PAY STATE & COUNTY TRANSIENT LODGING TAXES
- REQUIRED TO HAVE A PERMIT TO OPERATE
- REQUIRED TO HAVE A SAFETY INSPECTION
- BOTH HAVE OCCUPANCY LIMITS

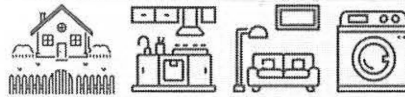
## STR benefits

- PREFERRED CHOICE OF LEISURE TRAVELERS
- ALLOWED IN RESIDENTIAL AREAS SO GUESTS CAN ENJOY NEIGHBORHOODS WHERE HOTELS ARE NOT AVAILABLE
- WIDE RANGE OF ACCOMMODATIONS FROM STUDIOS TO 5+ BEDROOMS
- TYPICALLY INCLUDE KITCHEN, LIVING AREA, LAUNDRY, AND YARD
- SHARING A HOME WITH FAMILY & FRIENDS MAKES LASTING MEMORIES

NUMBER OF HOTELS IN NESKOWIN = ZERO

NUMBER OF STRS IN NESKOWIN = 167 = 19%

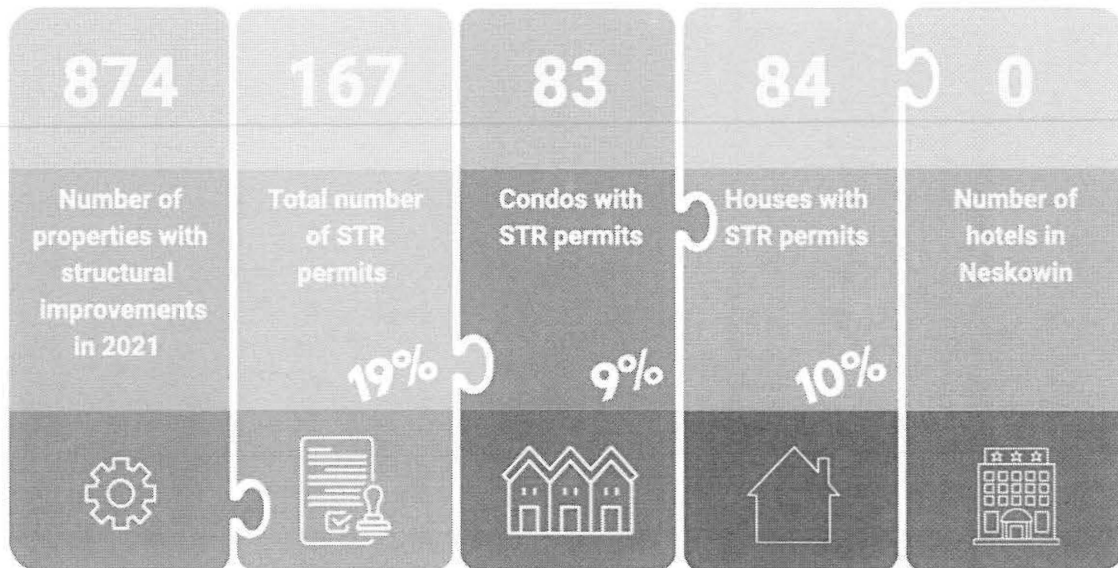
10% HOMES & 9% CONDOS



The graphic above was created in response to a public comment comparing hotels and "Commercial STRs" which weren't clearly defined. Both differences and similarities exist between hotels and STRs, but it's important to note that Neskowin currently has no traditional hotels, so visitors are reliant upon owners opening up their homes to share as short term rentals. Historically, Neskowin has always been a resort area and is not an exclusive neighborhood nor private retirement village. For over 100 years Neskowin has been a seasonal destination for beach goers and generations of families have made memories here. I've met countless people ambling by our cottage who want to peek inside because they grew up vacationing in Neskowin and stayed in our cottage decades ago. STRs are nothing new in Neskowin, but websites are changing the ways in which they are advertised. Similarly, owners are changing the ways we interact with guests. For example, owners often have guests agree to follow rules and provide Tillamook County's *Hello, Neighbor!* guidelines to promote good behavior.

