

## Tim Crose

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**From:** robert.burger.llc@gmail.com  
**Sent:** Sunday, February 2, 2020 5:12 PM  
**To:** Tim Crose  
**Cc:** 'Susan Burger'  
**Subject:** [BULK] Relevant study regarding the economics of short-term rentals

**Importance:** Low

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Tim:

First of all, thanks very much for referring me to Mike Collins regarding our road questions. Mike and Glenn were here on J Ln last Wednesday and we had a very thorough and enlightening discussion about what it will take to get J Ln up to county standards. Mike and his team were out here again on Saturday to measure the road, and will provide us with a scope-of-work that would be required for J Ln to meet county standards – the report should take about 3 weeks. Needless to say, Mike estimates that a lot of work would be required (somewhere in the neighborhood of \$200,000), and it is highly unlikely that our J Ln residents can pool those funds. I imagine most privately-maintained, unimproved roads on a county-right-of-way (LANES like ours) are in the same boat, and common sense dictates that none of them is remotely suitable for commercial businesses, especially hotels and short-term rentals functioning as hotels.

I am including a link to a study below that you and your colleagues may find helpful regarding the economics of short-term rentals in a community – both positive and negative. It was done last year by the Economic Policy Institute (a nonpartisan, nonprofit organization representing low- and middle-income populations in economic policy discussions).

<https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policymakers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

Of particular interest to us is the section about permanent residents likely suffering when short-term rentals circumvent zoning laws that ban lodging businesses from residential neighborhoods. In our view, the zoning laws in Pacific County must be strengthened, and a moratorium on short-term rentals is essential until codes can be strengthened, clarified, and/or changed completely to protect the health of our fragile community.

We look forward to supporting you and your colleagues as we all work towards an equitable solution.

Best regards,  
Robert and Susan Burger

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Robert Burger  
503-575-6494

## Tim Crose

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**From:** Frank Wolfe  
**Sent:** Sunday, February 2, 2020 6:50 PM  
**To:** Tim Crose  
**Subject:** FW: The urgent need for a continued moratorium on short-term rentals until zoning ordinances are updated

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Tim,

Please pass this email to the Planning Commission. Thanks.

Frank

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**From:** Susan Burger [susanburger2000@yahoo.com]  
**Sent:** Sunday, February 02, 2020 6:00 PM  
**To:** Frank Wolfe  
**Cc:** Robert Burger  
**Subject:** The urgent need for a continued moratorium on short-term rentals until zoning ordinances are updated

Dear Commissioner Wolfe:

**The infrastructure issue:**

We are permanent, full-time residents of J Lane in Ocean Park. As you may know, *lanes* in Pacific County are privately-maintained, unimproved roads on a county right-of-way -- the county owns these roads, but the county does not maintain them and will not maintain them unless they are brought up to minimum county standards by the residents on the road. As you might imagine, the cost to bring the lanes up to county standard is significant and well beyond the means of most residents. Consequently, these lanes are maintained very informally and haphazardly by a few willing residents, and they are highly unsuitable for any type of commercial lodging business. Lanes would never be zoned for a hotel, and that is exactly what vacation rental businesses have become.

**The ordinance issue:**

Unfortunately, zoning ordinances in Pacific County, as they are currently written, are being exploited by short-term rental businesses (hotels in all but name) through the use of Special Use Permits that are basically rubber-stamped "approved" due to some vagaries and loopholes in current ordinances. Late last year, a short-term rental business was approved next door to our home on J Lane. The business applied for a Special Use Permit, which was recommended for approval by the County Planner and forwarded on to a Hearing Examiner for a hearing and final decision. The Special Use Permit was approved by the Hearing Examiner after a contentious hearing, and we are now left with our only recourse -- an appeal in Superior Court -- which we and two other neighboring families have filed. We feel our case is strong based upon the unimproved, privately-maintained road -- an issue that was not properly addressed by either the applicant or the Hearing Examiner. Clear, strong language in Ordinance 184 that prohibits short-term rentals on privately-maintained, unimproved lanes could prevent this stressful, expensive appeal process from being forced upon any more county residents.

**The reality for permanent residents:**

This process has been shocking and disappointing to those of us leading a quiet life on J Lane. A very few of us have contributed to a small road fund over the years that just about fills in the potholes and keeps some flooding at bay, but our access lanes are woefully under county road standards. We met with the County Engineer last week to see what it would take to bring the road up to county standards, and his best guess was at least \$200,000 -- well beyond the means of our small group of residents. We enjoy our peaceful R-1 area and have long since accepted that we trade county road maintenance for our privacy and seclusion -- but a commercial lodging business in this area makes no sense and creates

a potential legal liability for the county (i.e. if a hotel guest is in an accident on an unimproved lane while staying in a business that the county has approved with both a Special Use Permit and a Business License).

**A formal study on the economic costs and benefits of short-term rentals:**

You may find this study helpful regarding the economics of short-term rentals in a community – both positive and negative. It was done last year by the Economic Policy Institute (a nonpartisan, nonprofit organization representing low- and middle-income populations in economic policy discussions).

<https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policymakers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

Of particular interest to our situation are 1) the comments made about "externalities" (economic costs) that are borne by people not directly engaged in a business transaction and 2) the question raised in the conclusion of the study: *Why is a commercial lodging business (Airbnb in the study) allowed to offer short-term rentals in residential neighborhoods that are not zoned for these uses, while traditional hotels are not allowed in these same neighborhoods?*

We sincerely appreciate your attention to this matter and look forward to working with the county to find solutions that are fair to all interested parties.

Sincerely,  
Robert and Susan Burger  
26801 J Ln, Ocean Park  
Tel: (503)575-6494

**Tim Crose**

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**From:** mark stephens <mark.stephens.711@gmail.com>  
**Sent:** Tuesday, February 4, 2020 1:29 PM  
**To:** Vacation Rentals  
**Subject:** Vacation Rental Moratorium

My wife and I purchased our townhouse 5 years ago with the plan of living there upon our retirement. My retirement is still a couple of years off , however I've been able to let others use my place on the beach until then . The property is well cared for by Bloomers . They are careful who they rent to and has been a benefit to all. The income that is produced is used to pay for electric, phone , cable TV , taxes , insurance and improvements to the unit , many small businesses benefit from my expenditures and from that of our guests. Please consider the good that comes from the situation before it is eliminated. Thank you .

Sent from my iPhone

**Tim Crose**

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**From:** Bryana Cross Bean <bryana.cross@gmail.com>  
**Sent:** Tuesday, February 4, 2020 8:49 PM  
**To:** Vacation Rentals  
**Cc:** Mom; Stephen Bean  
**Subject:** Opposing the moratorium on short-term vacation rentals

To Whom It May Concern:

My family and I have been vacationing in Long Beach for many years. Late last year, we decided to purchase a vacation home in Long Beach for the dual purposes of enjoying Long Beach as a family and also doing short-term vacation rentals to help pay the mortgage and upkeep. **We would not have purchased this property if the moratorium was in effect at the time we purchased it.** This property had been languishing in the market for several months when we came along. By imposing the moratorium, you are harming the Long Beach economy and inhibiting growth.

We very much understand that you do not want Long Beach to turn into the tourist-laden Cannon Beach. That is not what we and most of the other family vacation home owners want either. We love Long Beach & want it to keep its charm. We also want to continue visiting Long Beach without going into massive amounts of debt. We have a modest cottage and would only allow small groups of 2-6 quiet guests at a time. Those are the types of people you want to visit Long Beach.

We support common sense rules on short-term vacation rentals but strongly oppose a blanket moratorium. We respectfully request that you lift this moratorium. Thank you for your time and consideration.

Sincerely,  
Bryana Cross Bean, Stephen Bean, and Cornelia Cross

## Tim Crose

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**From:** John Robertson <jrobertson@wtechlink.us>  
**Sent:** Wednesday, February 5, 2020 11:54 AM  
**To:** Vacation Rentals  
**Subject:** Vacation Rental Permit Workshop February 6th

I am providing a written comment in support of ending the Vacation Rental Permit Moratorium as soon as possible.

According to the posted notice for the meeting only written statements are being accepted. I am having difficulty understanding the purpose of a public meeting where the public can only provide written statements.

Since I live in NE Oregon traveling to South Bend to attend an evening meeting where the public does not have an opportunity to speak makes no sense.

I did attend the December 16th meeting. I do agree with Tim Close's concerns regarding the lack of safety inspections following the initial permit application. However to put this in perspective, I have never heard of a county inspecting a residence after the final building inspections are completed unless a new building permit is issued. Given that the permit must be renewed annually, it does make sense that periodic safety inspections could be a condition for renewal just as septic inspections must be done now.

I want to point out a concern regarding the economics of the moratorium. A local contractor in Pendleton, Oregon is doing a remodel for me. Turns out he travels to Ocean Park with his family several times a year, particularly during clamming seasons. He has considered buying a home in the Ocean Park area and using it part time as a vacation rental. He mentioned to me just last week that due to the moratorium he is now looking at homes in Astoria. I was surprised someone I really don't know who lives 350 miles away was being affected. I think this points out just how small the world really is and how something like a moratorium can impact the economy of a county.

I trust that somehow the meeting will be productive in spite of the statement that only written input is being taken.

Sincerely,

John Robertson  
45217 Best Rd  
Pendleton, Oregon 97801  
Sent from my iPad

## Tim Crose

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**From:** Robbie Wright <robbiew1112@hotmail.com>  
**Sent:** Wednesday, February 12, 2020 2:55 PM  
**To:** Lisa Olsen; Frank Wolfe; Mike Runyon; Tim Crose; Marie Guernsey  
**Subject:** Fw: Data and evidence in support of expanding the Vacation Rental Business  
**Attachments:** 2020\_02\_08 data on vacation rentals.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello, Lisa, Frank, Mike, Tim and Marie,

Thanks so much for taking all our input and especially listening to all sides.

Below is the data I was able to collect. In the attached document I provided links to all the sources and screen shots of the maps.

Over the years, I have attended roughly 40 permit hearings, and over the past 18 months, I decided to prepare and be the applicant for homeowners that wanted to use Bloomer Estates Vacation Rentals as a management company. I believe I have done 6 to 8 myself already. It is a service I provide to the owners as I know the process so well. I am happy to think hard and give you specific recommendations on any changes to the ordinance that will help meet everyone's goals.

I have written a lot, it did take several hours over several days. I appreciate your time in digesting all I have below and attached.

Best

*Robbie Wright*

PS. On a personal note, allow me a few thoughts of my own on why I am in this business. Microsoft was on the order of ten times more lucrative

I have had two of my maintenance staff homeless (sleeping in their trucks for over a week) in the past 12 months. The first one moved into one of my rentals for about 4 weeks until we found him a place. The other one is homeless today, sleeping on the sofa of our General Manager. And she has a blind daughter, special needs grand daughter and husband with congestive heart failure ---all in the same small home. Both maintenance guys are doing incredibly well. Hard working and drug free, they are pulling themselves up and out of poverty and I believe will contribute positively to the community for the rest of their lives.

I myself was evicted several times growing up in Long Beach-I was one of the poorest amongst the poor. I do care and feel for the local community. And I do believe, through the Seaview Laundromat and through vacation rentals, what I am doing helps the community.

I also understand people that buy and move into a \$500,000 to \$1,000,000 beach houses (for all of 2 people), with 13 or 20 empty homes around them, want their privacy. They believed they would always have a ghost town to live in. I understand their anxiety about what *might* happen, based on

their desire to live a hermit lifestyle, free of interacting with other people. They say this all the time in the hearings.

But they moved into a residential area, zoned for special use permits. And even these people, are genuinely surprised at how the neighborhood remains quiet, how the renters they meet are exceedingly nice and it isn't so terrible to see a kid on a bicycle or an out of towners walking his or her dog once in awhile. In short, renters behave like any other neighbor might, only more respectful as they must adhere to quiet hours, pick up after pets, can be fined if they have a big party and anything left in the yard gets picked up by our cleaners.

The people I employ don't have \$500,000 beach homes facing the ocean. They live on the West side of Pacific Way. They live in small homes and rentals, badly in need of repair, with who-knows-when the septic was last pumped---in short, on the same exact streets where I grew up.

My cleaners are averaging \$25 an hour. One cleaner made over \$40,000 last year (unheard of but she worked hard for that money. I am happy to share her W2) and most of the others cleared over \$30,000. My mom never made more than \$8,000 working at Jesses for nearly 30 years. Cleaning alone can change peoples lives. We have 35 rentals in ocean park. If it grew to say 100 (which at the rate we were going before the moratorium, would take another 5 + years) and 650 houses sat empty rather than 700, you could raise several families above the national poverty line (\$11,770 for a single person, \$24,250 for a family of 4) on cleaning alone.

But the real money flowing into the community comes from all work to keep these houses well maintained, and remodeled, septic pumped and upgraded, and from all the cash people bring with them to spend in town.

I hope we can all agree we need to help Ocean Park grow the only industry outside of oysters: tourism. The town is slowly starting to come to life with the Rusty Spur, MyCovios, Bay Ave Art Gallery, and Adaleides, not to mention the antique store, barbers, Jacks and others. With no decent hotel, there is a lot of good we might do with allowing more vacation rentals in the area, more renters roaming Bay Avenue and spending their money, while still having quiet streets with one or two full time residents, 3 or 4 vacation rentals, and another 10 to 15 mostly empty homes.

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**From:** Robbie Wright

**Sent:** Sunday, February 9, 2020 9:02 PM

**To:** vacarentals@co.pacific.wa.us <vacarentals@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>

**Subject:** Data and evidence in support of expanding the Vacation Rental Business

To the Pacific County Planning Commission, DCD and Commissioners,

I founded Bloomer Estates Vacation Rentals 15 years ago and today we manage 36 properties on the peninsula. I am hopeful my knowledge of the vacation rental business can be of value to you.

I am proud to be supporting the community through employing 15 people and 6 families with well paying jobs, and providing over 6,000 guests every year with an amazing lodging experience. I grew up here (Ilwaco '81) and have invested my entire life savings in Bloomer Estates and the Seaview Laundromat with the singular goal of helping the community that did so much for me.



I believe there is **no compelling reason** to limit the growth of Vacation Rentals on the peninsula, nor is there a compelling reason to continue with the moratorium, or make any significant changes to the current ordinance.

There is really no public evidence of issues with noise, traffic congestion, litter (other than a few bears tipping over trash cans, and that has been fixed), the change of character of a neighborhoods (how to quantify with more than 50% of homes in ocean park sitting empty?), disturbances or septic issues. There is conjecture and opinion, but I cannot find hard data or evidence.

DCD has very limited resources. Adding a ton of new regulations on the 95 virtually complaint free Vacation Rentals, out of the nearly 20,000 homes in Pacific County will have a negligible positive impact compared to other more urgent work they could be doing.

In fact, in terms of a vibrant Vacation Rental industry, we are woefully behind. Just to get to the "density" of Manzanita, Oregon, which was mentioned several times at the **February 6th Workshop**, Ocean Park would need to grow from 35 VRs today, to *at least 346 rentals or as many as 1,407.*

I am sure you have heard a lot of the positive economic impact of Vacation Rentals. We are no where near realizing the full potentials of the amount of income that VRs could bring to our community, the number of jobs it could create, and the positive impact it might have on improving the lives of our fellow citizens in the poorest county in the state.

In fact, we should be discussing how to **exponentially grow** this industry. We need to think about how to utilize the potential of over **700 empty homes** in Ocean park alone, and create more \$25/hour cleaning jobs, \$50 to \$100 contractor jobs (think remodels, new roofs, rot repair, plumbing, electricians and more), not to mention supporting all the other local businesses.

I do appreciate your time in looking at the research and data attached-it was several hours of work.

My hope is we can enrich the discussion with "numbers, data and facts" going forward. You will see Pacific County vacation rental industry is **tiny** compared to the rest of the Washington and Oregon Coast. For example, Clatsop County has **9 times** the VRs per square mile and **13 times** the number of VRs per linear mile than Pacific County. To just catch up with them, we need to grow from 95 to 950 rentals. By the way, it has taken us over 20 years just to get to 95.

I look forward to seeing you again at **11:00 AM, next Tuesday Feb 11th** in South Bend. I do appreciate your time in reviewing the data, and look forward to a more evidence based discussion.

Best,  
Robbie Wright

PS: While I appreciate all the hard work of the planning commission, what struck me the most about the February 6th workshop, was the nearly complete **lack of data** around the density issue but also concerning septs and the aquifer.

One members of the planning commission claimed: "**I have heard neighbors complain of having 3 vacation rentals on their street. This is a huge problem!**" should be qualified with data.

- Is it one person that complained or 100 people?
- Do they have specific issues that have never been addressed?

- Have they only complained to a member of the planning commission (ie one might say being political), or has there actually been unaddressed complaints to Vacation Rental owners, property managers, the county and or to the sheriff?
- What is the **ratio** of a) angry neighbors to b) perfectly happy and supportive neighbors to c) neighbors that enthusiastically support vacation rentals?
- Are clusters of vacation rentals good or bad?
- Shouldn't the neighbors have a say if they want to rent or sell their homes as VRs, especially in an area that already has many VRs?
- Has anyone asked what is the actual experience of all neighbors in clusters?

