

## Lynn Tone

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**From:** Public Comments  
**Sent:** Friday, September 30, 2022 1:10 PM  
**To:** David Yamamoto; Erin Skaar; Mary Faith Bell; Rachel Hagerty; Sarah Absher  
**Subject:** FW: EXTERNAL: STR Regs

And here's 4 of the second batch of 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](mailto:dgarland@co.tillamook.or.us)

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**From:** Barbara Gordon <[bdbg@comcast.net](mailto:bdbg@comcast.net)>  
**Sent:** Friday, September 30, 2022 12:49 PM  
**To:** Public Comments <[publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us)>  
**Subject:** EXTERNAL: STR Regs

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

Dear County,

My husband and I own a wonderful little cottage in Neskowin, Oregon. It is our second home that we use as a getaway. We also have, in compliance with your new and costly imposed regulations, permitted it as an STR. We need the supplemental rental income to help defray the costs of ownership, which allowed us to acquire it and keep it. We are by no means a hotel. We use it to enjoy the community too.

Regarding the newly considered additional regulations, we support and agree with the comments being made in favor of halting the considerations to

additionally limit and/or restrict STRs in Neskowin. We are sure you have received several letters outlining the overall concerns. Our biggest concerns are over any proposed overnight caps and STR permit transfer restrictions.

We also wish to add a couple of additional concerns. But first, you must realize that the number of STR "complainers" are principally only the 300+/- Neskowin full-time residents. STRs, in turn, comprise only about 20% of Neskowin's dwellings available for occupancy (the balance being owner vacation homes). Of that 20%, half are Neskowin Resort condominiums. So, you are talking about only 10% the actual Neskowin stand-alone dwellings being STRs. There is absolutely nothing to warrant oppressive additional STR regulation in Neskowin because there simply aren't that many of them.

Additionally, the 300+/- complainers do not impact the economy of Neskowin and/or Tillamook County other than through paying property taxes. We suspect given Neskowin's proximity to Lincoln City in Lincoln County, the majority of the permanent residential purchases are in Lincoln, not Tillamook County. We also suspect they aren't major employers either; we doubt they all employ housekeepers, local managers, and gardeners like nearly all of our STR owners do.

With the above in mind, the following are our additional concerns:

- We find it objectionable that STR owners are locked out of the democratic process when it comes their property. "Taxation without representation" is a good description. We have no say in who we want to represent us, what is good or bad for our property, or where our substantial taxes go. The only way we can be heard is by informing the county through meetings and letters. Please therefore give this letter the weight you would afford any other interested and vested county citizen.
- 
- Neskowin is a destination community, and STRs provide the principal means for that here. STRs are for the most part more comfortable, desirable, and amenable than a hotel. And vacation businesses are supported by tourists, not residents. If STRs are over-regulated those

businesses could fold, property values would significantly decrease, and property taxes would have to be reassessed downward.

- Oregon guarantees the public's access to our beaches. In essence, limiting a place to stay so one can easily visit and enjoy the beach community, just to protect local property owners, will impose a severe inconvenience that in effect drives the potential beach visitor away. Renters who come to the beach want to visit the beach where they are staying, for more than one day, with extended family, and not load up and drive out of their way just to go the beach.

While we sympathize with some of the concerns the year-round residents have, we think their complaints should be handled by our existing rules and regulations. Those rules must, however, be enforced. But note, the last we heard, the complaints that have been made against the STRs have not resulted in any STR violation actions. Perhaps the violators are residents too.

Thank you for taking the time to thoughtfully consider our letter. We look forward to hearing of your sound decisions on the subject.

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

47790 Hawk Street  
Neskowin, OR. 97149

Sept 30, 2022

## Comments to Draft Version Amendment# 2

Thank you for the opportunity to share our feedback as Tillamook County and various committees continue to work on this important issue. It appears progress is being made to benefit our communities and we appreciate the hard work.

**E – Max Occupancy** – should be determined and defined as actual sleeping areas which are bedrooms. Limiting the occupancy of the STVR is important. No home should be occupied by more persons than the number of bedrooms will safely allow. Promoting undesignated sleeping areas may overload the STVR's potential for problems ranging anywhere from noise, parking to garbage accumulation.

**Sec 6 A – Standards** - Property Management Cos need to be included in the violation of standards in this ordinance and brought into the fold of enforcement. Penalties should be imposed when they fail to respond to complaints. They are acting in the place of the owner & need to be held accountable and they have a responsibility to the neighborhood. Everything from noise complaints to garbage accumulation are part of property management's role. And failing to act is unacceptable.

Mngt Cos are in the best position to enforce the rules and need to be more proactive as they are the first line of defense and like the STR owner benefit financially. We truly believe if management companies had something to lose along with STR owners in the way of fines or penalties or possibly losing a license, we would see a huge improvement in this issue.

**F – Garbage** – This is a hot topic and needs to be aggressively addressed. Every STR should have a “bear proof” can. In addition, it should be required in this ordinance that STR owners be required to pay for “extra stop fee” (as noted on Nestucca Valley Garbage website) when ever a guest checks out.

Here is a recent example: We just stayed at our house in Neskowin Sept, 25, 26, 27<sup>th</sup> leaving on Wed the 28<sup>th</sup>. The STR across the street just had the owner and their friends staying at their house over the weekend and left either Mon the 26<sup>th</sup> or Tues the 27<sup>th</sup>. When they left they put the garbage can at the road. The garbage is not collected in our area until Thursday so the can was going to sit out at least 2-3 days before pu. With the bear population, common sense would dictate that can is not going to sit there for 2-3 days undisturbed.

At 430 in the morning of Wed the 28<sup>th</sup> we heard the can dumped over and animals going through it. In the morning it was strewn all over the driveway. Later that morning our neighbor said she saw the property management co drive by, look over at the turned over can and keep driving and never came back. About 30 mins later another neighbor came over and cleaned up the mess.

This is a perfect example of why the management cos need to be held accountable for the “management” of their properties, bear containers required and garbage pu after someone departs the home. What we have now is not working.

**V – Parking** – We dont believe that an actual measurement of a parking space is effective – too many cars are very different in length. It should simply be restricted to how many vehicles fit in the driveway.

**Defined Parking Boundaries** should be eliminated - *“Parking spaces shall have clearly-defined boundaries marked by a fence, planting or other suitable means*  
“ For example our driveway has 2 other neighbor driveways that lie directly alongside our property boundary & driveway– there is literally no way to permanently mark our parking spaces without interfering with our neighbors as suggested in this wording

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

There should be no “on street” parking offered to STRs to qualify for their permit. It should be restricted to the actual parking space available on the property of the STR which is common for most communities. I can only speak for Neskowin but parking and street space is already a huge issue. We can barely drive down the streets as is and to add to STR parking would be hazardous for all.

### **Transfer of Permits -**

It was not noted in the draft amendment#2 so we are hoping this is not an issue but want to make it clear that we believe the ability to transfer the STR permit to a new owner if sold is critical. Individual property rights are as important to STR as a residential homeowner. Why if the home currently holds a permit should it not

continue for a new owner should they choose? That would make no sense other than to penalize the new owner.

Current STVR permits should remain valid & transferable, independent of future changes to any regulations. Economic instability is never a good thing for anyone.

And our last thoughts:

Neskowin first and foremost is a resort community and has been so and enjoyed for generations.

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

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

Respectfully Submitted  
Shelia & Dennis Clark  
Neskowin, OR

<mfbell@co.tillamook.or.us>

**Subject:** FW: EXTERNAL: Our STR in Neskowin

And another



**Debi Garland** | Board Assistant  
**TILLAMOOK COUNTY** | BOARD OF COMMISSIONERS  
201 Laurel Avenue  
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**From:** Karen Campbell <[mabelhank@gmail.com](mailto:mabelhank@gmail.com)>  
**Sent:** Monday, September 12, 2022 11:11 AM  
**To:** Public Comments <[publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us)>; [+info@neskowincac.org](mailto:+info@neskowincac.org)  
**Subject:** EXTERNAL: Our STR in Neskowin

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Dear Tillamook County STR Advisory Committee & NCAC,  
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.

YES - TLT funds dedicated to enhanced enforcement  
YES - Property rights  
YES - Reducing max occupancy by limiting to bedrooms instead of sleeping areas  
YES - Transferability of STR permits

NO - Annual limit on number of nights rented  
NO - Distance or proximity based limits

MAYBE - Percentage cap on number of STR permits

- I support responsible renting & being a good neighbor.
- I support allocating TLT towards enhanced enforcement via public safety grant.
- I support an owner's right to rent their property, whether it be short term or long term, as they are commercially equivalent.

