

STR Committee Meeting

September 4, 2018

Meeting Summary

I. Roll Call

- 1) Tim Carpenter
- 2) Gus Meyer
- 3) Pam Zielinski
- 4) Scott Nienkamp
- 5) Jerry Keene
- 6) Aaron Palter
- 7) Nicole Twigg
- 8) Jim Haley
- 9) Nanci Sheeran
- 10) Sarah Absher
- 11) Robert Buckingham

II. DISCUSSION OF SHORT TERM RENTAL ORDINANCE #84

The purpose of the review is to clarify misunderstandings on the subject before we begin proposing changes.

Sections 1-4

Pam noted this ordinance does not pertain to condos. Sarah confirmed that condominiums and motels are exempt.

Jim noted that perhaps changing the verbiage from Vacation Rental to Short Term Rental could be misleading to people.

Section 5

(5)(G) – Jim suggests defining “monetary considering” to include the word barter.

Pam – How people would estimate for lodging tax.

Gus – How would it be enforced?

Sarah – We often receive calls from people turning their neighbors in.

Tim – We need to protect family sharing of their vacation homes.

(J) – Jim feels the word “risk” isn’t a violation.

Jerry – “risk” defines conduct and feels it’s not confusing.

Sarah asked Tim, who was part of the original committee. Tim said they were simply word-smithing at the time. Sarah asked Tim to research regulations for a possible edit to that definition.

(b)(B) – Pam asked about basement conversions and if those conversions are a dwelling unit when it could be in violation of the zoning ordinance.

Sarah explained a guest house with no cooking facility is allowed under Article 4 of the Tillamook County Land Use Ordinance. She also explained that if a basement is converted to living space but does not include cooking facilities then it's not considered a dwelling unit and would not qualify for as a short term rental. She added that a separate entrance with separate cooking facilities would be considered a duplex, etc. and would have to comply with zoning ordinances and a microwave and a hot plate constitute as a cooking device even though it's not hard-wired.

(L) – Jim would like to see this ordinance dealing with maximum occupancy with square footage as opposed to number the home sleeps.

Tim – feels section (O)(3) relates to that issue.

Gus – Why aren't RV's counted?

Pam – Camping isn't allowed on property in most zones.

Jerry – They're not allowed, so the ordinance doesn't need to elaborate.

Section 6

(a)(A) – What ordinance does Sheriff Andy Long use when enforcing noise complaints?

Jim pointed to the “good neighbor” guidelines from the City of Seaside.

(D)(3) – Pam asked if the notification process ends with the mailing of notices, or if there is more an owner needs to do when they receive returned mail.

Sarah – notification ends with the signed affidavit of mailing.

Pam – Is there already, or could we create a database of all short term rentals?

Sarah – County council has advised against such a public list to protect empty vacation homes.

Tim would prefer signs on the home over mailing notices. A sign has the contact information visibly available on the home.

(E) – Jim states that garbage is an issue on his street. Some owners have large enough receptacles but if the property is rented multiple times in a week and trash pick-up is only once a week then trash ends up all over his block. Could we adjust the number of receptacles to match the # of occupants, or perhaps to also coincide with the number of trash pick-up each week?

Scott – Owners who also manage their own properties are often the offenders. Management companies do not want the negative implications.

Pam – perhaps add the word “adequate”

(F) – Gus feels one fire extinguisher is not enough.

(O)(3) – Jim mentioned the cross referencing isn't correct.

Sarah acknowledged those discrepancies will be fixed as part of this process.

Jim – Are sleeper sofas being considered during inspections? Are those “sleeping areas”? Nonconforming rooms are required to have a locking

door.

(P) – Jim feels the word “permissive” should be replaced.

(S) – Gus feels on street parking is a problem.

Nicole – should be based on maximum occupancy, rather than basing parking spaces on the number the home sleeps?

Jim – Is there is a guide where owners can confirm how many parking spaces they should have based on the size of their septic system. We define the minimum required but should we have a maximum vehicle allowed as well?

Sarah asked Tim if there are thresholds for occupancy based on fire and safety.

Tim – Fire & safety ordinances aren’t the same for residences as they are for commercial businesses. They cannot inspect a private home unless they’re invited.

Jim – Could this be a condition of having the license?

Sarah – Short term rentals are required to be inspected by a County building inspector however there is no requirement for a fire inspection by the local fire jurisdiction.

Section 7

Permits that are in good standing and paid in full are transferrable.

Pam asked if once the B.O.C.C. denies a permit, do the owners have any other options?

Sarah – Their next option would be circuit court.

(e)(B)(1) – Gus would like the word substantial to be defined.

(d) – Pam raised the concern of requiring major repairs to be completed within 60 days. Contractors are all busy and expecting repairs to be done in 60 days is not reasonable.

Section 8

(a) – Aaron asked if fees are covering the County’s costs.

Sarah – in most cases yes. On average, the fees are accurate for staff time, etc.

Section 9

(A) – Jim asked if this can be re-worded to ask for a functioning or valid address?

Nicole feels the county should send the notices for owners.

Aaron – Proof of mailing from the USPS? Would cost owner more money.

(G) – Jim feels this is insufficient due to the experience he’s had in Rockaway Beach.

Section 10

(A) Aaron – Reword to say, “not less than every (5) years”?

Section 11

Jim – Anybody can complain. The complaint would need to be reviewed for validity.

Section 12 – (no comments, questions or concerns were raised.)

Section 13 – Gus mentioned Ordinance #35 does not exist. It was never signed.

Section 14 – (no comments, questions or concerns were raised.)

Section 15 – Aaron feels the ordinance should refer to the building code rather than stating the verbiage of the code. Codes change periodically, and we wouldn't need to update the ordinance if the ordinance referred to the building code number.

Sarah – it's better to spell it out for owners rather than relying on the owner to research and interpret but she will visit with County Counsel.

****To revisit in future meetings****

- Exemption of condominiums and further discussion of whether a Short Term Rental Permit should be required.
- Incorporation of language prohibiting the use of multi-family dwellings and accessory dwelling units as Short Term Rentals.
- Noise Ordinances – Is there a Noise Ordinance and how is it enforced by the Tillamook County Sheriff's Office?
- Consideration of garbage/solid waste requirements based on maximum occupancy vs. # it sleeps.
- Consideration of parking requirements based on maximum occupancy vs. # it sleeps.
- Consideration of requiring notice of new Short Term Rentals to be sent by Tillamook County DCD or remove notification requirements and only require posting of a sign with contact information on the rental property.

III. PUBLIC COMMENT

Tom Dotson – Passing on public comments at this time.

April Dragoo – April encourages inviting the public or holding town-hall style meeting.

Regarding notification, she would prefer signage over mailing notices.

April would not like to see inspections more frequently than every 5 years.

IV. FUTURE AGENDA ITEMS

- a. City panel discussion on September 25, 2018 at the main branch of the Tillamook County Library. Committee members are encouraged to bring a list of items they'd like to see incorporated or changed.

V. ADJOURN