

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Planning Session Worksheet

Presentation Date: 9/25/2019 **Approx. Start Time:** 9:30a.m. **Approx. Length:** 90 mins.

Presentation Title: File ZDO-273: Short-Term Rentals

Department: Planning and Zoning Division, Department of Transportation and Development (DTD)

Presenters: Jennifer Hughes, Planning Director; Martha Fritzie, Senior Planner; Dan Johnson DTD Director; Nate Boderman, County Counsel; David Bodway, Controller, Finance Dept.

Other Invitees: Danielle Cowan, Tourism Director; Jim Austin, Tourism Coordinator; Kevin Ko, Housing & Community Development Manager; Stephen McMurtrey, HACC Development Manager; Nicole Cross, Planner; Ellen Rogalin, Community Relations Specialist II; Cameron Ruen, Community Relations Specialist; Michelle Amend, Code Enforcement Supervisor, Christa Bosserman-Wolfe, Finance Dept. Director; Stephen Madkour; County Counsel; Matt Rozzell, Building Codes Administrator

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Board direction relating to a second draft of County Code amendments - **Chapter 8.10 Short Term Rentals (Attachment 1)**, including administration and enforcement of the proposed Short-Term Rental (STR) program.

EXECUTIVE SUMMARY:

The purpose of this planning session is to continue previous discussions about draft regulations for short-term (or vacation) rentals in legal dwellings in unincorporated areas of the county. These regulations would be housed in the County Code, and enforced through a registration obtained as outlined in the County Code.

For the purposes of this discussion, a short-term rental (STR), or vacation rental, is a dwelling unit, or portion of a dwelling unit, that is rented to any person or entity for a period of up to 30 consecutive nights. As per a poll raised by the Board, this planning session is not about those properties that are rented to tenants on a long-term (for more than 30 days at a time) basis.

Why are we doing this now?

Currently the County's Zoning & Development Ordinance (ZDO) does not clearly identify short-term rentals (STRs) as allowed in any homes in the county; and therefore, it is considered (from a zoning perspective) a prohibited use of a dwelling. However, there are clearly a number of homes in the County actively being used as short-term rentals and a growing interest among homeowners in pursuing this type of use legally in the county.

In addition, there have been several properties in the county operating as short-term rentals that have generated enough complaints that it has become apparent that this use can cause unwanted neighborhood impacts.

Finally, while there are a number of STRs that are currently paying the Transient Room Tax (similar to hotels, motels and other lodging establishments), there also appear to be a large

number that are not, and establishing a STR registration program could help level the playing field for all lodging establishments, ensuring they are all paying their fair share.

All of these reasons led the Board earlier this year to direct the Planning and Zoning Division to look into the most effective ways to potentially allow and regulate STRs.

Background

On March 13, 2019; June 11, 2019; and August 6, 2019 Planning Staff and the BCC had policy sessions about this topic. At these meetings, we had robust discussions around the opportunities and challenges with allowing and regulating short-term rentals, as well as what elements may be the most appropriate to regulate, if the county is to move forward in that way.

- At the March policy session, the BCC was in general agreement for Staff to continue to move forward with this project and to solicit feedback from the public. The BCC was clear that they wanted Staff to ask the public similar questions to those they had just discussed and specifically asked that Staff not take a draft proposal out to the public before hearing public feedback about the general concepts.

The BCC was also in general agreement that the most appropriate place for any regulations for short-term rentals is in the County Code, rather than in the Zoning & Development Ordinance (ZDO), an opinion which Staff supports.

- At the June policy session, Planning Staff presented the results of the public outreach efforts conducted through a series of public meetings, project webpage (<https://www.clackamas.us/planning/str>) and social media postings, and a survey that was available both on-line and on paper copies available at each of the meetings. The single biggest takeaway from the public meetings and the survey remains that the public appears to overwhelmingly support allowing short-term rentals in the county. While there is significant disagreement about the level of regulation that may be appropriate for this use, the prevailing sentiment is strongly in favor of allowing the use.
- At the August policy session, Planning Staff presented a first draft of what a registration process and regulations could look like for a short-term rental program. This draft was based on both public feedback and feedback the Board gave to Staff at prior policy sessions. The discussion was focused on specific regulations for the use and Staff committed to return to the Board with a discussion of administration (including in which department the program would be housed) and enforcement of the regulations. Staff also committed to return to the Board to have further discussions about the following issues that arose in this policy session: (1) The possibility of limiting STRs to something less than every dwelling – either through capping the total number of licenses allowed; capping the number of nights annually a STR can be rented out; or requiring an “owner-occupied” or “hosted” model in areas outside the Mt. Hood area; and (2) The potential impacts of STRs on affordable housing in the county.

Areas of discussion for today’s planning session

Staff has identified four main areas for discussion for today’s planning session:

- (1) Administration of the program through the Finance Department, which is the department that currently administers the Transient Room Tax (TRT). As proposed, the Finance Department would process all STR registrations and be responsible for enforcement only as it relates to pursuing those owners who are operating without a registration. Staff estimates that the STR

program, as proposed, would require up to one additional FTE for these administration and limited enforcement responsibilities.

(2) Enforcement of other regulations that are not currently under the sheriff's department purview (noise ordinance, illegal parking, etc.) would be the responsibility of the County's Code Enforcement program. County Code Enforcement has the expertise and knowledge of legally-required processes and procedures associated with the enforcement of violations to building, zoning and other county codes. Staff estimates that the STR program, as proposed, would require up to one additional FTE, plus additional time for the code enforcement Hearing's Officer.