- I support tightening up occupancy maximums by changing the ordinance to apply to "bedrooms" instead of "sleeping areas" and maintaining the 2 per bedroom + 2 overall limit for overnight occupancy.
- I support requiring a minimum number of off-street parking spots equal to number of bedrooms & limiting on-street parking to 1 car.
- I support transferability of STR permits upon sale or change of ownership.
- I do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce & track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.
- I do NOT support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes very close together, and one central STR may limit several others from lawfully operating with an STR permit.
- I support a percentage cap on STR permits in Neskowin at a level of 35%-50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years, this range is appropriate. On the low end, 35% represents approximately half of the seasonally owned homes. There is already a natural ebb and flow of STR permits opening and closing through the years as families make varied choices about how they'd like to use their home. A percentage cap that is too low may lead to owners holding onto inactive permits for fear of losing their right to rent, thereby squeezing out owners who would like to actively rent their home.
- Any potential percentage cap for Neskowin should exclude condos in the calculations and not have any type of percentage limit: Proposal Rock Inn, The Chelan, Pacific Sands & Breakers Beach Houses.
- Long ago, commercial development in Neskowin was purposefully very limited by timed deed restrictions for 50 years, and that's part of the heritage that makes Neskowin such a special place today with so many homes and very limited local businesses that are more common in larger towns.
- Neskowin has only a market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. All of these businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.
- Unlike many coastal communities, Neskowin is in a unique predicament by not having any hotels for visitors (Neskowin Beach Resort & Proposal Rock Inn are both comprised of privately owned condos). Our visitors are fully reliant on our network of amazing owners who open up their homes to welcome visitors to our special area. A wide variety of options from condos with a studio bedroom, to quaint cottages in the village, to large homes in South Beach able to accommodate large families gathering for a vacation, are an integral part of helping visitors access Neskowin. Renting a vacation home in Neskowin is actually how many owners first discovered this special getaway!
- STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high costs that can be associated with a coastal home. Our teams include house cleaners, handymen, window washers, pest control, painters, general contractors, and landscapers just to name a few.
- STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.
- Only 15% of recent home sales (2020-2022) have new STR permits, which is right in line with the approximate overall level of STRs in our area (118 home sales with 18 new permits issued, 6 transferred to new owners, and 14 permits closed post-sale, which is a net gain of 4 permits from recent home sales 2020-2022).
- The Oregon Coast has seen a jump in the number of visitors we welcome. In our neighborhood, sometimes bad



behavior happens, but it can be a challenge to say with accuracy that it was a guest at an STR, especially when we have so many day trip visitors and owners with families who may be responsible as well.

- Tillamook County housing studies define Neskowin as a "resort" town and in 2019 our seasonal home ownership ranked very high at 67%, while vacancy rates for long term rentals were zero. According to the 2017 housing report, Neskowin is entirely within their defined "Coastal Market" and this recognizes our history as a resort community. Neskowin does not have the hallmarks of a traditional residential area, as we have no public school, no large grocery store, no gas station, and no post office - this is truly a community for visitors and some people are lucky enough to live here full time.
- ORLA's Position Statement on "Illegal Hotels" may be an issue elsewhere in Tillamook county, but in Neskowin we are not aware of any STRs that can be classified as unregulated commercial activity or a "de facto hotel" operating unregulated and flouting zoning laws. If rules are being "skirted" then it's up to the county to enforce as needed. Please do not lump together rule-following and legally permitted STRs with ORLA's "illegal hotels" statement. Permitted STRs go through safety inspections, are required to provide proof of liability insurance, required to post contact info on the exterior, and are required to collect and remit TLT quarterly. I do support the county working with 3rd party software to identify and isolate these cases, but I believe they are nominal in Neskowin.
- My home in Neskowin is our family's personal beach getaway. We enjoy it as much as we can, and we also enjoy welcoming guests when we are not able to enjoy our home ourselves. If we were not able to rent our home, it would simply sit empty between our visits. It would not be available as a long term rental.
- There is room for improvement with the current ordinance, but I do not support major changes and significant limits in light of the overall low number of documented complaints and low number of enforcement violations in Neskowin. As the county looks to strike an important balance between welcoming visitors, property rights, and livability in our communities, please factor in the long history that Neskowin has in being primarily a seasonal getaway.

Sincerely,

Karen and Gene Campbell  
Neskowin Property Owners since 2012

September 10, 2022

To Tillamook County and NCAC,

I am writing in support of STRs in Neskowin. People who oppose these do so for many reasons. Lack of affordable housing for workers is one of the reasons cited. Tillamook County identifies Neskowin as a resort town. Resort towns are typically bereft of affordable housing. There may be housing on offer but it probably will not qualify as being labeled affordable housing. We offered our STR home as an LTR home in the spring. We had two inquiries is all. It was priced in keeping with the cost of housing in the area, and two people inquired. If STR owners were to offer their homes for LTR, it would be at a market price and would not be affordable for many. That's just the situation in Neskowin or any other resort city. The argument for STRs negatively impacting affordable housing is just not valid. As is the contention that STR's are driving the up the price of homes in Neskowin. Again, it's a sought-after location, with pretty limited space. What's happened here regarding home price increases is mirrored in similar beach locations across the country.

I am not in support of limiting the number of days an STR can rent in a calendar year. We typically rent 50-150 days a year. We use the house often as do our family members. We manage the rental ourselves having created relationships with renters (through AirBnb) that result in them returning, some many times over, to stay. The county has permitted five people to stay in our one-bedroom home, we allow three and only occasionally four. We share with them the "Hello Neighbors" information from the county and let them know we fully expect them to be good visitors while here. Some come in the fall, many more in the late spring and the most in the summer. If the number of rental days is restricted, I believe STR owners will book more dates in the summers, making an already busy place even busier. And the other times of the year would result in less visitors, less business for the local store and restaurant as well as for businesses in Lincoln/Pacific Cities. Allow unlimited rental, collect more in taxes, support local businesses and expect and monitor that STR guests/owners follow all local rules it's that simple.

I also support the transfer of STR permits upon sale or death of the homeowner. A qualified transfer in both cases could involve a mandatory inspection or any other requirements set at the time. Certainly, heirs who would inherit an STR home upon death should be allowed to apply for and be approved for a permit if all requirements are met. They undoubtedly would have intimate and first-hand knowledge of what is required of an STR owner, I know that our grown children do.

I fully support recommendations having to do with noise, trash, parking and enforcement. I would be fine with the county changing from "sleeping" spaces to "bedrooms" only, in determining the number allowed. For ours it would be two plus two, under the bedroom only standard. That's a change I support as well.

Lastly, over the years we have opened our small home to literally hundreds of people. They have been allowed to experience the coast community of Neskowin and surrounding locales with a house as their home base. They have been respectful, appreciative and good contributions to the town. Why are some trying to limit access to Neskowin?

Respectfully submitted,

Mark Everett

## Lynn Tone

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**From:** Erin Skaar  
**Sent:** Thursday, September 15, 2022 4:05 PM  
**To:** Lynn Tone  
**Subject:** Fwd: EXTERNAL: Our STR in Neskowin

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**From:** Public Comments <publiccomments@co.tillamook.or.us>  
**Sent:** Thursday, September 15, 2022 2:01:28 PM  
**To:** David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>  
**Subject:** FW: EXTERNAL: Our STR in Neskowin

FYI



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**TILLAMOOK COUNTY** | BOARD OF COMMISSIONERS  
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**From:** Allie kato <alliekato@hotmail.com>  
**Sent:** Thursday, September 15, 2022 12:43 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>; info@neskowincac.org  
**Subject:** EXTERNAL: Our STR 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.]

Dear Tillamook County STR Advisory Committee & NCAC,  
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.

I am a new homeowner in Neskowin village.

YES - TLT funds dedicated to enhanced enforcement

YES - Property rights

YES - Reducing max occupancy by limiting to bedrooms instead of sleeping areas

YES - Transferability of STR permits

Yes- if we can do something to reduce parking on private property and Hwy 101

NO - Distance or proximity based limits

NO - Annual limit on number of nights rented, to which I'm not 100% opposed but who came up w 100 nights. How do you enforce it. How do you acknowledge that people have had STR permits and made financial and logistical plans w the original parameters of the permits.

Plus, There is no way living full time in the valley w a family that I can use my house 250 nights if the year. Renting it out not only allows me to cover some of the costs it allows me to have a local property manager who can respond to issues. If all of the properties are used significantly less I doubt they will be able to afford to have the number of staff w the short and efficient response times they currently do. Residents and guests alike are more likely to have long response time waits, whether for noise, a broken appliance, or something more significant like broken water lines, fires, ...

MAYBE - Percentage cap on number of STR permits. But how will you determine that rate and will it have current owner **not just full time resident input.**

- I support responsible renting & being a good neighbor.
- 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.
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Sincerely,

Neskowin Property Owner

Allie

From: Ron Lockwood <rlockwoodfv@gmail.com>  
Sent: Sunday, September 11, 2022 2:23 PM  
To: Public Comments <publiccomments@co.tillamook.or.us>; info@neskowincac.org  
Subject: EXTERNAL: Our STR in Neskowin

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- I support requiring a minimum number of off-street parking spots equal to number of bedrooms & limiting on-street parking to 1 car.
- I support transferability of STR permits upon sale or change of ownership.
- I do NOT support any type of limit on the number of nights a home may be rented per year. This proposal infringes on property rights, may be difficult to enforce & track, may result in significantly lower TLT, and may lead to owners limiting guests to peak summer season, thereby unintentionally resulting in less commerce at our neighborhood businesses for the remaining 9 months of the year.
- I do NOT support any type of limit based on distance from another STR. Some parts of Neskowin in the village have homes very close together, and one central STR may limit several others from lawfully operating with an STR permit.
- I support a percentage cap on STR permits in Neskowin at a level of 35%-50%. The definition of balance is 50/50, and in consideration of Neskowin's long history as a seasonal vacation resort town for over 100 years, this range is appropriate. On the low end, 35% represents approximately half of the seasonally owned homes. There is already a natural ebb and flow of STR permits opening and closing through the years as families make varied choices about how they'd like to use their home. A percentage cap that is too low may lead to owners holding onto inactive permits for fear of losing their right to rent, thereby squeezing out owners who would like to actively rent their home.