There is no true definition of a "commercial" STR that differentiates a larger STR from a "mom & pop" STR, and the comparisons to "illegal hotels" are tiresome. Long term rentals and short term rentals are both commercial activities which are legally allowed in residential areas, regardless of zoning. The number of nights rented does not change the commercial nature of either type of rental, and owners have a fundamental right to decide if they'd like to rent their home. Limits on which homes can be rented based on proximity or distance, or limits on the number of rented nights allowed per year violate inherent property rights. Permitted STRs go through a safety inspection and are held to a higher safety standard than traditional homes. STRs offer travelers a great option to vacation together, without being crammed into a hotel room, and are an ideal solution for families and friends who enjoy the amenities of a home. A wide variety of STR options in Neskowin helps ensure that a diverse group of people can continue to access Oregon's public beaches.

## BREAKDOWN OF STR PERMITS IN NESKOWIN



**NUMBERS ARE APPROXIMATE AS OF SEPTEMBER 2022**

The facts above show there is actually only a small percentage of stand-alone homes in Neskowin that are permitted STRs (10%). The allegation that a growing number of STRs are a threat to the "imbalance of tourist housing" is not supported by facts. The natural ebb & flow of permits opening and closing reflects steady growth over the last decade, but no drastic changes, except perhaps for the 30 permits closed thus far in 2022, which is higher than usual for a single year. On the chart above, I broke out the condos from homes on the most recent permit list simply because the condos tend to be within their own mini-communities.

Another misconception is that STRs are a strain on Neskowin's infrastructure. As far as I am aware, any perceived negative impacts on our infrastructure have not been factually tied to STRs. Guests may use resources during their stay, but do they use more resources than if the same home had full time occupants? While the usage is higher than if our homes sat empty, I have not seen any information from public works departments regarding STRs being a strain on resources. Do guests drive on the roads more than full time residents? Do guests have more traffic violations in Neskowin? These assertions have not been supported with facts. When the NCAC looked into STR concerns in 2020, the Neskowin Regional Sanitary Authority stated, "The current NRSA sewer system is more than adequate to serve the current connections." All homes in Neskowin are zoned and approved for full time use. My cottage is a typical STR in that it's often occupied on weekends, occasionally occupied on weekdays, and overall occupied less than if it were a full time residence. With regards to our roads, I think we all agree those could absolutely be improved, and upgrades would be a great use of TLT funds in spite of no direct connection between STR guests and potholes. However, South Beach has private roads and if South Beach would like to continue to be a private gated neighborhood then they should continue to be responsible for their own roads using their own private funds.

I fully support responsible renting and being a good neighbor. I do not support drastic limits or a collection of new rules to solve problems which aren't solely caused by STRs in Neskowin. The general population of Oregon has gone up over 10% since 2010, so naturally it logically follows that the coast is seeing an increase in visitors as well. There is general agreement that Neskowin has seen a rise in traffic and visitors in recent years, but there are examples of poor behavior from all types of people including owners, family & friends of owners, day trippers, and STR guests alike. When STR guests make up a small percentage of the overall composition of people in Neskowin, it may not be truly effective to impose rules on just a select few. STR guests are an easy target, but some neighbors may be missing the mark.