Another claim: "Look at what Manzanita has done to curtail Vacation Rentals"

- What similarities to density of VRs are there in Manzanita, versus, say Ocean Park?
- Did you know, Manzanita has nearly the same percentage of Vacation Rentals in Clatsop County, as Ocean Park has in Pacific County?
- How do we even measure density? Is it by VRs per square mile, per linear mile, per housing unit or all of the above?
- How many rentals would Ocean Park need to have the same density of VRs as Manzanita?

Another claim: "**I am worried about the impact of vacation rentals on the aquifer**" had no supporting data.

- How much stress is a vacation rental to a septic system versus a long term rental or full time resident?
- How many failed systems over the past month, year or 15 years are from vacation rentals?
- Is it true that there have been more septic failures in the last 30 days in Pacific County than all septic failures for all vacation rentals combined over the past 15 years?

I tried to tackle all these questions and more in the attached document. I hope it is useful to start a discussion.

*Data and Comparison of the Density of Vacation Rentals*

*Washington And Oregon Coast*

*Robbie Wright,*

*Owner, Bloomer Estates Vacation Rentals and Seaview Laundromat*

*Feb 7<sup>th</sup>, 2020*

Several claims or concerns were raised on the Vacation Rental workshop on February 6<sup>th</sup>, 2020 in South Bend. Almost no data or numbers were used to support the claims. Below is a starting point with actual data, and some “back of the napkin” calculations to help elevate the discussion from “what I heard” to “what does the data suggest”

***Claim 1: The Density of Vacation Rentals (VRs) is a problem we share with other ocean front towns. We need to do what they did to limit the number of VRs.***

*A comparison of Ocean Park versus Manzanita.*

Ocean Park has **35 total vacation rentals** out of the **95 total rentals** in Pacific County. Nearly all (if not all) illegal VRs in Ocean Park have been closed by the county.

**Note:** 95% of all online reservations come from either VRBO or AirBnB. Craigslist has zero rentals from Ocean Park advertised. Facebook rentals would account for a tiny fraction of occupancy and there is no evidence of illegal rentals advertising on Facebook alone. Therefore, VRBO and AirBnB are excellent sources of all rental activity, legal and illegal. DCD was able to close over 20 illegal rentals in the past 3 months simply by comparing what was advertised on VRBO/AirBnB versus what was permitted.

According to the 2000 census, Ocean park had **1,505 housing units**. Assuming no growth, this is **43 housing units** for every **ONE** vacation rental.

According to the Census Bureau here were **710 households** and **416 families** in Ocean Park. With **35 VRs**, this leaves approximately **760 empty** residences.

Ocean Park is **3.9 square miles**. There are **9 vacation rentals** per square mile.

Ocean park is roughly **2 miles long**, north to south. Thus it has **18 vacation rentals** per linear mile.

### ***Density of Manzanita Oregon***

Manzanita has **296 total vacation rentals** out of roughly **771 total VRs** in Clatsop county

According to the 2000 census, Manzanita had **1,285 housing units**. This is **4 housing units** for every **ONE** vacation rental.

According to the Census Bureau here were **307 households** and **177 families** in Manzanita OR. This leaves **978 homes** available to rent. With **296 homes** as VRs this leaves **682** empty summer residences. Ocean Park has more empty homes than Manzanita.

Manzanita is **.82 square miles**. This is equivalent to **361 vacation rentals** per square mile. Compare this to **9 vacation rentals per square mile** for Ocean Park

Manzanita is roughly **1 mile long**, north to south. This is **296 VRs per linear mile**, versus **13 VRs per linear mile** for Ocean Park

### ***Manzanita versus Ocean Park***

To get to the level of “density” of Manzanita, Ocean Park would need to increase the number of vacation rentals from 35 to:

- **346** to have the same ratio of Housing units to VRs
- **1,407** to have the same ratio of Square miles/VR
- **592** to have the same number of VRs per linear mile.

It is worth noting that Manzanita’s median household income in the 2010 census was **\$38,750**

Ocean Parks median household income in 2010 was **\$18,261.00**

Both towns rely on the tourist industry for income, but only Manzanita is capturing the economic value of vacation rentals.

### **Summary of density comparison**

Below is the comparison of other counties and towns. By every metric, Pacific County is far behind other counties, and Ocean Park is far behind other seaside town on Density of vacation rentals.

County	number of vacation rentals (VRBO)	housing units (2010 Census Bureau)	square miles (2010 Census Bureau)	miles north to south (Coast line) (Google Maps)	Number of housing units to VRs	VRs per square mile	VRs per linear mile N to S (Coastline)
Pacific County	95	16,265.00	932.66	11	171	0.10	9
Grays Harbor	621	36,433.00	1,902.00	25	59	0.33	25
Clatsop county	771	22,635.00	829.05	6	29	0.93	129

#### **Towns**

Ocean Park, WA	35	1505	3.9	2	43	9	18
Ocean Shores, WA	131	4758	8.52	4.5	36	15	29
Canon Beach , OR	112	1812	1.54	3	16	73	37
Gearhart, OR	127	1450	1.91	1	11	66	127
Manzanita	296	1285	0.82	1	4	361	296
Seaside, OR	421	4638	4.14	12	11	102	35

### ***Claim number 2: Neighbors are complaining about too many rentals on a single street, about noise, litter, congestion and problems of VRs.***

Bloomer Estates has **36 established rentals** on the Peninsula on roughly **30 streets**. We know of **2 neighbors** that are currently unhappy about 2 vacation rentals on their street. Neither are next to the actual homes. None have reported an issue with our guests or noise or parties. They just don't like vacation rentals.

*Ratio of unhappy to happy neighbors:* Bloomer Estates **36 total homes**, which if there are 3 homes adjacent to each one on average, gives us roughly **100 homes** "next door" to one of our vacation rentals. We must send property plans to all neighbors within 300 feet, we will send 20 to 40 letters. Basic math: 100 next door neighbors, none that we

know of unhappy. Roughly 1,000 neighbors within 300 feet. Two that we know of are unhappy. Of course there may be many more. But we know also there were not 1,000 people writing in to support the moratorium.

In fact, We understand **120 letters** were written to the county in opposition to the moratorium. **8 in favor.**

*Noise/Traffic congestion/Litter:* We process over **1000 reservations** a year. **25 of our homes** are in Pacific County, so we represent roughly **1/4 of the market**. The total reservations for all rentals is likely **4000 reservations** a year (Again, we are ¼ the market and process 1000 reservations/year, total reservations for all rentals would be 4 times that).

This amounts to nearly **8,000 total reservations over 2 years for all homes.**

There has been **One noise complaint** in 8000 reservations.

There have been **9 litter complaints**, roughly **1 in 1000 reservations**, due to bears. Bloomer Estates worked with Peninsula Sanitation in testing the new Bear Resistant cans. All of our houses now have and everyone on the peninsula can order these cans.

*No complaints in Seaview.* When the first moratorium in Seaview started, the neighbors complained of potential noise, traffic, drugs, destroying the historic "feel etc". As far as we know, none of these issues have come to pass.

I have very happy neighbors on all sides of my two Seaview Vacation Rentals. And if requested, I could ask them to write to you. I have also invested over \$250,000 of my own money restoring both Bloomer Mansion, an historic 1936 a 5,000 square foot prior Bed and Breakfast that was in disrepair when I purchased it. Rather than taking away the historic feel of Seaview, I feel I have helped preserve it.

*Complaints come before permits:* In the workshop, DCD said a majority of complaints are lodged when the first VR permit is processed on a particular street. Neighbors are rightfully concerned about what "might" happen rather than what actually does happen.

*Zero police calls:* I have had 2 police calls **this week alone** at the laundromat due to drug addicts. Should we close the laundromat? As a comparison, we have processed nearly 15,000 reservations over 15 years and not one single police call on any guest for any reason at any rental. Why would we consider closing or not allowing rentals?

### ***Claim number 3: Clusters of vacation rentals is a "huge problem"***

*Sample cluster 1:* BeachWood Estates, J Street, Ocean Park has **4 vacation rentals** out of **12 homes** on the street. We manage two of them. It is one of the most densely packed streets on the peninsula for VRs. I attended all 4 permit hearings.

When the first permit was approved ten years ago, the neighbors went to the Superior Court to try to block it.

When the 4<sup>th</sup> vacation rental permit was applied for, the neighbors were clear with the county that *they did not want to block any vacation rentals on their street*. They had 1) zero issues with guests at the VRs over a 5 year period 2) They themselves saw the increased home values and wanted the option to rent or sell their homes as potential VRs.

*Sample cluster 2:* While not in Pacific County, I personally advocated with homeowners to rezone the North side of 5<sup>th</sup> Street NW in Long Beach for vacation rentals in 2019. The street had 4 rentals on the South side, and several owners on the North side felt this was unfair. The town of Long Beach held hearings, listened to all feedback and agreed with the vast majority of owners to allow all homes on the North side to be zoned for Vacation Rentals.

Since this took effect over 12 months ago, there have been zero complaints or issues with any of the 7 VRs on that street.

Stating “clusters are a huge problem”, does not reflect the feedback from a significant number of people that want the *option* to rent their homes short term, or the feedback from people who have lived next to VRs for years

*Over-regulation:* There may be neighborhoods where a vast majority of owners want clusters of vacation rentals. There may also be neighborhoods where the opposite is true. An arbitrary limit of x rentals over a given distance does not make sense.

#### ***Claim number 4: Vacation Rentals are dangerous for the Aquifer and Septic***

**99.5% of pacific county homes** are not vacation rentals: The last census has **16,265 homes** in Pacific County. Today there may be close to 20,000 homes.

Is there any evidence that **95 vacation rentals** spread over **932.6 square miles** presents a higher level of stress to the environment as compared to the other **19,000 unregulated** homes?

*Number of actual septic failures:* I understand there are **several septic failures** every month in the county. In **15 years and with 36 homes** under management, we have had exactly **ONE failure**. Within a few months, that VR owner spent nearly \$20,000 on a new septic system.

*Total VR septic failures:* If Bloomer Estates manages  $\frac{1}{4}$  of all VRs, we might assume a total of 4 failures in 15 years from all vacation rentals in pacific county. While the county may have better data, the evidence points to more failures in the county *in one month*, than all vacation rentals combined *over 15 years*.

*Much lower stress:* The average vacation rental on the Long Beach Peninsula, according to VRBO statistics, rents for **130 nights per year**. This is *1/3 of the year*, or 1/3 use of a septic than a full-time resident.

*Fast repairs:* I know of one RV park closed down due to septic failure that may never have been addressed. The county will have better data, and it would be useful to know how many outstanding septic failures have been fixed, how many failures we have monthly, and how many are from the 95 VRs.

*Guest education:* We educate every guest on how to best care for a septic while they are visiting. We send notices before they arrive, and we have signage in the homes. Owners are highly motivated to pump septic often and keep them in good working order, so as not to incur a \$10,000 to \$20,000 expense of a new system.

Please see below for supporting data, with links to the sources including VRBO maps and the 2010 Census bureau data.



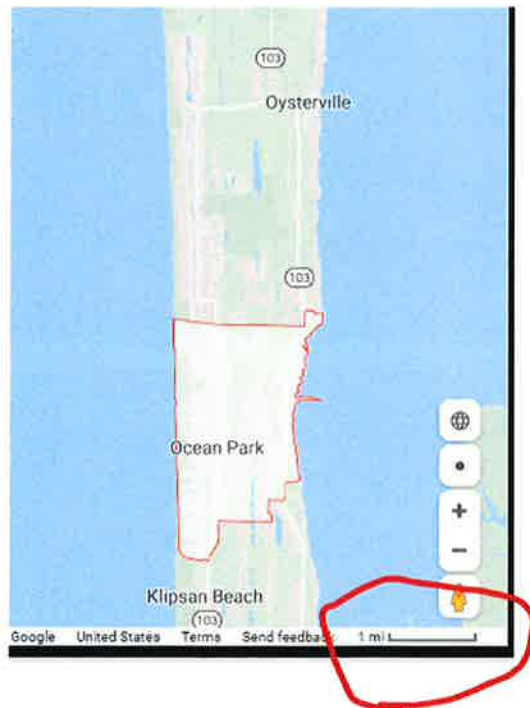
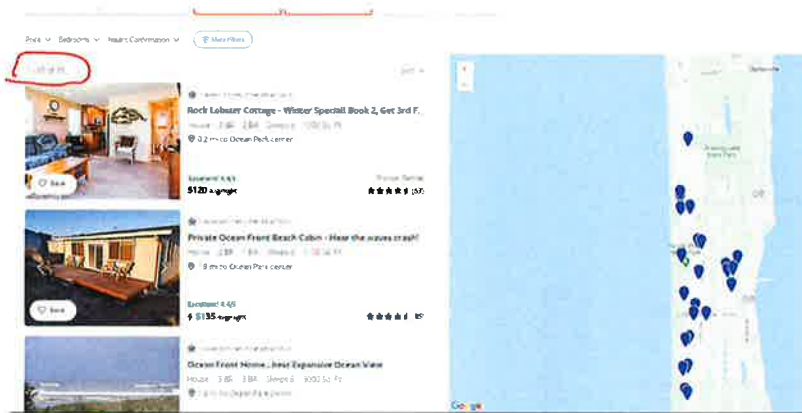
# Ocean park

1505 housing units: Wikipedia/Census [https://en.wikipedia.org/wiki/Ocean\\_Park,\\_Washington](https://en.wikipedia.org/wiki/Ocean_Park,_Washington)

3.9 Square miles: Wikipedia/Census [https://en.wikipedia.org/wiki/Ocean\\_Park,\\_Washington](https://en.wikipedia.org/wiki/Ocean_Park,_Washington)

2 miles north to south: Google Maps

35 vacation rentals less 9 Surfside Inn: VRBO



## Canon Beach

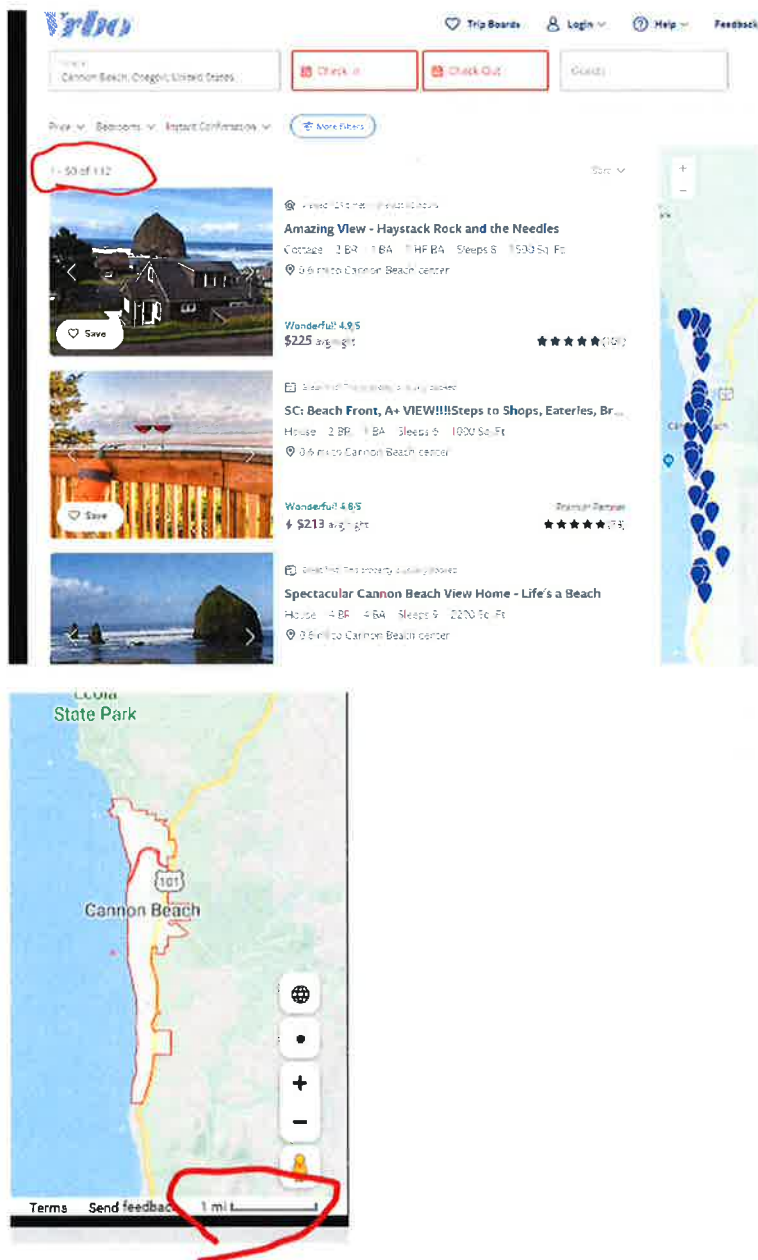
1812 housing units [https://en.wikipedia.org/wiki/Cannon\\_Beach,\\_Oregon#2010\\_census](https://en.wikipedia.org/wiki/Cannon_Beach,_Oregon#2010_census)

1.54 Square miles [https://en.wikipedia.org/wiki/Cannon\\_Beach,\\_Oregon#2010\\_census](https://en.wikipedia.org/wiki/Cannon_Beach,_Oregon#2010_census)