- Any potential percentage cap for Neskowin should exclude condos in the calculations and not have any type of percentage limit: Neskowin Resort, Proposal Rock Inn, The Chelan, Pacific Sands & Breakers Beach Houses.
- Long ago, commercial development in Neskowin was purposefully very limited by timed deed restrictions for 50 years, and that's part of the heritage that makes Neskowin such a special place today with so many homes and very limited local businesses that are more common in larger towns.
- Neskowin has only a market, a restaurant, and a golf course, which is a hub of social activity for neighbors and guests alike. All of these businesses rely on guests visiting our area and STRs are vital to both our community and our local economy.
- Unlike many coastal communities, Neskowin is in a unique predicament by not having any hotels for visitors (Neskowin Beach Resort & Proposal Rock Inn are both comprised of privately owned condos). Our visitors are fully reliant on our network of amazing owners who open up their homes to welcome visitors to our special area. A wide variety of options from condos with a studio bedroom, to quaint cottages in the village, to large homes in South Beach able to accommodate large families gathering for a vacation, are an integral part of helping visitors access Neskowin. Renting a vacation home in Neskowin is actually how many owners first discovered this special getaway!
- STRs in Neskowin employ many individuals and businesses that are local to the coast, and income from rentals helps owners offset the high costs that can be associated with a coastal home. Our teams include house cleaners, handymen, window washers, pest control, painters, general contractors, and landscapers just to name a few.
- STRs in Neskowin have had no ordinance violations in 2022 as of Sept 8, 2022.
- Only 15% of recent home sales (2020-2022) have new STR permits, which is right in line with the approximate overall level of STRs in our area (118 home sales with 18 new permits issued, 6 transferred to new owners, and 14 permits closed post-sale, which is a net gain of 4 permits from recent home sales 2020-2022).
- The Oregon Coast has seen a jump in the number of visitors we welcome. In our neighborhood, sometimes bad behavior happens, but it can be a challenge to say with accuracy that it was a guest at an STR, especially when we have so many day trip visitors and owners with families who may be responsible as well.
- Tillamook County housing studies define Neskowin as a "resort" town and in 2019 our seasonal home ownership ranked very high at 67%, while vacancy rates for long term rentals were zero. According to the 2017 housing report, Neskowin is entirely within their defined "Coastal Market" and this recognizes our history as a resort community. Neskowin does not have the hallmarks of a traditional residential area, as we have no public school, no large grocery store, no gas station, and no post office - this is truly a community for visitors and some people are lucky enough to live here full time.
- ORLA's Position Statement on "Illegal Hotels" may be an issue elsewhere in Tillamook county, but in Neskowin we are not aware of any STRs that can be classified as unregulated commercial activity or a "de facto hotel" operating unregulated and flouting zoning laws. If rules are being "skirted" then it's up to the county to enforce as needed. Please do not lump together rule-following and legally permitted STRs with ORLA's "illegal hotels" statement. Permitted STRs go through safety inspections, are required to provide proof of liability insurance, required to post contact info on the exterior, and are required to collect and remit TLT quarterly. I do support the county working with 3rd party software to identify and isolate these cases, but I believe they are nominal in Neskowin.
- My home in Neskowin is our family's personal beach getaway. We enjoy it as much as we can, and we also enjoy welcoming guests when we are not able to enjoy our home ourselves. If we were not able to rent our home, it would simply sit empty between our visits. It would not be available as a long term rental.



· There is room for improvement with the current ordinance, but I do not support major changes and significant limits in light of the overall low number of documented complaints and low number of enforcement violations in Neskowin. As the county looks to strike an important balance between welcoming visitors, property rights, and livability in our communities, please factor in the long history that Neskowin has in being primarily a seasonal getaway.

Sincerely,  
Ron and Martha Lockwood  
Neskowin Property Owner

Sent from Martha's iPad

September 10, 2022

To Tillamook County and NCAC,

I am writing in support of STRs in Neskowin. People who oppose these do so for many reasons. Lack of affordable housing for workers is one of the reasons cited. Tillamook County identifies Neskowin as a resort town. Resort towns are typically bereft of affordable housing. There may be housing on offer but it probably will not qualify as being labeled affordable housing. We offered our STR home as an LTR home in the spring. We had two inquiries in all. It was priced in keeping with the cost of housing in the area, and two people inquired. If STR owners were to offer their homes for LTR, it would be at a market price and would not be affordable for many. That's just the situation in Neskowin or any other resort city. The argument for STRs negatively impacting affordable housing is just not valid. As is the contention that STR's are driving the up the price of homes in Neskowin. Again, it's a sought-after location, with pretty limited space. What's happened here regarding home price increases is mirrored in similar beach locations across the country.

I am not in support of limiting the number of days an STR can rent in a calendar year. We typically rent 50-150 days a year. We use the house often as do our family members. We manage the rental ourselves having created relationships with renters (through AirBnb) that result in them returning, some many times over, to stay. The county has permitted five people to stay in our one-bedroom home, we allow three and only occasionally four. We share with them the "Hello Neighbors" information from the county and let them know we fully expect them to be good visitors while here. Some come in the fall, many more in the late spring and the most in the summer. If the number of rental days is restricted, I believe STR owners will book more dates in the summers, making an already busy place even busier. And the other times of the year would result in less visitors, less business for the local store and restaurant as well as for businesses in Lincoln/Pacific Cities. Allow unlimited rental, collect more in taxes, support local businesses and expect and monitor that STR guests/owners follow all local rules it's that simple.

I also support the transfer of STR permits upon sale or death of the homeowner. A qualified transfer in both cases could involve a mandatory inspection or any other requirements set at the time. Certainly, heirs who would inherit an STR home upon death should be allowed to apply for and be approved for a permit if all requirements are met. They undoubtedly would have intimate and first-hand knowledge of what is required of an STR owner, I know that our grown children do.

I fully support recommendations having to do with noise, trash, parking and enforcement. I would be fine with the county changing from "sleeping" spaces to "bedrooms" only, in determining the number allowed. For ours it would be two plus two, under the bedroom only standard. That's a change I support as well.

Lastly, over the years we have opened our small home to literally hundreds of people. They have been allowed to experience the coast community of Neskowin and surrounding locales with a house as their home base. They have been respectful, appreciative and good contributions to the town. Why are some trying to limit access to Neskowin?

Respectfully submitted,

Mark Everett

My name is Shelia Clark and I appreciate the opportunity to share suggestions as Tillamook County evaluates the STR ordinance. I also want to thank everyone that has volunteered their time on these committees to make our communities a better place to work, live and play.

My Husband and I live in Florence, OR where I am a licensed Realtor serving the Oregon Coast and Willamette Valley. We also own a beach cottage in Neskowin Village where we spend half our time each month.

We began our personal experience with STRs several years ago where we owned and managed several STRs in Seaside for ourselves and family. During this time we were fortunate enough to work alongside a exceptional mngt co who had strict rules and quick to respond to issues. We learned a lot!

In my profession I have also helped several clients with their STR search/purchase and sale which led to navigating and learning various city and county STR ordinances throughout Oregon.

In Neskowin with 2 STRs across the street we too have had all the experiences as most. However trying to deal with a local mngt co was the exact opposite experience we had with the quality company in Seaside. When we called about their out of control renters we were sternly told to just call the Sheriff .

This was a stark contrast to previous mngt cos I had worked with and quickly learned this local company didn't really care, they were not held accountable, took no responsibility and it was my problem not theirs. I believe its this mindset that has gotten us to where we are today.

STRs have become a hot topic for many communities, leading to further restrictions and regulations on property owners which is not going to resolve this problem. With the consistent and escalating complaints of STRS such as noise, garbage, parking, and sometimes a complete disregard for other property owners and our neighborhoods, my question is why are the management companies not held accountable for their guests in this ordinance?

I just recently learned about these groups and committees and havent had enough time to read all the documents or watch videos, but as far as I can see in the ordinance and many others, management companies are left out of this conversation. I think this is a critical component to resolving this issue, not further

restrictions on property owners .

From my recent experience, the companies book the guests, charge their credit card and look the other way. I know there are good companies and not all companies act in this manner, but this is what happens with this mindset.

They should be held accountable for the actions of their guests which can only happen with an addition to the ordinance resulting in penalties that actually affect these companies. This is a critical part of their job or should be— to assure the neighborhood is not terrorized, rules and regulations are followed and swift/appropriate action is taken if needed.

Equally, the owner of the STR should be as responsible and I feel that the county needs stricter regulations and fines for STR owners and mngt companies alike. I would think this would be a huge motivator! - Let them police their guests as opposed to neighborhoods.