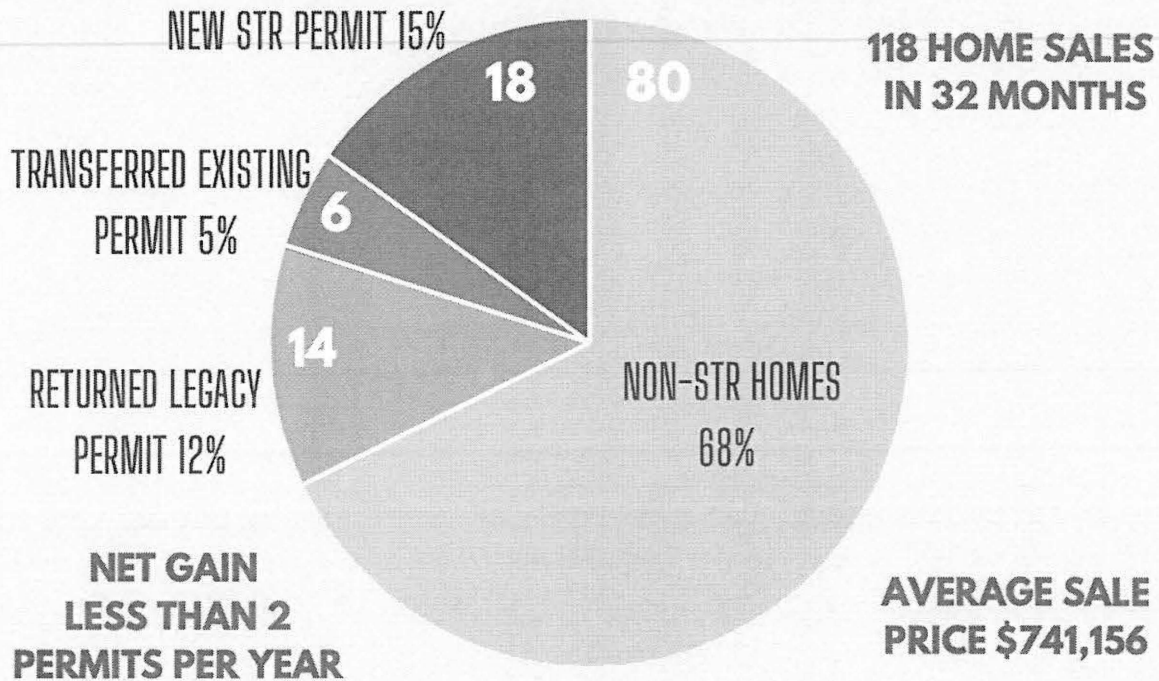
Limits on annual nights rented, and proximity or distance limits between STRs do not appear warranted in a coastal market with such a high percentage of seasonal home owners (67% in 2019). Neskowin is not a traditional residential area and limits are not necessary to preserve balance. A 100 night annual limit could decimate off-season renting and 9 months of the year our overnight visitors may not be here supporting our handful of businesses through the slower seasons. With regards to density, the cottages in the village are often spaced tightly together and any type of proximity or distance limit could mean that one STR may prevent many others from obtaining a permit as well, and that infringes upon one's property rights. One's ability to qualify for an STR permit should not be limited depending on whether one's neighbor has an STR permit. Additionally, with approximately half of the STR permits in Neskowin being granted to condos, it could be an undue burden to impose proximity or distance limits between condos with STR permits.

I support allocating TLT towards enhanced enforcement. This is a good way to hold owners accountable without collectively punishing all owners with overly restrictive rules. A large majority of STRs in Neskowin have never received even a single complaint, and yet we find ourselves repeatedly defending our right to rent. There are a vocal few making threats of a ballot measure, proposing to ban STRs, proposing to limit STRs through zoning & conditional use permits, and proposing a 100 night per year limit. Neskowin is not a private community, and they do not represent the majority of owners in Neskowin. We need to learn from the STR debacle in neighboring Lincoln County and avoid similar divisiveness in our special community of Neskowin. By and large, Neskowin is a welcoming and inclusive community.

Too many rules may discourage families from renting their homes, but may favor larger companies managing rentals as they may be better positioned to scale more easily when dealing with red tape. Neighbors do have some valid complaints regarding over occupancy, noise, trash, and parking. I'd like to see more communication with owners to troubleshoot and prevent these problems from happening in the first place. One thing to keep in mind is that sometimes what neighbors assume is an STR guest is not. I've done it myself, as two times I've had cars parked in my driveway, and I assumed they were from a nearby STR or a day tripper, but they both were actually family members of owners who lived nearby. When neighbors take the time to reach out and communicate, problems can be solved easily most of the time, and that's the main driving force behind my recommendation for an online list of contact info that would include permit number, STR address, email & phone contact. Ideally, the info would only be seen when clicking through a CAPTCHA versus being easy to scrape for spam etc., while also acknowledging that enforcement should not fall on the shoulders of neighbors.

# NESKOWIN HOME SALES

JAN 2020 THROUGH AUG 2022



I have heard an assertion that in Neskowin a majority of recent home sales are converted to STRs, thereby disrupting the "balance" of our neighborhood. There was no data provided to support this position, so I painstakingly gathered available data and did not find the alleged pattern. To evaluate this data, I compiled a list of home sales (condos excluded) for 32 months from January, 2020 through August, 2022, from Zillow & the MLS. This list of 118 home sales was then cross checked against two different active STR public record permit lists from 2021 & 2022. Of the 118 sales, 18 resulted in new STR permits. 6 homes with existing permits were transferred to new owners. 14 STR permits were closed post-sale. Collectively, this data shows a net gain of 4 STR permits over 32 months, which is fewer than 2 new STR permits per year resulting from recent sales. The chart above clearly shows that a majority of home sales did not result in new STR permits (80% combined non-STR sales & closed permits). Additionally, the percentage of new permits (15%) is on par with Neskowin's overall percentage of STR permits (approximately 19% including condos).