**3 miles North to South Google maps**

**112 Total Vacation Rentals: VRBO**

**37.33 vacation rentals/mile: VRBO**



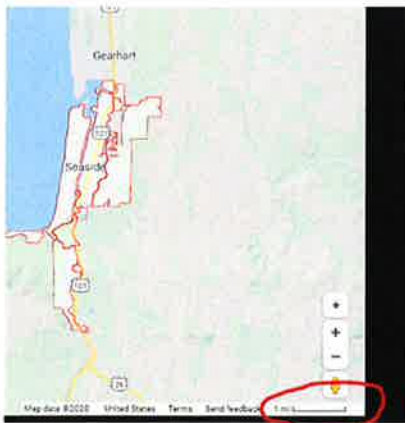
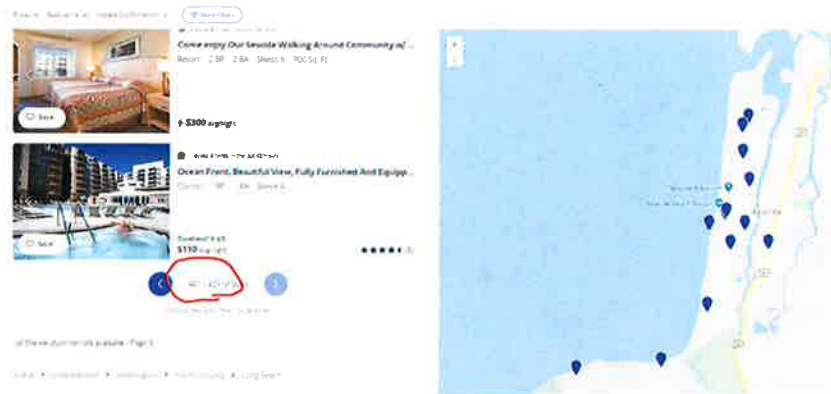
## Seaside

4638 housing units

4.14 square miles

421 vacation Rentals

[https://en.wikipedia.org/wiki/Seaside, Oregon](https://en.wikipedia.org/wiki/Seaside,_Oregon)



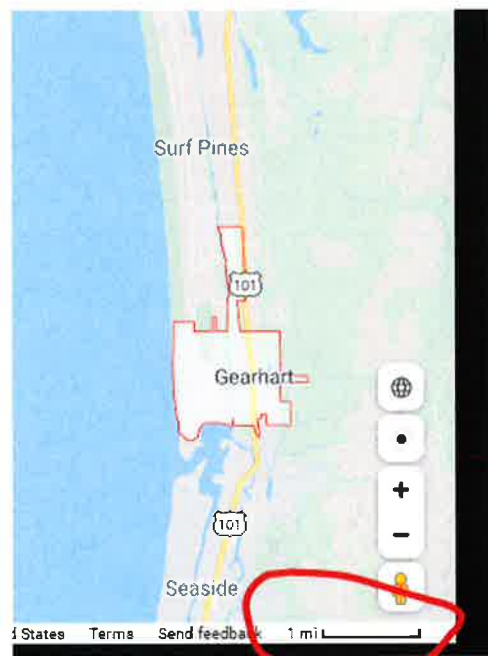
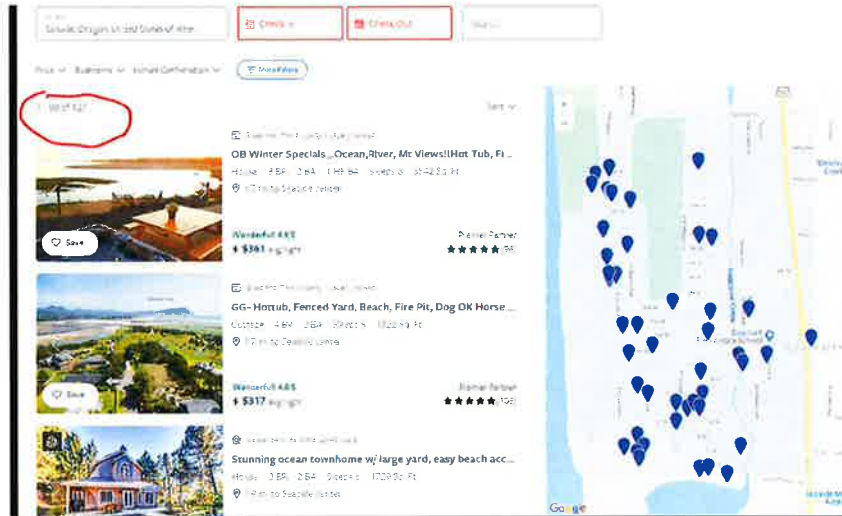
## Gearhart

1450 housing units [Wikipedia/Census Bureau](#)

1.91 sq miles [Wikipedia/Census Bureau](#)

1 mile north to south: Google Maps

127 rentals: [VRBO](#)



## Ocean Shores

Number of vacation Rentals: [VRBO](#): 131

Housing units 4,758 [Census Bureau/Wikipedia](#)

Square miles 8.52 [Census Bureau/Wikipedia](#)

Miles n to s: 4.5 Google Maps

1 - 50 of 131

Sort: ▾

**New Hot Tub!! - Grand Canal Waterfront Home**  
House · 3 BR · 2 BA · Sleeps 8 · 1500 Sq Ft  
1.5 mi to Ocean Shores center  
Exceptional 5/5  
\$220 avg/night  
Premier Partner  
★★★★★ (70)

**Storm Haven - Elegant Cabin Especially for Couples**  
Cabin · 1 BR · 1 BA · Sleeps 4 · 320 Sq Ft  
2 mi to Ocean Shores center  
Wonderful 4.9/5  
\$125 avg/night  
Premier Partner  
★★★★★ (116)

**Rustic Elegance - Great Log Cabin with Hot Tub by Beach**  
Cabin · 2 BR · 1 BA · Sleeps 5 · 720 Sq Ft

Ocean Shores  
North Bay  
Oyuh Wildlife Recreation Area  
North Jetty

Map data ©2020 Google United States Terms Send feedback 1 mi

## Manzanita

Number of vacation rentals. [VRBO](#) 296

Housing Units: 1285 [Census Bureau](#)

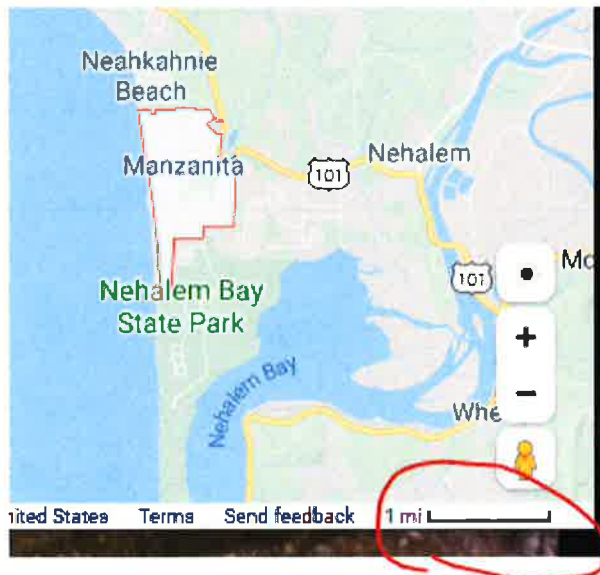
Square Miles: .82 Square miles [Census Bureau](#)

Miles North to South (coastline) 1

The screenshot displays a vacation rental search interface. At the top, there are filters for "Date", "Bedrooms", "Instant Confirmation", and "More Filters". Below the filters, three listings are shown:

- Cozy River Cottage on the Oregon Coast**  
Cottage 1 BR 1 BA Sleeps 4 500 Sq. Ft.  
2.6 mi to Manzanita center  
Wonderful 4.8/5  
\$70 a night  
39 reviews
- Rivers Edge Cottage at the Oregon Coast**  
Cottage 1 BR 1 BA Sleeps 4 400 Sq. Ft.  
2 mi to Manzanita center  
Wonderful 4.8/5  
\$93 a night  
11 reviews
- Caretakers Bungalow**  
Viewed 14 times in the last 48 hours

To the right of the listings is a map showing the location of the properties along the coast, with a red circle highlighting the area around Manzanita.



## Grays Harbor

Number of vacation rentals. [VRBO 621](#)

Housing Units: 36,433 Census Bureau

Square Miles: 1902 Census Bureau

Miles North to South (coastline) 25



## **Clatsop County**

**Number of vacation rentals. VRBO 771**

**Housing Units: 22,635 Census Bureau**

**Square Miles: 829 Census Bureau**

**Miles North to South (coastline) 6**

## **Pacific County**

**Number of vacation rentals VRBO 110**

**Housing Units: 16,265 Bureau**

**Square Miles: 932 Census Bureau**

**Miles North to South (coastline) 11**



## Tim Crose

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**From:** Robbie Wright <robbiew1112@hotmail.com>  
**Sent:** Thursday, February 13, 2020 5:10 PM  
**To:** Lisa Olsen; Frank Wolfe; Mike Runyon; Tim Crose; Marie Guernsey  
**Subject:** Re: Data and evidence in support of expanding the Vacation Rental Business  
**Attachments:** 2020\_02\_13 Planning Commission Working Doc (1).pdf; 2020\_02\_08 data on vacation rentals.docx; 2020\_2\_13 recommendations to changes in 184 by Robbie Wright.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello, Lisa, Frank, Mike, Tim and Marie,

Please do let me know you have received this email.

Again, thank you for your time.

I have gone through each item in 184 as well as the planning commissions recommendations.

We are actually *VERY* close to an agreement on most everything. A lot of this is just common sense. There are some things to add that cost the DCD nothing, will help make it easier to close down illegal rentals, and will keep the aquifier safer from contamination.

For each item, i have my recommendation, my reasoning, and my estimate of the expected impact on DCD.

I can't speak for everyone of course. This is simply my feedback from my extensive background with Vacation Rentals on the peninsula.

I appreciate your time in reviewing my attached documents. I hope they are useful. I believe you have most of the information you need to make informed decisions. I am always available 24x7 to answer any of your questions

**Robbie Wright**  
**Mobile: 206 948-2837**

PS. The Density issue is by far the most controversial. Talk of not allowing people to rent their homes (especially if they live next door to a few rentals), threatening that they can't sell to a new buyer looking for a vacation rental, or not allowing "clusters" of VRs together (even if neighbors agree), in addition to the moratorium, is causing a lot of anxiety.

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**From:** Robbie Wright <robbiew1112@hotmail.com>  
**Sent:** Wednesday, February 12, 2020 2:54 PM  
**To:** Lisa Olsen <lolsen@co.pacific.wa.us>; Frank Wolfe <fwolfe@co.pacific.wa.us>; Mike Runyon <mrunyon@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>; mguernsey@co.pacific.wa.us

<mguernsey@co.pacific.wa.us>

**Subject:** Fw: Data and evidence in support of expanding the Vacation Rental Business

Hello, Lisa, Frank, Mike, Tim and Marie,

Thanks so much for taking all our input and especially listening to all sides.

Below is the data I was able to collect. In the attached document I provided links to all the sources and screen shots of the maps.

Over the years, I have attended roughly 40 permit hearings, and over the past 18 months, I decided to prepare and be the applicant for homeowners that wanted to use Bloomer Estates Vacation Rentals as a management company. I believe I have done 6 to 8 myself already. It is a service I provide to the owners as I know the process so well. I am happy to think hard and give you specific recommendations on any changes to the ordinance that will help meet everyone's goals.

I have written a lot, it did take several hours over several days. I appreciate your time in digesting all I have below and attached.

Best

*Robbie Wright*

PS. On a personal note, allow me a few thoughts of my own on why I am in this business. Microsoft was on the order of ten times more lucrative

I have had two of my maintenance staff homeless (sleeping in their trucks for over a week) in the past 12 months. The first one moved into one of my rentals for about 4 weeks until we found him a place. The other one is homeless today, sleeping on the sofa of our General Manager. And she has a blind daughter, special needs grand daughter and husband with congestive heart failure ---all in the same small home. Both maintenance guys are doing incredibly well. Hard working and drug free, they are pulling themselves up and out of poverty and I believe will contribute positively to the community for the rest of their lives.

I myself was evicted several times growing up in Long Beach-I was one of the poorest amongst the poor. I do care and feel for the local community. And I do believe, through the Seaview Laundromat and through vacation rentals, what I am doing helps the community.

I also understand people that buy and move into a \$500,000 to \$1,000,000 beach houses (for all of 2 people), with 13 or 20 empty homes around them, want their privacy. They believed they would always have a ghost town to live in. I understand their anxiety about what *might* happen, based on their desire to live a hermit lifestyle, free of interacting with other people. They say this all the time in the hearings.

But they moved into a residential area, zoned for special use permits. And even these people, are genuinely surprised at how the neighborhood remains quiet, how the renters they meet are exceedingly nice and it isn't so terrible to see a kid on a bicycle or an out of towners walking his or her dog once in awhile. In short, renters behave like any other neighbor might, only more respectful as they must adhere to quiet hours, pick up after pets, can be fined if they have a big party and anything left in the yard gets picked up by our cleaners.

The people I employ don't have \$500,000 beach homes facing the ocean. They live on the West side of Pacific Way. They live in small homes and rentals, badly in need of repair, with who-knows-when the septic was last pumped---in short, on the same exact streets where I grew up.

My cleaners are averaging \$25 an hour. One cleaner made over \$40,000 last year (unheard of but she worked hard for that money. I am happy to share her W2) and most of the others cleared over \$30,000. My mom never made more than \$8,000 working at Jessees for nearly 30 years. Cleaning alone can change peoples lives. We have 35 rentals in ocean park. If it grew to say 100 (which at the rate we were going before the moratorium, would take another 5 + years) and 650 houses sat empty rather than 700, you could raise several families above the national poverty line (\$11,770 for a single person, \$24,250 for a family of 4) on cleaning alone.

But the real money flowing into the community comes from all work to keep these houses well maintained, and remodeled, septs pumped and upgraded, and from all the cash people bring with them to spend in town.

I hope we can all agree we need to help Ocean Park grow the only industry outside of oysters: tourism. The town is slowly starting to come to life with the Rusty Spur, MyCovios, Bay Ave Art Gallery, and Adaleides, not to mention the antique store, barbers, Jacks and others. With no decent hotel, there is a lot of good we might do with allowing more vacation rentals in the area, more renters roaming Bay Avenue and spending their money, while still having quiet streets with one or two full time residents, 3 or 4 vacation rentals, and another 10 tp 15 mostly empty homes.

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**From:** Robbie Wright

**Sent:** Sunday, February 9, 2020 9:02 PM

**To:** vacarentals@co.pacific.wa.us <vacarentals@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>

**Subject:** Data and evidence in support of expanding the Vacation Rental Business

To the Pacific County Planning Commission, DCD and Commissioners,

I founded Bloomer Estates Vacation Rentals 15 years ago and today we manage 36 properties on the peninsula. I am hopeful my knowledge of the vacation rental business can be of value to you.

I am proud to be supporting the community through employing 15 people and 6 families with well paying jobs, and providing over 6,000 guests every year with an amazing lodging experience. I grew up here (Ilwaco '81) and have invested my entire life savings in Bloomer Estates and the Seaview Laundromat with the singular goal of helping the community that did so much for me.

I believe there is **no compelling reason** to limit the growth of Vacation Rentals on the peninsula, nor is there a compelling reason to continue with the moratorium, or make any significant changes to the current ordinance.

There is really no public evidence of issues with noise, traffic congestion, litter (other than a few bears tipping over trash cans, and that has been fixed), the change of character of a neighborhoods (how to quantify with more than 50% of homes in ocean park sitting empty?), disturbances or septic issues. There is conjecture and opinion, but I cannot find hard data or evidence.

DCD has very limited resources. Adding a ton of new regulations on the 95 virtually complaint free Vacation Rentals, out of the nearly 20,000 homes in Pacific County will have a negligible positive impact compared to other more urgent work they could be doing.

In fact, in terms of a vibrant Vacation Rental industry, we are woefully behind. Just to get to the "density" of Manzanita, Oregon, which was mentioned several times at the **February 6th Workshop**, Ocean Park would need to grow from 35 VRs today, to *at least 346 rentals or as many as 1,407*.

I am sure you have heard a lot of the positive economic impact of Vacation Rentals. We are nowhere near realizing the full potentials of the amount of income that VRs could bring to our community, the number of jobs it could create, and the positive impact it might have on improving the lives of our fellow citizens in the poorest county in the state.

In fact, we should be discussing how to **exponentially grow** this industry. We need to think about how to utilize the potential of over **700 empty homes** in Ocean park alone, and create more \$25/hour cleaning jobs, \$50 to \$100 contractor jobs (think remodels, new roofs, rot repair, plumbing, electricians and more), not to mention supporting all the other local businesses.

I do appreciate your time in looking at the research and data attached-it was several hours of work.

My hope is we can enrich the discussion with "numbers, data and facts" going forward. You will see Pacific County vacation rental industry is **tiny** compared to the rest of the Washington and Oregon Coast. For example, Clatsop County has **9 times** the VRs per square mile and **13 times** the number of VRs per linear mile than Pacific County. To just catch up with them, we need to grow from 95 to 950 rentals. By the way, it has taken us over 20 years just to get to 95.