These issues should not be left at the feet of local law enforcement. The county, at this point does not need to hire “STR enforcement” and take on additional costs before tighter regulations that penalize both the property owner and brings management companies into the fold to be equally held responsible are enacted.

**Rental Limit:** Rental days should not be limited to 100 days. This is penalizing everyone for the lack over over site of guests from a few mngt cos and STR owners. Many people invest in STRs for addtl income, retirement or just the ability to own a home at the beach. The rules simply need to be enforced, and a strong ordinance requiring mngt cos involvement would

**Parking:** There should be no “on street” parking offered to STRs to qualify for their permit. It should be restricted to the actual parking space available on the property of the STR which is common for most communities. I can only speak for Neskowin but parking and street space is already a huge issue. We can barely drive down the streets as is and to add to STR parking would be hazardous for all.

**Noise Complaints:** Section 6 AA - “Renters may be issued a citation and fine” Since this is such a huge issue it should not be treated so lightly. After 1 notice there should be fines for everyone, renters, STR owners and Mngt cos alike. Again there needs to be stronger accountability and penalties for violations so people will take this seriously and take action.

I agree with a previous email dated May 3 noting section 6 AC – There is too much latitude using the statement “attempt to contact” it should state “they **will** contact the renter within 20 mins” this needs absolute wording so it is clear what is expected and action is taken. As it stands its too open ended, allows the mindset instead of “maybe I will, maybe I wont” approach and does not stress the importance of the ordinance. This wording is too casual.

**Sleeping Spaces:** should be noted as actual bedrooms available

We are not at all against STRs and believe everyone should have the opportunity to enjoy the beach like we do. Property owners should be able to use their property as they choose without government interference as long as it does not harm others.

I truly believe if management companies had something to loose along with STR owners in the way of fines or penalties or possibly loosing a license, we would see a huge improvement in this issue.

**STR Ordinances need to be enforced:**

Mngt cos are in best position to enforce the rules and need to be encouraged to be more proactive. They are in the best position to control the actions of guests. Guest who blatantly violate rules should be blacklisted from renting.

Thank you for your consideration of our suggestions. We hope are suggestions and insight has made a small contribution to a resolution.

Sincerely,

Shelia & Dennis Clark  
541- 914-4472  
sdclark1224@yahoo.com

Florence, OR  
Neskowin, OR

## Lynn Tone

---

**From:** Michael Cook <mikerusts@gmail.com>  
**Sent:** Monday, September 12, 2022 12:09 PM  
**To:** Lynn Tone  
**Cc:** Neah Kahnle  
**Subject:** EXTERNAL: Fwd: Important Short-Term Rental Advisory Committee Meeting 9/13/22 at 9:30 am

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

Director Absher and Commissioner Erin Skaar

I appreciate necessary pause in STR licensing and all the attention that the county is now giving to the STR/TLT along with the support of our CAC. I'm sorry to be missing this meeting, but wanted to add to my earlier testimony below to comment on the welcome introduction of ORLA's participation. In addition to emphasizing the most challenging threat of "illegal hotels" their entry into the discussion provides an opportunity facilitate discussion on the impact of their own STR properties.

In your deliberations please consider the following:

- the need for disclosure of permitted properties to assist in local planning and enforcement
- the impacts of all STR's on emergency preparedness and related costs in order to better inform visitors, prepare properties, and provide emergency supplies via licensing requirements, fees, TLT reapportionment.
- the relationship between workforce housing planning and STR impacts by requiring periods of affordable long term rentals in the equation.

Respectfully,  
Mike

Mike Cook  
37335 First St.  
Nehalem (Neahkahnle) 97131  
503-368-3048

**Subject:** May 24 Board of Commissioners meeting

**Date:** Fri, 20 May 2022 19:39:18 -0700

**From:** Michael Cook <mikerusts@gmail.com>

**To:** [publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us)

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

Respectfully,  
Mike

Mike Cook  
37335 First St.  
Nehalem (Neahkahnie) 97131  
503-368-3048

**Subject:** May 24 Board of Commissioners meeting

**Date:** Fri, 20 May 2022 19:39:18 -0700

**From:** Michael Cook <[mikerusts@gmail.com](mailto:mikerusts@gmail.com)>

**To:** [publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us)

## Lynn Tone

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**From:** Jill Carter <jcarter1217@gmail.com>  
**Sent:** Sunday, September 11, 2022 6:41 PM  
**To:** Sarah Absher; Lynn Tone  
**Subject:** EXTERNAL: Short term rental ordinance / Comments

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

September 11, 2022

To: Ms. Sarah Absher

From: Darryl Carter / Neahkahnie

As you are aware, I have been on occasion heavily involved with the short term rental issue in Tillamook County. The situation is as I see it has gotten continually worse for the families living in the unincorporated areas of the county. The obvious reason is that the county has allowed the single-family zoning to No longer be meaningful. The Current situation allows any home in the Unincorporated communities to become a defacto motel. Homes in this program are no longer managed by the owner. It is now done by professional managers employed by corporations. Thanks to the Internet, reservations are taken and there's little or no vetting of the users. Families have no clue who is residing 12 feet from their home. This is unnerving and shouldn't be allowed in a single family zoned community. Tillamook County has commercial zoning and that is where this activity belongs.

This commercial activity also puts undue stress on Community water and sewer systems designed to accommodate Single families as they use significantly more of these resources. One remodeled home in Neahkahnie will now sleep 20. An architect friend advised me that a new client of his bought a home in Neahkahnie and wanted it redesigned get the maximum number of beds. This couple is from California and want to receive maximum revenue to pay for this commercial investment. Our local realtors use this is a big selling point when trying to move a very expensive beach property.

I think the following changes should be made to the ordinance:

1. Severely limit the percentage of homes in a community that can be in the program. I think no more than 10% of a communities homes Would lessen the impact of this activity. Manzanita has a cap of 17%. I think this is too high but it's better than no cap at all as we currently have.
2. Make the approval process for obtaining a rental license exactly the same as a conditional use application for a bed and breakfast. As you know, the bed-and-breakfast application also involves community input. The bed-and-breakfast also requires an on-site manager and no more than two bedrooms dedicated to the rental program. Why should short-term rentals be allowed virtually without public input or onsite management? Why should the neighbors not have a say in what goes on in their neighborhood?
3. No longer allow applications for multiple ownership. Let those currently licensed expire at the end of the new ordinance and not be renewable. This has turned into a purely commercial enterprise as opposed to families trying to recoup a mortgage payment which was the original intent.



4. These rental homes have become public accommodations. Make them subject to the disabled American disabilities act. They will be required to bring structures up to higher standards making it safer for the public to use them.

5. Raise the licensing fee very significantly so that a full-time manager and staff can be Added to your staff to manage this activity. This is a very significant business and it takes In hundreds of thousands of dollars annually. The owners should be required to pay for the staff necessary to regulate their activities.

I would further ask you to review the activities of Lincoln County in dealing with short term rentals. They have become more restrictive and in fact tried to Sunset rentals per se. I understand The court has sent this case to Luba.

I am hopeful that the commission We'll take actions that Will benefit the residents of Tillamook County as opposed to the commercial interests.

Best regards,

Darryl Carter

## Lynn Tone

---

**From:** Sarah Absher  
**Sent:** Monday, September 5, 2022 10:15 AM  
**To:** Lynn Tone  
**Subject:** STR PARKING COMPLAINTS

Please make copies for the STR meeting next week.

Thank You,



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

**From:** Gus Meyer <gusmeyer9@gmail.com>  
**Sent:** Saturday, September 3, 2022 9:15 PM  
**To:** Erin Skaar <eskaar@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>  
**Cc:** Nan TLT <nan@tillamookcoast.com>; Chris Laity <claity@co.tillamook.or.us>  
**Subject:** EXTERNAL: STR PARKING COMPLAINTS

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Tillamook County STR Commissioner Liaison; Erin Skarr  
Tillamook County CD Director; Sarah Absher

Regards: STR Related Parking Problems

My son, whom works on STR hot tubs, reaffirms my community reviews of Tillamook Unincorporated parking problems on his usual STR rounds of Central and North Tillamook County.

A number of these parking problems are caused by diminished beach accesses, wherever the ocean is within easy walking distance with limited beach access parking space .

I've noticed dogs in attendance going to the beaches from some poorly parked vehicles, most likely misidentified as STR complaints.

Thereby "*Beach Access*" is once again on the Tillamook County complaint docket.

Recall Kiwanda parking problems, as well as Cape Meares, Oceanside, Netarts, and other ocean access problems in most of Tillamook County Beach areas, including Short Sands Beach.

Life is compounded and complicated at our beaches.

Gus Meyer,  
STR Committee Member

# WHAT'S THE DIFFERENCE BETWEEN A HOTEL AND A COMMERCIAL SHORT TERM RENTAL (STR)?

## ONE BIG THING...

### CHARACTERISTICS

### HOTELS

### COMMERCIAL STR

Provide lodging on a nightly basis

Yes

Yes

Objective is net profit, not cost reimbursement

Yes

Yes

Accept reservations and credit card payments online

Yes

Yes

Provide housekeeping.