There have been concerns raised about perceived relationships between STRs and lack of both workforce housing and affordable housing in Neskowin. The housing challenges are definitely an important issue in our county, but based on reports in recent years the impact in Neskowin is much less clear. It is a complicated issue with many factors, and the county Housing Committee is committed to making forward steps towards a county-wide solution. Traditionally, Neskowin has not had a significant number of homes that could be categorized as either affordable housing or workforce housing.

2019's *Tillamook County Housing Needs Analysis* classified Neskowin as a "resort" town due to our very high rate of seasonal home ownership (67%) and low rate of long term rental vacancy (0%). Before that, the 2017 *Creating a Healthy Housing Market for Tillamook County* defined boundaries of a higher cost of housing "coastal" housing market, and Neskowin is entirely within this market. Based on the data I found, it showed the average home sale price from all 118 home sales from January, 2020 through August, 2022 was \$741,156. There were 19 sales priced at \$1M or higher, while there were only 5 sales priced under \$300,000, and no sales with a price lower than \$200,000.

When looking at the number of STR permits in Neskowin, there are a few things to keep in mind. First, not every permitted STR is actively renting. Some permit holders are maintaining an STR permit to protect their right to rent short term in the future, and some STR permit holders are taking a break from renting to make home updates etc... In 2021, 11% of permitted STRs in Tillamook County had zero income. A second factor to consider is that in 2022 the Neskowin Resort & Proposal Rock Inn both switched from each having condos pooled together and covered by a single tourism accommodation license, to needing STR permits for individual condos, so while the actual number of condos rented on a short term basis did not change, the type of permit changed, and that resulted in at least 33 condos applying for STR permits in 2022. Lastly, on July 1, 2022 Tillamook County paused accepting new STR permits. Between the time the pause was announced and the pause going into effect, 48 condos & homes applied for STR permits in Neskowin. This rush to get permits in the span of two months is unprecedented and not typical, and may not indicate an intention to rent short term, but may have been motivated by desire to protect property rights.

For Neskowin, I do not feel we need a percentage cap limit on STR permits, simply because Neskowin has such a high percentage of seasonal home ownership, so the current balance is already heavily seasonal use. If a percentage cap is considered, I'd like condos to be separated from the equation as many are in locations that were formerly operated as hotels and are somewhat removed from the neighborhoods. Removing condos leaves only 84 homes in Neskowin with STR permits which is a relatively low number. With nearly 70% seasonal home ownership, a balanced cap would allow for 50% of the seasonal homes to be STRs (approximately 300 STRs) which is approximately 35% of the 874 improved properties. 35% is a healthy compromise between the current level of approximately 19% and the literal definition of balance being 50%. 35% leaves some room for growth and may encourage folks to close inactive permits if they are fairly confident they can obtain in the future when needed.

Time has shown that STRs are here to stay. A goal for the county should be to find a balance that preserves community livability, promotes renting responsibly, and maintains accessibility to a wide variety of visitors. Ordinance #84 should have reasonable rules that can be easily enforced. STRs are held to a higher standard, but that needs to be balanced with equitable regulations within the community as a whole, considering there are so few violations. When rules are too restrictive, rentals can get driven underground, leaving the county without benefitting from TLT collection and safety inspections. I am encouraged by the collaborative approach Tillamook County has taken with STRs and I believe we are on the right path with some minor tweaks to Ordinance #84 instead of severe restrictions.