I look forward to seeing you again at **11:00 AM, next Tuesday Feb 11th** in South Bend. I do appreciate your time in reviewing the data, and look forward to a more evidence based discussion.

Best,  
Robbie Wright

PS: While I appreciate all the hard work of the planning commission, what struck me the most about the February 6th workshop, was the nearly complete **lack of data** around the density issue but also concerning septs and the aquifer.

One members of the planning commission claimed: "**I have heard neighbors complain of having 3 vacation rentals on their street. This is a huge problem!**" should be qualified with data.

- Is it one person that complained or 100 people?
- Do they have specific issues that have never been addressed?
- Have they only complained to a member of the planning commission (ie one might say being political), or has there actually been unaddressed complaints to Vacation Rental owners, property managers, the county and or to the sheriff?
- What is the **ratio** of a) angry neighbors to b) perfectly happy and supportive neighbors to c) neighbors that enthusiastically support vacation rentals?
- Are clusters of vacation rentals good or bad?
- Shouldn't the neighbors have a say if they want to rent or sell their homes as VRs, especially in an area that already has many VRs?
- Has anyone asked what is the actual experience of all neighbors in clusters?

Another claim: "Look at what Manzanita has done to curtail Vacation Rentals"

- What similarities to density of VRs are there in Manzanita, versus, say Ocean Park?
- Did you know, Manzanita has nearly the same percentage of Vacation Rentals in Clatsop County, as Ocean Park has in Pacific County?
- How do we even measure density? Is it by VRs per square mile, per linear mile, per housing unit or all of the above?
- How many rentals would Ocean Park need to have the same density of VRs as Manzanita?

Another claim: "**I am worried about the impact of vacation rentals on the aquifer**" had no supporting data.

- How much stress is a vacation rental to a septic system versus a long term rental or full time resident?
- How many failed systems over the past month, year or 15 years are from vacation rentals?
- Is it true that there have been more septic failures in the last 30 days in Pacific County than all septic failures for all vacation rentals combined over the past 15 years?

I tried to tackle all these questions and more in the attached document. I hope it is useful to start a discussion.

Topics of Discussion February 6<sup>th</sup>, 2020 Planning Commission Workshop

Topic	Issue	Current Ordinance 184
<b>Occupancy limits</b>	<p>Discuss allowing over 10 in R-3/CC).</p> <p>"Lodging house" definition – sets the threshold of 5 "guestrooms" to still be constructed under the IRC vs. IBC (over 5)</p>	<p><i>Ordinance No. 184 Section 21 (N)(2) states, "Occupancy Limits. No more than two overnight occupants per bedroom, plus two additional overnight occupants, shall be accommodated at any one time, e.g., a one bedroom cabin would be allowed four overnight occupants while a two bedroom cabin would be allowed six total overnight occupants. The total number of occupants temporarily residing in a vacation rental shall not exceed 10 at any one time and includes all occupants over the age of two (2)."</i></p> <p><i>Recommend "policy" that restricts occupancy to 10; or four bedrooms plus 2 additional individuals (assume formal egress ability). Relative to use of the parcel and VRs, consider overall limit on number of occupants of the property (parcel) in question.</i></p>
<b>Local Contact</b>	<p>Define. Accessible in some time limit (15 minutes)? Set distance?</p>	<p><i>The Ordinance does not currently reference what the definition of "local" shall be for the local contact. The local contact must be referenced in the Property Management plan and the license for the first point of contact for complaints or issues.</i></p>



Topic	Issue	Current Ordinance 184
		<p><i>Recommend that this definition (of "responsible local contact/property manager") be included in the license permit; could be added to a regulation associated with the license.</i></p> <p><i>Recommend that response to complaint be resolved within 1 hour.</i></p>
Density	Do we need to limit number of VRs per block or neighborhood?	<p><i>Currently unaddressed...</i></p> <p><i>Recommend a limit on density based on distance between buildings (licensed as VRs)... would help preserve character of zoning district and ensure that no undue stress on aquifer/septic. DCD to make recommendation on distance.</i></p>
Number of bed limitations	<p><del>Currently require that number of beds cannot exceed max number of occupants to reduce over occupancy scenarios.</del></p>	<p><i>Unaddressed... this is currently an informal policy adopted to address the recent vacation rental issues. Recommend policy that verbiage about [cannot advertise that] "number of beds" cannot exceed max number of occupants.</i></p>
Requirements of floor plans (implemented)	<p><u>Will require</u> floor plans for all new VRs and all existing to ensure any conversions meet F/L safety requirements or new F/L safety inspection required.</p>	<p><i>Unaddressed in Ordinance... this is currently an informal policy adopted to address the recent vacation rental issues. Floor plans have been required as an enforcement measure for all licensed short term vacation rentals that were advertising for</i></p>

Topic	Issue	Current Ordinance 184
Floor Plans	Implement language to address the <b>floor plan requirement to show the locations of all beds</b> , including those outside of bedrooms (i.e. sleeping areas)	<p><u>greater occupancy. <b>Floor plans will be required in the application for all new short term vacation rentals after the moratorium has concluded and for all existing rentals by 2021 licensing.</b></u></p> <p><del>This should be added into Ordinance No. 184 Section 21 (N) if the decision is made to include floor plans/maximum number of beds into the Ordinance language.</del></p> <p><b>Ensure that the Ord 184 refers to the new policy.... Recommend that floor plan requirement show the locations of all beds.</b></p>
Occupants per bedroom	Discuss <del>potentially limiting the number of occupants per bedroom to two (2) per bedroom as described in BOH Ord. No. 3(E) instead of the current allowance of two (2) occupants per bedroom plus two (2).</del>	<p><b>Board of Health Ordinance 3(E)(4.2.1) states, "The operating capacity is based on forty five (45) gpd per capita with two people per bedroom." Important to be consistent with the Health Ordinance... Already have stated the "2x2" limit.</b></p>
R-1 / R-2 / RR / RL Zoning Districts	<p>Conditional Use vs. Special Use?</p> <p><b>"Special":</b> limited impact; web-only advertising.</p> <p><b>"Conditional":</b> broader impact area; stronger public notice (newspaper advert; mailout to all within 300'; 12-mos expiration if left unused.</p>	<p><b>Section 12 (D)(6) currently references short term vacation rentals as a <b>Special Use</b>. DCD Recommends continuing as Special Use, but specific for VRs require that larger signage ("billboard type", prominently displayed) plus notification of property owners within 300' of property lines</b></p>



Topic	Issue	Current Ordinance 184
<b>Public Notice</b>	Currently <u>15-day</u> (lots of complaints that this is not adequate, also suggest requiring sign to be of certain size)	<i>Ordinance No. 177 Section 5(B)(i) states, "The applicant shall post copies of the notice of application on the perimeter of the property in question at least fifteen (15) calendar days prior to the hearing date in a manner that will be legible to a passerby. The applicant also shall file a declaration of posting and affidavit of mailing (under the penalty of perjury) with the Department of Community Development at least ten (10) calendar days prior to the scheduled hearing. The applicant shall remove and properly dispose of the notices within seven (7) calendar days after the notice of the decision is mailed to the applicant."</i>
<b>License Fee</b>	Discuss increasing annual license fee and setting F/L safety inspections as a part of the licensing requirement (could set annually or every three years -- same as O&Ms)	<i>Currently, the license fee is \$90 and does not have any inspections associated. <u>Recommend increase in initial application fee and annual license renewal fee, to be commensurate with DCD resource and actual county costs (to include inspection and renewal/annual inspection)</u></i>
<b>SUP Language</b>	Amend SUP language to remove the allowance of mitigation to exceed the	<i>Section 27(G)(4) states, "Requested modifications to standards are limited to those which will mitigate impacts in a</i>

Topic	Issue	Current Ordinance 184
	maximum number of occupants. <b>Agree.</b>	<i>manner equal to or greater than the standards of this title;"</i> <i>Recommend that mitigation *not* be permitted relative to VRs.</i>
R-1/R-R oceanside limitations	Block limitation? Additional Notice/CUP vs. SUP?)	<i>Currently unaddressed... not referenced in any Ordinance at this point. No additional restrictions/limitations recommended.</i>
ADUs	Clarify regulation regarding, <i>"On properties containing both a residential dwelling and an accessory residential dwelling, only one residential structure may be rented out as a vacation rental, but not both."</i>	<i>Section 21(N)(10)</i> <i>Recommend this language...</i>
Impacts on aquifers related to contamination	....from septic tanks and overdraft leading to saltwater intrusion. Probably most closely related to the density issue	<i>Recognize this as issue for county to reflect upon re overall development. Small lots and overuse could easily lead to overuse and saltwater intrusion.</i>
Emergency service/access		<i>Recommend that existing language re conformance to PacCo Road Standards be reinforced and/or inspected with the addition that, "...to include 20' clear access".<sup>1</sup></i>

<sup>1</sup> Page 122 (Ordinance 184) Access. The road access to the vacation rental shall be constructed to meet minimum Pacific County Road Standards and shall be adequately maintained and remain clear of

Topic	Issue	Current Ordinance 184
<b>Penalties/enforcement</b>	... for non-compliance	<p><b>See 21(N) 15.</b></p> <p>If there have been three (3) or more <b>violations</b> of this Ordinance related to the same vacation rental within one (1) calendar year, or if there have been three (3) or more violations of other County Ordinances related to the same vacation rental within one (1) calendar year, the Administrator shall revoke the vacation rental license and underlying vacation rental permit, and the property owner shall be prohibited from obtaining a new vacation rental permit &amp; license for at least one year from the revocation; <i>Recommend that license fee be increased to account for some degree of complaint investigation/enforcement.</i></p>

obstructions, including illegally parked cars, recreational vehicles, boats, trailers, junk, etc., to ensure the unimpeded passage of emergency vehicles and other vehicular traffic.

## Topics of Discussion February 6<sup>th</sup>, 2020 Planning Commission Workshop

Ann (1/26/2020)

- Occupancy limits (discuss allowing over 10 in R-3/CC). Lodging house definition – sets the threshold of 5 “guestrooms” to still be constructed under the IRC vs. IBC (over 5)
  - Whatcom County: “Rooming House has at least 3 rooms; over 6 is classified as a hotel and regulated as such.
  - Lincoln City: Guests are calculated by number of BR’s and from valid onsite wastewater system test or Existing System Evaluation Report; no more than 5 BR, no more than 3 guests x number of bedrooms; occupancy is reduced to conform with qualifying egress windows or doors
  - Newport OR: 2 person per BR + 2, maximum 5 BR
- Defining local contact (15 minutes? Set distance?)

Manzanita and Newport provide public list and map of VR owner, name of house If applicable, contact, phone and email for both, address of rental, permit number and date approved. Durango CO (MRSC) includes mapping with lists

Seattle, Lincoln City, Durango: Permit/license number displayed online and where other advertising occurs.

  - Gearhart: City provides annual mailing of VR owner’s name to neighbors
  - Lincoln City: Contact name and number to Fire Chief and Sheriff and then to neighbors in 250 foot radius
- Density of short-term vacation rentals (do we need to limit number of VRs per block?)
  - Manzanita has lottery system. Certain residential zones fall into cap of 17.5% of dwelling units. Wait list, permit becomes void on sale of property. License cannot be passed on to new owners. 1 VR per person. *Good website.*
  - Durango, CO (from MRSC): residential zone limitation based on road/block system that limits number of VRs in one area. There is a cap on these permits. *Good website.*
  - Gearhart: VR can only be passed on through inheritance; intent is that sale of home will gradually return it to residential through attrition.
  - Cannon Beach: Older 5 year permits will not be renewed after expired. Older lifetime permits are in place until revoked. Purpose: gradual return of house to residential use. Currently 200 permits; goal through attrition is 125 permits.
  - Newport limits to 200 in overlay zone and uses spacing standards (Overlay zone restricts V to tourist and commercial areas). Where older VRs exist in new



- non- permitted residential areas VRs are grandfathered until sold or transferred. No renewal. *Good website.*
- Number of bed limitations (currently requiring that number of beds cannot exceed max number of occupants to reduce over occupancy scenarios)
  - Durango CO: BR must be at least 70 square feet
  - Lincoln City: BR's are sleeping areas. No rollaways, couches, tents, RVs
  - Lincoln County: Cannot use tents, ADU or RV to increase occupancy
  - Seattle: No RV, tents, garage, boats to increase occupancy
  - Manzanita: Sleeping room defined as fully-enclosed habitable space with heat and emergency egress
- Requirements of floor plans (implemented) – will require floor plans for all new VRs and all existing to ensure any conversions meeting F/L safety requirements or new F/L safety inspection required.
  - Durango: BR must be at least 70 square feet; subject to same health and safety regulations that apply to commercial accommodations
  - Bandon, OR. VR homes must be at least 3 years old determined by date of occupancy.
  - McMinnville, OR: Site plan, digital photos of interior, floor plan showing size and function of rooms, pre-rental neighborhood meeting
- Implement language to address the floor plan requirement to show the locations of all beds, including those outside of bedrooms (i.e. sleeping areas)
  - Newport OR includes this
- R-1 Zoning Districts (Conditional Use vs. Special Use?)
  - *Should this include coastal RR?*
  - *2011 changes of ORD 153 included secondary review on reconsideration through BOCC. Additional appeal option was one reason VRs and BB were changed from CU to SU. (Findings of Fact, ORD 153, 2011)*
- 15-day Public Notice (lots of complaints that this is not adequate, also suggest making size requirement of sign)
  - *County list and mapping of VR online so public knows which properties are legal rentals and who runs them – see defining local contacts above*
  - *More liberal use of newspaper notice (trial period?)*
- Discuss increasing annual license fee and setting F/L safety inspections as a part of the licensing requirement (could set annually or every three years (same as O&Ms))
  - Most VR jurisdictions license annually
  - Seaside OR license fees determined by number of occupants; raised in 2019 to pay for compliance officer. (3 tiers - \$475-\$550).
- Amend SUP language to remove the allowance of mitigation to exceed the maximum number of occupants.

- *Yes. Mitigation for upward of 10 occupants is too subjective and may not be enforceable.*
- R-1/R-R oceanside limitations (Block limitation? Additional Notice/CUP vs. SUP?)
  - Astoria: No STR allowed in residential areas (only allowed in commercial zones). Astoria does provide for "Homestays" license (CU permit, R-1) that is a short-term rental of bedrooms within the primary home while the homeowner is onsite. (Platforms can be included here too). Rationale is that Homestay "allows economic use of underutilized bedrooms in owner-occupied dwellings while not reducing number of potential long-term housing units."
  - Clatsop County allows VR at Arch Cape only
  - Grays Harbor County: VR in R-3 only, CU. *Current Moratorium.*
  - Ocean Shores: No VRs in most residential zones except those previously permitted through CU permit. Those may be grandfathered if NC use can be proven through HE process. Limited to 5 years.
- Discuss potentially limiting the number of occupants per bedroom to two (2) per bedroom as described in BOH Ord. No. 3(E) instead of the current allowance of two (2) occupants per bedroom plus two (2).
  - Gearhart: limit to 2:1
  - *Jurisdictions I looked at were split. Some were more specific about what constituted a bedroom or sleeping area. See bed limitation, above*
- Clarify regulation regarding, "On properties containing both a residential dwelling and an accessory residential dwelling, only one residential structure may be rented out as a vacation rental, but not both."

Grays Harbor County: ADU allowed in certain non-residential zones either as attached or unattached (CU) for use by family member until use not longer needed. CU ADU provided in AG zones and GD5 if owner is onsite and if accessory use is related to permitted use. No rental.

Ocean Shores: ADU permitted in all SFR zones, limited to 1. Construction shall conform to current building, limited to 800 square feet and no more than 40% gross floor area of primary residence. One 1 family allowed and limited to family members related to owner. No rental.

Jefferson, Whatcom and Clallam Counties: ADU: Where permitted, 1 unit has to be owner occupied.

San Juan County: Detached ADUs established after 6/29/2007 cannot be rented as VR. Detached ADU outside of UGA or activity center has lottery system to acquire permits.

Bellingham: In R-1, ADU cannot be rented. In other residential zones 1 unit must be owner occupied. Does not apply to commercial and urban village zones.

Oregon passed HB 2001 last year that drops owner occupancy restrictions and off-street parking requirements for ADUs. Seattle adopted a similar code.

## Tim Crose

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**From:** Robbie Wright <robbiew1112@hotmail.com>  
**Sent:** Monday, February 17, 2020 4:47 PM  
**To:** Lisa Olsen; Frank Wolfe; Mike Runyon; Tim Crose; Marie Guernsey  
**Subject:** Research on those in favor of a moratorium  
**Attachments:** 2020\_02\_17 analysis of people in favor of a moratorium.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello, and thanks again for looking at the data. Please do let me know if you received this and have time to read it.

This was several hours to pull together, but I hope it can be digested in under 20 minutes.

Attached is analysis based on who wrote into the county (those letters we can find) and then cross referencing with taxsifter on values of homes and locations. I did a town by town analysis of who is opposed to the moratorium and added maps.