Yes

Yes

Advertise their businesses as “resorts”

Yes

Yes

Pay state and county transient lodging taxes

Yes

Yes

**Operate in single family neighborhoods**

**No**

**Yes**



## Position Statement - Reining in “Illegal Hotels”

### Background

Across the State of Oregon, there is growing concern that some Home Sharing Platforms, such as Airbnb, HomeAway and Flipkey, are enabling the proliferation of “illegal hotels,” where commercial operators list multiple units in the same region of the state or list units for extended periods of time without consideration for both local and state law. In some instances, commercial operators or investors are buying rental properties with no intention of living there but solely for the purpose of renting them out to short-term visitors, just like a hotel. This unregulated commercial activity often compromises consumer safety, impacts affordable housing supply across Oregon and endangers the character and security of residential neighborhoods.

### Illegal Hotels are Adversely Impacting the Fabric of Neighborhoods and Reducing Affordable Housing Stock throughout Oregon’s Communities

Commercial activity in homes meant for working families is running amok across the state. Advancements in technology have launched a new industry which operates outside the intent and purpose of carefully crafted zoning and land use laws in local economies across Oregon. ORLA is aware of occupations whereby professionals are buying up multi-use housing complexes for the sole purpose of daily rental income. The untamed and ‘enforcement light’ approach to short-term rental regulation is creating a free for all amongst ambitious entrepreneurs who are thriving on skirting rules and regulations in place which lack strong enforcement protocols. In summary, the use of homes in residential areas as de-facto hotels is inconsistent with the intent of residential zoning and Oregon’s land use planning system.

### ORLA Welcomes Competition on a Level and Legal Playing Field

ORLA’s active membership includes several vacation rental companies overseeing short-term rentals in vacation destinations across our state. For decades, vacation rental dwellings have served as a part of the fabric of local communities. These companies are examples of welcome competition and are ensuring their clients are paying all applicable transient lodging taxes while safely accommodating guests and following all local government ordinances. In addition, ORLA supports the following important principles:

- We continue to support the rights of property owners to occasionally rent their homes to earn extra income, following all local, state and federal rules and regulations.
- Competition thrives when everyone plays by the same set of rules.

However, we have seen a proliferation of unregulated commercial operators running multi-unit, full-time lodging businesses in partnership with Home Sharing Platforms like Airbnb, with a significant portion of rental revenue driven by this type of commercial activity. Technological advances have resulted in a matchmaking of underground commercial activity in residential and multiuse neighborhoods with interested travelers. These commercial operators gain an unfair and significant competitive advantage by running these multi-unit, full-time lodging businesses without oversight. Of particular concern is the non-compliance with public health and safety rules, which are in place to keep Oregon residents and visitors safe from harm.

Unregulated Hotels Operating in Residential or Mixed-Use Zones are Disruptive to Communities and Pose Serious Safety Concerns for Guests, Communities, and Neighborhoods

Guests staying in unregulated short-term rentals have no way of verifying whether these properties are compliant with basic health and safety standards, like smoke and monoxide detectors, fire escapes and wheelchair ramps. In addition, neighbors in many cases have no way of knowing who is listing the properties in their area, much less renting them, and can face chronic problems like excessive noise, unruly behavior, and a revolving door of strangers next door. By flouting zoning laws, unregulated businesses are disrupting communities across Oregon and reducing the supply of homes available to workers. Unregulated commercial activity in residential and mixed-use zones is having a direct impact on rent rates across Oregon and is making it harder for working families to stay in their homes.

State and Local Governments Should Double Down on Their Efforts to Protect Their Communities by Closing Illegal Hotel Loopholes

Home Sharing Platforms like Airbnb need to assist local and state government in cracking down on illegal hotels facilitated by their online platforms. The following simple steps should be taken in Oregon to rein in illegal hotels:

- Prevent properties prohibited from operating in a community from posting on short-term rental websites.
- Provide full transparency to state and local authorities (like all other lodging properties) including host contact and address information as well as which hosts have multiple or full-time units for rent.

The State of Oregon and all local governments should:

- Develop a comprehensive plan to ensure the proliferation of online booking technology does not result in undue livability burdens in Oregon communities including reductions in housing supply for local workforce needs.
- Partner with technology companies who specialize in Home Sharing Platform rental transparency. Local governments in Oregon are now partnering with technology companies like STR Helper and Host Compliance to assist them in managing the process for identifying short-term hosts within their jurisdiction.
- Ensure short-term rental hosts register their rental property and obtain a business license and other applicable rental permits.
- Track all transient lodging tax payments to ensure all revenues are paid by short-term rental hosts or Home Sharing Platforms like Airbnb when they collect payments for lodging stays on behalf of their host partners.
- Ensure all local and state zoning laws are being followed.
- Ensure basic health, safety, and cleanliness standards are being met.
- Ensure appropriate levels of liability and other applicable insurance plans are in place to protect homeowners, guests, and communities.

###

## Lynn Tone

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**From:** Sarah Absher  
**Sent:** Wednesday, July 13, 2022 8:54 AM  
**To:** Lynn Tone  
**Subject:** STR Testimony- CONCERNS OVER RECOMMENDATIONS

Please make copies for August meeting.

Thank You!

**From:** Public Comments <publiccomments@co.tillamook.or.us>  
**Sent:** Tuesday, July 12, 2022 12:45 PM  
**To:** David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; Rachel Hagerty <rhagerty@co.tillamook.or.us>; County Counsel <countycounsel@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>  
**Cc:** Isabel Gilda <igilda@co.tillamook.or.us>  
**Subject:** FW: EXTERNAL: CONCERNS OVER RECOMMENDATIONS

Good afternoon, Commissioners,

Please see the below public comment that came in yesterday, also regarding STRs in Neskowin.

Thank you,



**Debi Garland | Board Assistant**  
**TILLAMOOK COUNTY | BOARD OF COMMISSIONERS**  
201 Laurel Avenue  
Tillamook, OR 97141  
Phone (503) 842-3400 x3380  
[dgarland@co.tillamook.or.us](mailto:dgarland@co.tillamook.or.us)

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**From:** M BARNES-TERRERI <[mariasangria@msn.com](mailto:mariasangria@msn.com)>  
**Sent:** Monday, July 11, 2022 3:17 PM  
**To:** Public Comments <[publiccomments@co.tillamook.or.us](mailto:publiccomments@co.tillamook.or.us)>  
**Subject:** EXTERNAL: CONCERNS OVER RECOMMENDATIONS

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

To Whom It May Concern,

I would like to express my concerns regarding a consideration to restrict the Neskowin Short Term Rental allowances to 100 days per year.

As a part time resident of Neskowin, I realize that the coastal areas have become more popular than ever, especially in view of the COVID-19 pandemic as more people are able to work from home, have restricted international travel in favor of local vacation destinations.

All recreational areas have experienced an increase in usage, and some visitors, with less than desirable attitudes, it would seem that many residents attribute any issue with visitors, to the Short Term Rental community, which is not always the case. In Neskowin, the community has expressed belief that STR visitors are solely responsible for the: pot-holes and road disrepair, bear problems, garbage left at the state parking area, traffic congestion, excessive noise from social gatherings, etc.

The county benefits from the Transient Lodging Tax, Licensing Fee and increased economic benefits that these visitors bring. The Oregon Coast has been economically depressed for decades, and is dependent upon tourism to support many industries, including restaurants, factory outlet stores, golf courses, art museums, etc. Additionally, many individuals who live at the coast, make earn their income but working at and for these businesses.

There have been numerous meetings in which residents describe the deteriorating quality of life, since Short Term Rentals have become more popular. However, there are mechanisms being put in place to address these concerns, and further actions are being discussed about certain property owners who seem to have invested in a number of larger homes, that appear to have become destination "party rentals" within much of that area.

As a property owner, sharing my home with others, who are implored upon to be good citizens, and as far as I know, are being respectful and conscientious towards my neighbors, and the area, allows me to pay the mortgage, maintain the home, and make improvements. This home has been in our family for generations. The upkeep on a coastal home is arduous and can be overwhelming. I request that you consider this restriction, which I believe would not only have negative consequences for property owners like me, but for the entire coastal community that depends on the revenue that tourism brings.

I respectfully thank you for your consideration.

Maria McGarry-Barnes  
5260 Grandview Street  
Neskowin, OR 97149



## Lynn Tone

---

**From:** Sarah Absher  
**Sent:** Wednesday, July 13, 2022 8:59 AM  
**To:** Lynn Tone  
**Subject:** Public Comment STRs in Neskowin

For August Meeting

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

**From:** Public Comments <publiccomments@co.tillamook.or.us>  
**Sent:** Monday, July 11, 2022 11:12 AM  
**To:** David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>  
**Cc:** Rachel Hagerty <rhagerty@co.tillamook.or.us>; County Counsel <countycounsel@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>  
**Subject:** FW: EXTERNAL: STRs in Neskowin

Good morning, Commissioners,

Please see below a public comment received on Friday regarding short-term rentals.