# TRANSIENT LODGING TAX

10% TLT is collected & remitted on STR reservations



**70%** funds used to promote county tourism programs and to enhance tourism related facilities

**30%** maintenance of county roads

The graphic above supports the importance of TLT funds in our community. I would like to see TLT funds currently earmarked for tourism be spent on related expenditures such as a recycling program, enhanced enforcement, and improvements to Neskowin's wayside public accommodations. Additionally, I'd like to see Tillamook County be more proactive with undertaking projects instead of relying on community volunteers to submit grant proposals. A recycling program & upgrades to our public facilities should not fall on the shoulders of our community members to voluntarily coordinate. Trash was one of the top concerns neighbors expressed regarding STRs, and if the county had curbside pickup or local drop off of recycling it would be immensely helpful. Currently I pay a private party approximately \$35 per trip to Pacific City to drop off our cottage's recycling. Compared to other locations where I run STR/LTRs, Tillamook County is the only location without curbside recycling (in better news, Tillamook County is the only county that requires homes to have an STR permit & safety inspection). The most recent draft of Ordinance #84 is proposing a requirement for twice weekly garbage removal for all STRs that welcome guests 2 or more times within 7 days. Because I offer recycling at my expense, our garbage is rarely full even when we have multiple reservations within a week. This proposed requirement is an undue burden, and a better solution could be to offer weekly curbside recycling.

Severely restricting STRs could lead to a significant decrease in TLT for Tillamook County. An informal poll asked STR owners what they would do with their homes if not able to get an STR permit. 34% of STR owners who responded indicated that their homes would simply sit empty when not used by their own family. 28% of owners said they would consider furnished LTR at 2x market rate to account for being furnished. Not a single owner who responded indicated that their home would be an LTR priced for workforce housing (\$820-\$1,700/month), and Zillow monthly rental estimates support that very few STRs fall within that range of affordability.



Tourism is integral to the overall stability and vibrancy of our community. In Tillamook County, many of our small businesses have been started by folks who were once visitors. The Neskowin Farmers Market highlights local vendors from along the Oregon Coast. In addition to TLT, much of the rental income produced supports other local businesses and is spent in Tillamook County. In 2021, which was a record breaking year for many STRs, 100% of our cottage's rental income was expensed. A significant portion was spent on local expenditures include property taxes, utilities, handyman, contractor, landscaper, window washer, my amazing cleaners who live in Neskowin, pest control, firewood delivery, appliance repair, chimney cleaning, painter, electrician, plumber etc... STRs are a conduit for a wide variety of financial support within our community. Many of us may not currently reside in Neskowin full-time, but we are an integral part of our neighborhood.

As Tillamook County considers updating Ordinance #84, an important group of people have not been part of the conversation - the many wonderful guests. I have connected with so many amazing families who have treasured their stays at our cottage & made lasting memories. People come from all over to relax, enjoy the coast, have a fun filled vacation, and celebrate special occasions. The word cloud below is made from snippets of guest book entries and reviews. It is evident that Neskowin is very much appreciated and enjoyed by guests. It's vital to allow owners to continue to offer their vacation homes to visitors.

Neskowin is a unique location, as it has historically been a resort destination for over 100 years, yet currently has no hotels. What started as a "campground" in the early 1900s has evolved into an amazing assortment of homes today. There are many privately owned condos available for rent, as well as a selection of houses from small cottages to large oceanfront estates and everything in between. However, with no hotels, our visitors are completely reliant on owners opening their homes to the public so that they may enjoy Neskowin for more than a day trip. Our handful of local businesses rely on income from visitors. Extra rules & regulations may make it more difficult for families to share their homes, and harsh limits infringe on basic property rights. Ideally, Tillamook County can make some thoughtful updates to Ordinance #84. A focus on enforcement and promoting communication, balanced with respect for property rights, could be an ideal way to elevate livability while continuing the tradition of welcoming guests to Neskowin.



## Additional Information Resources

[Neighbors for Neskowin](#)

[2020 US Census](#)

[2020 & 2021 Code Enforcement Stats + 2022 info from Community Development](#)

[TLT Grants Tillamook County](#)

[TLT Revenue Through 2020 + 2021 info from TLT Administrator](#)

[2019 Tillamook County Housing Needs Analysis](#)

[2017 Creating a Healthy Housing Market for Tillamook County](#)

[Hello, Neighbor!](#)

[2021 Status of STRs in Tillamook County Unincorporated Communities](#)

[Tillamook County STR Advisory Committee Page](#)

[Zillow Home Sales 97149](#)

[Save Our Neighborhoods](#)

NCAC Responses Regarding STRs Redacted of Identity - NCAC

2021 & 2022 Active STR Permit Lists - available upon request from Tillamook County

STRs, TLT, and How \$\$\$ Spent - Nan Devlin - Tillamook Coast Visitors Association