What the data tells us:

- The number of those in favor of a moratorium is extremely light. 11 people opposed. 3 in Seaview alone. Just 5 people in all of Ocean park out of 710 are in favor of the moratorium .
- Two of the 5 in Ocean Park are actively appealing to the Superior Court of Washington to block a new Vacation Rental (They do not live next to an existing VR today)
- Those in favor of the moratorium tend to be **extremely wealthy** compared to the average resident who earns \$18,261 median income (Ocean Park per 2010 census). Nearly half of their homes are assessed at over \$500k. Most are retired. They have little to gain from VRs as compared to locals who depend on tourism to make a living.
- Only 2 people between Klipsan and Long Beach were in favor of a moratorium. There are at least 28 VRs and 600 neighbors living within 300 feet of the VRs.
- Many people opposed to the moratorium feel the residents of Seaview may have undue political influence on the planning commission. Some of the same people that pushed through



a moratorium in Seaview a decade ago are active again-exerting their will on the entire peninsula

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**From:** Robbie Wright <robbiew1112@hotmail.com>

**Sent:** Thursday, February 13, 2020 5:09 PM

**To:** Lisa Olsen <lolsen@co.pacific.wa.us>; Frank Wolfe <fwolfe@co.pacific.wa.us>; Mike Runyon <mrunyon@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>; mguernsey@co.pacific.wa.us <mguernsey@co.pacific.wa.us>

**Subject:** Re: Data and evidence in support of expanding the Vacation Rental Business

Hello, Lisa, Frank, Mike, Tim and Marie,

Please do let me know you have received this email.

Again, thank you for your time.

I have gone through each item in 184 as well as the planning commissions recommendations.

We are actually *VERY* close to an agreement on most everything. A lot of this is just common sense. There are some things to add that cost the DCD nothing, will help make it easier to close down illegal rentals, and will keep the aquifer safer from contamination.

For each item, i have my recommendation, my reasoning, and my estimate of the expected impact on DCD.

I can't speak for everyone of course. This is simply my feedback from my extensive background with Vacation Rentals on the peninsula.

I appreciate your time in reviewing my attached documents. I hope they are useful. I believe you have most of the information you need to make informed decisions. I am always available 24x7 to answer any of your questions

**Robbie Wright**  
**Mobile: 206 948-2837**

PS. The Density issue is by far the most controversial. Talk of not allowing people to rent their homes (especially if they live next door to a few rentals), threatening that they can't sell to a new buyer looking for a vacation rental, or not allowing "clusters" of VRs together (even if neighbors agree), in addition to the moratorium, is causing a lot of anxiety.

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**From:** Robbie Wright <robbiew1112@hotmail.com>

**Sent:** Wednesday, February 12, 2020 2:54 PM

**To:** Lisa Olsen <lolsen@co.pacific.wa.us>; Frank Wolfe <fwolfe@co.pacific.wa.us>; Mike Runyon <mrunyon@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>; mguernsey@co.pacific.wa.us

<mguernsey@co.pacific.wa.us>

**Subject:** Fw: Data and evidence in support of expanding the Vacation Rental Business

Hello, Lisa, Frank, Mike, Tim and Marie,

Thanks so much for taking all our input and especially listening to all sides.

Below is the data I was able to collect. In the attached document I provided links to all the sources and screen shots of the maps.

Over the years, I have attended roughly 40 permit hearings, and over the past 18 months, I decided to prepare and be the applicant for homeowners that wanted to use Bloomer Estates Vacation Rentals as a management company. I believe I have done 6 to 8 myself already. It is a service I provide to the owners as I know the process so well. I am happy to think hard and give you specific recommendations on any changes to the ordinance that will help meet everyone's goals.

I have written a lot, it did take several hours over several days. I appreciate your time in digesting all I have below and attached.

Best

*Robbie Wright*

PS. On a personal note, allow me a few thoughts of my own on why I am in this business. Microsoft was on the order of ten times more lucrative

I have had two of my maintenance staff homeless (sleeping in their trucks for over a week) in the past 12 months. The first one moved into one of my rentals for about 4 weeks until we found him a place. The other one is homeless today, sleeping on the sofa of our General Manager. And she has a blind daughter, special needs grand daughter and husband with congestive heart failure ---all in the same small home. Both maintenance guys are doing incredibly well. Hard working and drug free, they are pulling themselves up and out of poverty and I believe will contribute positively to the community for the rest of their lives.

I myself was evicted several times growing up in Long Beach-I was one of the poorest amongst the poor. I do care and feel for the local community. And I do believe, through the Seaview Laundromat and through vacation rentals, what I am doing helps the community.

I also understand people that buy and move into a \$500,000 to \$1,000,000 beach houses (for all of 2 people), with 13 or 20 empty homes around them, want their privacy. They believed they would always have a ghost town to live in. I understand their anxiety about what *might* happen, based on their desire to live a hermit lifestyle, free of interacting with other people. They say this all the time in the hearings.

But they moved into a residential area, zoned for special use permits. And even these people, are genuinely surprised at how the neighborhood remains quiet, how the renters they meet are exceedingly nice and it isn't so terrible to see a kid on a bicycle or an out of towners walking his or her dog once in awhile. In short, renters behave like any other neighbor might, only more respectful as they must adhere to quiet hours, pick up after pets, can be fined if they have a big party and anything left in the yard gets picked up by our cleaners.

The people I employ don't have \$500,000 beach homes facing the ocean. They live on the West side of Pacific Way. They live in small homes and rentals, badly in need of repair, with who-knows-when the septic was last pumped---in short, on the same exact streets where I grew up.

My cleaners are averaging \$25 an hour. One cleaner made over \$40,000 last year (unheard of but she worked hard for that money. I am happy to share her W2) and most of the others cleared over \$30,000. My mom never made more than \$8,000 working at Jessees for nearly 30 years. Cleaning alone can change peoples lives. We have 35 rentals in ocean park. If it grew to say 100 (which at the rate we were going before the moratorium, would take another 5 + years) and 650 houses sat empty rather than 700, you could raise several families above the national poverty line (\$11,770 for a single person, \$24,250 for a family of 4) on cleaning alone.

But the real money flowing into the community comes from all work to keep these houses well maintained, and remodeled, septic pumped and upgraded, and from all the cash people bring with them to spend in town.

I hope we can all agree we need to help Ocean Park grow the only industry outside of oysters: tourism. The town is slowly starting to come to life with the Rusty Spur, MyCovios, Bay Ave Art Gallery, and Adaleides, not to mention the antique store, barbers, Jacks and others. With no decent hotel, there is a lot of good we might do with allowing more vacation rentals in the area, more renters roaming Bay Avenue and spending their money, while still having quiet streets with one or two full time residents, 3 or 4 vacation rentals, and another 10 tp 15 mostly empty homes.

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**From:** Robbie Wright

**Sent:** Sunday, February 9, 2020 9:02 PM

**To:** vacarentals@co.pacific.wa.us <vacarentals@co.pacific.wa.us>; Tim Crose <tcrose@co.pacific.wa.us>

**Subject:** Data and evidence in support of expanding the Vacation Rental Business

To the Pacific County Planning Commission, DCD and Commissioners,

I founded Bloomer Estates Vacation Rentals 15 years ago and today we manage 36 properties on the peninsula. I am hopeful my knowledge of the vacation rental business can be of value to you.

I am proud to be supporting the community through employing 15 people and 6 families with well paying jobs, and providing over 6,000 guests every year with an amazing lodging experience. I grew up here (Ilwaco '81) and have invested my entire life savings in Bloomer Estates and the Seaview Laundromat with the singular goal of helping the community that did so much for me.

I believe there is **no compelling reason** to limit the growth of Vacation Rentals on the peninsula, nor is there a compelling reason to continue with the moratorium, or make any significant changes to the current ordinance.

There is really no public evidence of issues with noise, traffic congestion, litter (other than a few bears tipping over trash cans, and that has been fixed), the change of character of a neighborhoods (how to quantify with more than 50% of homes in ocean park sitting empty?), disturbances or septic issues. There is conjecture and opinion, but I cannot find hard data or evidence.

DCD has very limited resources. Adding a ton of new regulations on the 95 virtually complaint free Vacation Rentals, out of the nearly 20,000 homes in Pacific County will have a negligible positive impact compared to other more urgent work they could be doing.

In fact, in terms of a vibrant Vacation Rental industry, we are woefully behind. Just to get to the "density" of Manzanita, Oregon, which was mentioned several times at the **February 6th Workshop**, Ocean Park would need to grow from 35 VRs today, to *at least 346 rentals or as many as 1,407.*

I am sure you have heard a lot of the positive economic impact of Vacation Rentals. We are no where near realizing the full potentials of the amount of income that VRs could bring to our community, the number of jobs it could create, and the positive impact it might have on improving the lives of our fellow citizens in the poorest county in the state.

In fact, we should be discussing how to **exponentially grow** this industry. We need to think about how to utilize the potential of over **700 empty homes** in Ocean park alone, and create more \$25/hour cleaning jobs, \$50 to \$100 contractor jobs (think remodels, new roofs, rot repair, plumbing, electricians and more), not to mention supporting all the other local businesses.

I do appreciate your time in looking at the research and data attached-it was several hours of work.

My hope is we can enrich the discussion with "numbers, data and facts" going forward. You will see Pacific County vacation rental industry is **tiny** compared to the rest of the Washington and Oregon Coast. For example, Clatsop County has **9 times** the VRs per square mile and **13 times** the number of VRs per linear mile than Pacific County. To just catch up with them, we need to grow from 95 to 950 rentals. By the way, it has taken us over 20 years just to get to 95.

I look forward to seeing you again at **11:00 AM, next Tuesday Feb 11th** in South Bend. I do appreciate your time in reviewing the data, and look forward to a more evidence based discussion.

Best,  
Robbie Wright

PS: While I appreciate all the hard work of the planning commission, what struck me the most about the February 6th workshop, was the nearly complete **lack of data** around the density issue but also concerning septs and the aquifer.

One members of the planning commission claimed: **"I have heard neighbors complain of having 3 vacation rentals on their street. This is a huge problem!"** should be qualified with data.

- Is it one person that complained or 100 people?
- Do they have specific issues that have never been addressed?
- Have they only complained to a member of the planning commission (ie one might say being political), or has there actually been unaddressed complaints to Vacation Rental owners, property managers, the county and or to the sheriff?
- What is the **ratio** of a) angry neighbors to b) perfectly happy and supportive neighbors to c) neighbors that enthusiastically support vacation rentals?
- Are clusters of vacation rentals good or bad?
- Shouldn't the neighbors have a say if they want to rent or sell their homes as VRs, especially in an area that already has many VRs?
- Has anyone asked what is the actual experience of all neighbors in clusters?

Another claim: "Look at what Manzanita has done to curtail Vacation Rentals"

- What similarities to density of VRs are there in Manzanita, versus, say Ocean Park?
- Did you know, Manzanita has nearly the same percentage of Vacation Rentals in Clatsop County, as Ocean Park has in Pacific County?
- How do we even measure density? Is it by VRs per square mile, per linear mile, per housing unit or all of the above?
- How many rentals would Ocean Park need to have the same density of VRs as Manzanita?

Another claim: "**I am worried about the impact of vacation rentals on the aquifer**" had no supporting data.

- How much stress is a vacation rental to a septic system versus a long term rental or full time resident?
- How many failed systems over the past month, year or 15 years are from vacation rentals?
- Is it true that there have been more septic failures in the last 30 days in Pacific County than all septic failures for all vacation rentals combined over the past 15 years?

I tried to tackle all these questions and more in the attached document. I hope it is useful to start a discussion.

## Analysis of people in favor of the Moratorium of Vacation Rentals on the Long Beach Peninsula

Robbie Wright

2/17/2020

Below is the full list of people we know are opposed to Vacation Rentals, their addresses, and value of their homes. All information gathered is publicly available at <http://pacificwa.taxsifter.com/Search/Results.aspx>

Name	Address	Town	House Value
Robert/susan burger	26801 J Ln	Ocean Park	\$ 601,700.00
Dorrance Sturges	27102 J Ln	Ocean Park	\$ 511,900.00
michelle jennings	29015 K Ln	Ocean Park	\$ 147,400.00
john/marlyn Lang	1111 265th pl	Ocean Park	\$ 327,000.00
curt Stephen	25904 R St	Ocean Park	\$ 642,200.00
chris/carolyn Lenovo	2701 277th Ln	Nahcotta	\$ 552,400.00
aubrey freemantle	21107 Pacific Way	Klipsan Beach	\$ 201,000.00
magen michaud	1101 117th Ln Long Beach Wa	Long Beach	\$ 770,200.00
ann/william lefors	1105 47th Pl Seaview Wa	Seaview	\$ 256,100.00
brett/nanson malin	3715 L Pl Seaview Wa	Seaview	\$ 300,600.00
darrell Lashley	1014 46th Pl Seaview Wa	Seaview	\$ 200,100.00

### Exhibit 1. List of names in favor of moratorium, address, home value

#### Notes:

- 1) People in favor of a moratorium is extremely light. 11 people opposed. 3 in Seaview alone. Just 5 people in all of Ocean park out of 710 are in favor of the moratorium .
- 2) Two of the 5 in Ocean Park are actively appealing to the Superior Court of Washington to block a new Vacation Rental (They do not live next to an existing VR today)
- 3) Those in favor of the moratorium tend to be **extremely wealthy** compared to the average resident who earns \$18,261 median income (Ocean Park per 2010 census). Nearly half of their homes are assessed at over \$500k. Most are retired. They have little to gain from VRs as compared to locals who depend on tourism to make a living.
- 4) Only 2 people between Klipsan and Long Beach were in favor of a moratorium. There are at least 28 VRs and 600 neighbors living within 300 feet of the VRs.
- 5) Many people opposed to the moratorium feel the residents of Seaview may have undue political influence on the planning commission. Some of the same people that pushed through a moratorium in Seaview a decade ago are active again.

#### Town by Town Analysis follows

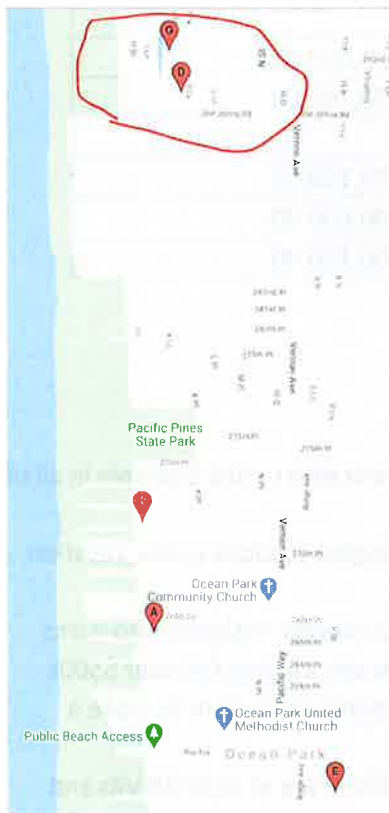
## OCEAN PARK

Below are the people in opposition with a map to where their homes are located.

Name	Address	Town	House Value
Robert/susan burger	26801 J Ln	Ocean Park	\$ 601,700.00
Dorrance Sturges	27102 J Ln	Ocean Park	\$ 511,900.00
michelle jennings	29015 K Ln	Ocean Park	\$ 147,400.00
john/marlyn Lang	1111 265th pl	Ocean Park	\$ 327,000.00
curt stephen	25904 R St	Ocean Park	\$ 642,200.00

### Notes:

- 1) Burger and Sturges have appealed to the Superior Court in Washington to block a new vacation rental permit near their homes. As far as I can tell, they do not live next to a VR currently
- 2) Their homes are valued at \$511 and \$601k, respectively, according to TaxSifter
- 3) There are 710 households in ocean park as of 2010 census.
- 4) Only 3 other people in all of Ocean Park have voiced support for the moratorium



**Exhibit 2: Map of homes of those in favor of moratorium. Ocean Park. Burger/Sturges homes circled.**

## Nahcotta

Name	Address	Town	House Value
chris/carolyn Lenovo	2701 277th Ln	Nahcotta	\$ 552,400.00

### Note:

Only one home in opposition along the entire bay.



Exhibit 3: Map of homes of those in favor of moratorium along the bay.