Thanks,

Debi Garland | Board Assistant  
TILLAMOOK COUNTY | BOARD OF COMMISSIONERS  
201 Laurel Avenue  
Tillamook, OR 97141  
Phone (503) 842-3400 x3380  
dgarland@co.tillamook.or.us

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

**From:** Mark Everett <hbrain5@comcast.net>  
**Sent:** Friday, July 8, 2022 8:12 PM  
**To:** Public Comments <publiccomments@co.tillamook.or.us>  
**Subject:** EXTERNAL: STRs in Neskowin

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Hello,

I'm writing to provide some public testimony regarding the STR issue in Neskowin. We have been STR providers for many years, The Neskowin home is a second/vacation home for us that we also rent short term through AirBnb. Looking back at our records we rent around 50 nights/year. Although 100 nights during 2021, probably an anomaly due to the pandemic. We also use the home for ourselves and our other family members.

I would oppose some of the recommendations of the SON group and I also have some questions. I guess I'd ask that if STRs are a business doesn't that also mean that LTRs are a business as well? I have a question about the term "conditional use", what would that mean if STRs are designated in this way? To me it sounds as if this means the use could be amended at some point? I've seen a number that is around 16% STRs currently in Neskowin. I think the 15% maximum being recommended is too low but understand the concern and would hope a compromise at a bit higher percentage could be determined. I'm totally opposed to limiting the number off STRs per street or neighborhood. Limiting to 12 people or less per day per STR as well as vehicles is something I would support. I do not support limiting the number of days to 100 but understand that concern so hopefully a larger number of days could be agreed to in the end. I think if it's a 100 day limit, all STRs will be booked May to September and very few would be booked the remainder of the year. This would have a negative effect on businesses in Neskowin and surroundings areas as businesses would have to depend on full year residents and day trip visitors or folks like us coming to Neskowin for some period of time but not full time.

I am personally in favor of excluding commercial STR enterprises from putting down stakes in Neskowin by purchasing, building and increasing occupancies of STRs. STR owners have a duty to be good neighbors but also have a right to be able to do short term rental of their properties, within an agreed upon and reasonable structure that is good for the community.

Respectfully submitted  
Mark Everett

July 12, 2022 Public Input

Dear STR Committee and Tillamook County Officials,

I am a homeowner in Neskowin and participate in short term rentals. I listened in on the meeting today (July 12) and have a few comments to share. I do have experience both as an STR owner and also as a Community Development Director in a resort community trying to manage STRs. My thoughts include:

1. The surveys that were discussed are misleading. The questions asked are limited to potential issues that the respondents perceive relate to STR users. There is no corresponding survey related to problems created simply by families using their family home, friends of owners, etc... My limited problems with people in Neskowin (beach fires adjacent to our home, fireworks all night, etc...) have all been with people who are not STR users, they are families or guests or owners. The survey did not allow this option. In addition, it is my opinion that most of the time someone is having a problem with someone staying in Neskowin, they don't really know whether or not the problem causer is an STR user or otherwise visiting Neskowin. As worded, the surveys limit problems to only being created by STR users so it is natural to respond as if every problem is caused by an STR user, when we really have no data as to who causes the problems.
2. Neskowin and other similar communities in Oregon have a 100 year history of rentals. We talk about STR rentals since 2018 because Tillamook County has regulated them and collected taxes since then. Short term rentals are not going away and have been around for longer than most or perhaps all of us.
3. There was much discussion about needing to have a "community member" own the home, even a suggestion that a home must be "owner occupied" (full time? Part time? Family members? Friends?) for 2 years before STRs are allowed. Trying to enforce that would be ridiculously difficult. Plus, Neskowin has around 874 properties and anywhere from 79-110 full time residents (depending on which numbers you believe). Assuming a minimum average of 2 people per home, that means at most, 55 of the 874 homes in Neskowin are occupied by full time residents, or what I would call a community member. That is 6%. No matter what happens with STRs, that percentage is likely to go down, not up.
4. As stated above, for 4 years I was the Community Development Director for Summit County Utah, which includes the resort community of Park City. Much of the resort area is in unincorporated areas. Both Park City and Summit County have at times tried to eliminate STRs. It never worked, not even close. The time and effort to monitor who is in every home at all times is daunting and really impossible. Identifying the difference between STR renters, family members, friends, guests, clients, etc... is again basically impossible. While I was at Summit County I saw at least a dozen different ways people legally got around the rules. Both communities now allow STRs, regulate them, and collect taxes from them.

I believe the discussion during today's meeting started to run a little far from reality. Yes, some folks in Neskowin want it to be a simple little community of retirees. The reality is that with home prices these days, particularly those in resort communities, that ship has long since sailed. Neskowin is going to be what it always has been, a beautiful, charming vacation community, with limited full time residents.

I believe the question to ask yourselves is not whether or not you want STRs in communities like Neskowin. That is going to happen no matter what. The question is, does Tillamook County want to

regulate STRs and collect taxes from them. Tillamook County can either collect millions of dollars in STR fees and taxes, use some of that money to regulate and enforce rules relating to STRs and the rest of that money to help the broader community. OR, Tillamook County can collect no STR money and use general fund property tax money to create an extensive enforcement division, with code enforcement and legal staff, to try and stop STR rentals. This endeavor of trying to eliminate or severely restrict STRs is going to cost hundreds of thousands of dollars a year and is really going to accomplish very little. I have seen this first hand in Utah resort communities, talked extensively with leaders in other resort communities, and it is just a fact. You either manage and profit from STRs, or you give up the STR tax income, spend a disproportionate amount of general fund tax dollars trying to enforce rules and restrictions that are so severe they will be ignored, and if the experience of other communities means anything, you will generally fail at limiting STRs.

Understand that severely limiting STRs has the same impact as banning them. Short term rentals do not go away, they just go underground. Imagine trying to enforce how many days a year a home can be used for STRs? Who monitors this? How? Why would the owner not just entirely leave the STR program and watch one of the many Youtube videos which tell owners how to structure their transactions with renters so they are not considered STRs? Or rent 100 days through the STR program, the rest of the year through different legal means. Severely limiting number of guests? Which one of you is going to go everyday into every home being rented in Tillamook County and count the guests? Perhaps even determine who is actually sleeping there versus who is visiting?

Please consider this opinion. Your opportunity is to appropriately regulate STRs and enforce rules and solve problems related to STRs and frankly, to enforce similar rules and solve similar problems for all vacation and owner occupied homes. Eliminating or severely limiting STRs just means the budget to solve problems is severely limited, but it doesn't eliminate the problems. I believe Tillamook County should stay in the business of trying to solve the problems related to users of STRs and users of all vacation and primary homes. A loud party is a loud party and obnoxious whether it is family members staying at their home (or friends of the owners) or at an STR. Teenagers lighting off fireworks at 1 a.m. on the beach is a problem no matter who is doing it (that was my problem, solved by my threatening German Shepard and a shovel I took with me as I stormed onto the beach in my pajamas, where I did confirm they were part of a family that owns a nearby home).

I am a private property rights fan. I would love to tell you who can and cannot stay at your home. Your grandkids who light fireworks are definitely out, your daughter with the barking dog is not welcome, your tradition of making a fire on the beach blows terrible smoke into my home, your friends with the dog who runs wild on the beach are not allowed, your sister-in-law that talks loud as she walks is obnoxious and not allowed, your grandkids disturb my serenity on the beach, and you trying to feed the birds is part of what is attracting bears to my garbage! (maybe) Please don't invite uncle Larry back because he drives too fast, as does your teenage grandson. But, instead of me telling you WHO you can invite to use your home, I would rather have us agree on what behavior is appropriate for our guests, what behavior is not appropriate, and how we deal with an inappropriate guest. We are really on the same page here and that is where I believe the STR committee should focus.

As responsible owners, we do not rent our place for parties, weddings, or other large events and we communicate regularly with our neighbors. Yes, our garbage can was repeatedly destroyed by a bear this year and yes we have solved that. Our experience is that we rent out to families to celebrate Dad's

90<sup>th</sup> birthday, for a last weekend with a brother sick with cancer, for a book club, for wine connoisseurs, for families wanting to participate in the 4<sup>th</sup> of July celebration, and for winter storm watchers and families that just like walking the beach. That is Neskowin to me and it is the same Neskowin that has been around for 100 years.

Thank you for your time. Attached is a short article discussing other communities' efforts to control STRs and I believe it is informative.

David Allen

[Back To Blog](#)

## Short-Term Vacation Rental Bans Gone Wrong

With the short-term rental market exploding in the last several years and showing no signs of abating, many local governments are facing the rapid expansion head on — by banning these rentals entirely. But is a ban on companies like Airbnb, Homeaway, VRBO and others enforceable or even desirable?

While your local government may feel that a full ban is the best tactic, keep in mind that a ban is hard to enforce, as it forces these rentals underground, and it may intensify the debate about homeowner rights, leading to civil strife in the community. Moreover, a ban on short-term vacation rental properties can deprive your community of possible benefits, such as an increase in tourism revenue, tax revenues, and spending from homeowners with greater income streams as a result of their rental income.