## Klipsan to Long Beach

Name	Address	Town	House Value
aubrey freemantle	21107 Pacific Way	Klipsan Beach	\$ 201,000.00
magen michaud	1101 117th In Long Beach Wa	Long Beach	\$ 770,200.00

### Notes:

- 1) There are at least 28 vacation rentals between Klipsan Beach and Long Beach
- 2) Map below shows on the left, those in favor of moratorium
- 3) On the right are the vacation rentals from [www.vrbo.com](http://www.vrbo.com)
- 4) While vacation rental density looks high, this is over 7+miles, or 4 VRs per mile
- 5) Of the 28, there must be at least 20 neighbors within 300 feet each, or roughly 600 neighbors.
- 6) Only 2 of these 600 wrote in opposition



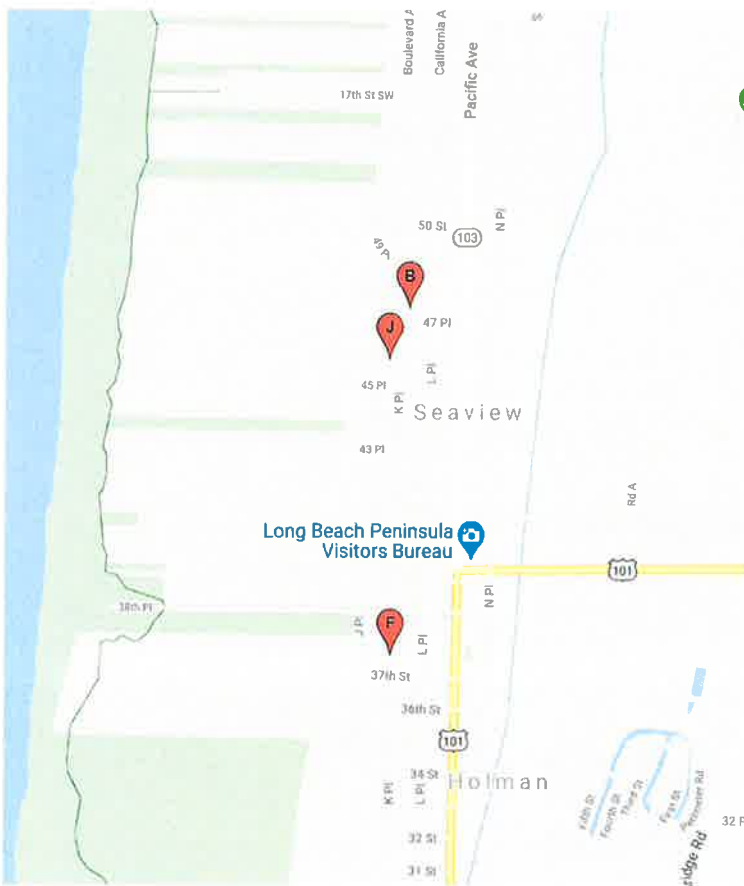
**Exhibit 4: Map of homes of those in favor of moratorium between Klipsan and Long Beach. Map on the right is the vacation rentals.**

# Seaview

Name	Address	Town	House Value
ann/william lefors	1105 47th Pl Seaview Wa	Seaview	\$ 256,100.00
brett/nanson malin	3715 L Pl Seaview Wa	Seaview	\$ 300,600.00
darrell lashley	1014 46th Pl Seaview Wa	Seaview	\$ 200,100.00

## Notes:

- 1) These are some of the same people that spearheaded the moratorium in Seaview nearly 10 years ago.
- 2) They were successful then and as a result, they have roughly 5 vacation rentals in all of Seaview
- 3) Many people opposed to the moratorium feel the Seaview residents have undue influence on the planning committee.



**Exhibit 5: Map of homes of those in favor of moratorium. Seaview, WA**

## Tim Crose

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**From:** Bonnie Lou Cozby <opvillageclub@gmail.com>  
**Sent:** Friday, February 21, 2020 8:45 AM  
**To:** Frank Wolfe; Lisa Olsen; Marie Guernsey; Tim Crose  
**Subject:** Vacation Rental Moratorium

Dear Commissioners and Mr. Crose,

The vacation rental market impacts many. Inconsistent enforcement of existing regulations and the need for updated management of the application process has created a need for action.

According to testimony heard at the February 11, 2020 public hearing in South Bend, a portion of county residents, especially those who have purchased homes zoned R-1; other types of lodging businesses; and possibly the rental housing markets have felt this impact. Existing, licensed vacation rental businesses and the real estate market also feel stress as they wait for a decision on the matter.

Rather than public hearings, consisting only of individual testimony and brief comments from the commissioners, why not create a task force representing all parties? After meeting to discuss all aspects of the vacation rental market and existing regulations, the group would present balanced recommendations to the commissioners on how to improve the process going forward.

At the February 11<sup>th</sup> meeting, there was no way to ask for clarification of a comment made or information given, no way to further discuss possible common ground between sides when a comment generated an idea and too much of "I yield my time" to the same person, representing only one side of the issue. There was no chance of discussion.

A task force could include a representative from:

- County – Commissioners and appropriate Department Heads
- Residents
- Vacation Rental Owners
- RV Park Owners
- Hotel & B & B Owners
- Real Estate Market
- Law Enforcement
- Fire Department Districts
- Group such as Peninsula Poverty Response
- Water Districts
- Utilities
- Septic Business relating to pumping

In addition to recommendations for improvement to the current regulations and enforcement, ideas on how best to handle the following could also be addressed:

- Potential loss of housing/rental units
- Low income housing options
- Impact on neighborhoods - making a negative into a positive
- Impact on existing hotel, B & B and RV park industries
- Impact on real estate
- Septage and water impacts - pumping offload, not septic fails as mentioned at the Feb 11 meeting
- Law enforcement impact

- Fire District(s) impact

Too often, the legitimate concerns of residents and property owners are overshadowed by business concerns. This is especially so in the unincorporated parts of Pacific County. Without a local government to serve as buffer, protector and voice for this large population, it is easy to have their opinions and needs set aside. We ask you to bring all sides of this issue to the table to help find a solution that respects all.

On behalf of Village Club,

Bonnie Cozby, Jerry Herr, Karen Stephens

Ocean Park

**Village Club**

*"Improving the quality of life in our villages"*

Ocean Park, Nahcotta, Oysterville, Surfside & Klipsan Beach

Facebook ~ OP Village Club

PO Box 162, Ocean Park, WA 98640

## Tim Crose

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**From:** Sandra Schoenrock <schoenrocksandi@gmail.com>  
**Sent:** Sunday, February 23, 2020 12:10 PM  
**To:** Vacation Rentals; Lisa Olsen; Frank Wolfe; Mike Runyon; Marie Guernsey; Tim Crose  
**Cc:** Beth Conti - PRPM; Leslie Brophy - PRPM; Zack Banks  
**Subject:** Short Term Moratorium Of Pacific County

This email is to inform you that we oppose the short term moratorium trying to be placed on the Vacation Rentals in Pacific County.

Jack and Sandra Schoenrock  
501 Shoreview Dr S, Apt #103  
Windward Passage  
Long Beach, WA 98631

Sent from my iPhone

## Tim Crose

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**From:** Karyn Songer <karyn.songer@gmail.com>  
**Sent:** Sunday, February 23, 2020 12:32 PM  
**To:** Lisa Olsen; Frank Wolfe; Mike Runyon; Marie Guernsey; Tim Crose; Vacation Rentals  
**Cc:** 'To: Evan Haynes'  
**Subject:** Opposition to short term vacation rental moratorium

To Pacific County Commissioners:

I, Evan Haynes, and my wife, Karyn Songer, wish to express our opposition to any moratorium or ban on short term vacation rentals in Pacific County, Washington.

In September 2019 we purchased a 2 bedroom house with the intention of making it our vacation home for several months of the year and renting it short term for the portion of the year we are not in residence. We purchased the property for \$210,000 and we then spent over \$80,000 in the local economy on remodeling and refurbishing our home by installing a new roof, new septic system, and having our local contractor install new windows, remodel the kitchen and bath, and install an additional bathroom. Just before we were ready to apply for a vacation rental permit, and write the county a check for \$1300.00 for the privilege, the moratorium was announced and implemented with no notice.

This property will generate in excess of \$10,000 per year in economic impact in the local economy. 40 percent of the rental income will go directly to the local property management company and will provide employment for the personnel required to maintain the property. The people who rent the property will be dining in the local restaurants and shopping in the local stores and spending far more tourist dollars than a local resident would be.

We have been told that the planning commission has the following recommendations that we oppose:

1. Restricting density - The idea of only one per block or only 1 within 1000' of another one. The claim is that these rentals degrade the "Character of the neighborhood." This is completely arbitrary, unjust to neighbors who want to rent and violates property rights. Any problems with the character of the neighborhood should be dealt with in the permitting process.
2. Emergency access - Some non-maintained county roads are too narrow for emergency vehicles. The burden of widening the road should not be on the short term rental applicant. If the road is a public safety issue it must be dealt with regardless; it is a county issue and not unique to our industry.
3. Local Contact – Local support of the vacation rental should be addressed in the permitting process. The actual location of the company really means nothing, and there are countless reasons why location doesn't equate to response time.

We have heard that there have been a few complaints regarding noise or excess people at vacation rental properties. These problems should be addressed on an individual basis, and if there are repeated violations of local ordinances, then that property should be fined or have their vacation rental permit revoked. However, a few complaints in no way equate to banning all vacation rentals. These problems are not limited to vacation rental homes; hotels and bed and breakfasts also generate complaints and should be subject to the same rules. The vast majority of vacation rental properties operate with no complaints and generate large amounts of income for the local economy.

We are extremely concerned about a short term vacation rental ban. The moratorium is already causing us financial harm as we are unable to take reservations for the busy summer season. A permanent ban or significant restrictions will have a major negative effect on our property value and we will likely be forced to sell our property at a loss. As we approach retirement, we had planned on spending a significant amount of time in the local area over the next 30 years,

but we will look elsewhere for a more financially favorable area if we are forced to sell. We can only imagine the large negative impact such a ban will have on local property values and the damage to the local economy that will ensue.

Once again, we oppose any moratorium, ban, or significant restriction on short term vacation rentals in Pacific County, Washington.

Sincerely,

Evan Haynes  
Karyn Songer  
Owners  
1402 170th Pl  
Long Beach, WA 98631  
Karyn.songer@gmail.com  
303-766-5778

**Tim Crose**

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**From:** Heather Hamilton <heatherdanhamilton@yahoo.com>  
**Sent:** Sunday, February 23, 2020 11:00 PM  
**To:** Lisa Olsen; Frank Wolfe; Mike Runyon; Marie Guernsey; Tim Crose; Vacation Rentals  
**Subject:** Vacation Rentals

Lisa Olsen, Frank Wolfe, Michael Runyon, Marie Guernsey, Tim Crose,

I would respectfully like to request that the moratorium on short term vacation rentals, especially in zone RL (rural lands) be lifted.

For me personally, this moratorium, if it continues in RL will cost me many thousands of dollars. I have two properties that I have purchased with the intent to make short term rentals. These properties will shortly be ready to go through the permitting process. If the moratorium continues I will not be able to permit these properties which will mean that I will have all of the expenses associated with the properties with no income to off set the costs. This will place an onerous burden on my business.

I have had vacation rentals in zone RL for many years and have never once had a complaint from any neighbor about them. In fact, the majority of my neighbors have had family members stay in my vacation rentals as they have had reunions, funerals and weddings. It has provided the additional housing that they have needed and appreciated for their family events.

Furthermore, I would like to request that additional regulations not be placed on short term rentals in zone RL. The regulations that currently exist are even more than is necessary and place unneeded burdens on those going through the permitting process.

Additionally, I would like to request that properties in zone RL not be limited to 10 guests and only have limitations on guests via the number of bedrooms located on the property. Two more people than the number of bedrooms is a good rule. I have a large family with several biological children and several nieces/nephews that I have needed to become the guardian of, due to the inability of their parents to care for them. Under current rules, my family would never be able to come to Pacific County for a vacation because we would be over the limits imposed. We always rent short term rentals for our vacations and always need a vacation rental that exceeds 10 guests. It is important that the county not discriminate against large families by limiting the number of guests allowed in a house, regardless of the size of the home. Additionally, accessory dwellings should be allowed to be permitted as long as they comply with the regulations required to obtain a permit. This will provide the housing needed for larger families and extended families to be able to vacation together in Pacific County.

Vacation rentals provide jobs to our community, bring in tourist, improve property values, and prevent illegal activity associated with vacant homes. It is my hope that our county leaders will recognize these benefits, lift the moratorium and remove some of the limits that are currently in place.

Sincerely,

Heather S. Hamilton



## Tim Crose

---

**From:** Mark Magee <mark.magee.realestate@gmail.com>  
**Sent:** Monday, February 24, 2020 3:33 PM  
**To:** Vacation Rentals  
**Subject:** in support of moratorium

Good afternoon,

I am writing in support of a brief moratorium on new licenses for vacation rentals. I own home both Ocean Park and Portland. Ocean Park is my primary residence and I am a Washington resident.

I currently hold a real estate broker's license and work primarily on the Long Beach Peninsula. As broker I am interested in both satisfied homeowners and a vibrant community. From several of the letters written in support of the moratorium I can see that some residents are unhappy with the current licensing process, allowing what amounts to commercial business to be set up adjacent to their residential homes. Several years back my Portland neighborhood strongly objected to a serial TV show choosing a home in our neighborhood for a repeating location, essentially setting up a film set seven times a year. This was especially awkward for me as I currently worked in the Portland film community. We were successful in pushing back on this by clarifying that they were actually setting up a commercial enterprise in a residential zoned area that forbid commercial activity. I suspect that highly active vacation rentals are essentially doing the same thing, especially if the home is not otherwise occupied by the owner. The covenant of quiet enjoyment applies in this case. Homeowners have reasonable expectations that they will be able to enjoy their homes in peace and comfort not afforded to them on non-residential communities.

An age old maxim of real estate is "location, location, location." People purchase homes with the expectation that the neighborhood is stable and will maintain a certain identity over time. Homeowners, especially full-time residents, do not expect their neighborhoods to become vacation destinations for short term visitors. I have deep sympathies for the one resident that described how their home was ringed by three non-owner occupied short term rentals. I doubt they would have purchased that home knowing that their closest neighbors were essentially hotels. Most potential homeowners carefully scrutinize their neighborhood choices for their ability to enjoy the property. They want safe streets, access to the beach, pleasant neighbors and a respectful relationship with their community. They do not want high levels of activity surrounding them.

I support a brief moratorium in order to accurately assess public sentiment and formulate a comprehensive plan to respectfully allow some vacation rentals. I would like this effort to result in a clear plan so that potential purchasers of homes can judge whether a property is right for their needs and desires, including their need or desire for a true residential neighborhood, free of commercial business. I suggest considering rules already in place for cottage industries that limit scope and income generated from these businesses. I ask for a speedy resolution to this question, as there are many people out there hoping to improve our community by renovating properties and generating dollars for our tourism economy, but I also ask that whatever plan is put in place has mechanisms to keep dollars spent in local areas stay local jurisdictions. Every vacation home is a small sacrifice made by the local residential community and the local community should benefit from that sacrifice.

Jefferson County WA has implemented an interesting approach to vacation rentals, limiting the number as well as restricting certain amenities within the homes, such as full kitchens to encourage use of local restaurants, and might be a guide for Pacific County's ongoing efforts in this matter.

regards,

Mark Magee  
Real Estate Broker

mark.magee.realestate@gmail.com  
503.860.5596

**Date:** February 27<sup>th</sup>, 2020

**To:** Pacific County Planning Commission

**From:** Robert & Susan Burger, Owners/Full-time Residents, 26801 J Ln, Ocean Park

**RE:** **Short-term rentals in R-1 residential districts accessed by an Unmaintained County Right-of-Way**

**Reference:** (a) Pacific County Ordinance No.184  
(b) Pacific County Road Standards, Resolution No. 99-089, August 24<sup>th</sup>, 1999

**Request:** that the Pacific County Planning Commission propose to the Commissioners that Special Use Permits be highly restricted in R-1 districts, and specifically prohibited in those R-1 districts served by Unmaintained County Right-of-Way access lanes.

**What is the intent of R-1?**

We residents of Pacific County are coming together to update Ordinance 184, so that the interests of all citizens can be reasonably protected under clear and adequate law. For those of us who were living peacefully under Ordinance 184, Section 12, Restricted Residential District (R-1), it is worth reviewing the specific intent of the R-1 district, as stated in Section 12:

*The Restricted Residential District is established to promote and protect the single-family character of selected developed or developing neighborhoods. It is the intent of the District to protect and stabilize property values by restricting the type of housing and limiting the range of current use patterns in order to provide for a wholesome home environment free of traffic congestion, noise and incompatible land uses.*

**The reality in R-1 today:**

The property next door to our home was recently purchased by a business to be run as a short-term vacation rental, and a Special Use Permit (SUP) was filed by a property management business on behalf of the property owner. This process all happened very quickly, within days of the property purchase, and before the new property owners, who live in Vancouver, WA, could meet anyone in the neighborhood or gather information about the realities of living on an unmaintained county right-of-way. Despite all immediate neighbors (five families) working through the designated hearing process to protest the special use application, the application was approved, and we were informed by DCD that virtually all SUPs in R-1 are approved, and that the hearing process is really just for mitigation, almost never for disapproval. We confirmed this by requesting data for two years of SUP hearing results -- no denials to be found.

SUPs in R-1 areas are effectively guaranteed approval, and commercial property management businesses have free reign to change the basic use and character of R-1 districts if they're willing to master the paperwork drill of the SUP process, which they have mastered and some even offer as an additional service to their clients. Permanent residents who object have little hope of raising any objection that will be grounds for denial, effectively opening R-1 to unlimited short-term rentals as the process stands today. None of this meets the intent of the R-1 designation

cited above, and therefore you have an increasing number of angry, disappointed, and concerned citizens coming forward.