Another key consideration is the legality of a ban. Cities and local governments are charting new waters as they interact with companies like Airbnb and Flipkey; it's important to keep in mind that, without a strong legal foundation, a ban could be met with a lawsuit. In fact, here are many examples of short-term rental bans that resulted in legal action:

### 1. New York

New York City is Airbnb's biggest market in the US — so it came as an unexpected blow to the platform and its renters when New York's Governor, Andrew Cuomo, signed a law prohibiting "illegal" listings on the platform in October 2016. The move by Cuomo called back to a 2010 law prohibiting the rental of an entire apartment for less than 30 days (allowing landlords to keep rentals off the market and also circumvent hotel taxes and zoning changes), and fines could reach \$7,500 (after multiple warnings). Airbnb filed a lawsuit in December of the same year, contending that Cuomo's law violated the First Amendment and the Communications Decency Act. The city was able to settle with Airbnb when the city agreed to prosecute the renters and not Airbnb itself for rentals that violated the new law. Now, Airbnb hosts must make sure they are in compliance with the law before renting out their homes, by triple checking their lease agreements and zoning laws, collecting hotel taxes and ensuring that a host is present when the home is rented so as not to violate the New York State Multiple Dwelling Law. Of course, without access to an updated list of rentals and insight into the goings on at each renter, the city's enforcement of the law has been lacking. As a result there are currently more than 40,000 short-term rentals in New York and it can therefore be argued that the ban has been far from successful in achieving its goals.



California's coastline, with its sprawling beaches, is a big tourist draw — so it's no wonder that short-term vacation rentals would proliferate there. To address this, the City of Santa Monica placed a ban on short-term vacation rentals in 2015, after complaints from "irritated neighbors, affordable housing advocates and the hotel industry." Santa Monica's law featured stringent requirements for hosts and subjected online platforms to review before being allowed to post host information. Both hosts and the online rental websites were held liable and subject to both civil and criminal liability. Airbnb retaliated with a lawsuit, claiming that Santa Monica violated their First and Fourth Amendment rights. In 2017, Santa Monica amended their law, although it remains one of the strictest in the nation, and the legal battles continue on. As in New York it is also clear that the law isn't fully working as intended. In fact, a recent search of the City showed ~1,400 short-term rental listings across 22 different short-term rental platforms.



### 3. Anaheim

The rest of California is not without its short-term rental controversy and the City of Anaheim provides a prime example. Anaheim is home to Disneyland, making it an ideal location for short-term vacation rentals; however, with the explosive growth of this new market, existing homeowners raised concerns about the influx of tourists into residential neighborhoods. In 2014, the city adopted an ordinance requiring all short-term rental hosts get a permit and pay their taxes, but as the market continued to explode, the City changed policy and issued a moratorium on new permits. The 2016 moratorium and ban on new rentals gave existing short-term renters 18 months to phase out their businesses. The change in policy was immediately faced with lawsuits from Airbnb, HomeAway and the Anaheim Rental Alliance. Facing these costly lawsuits, the City changed direction again and eased some of the restrictions and sought a legal settlement. As part of the settlement the City also removed the language from its ordinance that holds the web platforms accountable for unlicensed rentals in the city.

### Conclusion

These are just a few examples of city governments that have dealt with legal battles as a result of the short-term rental market's explosion online and subsequent bans; there are many other cities that have dealt with similar costly and high-profile lawsuits (like San Francisco). Rather than turning first to a full out bans, local governments should consider if it may make more sense to put in place compromise regulatory frameworks that allow short-term rentals that meet certain requirements while protecting the interests of the broader community. By doing so, communities can can harvest the benefits of this new industry and avoid exposing themselves to expensive and time-consuming legal battles.



With the advancements in big-data technology it is now possible to enforce such policies, and identify addresses of short-term rentals to bring them into compliance with local rules. Many innovative municipalities including Placer County, California; Durango, Colorado; Asheville, North Carolina; and Islamorada, Florida, already use such tools and have seen double-digit improvements in compliance and revenue. This allows these cities and counties to double down on enforcement to further ensure that short-term rental operators stay within the designated zones, pay their fair share of taxes, and are accountable and respectful of neighbors.

If you are looking to implement and enforce effective short-term vacation rental regulations in your community, Host Compliance offers a comprehensive suite of solutions used by over 80 local governments. You can learn about our short-term rental related consulting services, compliance monitoring and enforcement solutions and [request a complimentary short-term rentals assessment here](#).

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## Lynn Tone

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**From:** Sarah Absher  
**Sent:** Wednesday, July 13, 2022 9:02 AM  
**To:** Lynn Tone  
**Subject:** STR Public Comments Neskowin STR Rules Public Comment

Also for STR Advisory Committee Meeting for August.

**From:** Public Comments <publiccomments@co.tillamook.or.us>  
**Sent:** Tuesday, July 12, 2022 4:09 PM  
**To:** David Yamamoto <dyamamoto@co.tillamook.or.us>; Erin Skaar <eskaar@co.tillamook.or.us>; Mary Faith Bell <mfbell@co.tillamook.or.us>; Rachel Hagerty <rhagerty@co.tillamook.or.us>; County Counsel <countycounsel@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>  
**Subject:** FW: EXTERNAL: Neskowin STR Rules Public Comment

Good afternoon, Commissioners,

Below is another public comment RE: STR rentals in Neskowin.

Thanks,



**Debi Garland** | Board Assistant  
**TILLAMOOK COUNTY** | BOARD OF COMMISSIONERS  
201 Laurel Avenue  
Tillamook, OR 97141  
Phone (503) 842-3400 x3380  
[dgarland@co.tillamook.or.us](mailto:dgarland@co.tillamook.or.us)

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**From:** Peter <peter@sym-agro.com>  
**Sent:** Tuesday, July 12, 2022 2:56 PM  
**To:** Public Comments <Publiccomments@co.tillamook.or.us>  
**Cc:** Lori Bierma <lbierma@centurylink.net>  
**Subject:** EXTERNAL: Neskowin STR Rules Public Comment

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Tillamook County – Neskowin STR Input

We have owned a home in Neskowin for the past 18 years, this home is our considered our "beach house". We purchased in Neskowin because of it small community feel, and limited public parking & access which limits the amount

of day use. Over the past 17 years and many walks through town during different seasons, it is clear that Neskowin is predominantly a second home / beach house community with very few full time resident. This is supported by the census data recording 200 persons who consider Neskowin as their full time residence. This makes Neskowin pretty unique as far as coastal communities. It truly is a second home / beach house community with very few permanent residents. It seems pretty obvious, that the town is a vacation town and anyone who owns or buys a home in Neskowin should be or is aware of that.

For the past 13 years we have allowed our home to be rented, as a means to offset the high cost of taxes, and property maintenance. It was not our intention to rent the home when we bought it, but as our children got older, into sports and activities, we were limited on how much we could use it and decided to allow short term rentals. The property currently under management by Meredith Lodging who is doing an exceptional job ensuring the tenants are respectful and abide but our house rules and the local regulations. I believe this is the situation for many owners, there are cycles when the homes will be rented and cycles in life when they will not be rented. The idea of adding new layers of rules and restrictions to a "second home" personal asset under the guise of "STR" seems very overbearing especially when there seems to be little substantiate evidence that they are creating issues in the town.

We strongly oppose and disagree with identifying STR's as a business or investment activity. There is simply no basis for this or data to support how many homes are operated as a business. This proposed action does provide any evidence on who it will benefit or what actual purpose it will serve. It is extremely broad and unsubstantiated without any cost benefit discussion and will effect many second home owners who happen to rent their homes to offset overhead and maintenance cost. There would need to be very specific conditions met for an STR to be considered a business or investment activity such as the sole purpose & intention of buying the property is for it to be an STR for profit. It seems extremely arbitrary to broad state that "all" STR's are business's. Some basis or parameters need to be set for this condition.

We strongly feel that the new proposed STR rules, limitations are currently unsubstantiated by any evidence, the concerns seem to be broad and general. Without having actual data and evidence of the true validated issues, making new rules and regulations could be completely off target and impose rules on others which have no real value. While other Coastal communities have imposed new rules based on their local needs, using them as templates or examples for Neskowin makes no sense unless you have the data to contrast the type of community.

We also strongly appose setting annual rental limitations this is completely arbitrary, the nights rented does not effect that disturbance level unless you consider any visitor a disturbance. This also consolidates more visit into the busiest time of the year so the STR owner could maximize revenue from the limited days allowed. Lastly beach rentals undulate due to weather and economics, we have had as low as 40 days rental per year and as high as 115 days per year, and putting an annual cap would create an undue hardship on property owners use the funds for overhead and improvement costs

We suggest that any new rules for restrictions and STR be deferred for at least two years until there is substantiating evidence and data to support what it is these rules are intended to accomplish and who they will benefit.