**Life on an Unmaintained County Right-of-Way:**

As defined in reference (b), an unmaintained county right-of-way is basically a residential road (generally designated as a *lane* in Pacific County) that the county owns but does not maintain, and will not maintain unless the lane is brought up to the standard of a Collector-Access and included in the Road Improvement District (RID) inventory.

On our neighborhood access road, for example, we drive across four unmaintained separate lane segments to get to our house (same for the new SUP vacation rental property next door). It's about 1750 ft of rough gravel, mostly single-width, and runs across a wetland for 300+ ft. The lanes are unlit and can be quite confusing and hazardous at night, especially for strangers. Problems like flooding, potholes, and erosion are constant, and a few willing neighbors pitch in to provide informal, temporary remedies. Forcing residents to accept and support a commercial business on these lanes defies both common sense and the original zoning intent, and opens up a host of liability issues.

**Risk to Pacific County:**

It is worth noting here, for clarity, that some lanes in Pacific County are *private roads*, and the maintenance of them, and any legal liability for them, would clearly be the responsibility of the owner(s). Who has responsibility for an Unmaintained County Right-of-Way? That's far less clear.

If the county approves business licenses and special use permits for short-term rentals on an Unmaintained County Right-of-way, the county is responsible in any legal action brought by, for example, a vacationer who wrecks his car, or is injured, on a potholed section of unmaintained lane. This seems like an untenable risk for the county, especially since at no point in the SUP application process is the road condition inspected by the county. Furthermore, according to Pacific County Road Standards (reference b), the *permit applicant is responsible for demonstrating that all minimum county road standards are met* -- a requirement that seems to have been completely overlooked during the recent SUP process in our neighborhood. The sad result is a lot of confusion and an expensive appeal to Superior Court that should never have been necessary.

**In conclusion:**

Please know that your work on the Planning Commission is very important. It is vital to the long-term health of this community that we get the rules right, and that everybody understands the rules. While we can all appreciate that tourism is important to our area and that vacation lodging is an obvious component, we must also acknowledge that **zoning has to count for something**. Otherwise, we'll just be left with a mess of squabbling neighbors and disenfranchised permanent residents – basically where we are now. If we are to have short-term vacation rentals wherever any commercial business wants to put one, we will eventually have a hollow community of transients. Clear, enforceable ordinances protect us all and keep our peninsula a desirable place to live, visit, and work.

Topic	Issue	Current Ordinance 184	Suggested changes to Ord 184	Justification
Access	Safe access road conditions are neither currently monitored nor enforced and expose both the county and local area residents to unlimited risk of liability on Unmaintained County Right-of-Way lanes	Section 21.N.11: <i>The road access to the vacation rental shall be constructed to meet minimum Pacific County Road Standards and shall be adequately maintained...</i>	Section 21.N.11: <i>The road access to the vacation rental shall be constructed to meet minimum Pacific County Road Standards, Resolution 99-089, and shall be adequately maintained and indemnified by the applicant IAW Pacific County Road Standards, Resolution 99-089. With the exception of Private Lanes, no short term rental shall be allowed on a road not included in the Pacific County Road Improvement District (RID) inventory.</i>	The risk of liability is uncontrolled and unlimited when the county approves a short-term rental business license for a property accessed by a road that the county cannot certify nor confirm as safe at all times. The only way to mitigate this risk is to require the road be included in the county RID. Per the Pacific County Road Standard, Resolution 99-089, it is already a requirement that the permit applicant bear the burden of the cost to establish and maintain the road.
R-1/R-R oceanside limitations	There is an increased fire risk for properties adjacent to the dune, with limited response time by emergency fire crews.	Not addressed	<i>On the oceanside or Western Upland Boundary, no short-term rental is allowed within 1000 feet of another short-term rental.</i>	Fire crews may be unable to respond in time to prevent other homes from catching fire caused by renter activity, and rules dictating behavior of renters are not adequate to prevent this. <u>Specific experience that supports a 1000ft distance on the beach:</u> In January 2016, renters in a licensed oceanside short-term rental on 265th Ln ignored rules regarding no fireworks and caused a significant fast-moving dune fire. The fire reached the homes in our neighborhood, which is 730 feet down the beach, before the fire department was able to respond, requiring us to evacuate. Luckily for us, the winds shifted and pushed the fire back out to the beach, allowing the fire department to gain control without further damage.
Complaints	Ord 184 section 21.N.14 requires complaints to be made to the short-term rental owner (or management company), and defines an onerous process if satisfaction is not achieved with the owner. This biases the the number of complaints filed with the county about short-term rentals in favor of the owner/manager.	Ord. 184 section 21.N.14.a; Ord 184 section 21.N.14.c	Add a section 21.N.14.d that states: <i>In order to secure short-term license renewal each year, the owner/manager shall provide a record of complaints to the DCD, certified by all neighbors within 300 feet of the property, that all complaints have been adequately addressed.</i>	Current performance data used by the county is inaccurate and incomplete because the complaint process is difficult and over-burdens the neighbors concerned.
SUP application process	Sections 21.N and 27.G are not clearly connected, causing confusion about requirements for approval.	Ord. 184 section 27.G	Add language clearly stating that all specific SUP requirements, which are defined elsewhere in Ord. 184, must be complied with, and that the applicant must provide evidence clearly demonstrating compliance.	

## Tim Crose

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**From:** Jeff Van Winkle <jeff@ncsalesagency.com>  
**Sent:** Saturday, February 29, 2020 9:55 AM  
**To:** Vacation Rentals; Mguernsy@co.pacific.wa.us; Lisa Olsen; Frank Wolfe; Mike Runyon  
**Subject:** My story and Why I am opposed to the Moratorium on Short term rentals.

I want to share this with you my story as a property owner and why I am against the Moratorium of the Short term rentals in Pacific County.

I own a home in Chinook that my wife and I bought 7 years ago that was a complete eye sore to the community and should have been bulldozed over. After giving it much thought and talking to a lot of the community members about all the history of this piece of Property from being one of the 1<sup>st</sup> homes in Chinook to the people that owned it being active community members we decided to preserve as much of the buildings as we could and renovate Versus tear down.

My wife's family has owned property in Chinook for over 60 years and I have been coming to chinook for the better part of 40 years. We love the town, community and the peninsula for all it has to offer and we plan to retire down here in the future. As part of our retirement plan we remodeled an old out building on the property, Again a building that should have been torn down but because of the history we decided to gut it and renovate it and have turned it into to a 1 bedroom apartment and plan to use it as a short term rental to help supplement our retirement income. I have put close to 100K and 7 years of my own hard work into this property so that I can eventually have some income in retirement. I should be done with my project this spring and have it ready for rent by summer. Had I know that a Moratorium was even a possibility 2 years ago when I went to the county to get permits and explained what I was doing I would have thought twice about pouring 100K into restoring something that was hopefully going to bring me some income in retirement. I purposely kept the building Small to only sleep a max capacity of 4 and keep it family friendly. I respect my neighbors and their privacy as well as the community and the last thing I want my hopeful rental to be is a large gathering/ party place. We are right in the Columbia river and I want people to enjoy the beauty and be respectful of the surrounding neighbors.

If this moratorium passes the county will be personally hurting my retirement plans and future income. Why should the county have any say in what I do on my own property as long as I am abiding by all the laws and rules of the state and local government? There is too much government in our lives as is and the Individual law abiding Tax payer is having more and more rights taking away from them by the Government....

I personally do not see any need for a moratorium on short term Vacation rentals in pacific County. The county is growing in population from both a tourism and a place to call home. There is already a shortage of Hotels, bed and Breakfasts in both Long beach and Astoria OR. There are very few major hotel chains in both Cities. The peninsula is one of the last places on the coast to buy an affordable piece of property and give individuals a place to invest.

In all My readings of this proposed Moratorium there is No mention of Chinook and the zoning of Mixed use All the conversations appear to be around R1 R2 zones so why penalize those areas that are in Pacific County but are not in one of the zones being discussed. In one of the proposed changes a 500' boundary is mentioned for R 1 R2 and RR zones My property is in a Mixed use zone. Which nothing is mentioned about Mixed use so I am wondering if this 500' boundary applies. If so this even further disrupts my plans as there is a 1 room (studio) short term rental within 500 ft of my property that I do not believe is even listed as a short term rental with the county.

It is also my understanding from the research I have done that the county profits from short term rentals through taxes paid, permits etc. just like hotels so why would the county want to risk losing tax money knowing that property owners are probably still going to rent out their properties if the county puts a moratorium on short term rentals and miss out on the tax revenue.

This whole process makes absolutely no sense to me. In Conclusion I absolutely 100% disagree with this Proposed moratorium for the reasons Below.

1. This would hurt county Tax revenue.
2. There is already a shortage of hotels and short term vacation rentals. Look up on VRBO or Air B N B you will find 2 in Chinook and a hand full in Long beach.
3. This would limit the number of people bringing in additional revenue to the area through vacations and spending money at local businesses
4. Government should not have the right to tell private single property owners what they can and can't do with their personal property as long as they are operating within the laws of the Local, state and federal government.

***Thank You,***

***Jeff Van Winkle***

***Thank You,***

***Jeff Van Winkle***  
***jeff@ncsalesagency.com***  
***C 503-793-0942***

**O 503-657-9427**



[www.ncsalesagency.com](http://www.ncsalesagency.com)



To: Pacific County Planning Commission

Date: March 1, 2020

From John Robertson

Subject: Current 184A

Dear Pacific County Planning Commission,

I purchased property in Ocean Park in early 2018 and obtained a permit for a vacation rental several months later. In making my purchase decision, I checked the subdivision covenants and contacted the planning department to determine if there was potential for a vacation rental permit to be issued. I then went through the permit process by posting the special use signage (5 signs in total), worked with a management company to develop a management plan, obtaining a Washington State business license, submitted my septic inspection report, had the property inspected, attended the hearing and sent the management plan to nearby property owners as per the Planning Department's list of addresses.

Since that time my wife and I have had a successful vacation rental (but one that has yet to earn more money than we have spent on it). If folks think that vacation rentals are gold mines they are mistaken. Our only complaint was by a neighbor complaining of garbage that was distributed around by a bear getting into the garbage can. We now have a bear proof can provided by the sanitation company and an enclosure that so far has eliminated the problem. Our plan is to move into our home in the near future.

#### Moratorium and Public Input

I was troubled when the first Moratorium was in acted back in December, even though a majority of the folks in attendance and a majority of the input published were in opposition.

Of note, is that a local contractor here in Pendleton independently told me that he heard about the Moratorium while looking for property to buy on the peninsula. Because of the Moratorium he has now expanded his search to the Oregon Coast. My point here is that the Moratorium is having an impact and it is not just local.

Since then I have tried to keep current by reading and listening to information being provided on the Commissioner's website. In doing so I realized that written information I personally provided at the December 16<sup>th</sup> meeting has yet to be posted. Is all public input being distributed to those who need to be aware of it?

I attended the February 25<sup>th</sup> County Commissioners meeting. All of the attendees who spoke were opposed to the new version of the Moratorium. Yet the County Commissioners once again approved a new Moratorium as drafted prior to the meeting. Just what is the purpose of a public meeting where the public is allowed to speak but not ask questions or have their input considered?

Interestingly, I find the wording of the most recent 184A to be different from the original Moratorium. The original "Whereas" issues have been boiled down into a single sentence, noting a significant

increase in the number of special use permits (this is an opinion as opposed to a fact since no actual numbers are included), permit conditions may be difficult or impossible to enforce (they either are enforceable or they are not), unanticipated costs based on use of public right of ways and public services (what does this actually mean?), which threaten character and peaceful living conditions of residential zones within the county (specifically just how do vacation rental permits pose a threat?) and as such is an emergency. Wasn't the last version of 184 just completed in December of 2017? How did we go from an approved regulation to an emergency in just a little over two years? Where are the facts to support these statements supporting a need for a new Moratorium? What happened to the concerns voiced by the Planning Director voiced at the December meeting regarding health and safety concerns due to a lack of follow-up inspections?

My concern on the zoning rules stems from what appears to be a small minority of the public causing a baseless negative impact on the economics of the entire County. This has cost a great deal of time and effort on the part of many people to, as Commissioner Wolfe stated "to get it right." Will we be redoing this needless exercise each and every time a biased citizen catches the ear of a government official?

I understand that the County Commissioners are looking to the County Planning Commission to provide new regulations regarding vacation rentals. I am therefore making an effort to get input into the hands of those who will use it.

**The facts as I see them:**

I am not aware of any law that gives a next door property owner or property owner down the street; much less a property owner somewhere else in the County, the right to decide who owns, buys or sells property. In other words you don't have a right to pick your neighbor. Property owners have a right to do what they want on their property as long as it meets the all laws and regulations. What recourse would you have if your neighbor decided to paint his house bright yellow with purple strips?

A statement that vacation rentals are exploiting neighborhoods making them unsafe is baseless. To date, no evidence of any real problems, much less a rapid escalation of problems with vacation rentals has been provided. If I am incorrect please publish actual statistics instead of basing any new rules on speculation. Facts speak for themselves, speculation and opinions are not facts.

Current Regulations and Value to the Neighborhood

The current regulation governing vacation rentals is working fine. Consider that they already hold a permitted vacation rental property owner to a higher standard than a non-vacation rental owner.

**Vacation Rentals:**

Limit the number of guests. While a non-vacation rental can have as many occupants as they want, as long as they want and doing what they want.

They must maintain the exterior of the building. While non vacation rentals can let their property rot away on the foundation.

Vacation rentals must be operated to prevent disturbances like loud music, loud noises, excessive traffic, uncontrolled parties, junk/debris/garbage in yards, etc., etc. Non vacation rental property has no such restriction unless there is a violation requiring law enforcement intervention.

Garbage must be dealt with during rental periods, are non-vacation rentals required to deal with their garbage in a timely manner?

The peninsula has areas with very poor to non-existent cell phone service and few landline phone services, yet each vacation rental must have a landline to provide immediate access to 911. This helps insure public health and safety for vacation rentals while non-vacation homes are not required to have any means of contacting 911 in an emergency.

Vacation rentals must provide parking based on the number of bedrooms. Are other residences required to even have dedicated parking spaces? Are driveways parking spaces?

Access to a vacation rental shall be constructed to meet minimum Pacific County Road Standards and shall be maintained and remain clear of obstacles. Are other residences required to meet this standard? Are they themselves not a threat to the neighborhood should a house fire spread to a neighbor's property and they do not have phone service and they didn't provide emergency response vehicle access to their property?

Do neighbors have to provide contact information? No, but vacation rentals do need to provide contact information, through a distributed management plan, to every owner within 300 feet.

Septic systems must be inspected every three years, how often are other residences required to have their systems inspected?

R1 zoning does in fact allow for a special use permit to be issued, once all of the counties concerns and any public concerns are met. A statement I heard that a permit has never been denied is probably bogus. I am sure the county does not process permit applications that do not meet the standards set forth in the regulations. Therefore they never get to a Hearing. I would be curious of the actual statistics for permits filed for compared to permits issued.

Special use permits are not handed out like candy at a parade. There is a lengthy process involved that includes notification of nearby owners through mailing, notice postings and a hearing. The public has a right to provide input during the special use permit process.

Some neighborhoods already restrict the use of residences being used as rental property in their covenants. Did property owners determine whether there were already restrictions in place and if they didn't want to live next to a "hotel" then find property with such a restriction?

In the two years I have owned property in Ocean Park. I have never seen anyone in the house to my East. I have seen and met the three owners to the North 4 or 5 times total. Only one is a full time resident. I suspect there only 5 or 6 permanent residents out of 14 lots in the subdivision.

Without vacation rentals these would not be neighborhoods but rather ghost towns. A vacation rental provides a presence that may actually make neighborhoods like mine safer.

I believe the current rules do a better job of maintaining neighborhoods to a standard that is higher when compared to neighborhoods without vacation rentals. Homes maintained to a high standard have the potential to increase the value of the homes around them. Of course density restrictions could reverse the property values. Homes that are not well maintained will not be popular vacation rentals.

Vacation rental owners and managers are very motivated to be proactive in minimizing complaints by neighbors. Proactive rules for the home with consequences to the guest's credit card are often sufficient encouragement. Where this fails, neighbors have been provided contact information to a manager.

### Density and Spacing

When I attended the first County Commissioner's meeting on December 16<sup>th</sup>. The Planning Director stated the purpose of the moratorium was to ensure the zoning regulations provided for the public health and safety and seemed concerned about the lack of property inspections following the initial permitted inspection. During the following meetings the original justification has migrated to the degradation of neighborhoods due to exploitation by vacation rentals and recently to density concerns. It seems that the purpose is constantly changing and the actual basis for the Moratorium has mutated making it difficult to know how the county expects to provide for tourism while decreasing potential vacation rentals located in prime locations through density restrictions.

Allowing for vacation rentals based on density is arbitrary and capricious. It will impact both existing and future residential property values. As it stands now the location of vacation rentals is based on a property's value as a potential vacation rental because of location, condition, amenities, zoning, and covenants. It would seem that location and covenants are the only hard and fast rules. You can't move property so it is where it is. Some locations are obviously better located than others. Condition and amenities are dependent on the available money to make improvements and the return in value for making those improvements. Zoning gives the owner an opportunity to present a case for a vacation rental through a special use process. Setting a spacing restriction would further reduce potential properties and change the property value of properties near it based on whatever density rule is put in place. How many residences are already restricted by "no renting" subdivision covenants?