This data should include

- How many STR's are currently in Neskowin
- How many permanent residents reside in Neskowin
- How many new or existing homes in Neskowin are bought for the sole purpose of being an STR
- How many STR complaints are generated in a year
- Are there specific STR homes / properties creating these complaints
- Are there non STR home also causing disruptions
- Are the complaints coming from specific communities / areas within Neskowin
- How many homes are under professional management
- Which companies are active in Neskowin
- Are the management companies enforcing the rules
- Are there more complaint from management companies or private rentals

- Inventory the sleeping capacity limit of all STR's in Neskowin
  - Is there a trend for more trouble with specific capacity homes or just high capacity homes
- Look at STR rentals of the past 10-15 years in Neskowin
  - What the cycles of renters – does this tie into “ COVID”, economic recessions, weather
  - What is a true and accurate estimate for STR or beach visits over the next 10-20 years
  - Does the population growth of Oregon correlate to the increased beach visits
- Look at data on STR's how many are added, how many are active and how many are pulled off over 5 years
- Look at the home inventory in Neskowin –
  - How many are long term family owned
  - How many sell frequently
  - What is the average ownership period in Neskowin
  - This will help determine what the potential is for “New STR’ s over time and provide a basis for rule making
- Establish a profitability model of owning an STR in Neskowin
  - This would help determine the actual investor market appetite for buying a home in Neskowin for the exclusive purpose of being and STR
  - Tier this estimate by home value to identify how many homes could actually produce a profit being an STR
- Review Neskowin real estate values over time
  - Beach property values undulate over time with economics
  - Are they a sound reliable investor opportunity

From our reading of the rules, it sounds like there may be some local issues that need to be addressed. To implement broad conditions and new rules on a community to solve local or specific isolated problems that may only relate to certain properties seems very premature. We highly recommend a 2 year moratorium on any STR changes until there is substantial data to support what the actual issues are instead of leaping forward new rules. Take the two year period to study and evaluate the severity and compile data to substantiate what new rules are needed and on which type of homes. In addition provide some clear information on what actual problem are being solved, and how new rules benefit the Neskowin community as a whole.

Best Regards

Peter & Lori Bierma  
Home Owner Neskowin Oregon

) )  
) )

July 2022—The following summary was widely distributed to Neskowin neighbors in January 2022. With the benefit of continuing supporter and community discussions, *Save Our Neighborhoods* is currently refining and updating the proposals; however, this document and the referenced 10-page proposal on the *Save Our Neighborhoods*' website provide the general contours of our plan.

### *Save Our Neighborhoods*' Proposals to Amend Short-Term Rental Regulations in Neskowin

#### **Why amend short-term rental regulations?**

A balance of full-time residents, part-time residents, and vacationers, some of whom stay at short-term rentals (STRs), are essential elements in sustaining the vibrant sense of community in Neskowin. Regulations governing STRs in Tillamook County were first enacted in 2009 and revised most recently in 2019; however, these rules have not kept pace with the rapid evolution and spread of STRs in Neskowin and other coastal communities. In the beginning, STRs were predominantly created from existing family homes offered infrequently as vacation rentals. More recently, existing residences and undeveloped properties are being transformed into exclusively commercial enterprises and investment opportunities with no limits on their availability as rentals. Such STRs are businesses. *Save Our Neighborhoods* holds that these STRs should be subject to the same zoning and business regulations as similar for-profit establishments in our community and should be strictly limited in Neskowin's residential neighborhoods.

Left unchecked, the increased numbers of STRs and guests will adversely affect the quality of life in Neskowin with increased traffic congestion, illegal parking, noise, garbage, use of water and sewer capacity, road maintenance, and reduced availability of long-term rental housing. Many of Neskowin's neighboring communities have recently amended their STR regulations or are in the process of doing so. The time is **NOW** for the residents of Neskowin to decide the future of STRs in our community.

#### **What regulations should be amended, and what are the proposed revisions?**

*Save Our Neighborhoods* will propose to the STR subcommittee of the Neskowin Citizen Advisory Committee (NCAC) that the Tillamook County STR Ordinances and/or Land Use Ordinances pertaining to Neskowin be revised to:

1. Define STRs as businesses
2. List STRs as a "Conditional Use" for properties in residential zones
3. Limit the total number of STRs to a percentage not to exceed 15% of existing dwellings (NeskR-1 zone) to 20% of existing dwellings (NeskR-3 zone)
4. Limit the concentration of STRs on any one street or neighborhood in Neskowin
5. Establish a maximum occupancy of 12 people per day per STR throughout the rental period; limit the number of vehicles to no more than the number of allotted spaces for the STR, not to exceed six vehicles per day per STR throughout the rental period; and limit the number of days that an STR can be rented to 100 days per year

***IMPORTANT: When adopted, Proposals 1-4 will apply only to new (not continuing) STR permit applications submitted after July 1, 2022. Existing licensed STRs as of July 1, 2022 would be subject to these provisions only when the property is sold, if ownership is transferred to anyone but a family member, or if the STR permit lapses or is revoked. Nevertheless, for the purposes of determining the total number and concentration of STRs in Neskowin as described in Proposals 3 and 4, all licensed STRs will be included in the calculations. Proposal 5 will apply to all existing licensed STRs as of July 1, 2022, as well as those STRs licensed after that date.***

#### **What is the value in amending the short-term rental regulations?**

Without these amendments, Neskowin will become a village dominated by tourist housing. Homes and undeveloped lots are currently being marketed and sold in Neskowin as either full-time or part-time STRs. Commercial enterprises are increasingly being drawn to Neskowin and neighboring communities for the sole purpose of developing STRs as an investment opportunity and profit generator. The failure to amend Neskowin STR-related regulations as soon as possible will lead to further adverse effects on the quality of life in Neskowin and will lead to deleterious impacts on Neskowin's infrastructure.

#### **What can you do?**

Visit the *Save Our Neighborhoods* website at <https://Save-Our-Neighborhoods.org> to view a document that provides more background about this issue and the actions to be proposed to the NCAC subcommittee on short-term rentals. **If you support our plan, please authorize us to include your name as a supporter of this proposal by selecting the appropriate option on our website or by contacting one of our working group members.** Also, register for and attend virtual NCAC meetings on the second Saturday of even-numbered months to discuss this issue with other community-minded citizens. To receive reminders about NCAC meetings, see their website at <https://www.neskowincac.org>.

(July 2022 Op ED)

## More Than a Neighborly Imposition...Much More

OK. I admit it. We impose on our neighbors.

When we're gone, we've asked Joanie to feed our cat and Christi to water our flowers. We reciprocate when they ask for our help. And frankly, we have rather noisy family gatherings over the July 4<sup>th</sup> holiday. It happens once a year. I hope our impositions are "neighborly".

But when a neighbor decides to turn a residence into a full-time short-term rental, that becomes an imposition that's not very neighborly. For one thing, the owner is hardly ever present so they won't feed your cat or water your plants. But more importantly, they often have a rapid turnover of guests, who generally are on vacation and are often noisier with more people, cars, garbage and dogs than a full-time neighbor or a vacation home used by one family.

A neighbor in Neskowin who has full-time short-term rentals on both sides describes his experience as follows: "We have owned our single-family home in the South Beach area of Neskowin for thirty-five years. The recent aggressive acquisition of homes in the area for use solely as short-term rentals, many by a single owner with multiple properties, has entirely changed the nature of our community with an adverse effect on safety and livability. Our family-friendly environment is sometimes threatened by renters with little understanding of or consideration for the neighbors. Normal civility can go out the window when short term tenants feel entitled to an anonymous vacation blowout."

The message is clear from recent community surveys: a significant number of our neighbors feel they are losing the tranquility and livability of their neighborhoods. And by allowing unrestricted growth of STRs, the County has unwittingly facilitated this decline. The role of the County's STR Advisory Committee is to determine how to stop this decline and help restore livability.

I believe we can begin to rectify the problem by limiting the number of nights an STR can be rented annually to be sure its primary use is personal, rather than business.

To do otherwise, is to further facilitate more than neighborly impositions on our neighbors...much more.

Dave Benneth  
Neskowin  
July 2022

## Public Comments to Tillamook County STR Advisory Committee on July 12, 2022

Thank you. I'm Dave Benneth. I'm a full-time resident of Neskowin.

As we've seen, the effects on livability range from no effects to extreme effects.

An example of the extreme effects of STRs on livability comes from a 35-year property owner in Neskowin whose beach front home sits between two full-time STRs. When asked about livability he said the growth of STRs in his neighborhood has "entirely changed the nature of our community, with an adverse effect on safety and livability." The full quote is in the Op Ed piece that was handed out to each of you.

I believe most would agree that maintaining livability is paramount and more important than business profits. Maintaining livability is more important than TLT funding. Neighborhoods should not be expected to be job creators. Neighborhoods should not be expected to allow their safety and tranquility to be monetized. That's what business zones are for. Not neighborhoods. To ask neighborhoods to bear the burden of creating jobs or generating business profits can only result in diminished livability. And diminishing the livability of anyone's neighborhood should be an unacceptable cost. Like the gentlemen who lives between two full-time STR and provided the quote above. Yet we've asked some of our

neighbors to accept these costs and that isn't right. So, what do we do?

I believe a good first step is to focus on limiting full-time STRs. Full-time STRs are not the sole problem but the large numbers of guests they attract and the continual guest turnover is a major contributing factor. So, how could we do this? How could we limit full-time STRs.?

Our existing Land Use Ordinance utilizes the term “**used primarily**” as a criterion to define the nature of a business. We could use this criterion so that if a residence is **used primarily** for personal purposes, we could determine that part-time use as an STR is appropriate. But if a residence is **used primarily** as an STR, we could determine that it's a business activity and is not appropriate in a neighborhood zone.

I hope you will consider recommending the amendment of Ordinance #84 to allow STRs in residences that are used primarily for personal purposes but not allow STR's in residences used primarily for that purpose.

By not allowing full-time STRs, I believe we will have taken an important step in maintaining livability.

Thank you for your time and for your service.