There seems to be an assumption that somehow vacation rentals are bad for a neighborhood and thus are degrading the residential experience of others. I have already made an argument that in fact vacation rentals may increase the value of a neighborhood. The current rules and process were intended to do just that and based on all of evidence provided they have done a good job. What exactly is to be accomplished by adding some type of density restriction? You can't have fewer complaints than have been presented.

As to the "hotel" next door, a vacation rental is hardly a hotel or condominium. I lived about 500 feet from a vacation rental, without knowing it existed, until I attended my special use hearing and was so

informed by the County. Without signs most vacation rentals would appear to be property visited part time by the owner or his/her family and invited friends and other guests. These visitations are common occurrences in a tourist setting and add to the Counties economy. There is no basis for the argument that a vacation rental is somehow different from a typical summer home. Bottom line is vacation rentals do not appear different from any other summer homes in the County.

Limiting prime locations for vacation rentals will limit lodging tax income to the County, encourage vacation rentals to be located in less desirable locations, lower the need to maintain the property to a high standard. Why? Because location is a prime reason folk's book the homes they do. Less desirable locations mean less income and fewer guest days. This means less income to construction, landscaping, maintenance, cleaning services and other companies doing the work needed to maintain and improve the property.

Tourism industry is here to stay and so will the need for vacation rental to help meet that need. With increasing restrictions, will it just move underground forgoing any sort of County control and lodging tax revenue?

Are properties that can meet the current zoning regulations, to be denied if other existing or potential vacation rental properties are located nearby? How do you fairly decide which one is permitted? What does it mean for current vacation rentals if a density rule is in acted? What happens to a current owner if they decide to sell, will their property be worth more or less based on a nearby vacation rental? What about property values where clusters of existing vacation rentals exist and a property owner decides to sell their property or convert their property to a vacation rental? What about a developer that wants to develop a large tract of land? What about areas where the local property owners want to have vacation rentals? What about folks who are just looking for an opportunity to afford a home in the future and are just not ready to move now? After all some vacation rentals are just transient in that they may only be a rental for a period of time.

What does density mean? My property has state land located to the south and dunes and ocean to the west. There are only two homes that adjoin my property. I have a ½ acre plus lot. How would these attributes be handled under a density restriction? Unbuildable land and large lots size already reduce the number of homes and increase the spacing between homes. To arbitrarily establish a rule that limits the density of vacation rentals needs to be fair and take into consideration that many vacation rentals are located on unique properties. For example houses surrounding a golf course, proximity to commercial zones, ocean or lake frontage, or proximity to federal, state or county lands.

How do you deal with a zoning that runs down a street with vacation rentals permitted on one side of the street but density rules make it impossible for a special use to be permitted on the other side of the street because of different zoning?

Density based on a spacing distance is arbitrary and capricious. What science says that 500 feet is the correct spacing versus 450 or 550 feet? Did the public get input into the "correct" spacing? I would expect the Planning Commission to have substantial evidence that 500 feet is correct and 499 feet is

incorrect. Choosing a spacing distance that does not take into account any other factor is arbitrary and capricious not based on the specific situation.

#### Why Vacation Rentals

The value of vacation rentals has been stated by numerous folks in published documents and at the public meetings. I will not rehash the obvious; jobs are being created, increased revenue to businesses, increased tax revenue, visitors who invest in property, etc. Artificially limiting vacation rentals will also limit these values.

Keep in mind that vacation rentals provide visitors with a different experience than those provided by motels, hotels and condominiums. Vacation rentals provide for more privacy, often more space for larger families, private lawns and often private beach access, a quiet setting without the comings and goings of other guests, ease of access to outdoor features, full kitchens, washing machines and dryers in the home, easy parking, ability to have an outdoor BBQ and in some cases a fire pit, private hot tubs, freedom in coming and going, some allow for pets, all in all the potential for a more relaxing and enjoyable vacation. There is also a strong case to be made for value for the money, especially for families staying for more than a few days. A good experience increases the likelihood of revisiting the County and supporting the tourism based economy..

Clustered vacation rentals add the opportunity for large family reunions and group gatherings without the need to setup meeting rooms and walk down long hallways, climb stairs or hangout in lobbies or other less private public areas.

Basically I was opposed to the Moratoriums and am opposed to any changes in the zoning regulations but I realize that there may be room for adjustments. I know there are folks outside the County Planning Commission who are providing very good input. I trust you will accept their input as well as my opinion as you move forward. Any decision recommended to the County Commissioner's needs to consider the impacts of those who have already made investments and have done their due diligence to follow the rules that were in effect at the time their efforts began.

Respectfully submitted,

John Robertson

45217 Best Road

Pendleton, Oregon 97801

## Tim Crose

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**From:** schuler@rockisland.com  
**Sent:** Sunday, March 1, 2020 5:47 PM  
**To:** Vacation Rentals  
**Subject:** vacation rental moratorium and changes and e-mails from neighbors on 175th Lane  
**Attachments:** schuler@rockisland.com.vcf

Good morning!

Ron and I have listened and watched the latest happenings concerning vacation rentals and feel we want to express our concerns before the Thursday night meeting. I don't know if it is a good idea to bring the whole ugly mess up of the past lawsuit the Schulers and the County was in with Patrick Boyer but maybe we need to because in our eyes after that lawsuit we feel the county is once again being bullied. And once again by few. We sought other legal advice after that fiasco and it was suggested we not only had a good chance at winning an appeal, but that we also had a good case to sue the county because of how things were handled along the way. We had spent enough of our retirement money by then AND we did not want to sue the county because we live here! We felt bad for the county as well as ourselves because we all know the Boyer/Schuler/ Pacific Co. had nothing to do with horses even though the case was won on a "loophole" about the horse shelter. The Pacific county ordinances for vacation rentals are GOOD ordinances as they are now with a few MINOR changes needed. So we must ask, why do you think it is fair and just to penalize innocent people who are following the rules for the sake of pacifying a few who truly do not have legal, legitimate complaints? Why on earth would you chase business people away on an ASSUMPTION something may go wrong just because someone who doesn't like VR rentals says it may? And why on earth would you not trust the process for implementing fines or revoking licenses when the rules for VR are stringent and no one has been exercising their right to use them to complain?

We have a horse vacation rental, Naytura Haus, on 175th and have had for 10 years. We have not had ONE complaint in all that time about any of our guests OR the horses! Our neighbors all love being in the RR zoning there and one of the reasons is because OF the horses! Some of the neighbors have even brought their kids and grandkids over to pet the horses as they had never been so "up close and personal" with one before. Almost all of the horses that live on the Peninsula live in RR zoning. I certainly understand that not allowing vacation rentals with horses in R1 zoning is practical and is only common sense. But not allowing a new horse vacation rental in RR zoning is extremely unreasonable as that is the practical zoning to have one in. There really is no other place other than perhaps downtown Long Beach. If there is, please let me know where. The business of a horse vacation rental is a limiting business here. There are two now and there is definitely a strong need for a third but that would about "fill the need". They are expensive to create and hard work to maintain. But they are definitely needed as horses have history here and the world would almost have to come to an end before folks would stop having horses! RR zoning is the only zoning that has enough space to have such a business.

The horse guests that come to our rental spend a lot of money here. Most of them are families and retired and semi-retired woman who like good food and love to shop. We are full almost all Spring, Summer and Fall with guests. They are good and considerate folks that appreciate the value of good neighbors and they are very grateful to have a place to be able to come to the ride on the beach and spend nurturing time with family and friends.

Please reconsider not excluding horse vacation rentals in RR zoning. I DO think you could tighten up the requirements a bit (defining a "small barn" would be one) and I would be more than willing to help with suggestions for that.

Below are e-mails I received from the three FULL-TIME neighbors to our horse vacation rental on 175th. I thought it important you hear from people who live fulltime next to a horse vacation rental. Evan and Donita are married and they border our rental on the East. Joanne Day is right next door and borders us on the North. Please think carefully about your decisions as the majority of folks want to be able to respect the folks they voted for. If you show that you allow a few bullies to have their way with no proof, it weakens our belief in you. And we need each other for a healthy community. Looking forward to hearing back from you. Sincerely,  
Ron and Maggie Schuler

PS Below are three e-mails from the neighbors who live next to Naytura Haus, our horse vacation rental. (1. Joanne Day, 2. Donita Damm, 3. Evan Blankenship)

March 1, 2020,

I really enjoy being in a rural area. I like having space around me. I don't enjoy being in a city environment.

I love having horses around as it reminds me of being in the country and I have always enjoyed horseback riding.

I don't like the government telling you what you can and can't do on your property. I knew what my property zoning was when I bought it and it makes it difficult on us when you want to change the rules after the fact. If people don't like having animals around then they shouldn't move into an area zoned for animals.

I have the lot just North of the Schulers' and I enjoy seeing horses in the area as I am a nature lover. They have been great neighbors. I am retired and live in my home full time.

## Joanne Day

My name is Donita Damm and I live on 175 th lane near Natura Haus. When I walk on the beach and see young and old individuals enjoying the beauty of the Peninsula with their horses it puts a smile on my face. Why would anyone want to put restrictions on having visitors come and enjoy what locals experience everyday?

I work in schools and am tired of hearing that our children don't go outside to play anymore. There is more to life then video games!! Please do not hinder parents who are trying to provide an opportunity for family life in the outdoors!

Please put family life first,

Donita Damm

Having lived here on 175th Lane for the last 4years I have lived next to Natura Haus that's rented out to horse people. In that time I've not had any problems with either the horse owners or the horses. They have been very



respectful of my property and privacy.

I think it's nice for people who have horses to have a house to rent with stables included for their horses and be able to have the beach readily accessible.

Evan Blankenship

Maggie Schuler

Ron Schuler DVM

[nayturaHaus.com](http://nayturaHaus.com)

## Tim Crose

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**From:** Frank Wolfe  
**Sent:** Sunday, March 1, 2020 6:10 PM  
**To:** Tim Crose  
**Subject:** FW: vacation rental moratorium and changes and e-mails from neighbors on 175th Lane

Please forward to the Planning Commission.

Thanks,

Frank Wolfe

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**From:** schuler@rockisland.com [schuler@rockisland.com]  
**Sent:** Sunday, March 01, 2020 5:50 PM  
**To:** Frank Wolfe  
**Subject:** Fw: vacation rental moratorium and changes and e-mails from neighbors on 175th Lane

Maggie Schuler  
Ron Schuler DVM  
nayturahaus.com

**From:** schuler@rockisland.com  
**Sent:** Sunday, March 1, 2020 5:47 PM  
**To:** vacarentals@co.pacific.wa.us  
**Subject:** vacation rental moratorium and changes and e-mails from neighbors on 175th Lane

Good morning!

Ron and I have listened and watched the latest happenings concerning vacation rentals and feel we want to express our concerns before the Thursday night meeting. I don't know if it is a good idea to bring the whole ugly mess up of the past lawsuit the Schulers and the County was in with Patrick Boyer but maybe we need to because in our eyes after that lawsuit we feel the county is once again being bullied. And once again by few. We sought other legal advice after that fiasco and it was suggested we not only had a good chance at winning an appeal, but that we also had a good case to sue the county because of how things were handled along the way. We had spent enough of our retirement money by then AND we did not want to sue the county because we live here! We felt bad for the county as well as ourselves because we all know the Boyer/Schuler/ Pacific Co. had nothing to do with horses even though the case was won on a "loophole" about the horse shelter. The Pacific county ordinances for vacation rentals are GOOD ordinances as they are now with a few MINOR changes needed. So we must ask, why do you think it is fair and just to penalize innocent people who are following the rules for the sake of pacifying a few who truly do not have legal, legitimate complaints? Why on earth would you chase business people away on an ASSUMPTION something may go wrong just because someone who doesn't like VR rentals says it may? And why on earth would you not trust the process for implementing fines or revoking licenses when the rules for VR are stringent and no one has been exercising their right to use them to complain?

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Evan Blankenship

Maggie Schuler

Ron Schuler DVM

nayturahaus.com

## Tim Crose

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**From:** Bonnie Lou Cozby <beachhomeoldandnew@gmail.com>  
**Sent:** Monday, March 2, 2020 1:40 PM  
**To:** Vacation Rentals  
**Subject:** comments on draft

Hello,

I will not be able to attend the meeting on March 5th but have a few comments (in blue or red). I am happy to see so much has been achieved on this matter and that it seems all voices are being somewhat considered. Enforcement and consistency of policy seem to be the remaining big issues. What are the plans to have this renewed program regulated properly?

Here are my comments...thank you for offering the forum.

Bonnie Cozby  
Resident - Ocean Park

from Proposed Draft

N. SHORT TERM VACATION RENTALS. Vacation Rentals are permitted as specified for each of the different Land Use Districts, subject to the following regulations:

1. Density. Within the R-1, R-2, and R-R zoning districts, vacation rentals must have a radius of, greater than or equal to, five hundred feet (500'), as measured from the building, from all dwellings/residences operating as a vacation rental;

*Is this the only guarantee to people living in residential zones? Are there no other restrictions to bringing more rentals into residential areas?*

4. Parking. The vacation rental shall have one (1) off-street parking space per each bedroom unit with a minimum of two (2) off-street parking spaces required

*How is the impact of added parking per rental unit considered? A 4 bedroom rental could take up 2 off-street spaces. From further down in the document - f. Identification and location of parking spaces available; and how the parking standards are to be met. I am unclear how identifying parking relates to impact on residents. Also further in the same section (f) is a statement of notifying neighbors...it does not seem to have a time frame of this notification.*

8. Fire & Life Safety Inspection. Satisfactory completion of a life/safety inspection, performed by the Pacific County Building Division, prior to the issuance of the initial vacation rental permit; and shall be required every two (2) years after to ensure fire and life safety requirements are maintained;

*Is this in conjunction with the fire districts? Who on the Cty Building Division is able to inspect according to the fire and safety needs of the fire districts?*

13. Pets. Pets shall be secured at all times while on the property. Nuisance barking by pets is prohibited. Horses are not allowed to be kept on residentially zoned properties;

*What is the plan for enforcement of this?*

16. Access. The road access to the vacation rental shall be constructed to meet minimum Pacific County Road Standards. Vacation rentals on private lanes and driveways shall meet the minimum twenty foot (20') side to side clearance (horizontal) between obstructions as referenced in the Uniform Fire Code Standards. The access shall be adequately maintained and remain clear of obstructions, including illegally parked cars, recreational vehicles, boats, trailers, junk, etc., to ensure the unimpeded passage of emergency vehicles and other vehicular traffic;

This brings to mind the possibility of unfair cost to neighbors of a vacation rental living on previously maintained roads (before the county change several years back of what types of roads they would continue to maintain). A commercial business should not be allowed to put undue financial burden to neighbors in a residential zone.

18. Prior to the issuance of the initial vacation rental permit, the owner of record shall demonstrate that the vacation rental is registered as a business with the State of Washington and that a State Business License and Unified Business Identifier (UBI) number have been issued for the vacation rental. The owner shall also certify that all applicable lodging taxes will be paid and shall provide proof of general liability insurance for use of the residential structure as a vacation rental;

How is this to be tracked? How will County know rental owners are reporting correctly?

*Bonnie Lou Cozby  
2311 Bay Avenue, Ocean Park, WA  
360.270.0298*

## Tim Crose

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**From:** Sea Esta Vacation Homes <seaestavacationhomes@gmail.com>  
**Sent:** Monday, March 2, 2020 3:37 PM  
**To:** Vacation Rentals; Lisa Olsen; Mike Runyon; Frank Wolfe  
**Cc:** zack\_banks@hotmail.com; Marie Guernsey  
**Subject:** Vacation Rental Permits - Make permit numbers required

For Airbnb and VRBO listings - make them require a county permit number for a home to be listed.

that way all homes listed on their websites would be in compliance with county permit requirements and you know sales/lodging taxes are being collected and forwarded to the state/county.

Joel Rogers

**Tim Crose**

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**From:** David Schimelpfenig <zimmydave@yahoo.com>  
**Sent:** Monday, March 2, 2020 11:27 PM  
**To:** Vacation Rentals  
**Subject:** Please support short term rental owners and their customers

Hi,

My wife and I are short term rental owners in Ocean Park. We purchased a home that was vacant for many many years. It needed a bit of love to get it back into shape. With a whole lot of time and energy spent over almost a year we got it to shine. We are so proud of what we have accomplished and love sharing it with people from all over the world!

We take immense pride in our property and the community of Ocean Park. Personally we have patronized almost every business in the area and I am certain I can say the same for our many guests. Tourism is a huge component to the health of the areas economy and we are happy to be a huge part of it.

The taxes collected from us and our customers have helped the area immensely! The businesses we all patronize boosts the local economy. I sincerely urge you to think about the positive impact short term rentals have. As rental owners we have a vested interest in keeping our properties in tip top condition in order to have happy customers. In turn we have a more beautiful community.

We took all the necessary steps to be permitted and are fearful of anything that may take away everything we have worked for. Please consider ending your moratorium on short term rentals and honor the limits you have already set forth when we were initially permitted.

Sincerely,

David and Gabby Schimelpfenig

Sent from my iPhone