(3) The regulations, as currently drafted, would allow a STR in any legal dwelling in the unincorporated county area. However, based on concerns voiced at the last policy session there are a few topics that may warrant more discussion today:

- A. Limiting total number of registrations. This idea was discussed briefly at the first policy session and, while it is certainly possible to limit the number of licenses issued in the county, Staff has concerns about the potential consequences of doing so, including:
 - Potentially creating a situation where the value of some homes in a neighborhood are unfairly inflated, particularly if a registration goes with a property (rather than a registrant); and
 - Creating an administrative burden, largely because renewals, property transfers and a wait list would need to be more closely tracked.
- B. Limiting the number of nights a property can be rented. Also discussed at the first policy session, this action presents a lot of administrative challenges, namely, how the county could practically track and enforce the number of nights each STR is rented.
- C. Different regulations for areas not on "the mountain." Interest has been expressed to potentially regulate the resort areas on Mt. Hood differently than the remainder of the unincorporated area because Mt. Hood is the County's main tourist destination and the communities on Mt Hood already contain a relatively large number of STRs, many of which have been operating for several decades. However, to do this, several issues need to be considered:
 - How do we define "the mountain"? There does not appear to be a natural "cutoff" for properties to be considered, which may result in a somewhat artificial "line" on a map.
 - Clarity would be needed on the specific different regulations the Board would want in areas not considered to be on "the mountain". In the August policy session the idea was raised to require STRs in some areas to follow a "primary residence" model, similar to Lake Oswego, or a "hosted" model (which in essence is already allowed under the county's zoning code regulation for a "bed and breakfast"). A "primary residence" model would require a property owner demonstrate through tax returns, a driver's license, or some other documentation, that the home is still their primary residence, even if the entire home is being used as a STR for a portion of the year.
 - In discussing regionally applied regulations, consideration needs to be made for the additional administrative burden and associated costs that would result from enforcing a more complicated STR program.
- D. Concern for impacts to affordable housing if the county allows STRs. This is an understandable concern, as there has been anecdotal evidence questioning if increased rental income generated from running an STR, in lieu of a traditional long-term rental, has motivated some owners to not pursue long-term rental as an option. However, it is

important to keep a few things in mind when considering if regulating STRs would be expected to have a great negative impact on existing affordable housing:

- a. There are currently estimated to be around 1,000 STRs operating in the unincorporated areas of the county, the majority of which are in the resort areas of Mt. Hood, where a large portion of the housing stock is vacation homes (not primary residences for owner or renter occupancy);
- b. Based on the county's housing needs analysis (completed in 2019), there are approximately 62,000 dwelling units in the unincorporated areas of the county, which would mean that around 1.5% of the current housing stock in the unincorporated area are STRs; and
- c. These STRs are currently operating and have therefore already had their impact (whatever that may be) to the county's housing stock. To the extent we believe that creating a process to allow and register these uses would suddenly create a great influx of new STRs, it could indeed generate impacts to the housing stock. There is, however, no evidence in the research Staff has done to date that would indicate that creating regulations would have that effect.

(4) And finally, based on the feedback from the Board and several members of the public, Staff from DTD and County Counsel's office have worked together to generate a second draft of amendments to the County Code: **Section 8.10 Short-Term Rentals (Attachment 1)**. As well as the addition of administration and enforcement provisions, this draft includes the following changes to previously-drafted regulations:

1. Changes the proposed exemption (from having to register). The previous draft would have exempted STRs what were rented for fewer than 30 days annually from having to register. This exemption has been changed to include only those properties that meet the definition of "incidental use", found in the proposed amendments to the Transient Room Tax County Code section.
2. Garbage service requirement. As noted by both an operator on Mt. Hood and the county's Sustainability Division, there are a number of properties that franchised garbage service providers cannot actually provide service to and therefore the garbage service requirements have been changed to allow for the owner or renter to remove the garbage.
3. Building and fire safety regulations. These regulations have been amended to ensure consistency with building codes and with proposed self-affidavit form.
4. Fire pits and fireplaces. Amendments base the prohibition of wood-burning fire pits/ fireplaces only on fire burn prohibition periods designated by local fire district.
5. Outside posting of contact information. The requirement to post contact information outside an STR has been removed and replaced with requirement to send notice to neighbors (which will include contact information) within a certain distance from the dwelling.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the funding source?

The development of regulations for short-term rentals (ZDO-273) is part of the Planning & Zoning Division's current budget, funded by the General Fund; however, if the Board chooses to

move forward with a program to register and enforce regulation of the use of dwellings as short-term rentals, there will likely need to be additional staffing and funding made available for the Divisions/Departments that are responsible for both the implementation and enforcement of the new regulations. The amount of additional staffing will be determined, in part, by the scope of the new regulations, the frequency with which STR registrations must be renewed, and the level of enforcement undertaken.

As drafted, it is anticipated that the implementation of this program would require up to two additional FTE, plus additional time for the code enforcement Hearing's Officer. Based on cost estimates from DTD and the Finance Department, the total cost to run the STR program annually is estimated at approximately \$320,000.

Initial funds would need to come from a source other than registration fees. Ultimately, however, the fee for the registration is intended to support the program ("full cost recovery"). As there is no accurate way to determine how many STRs currently exist, or how many would register in the future, setting an initial fee draws upon many assumptions, resulting in an educated guess.

Based on information received from industry experts, there may be as many as 1,600 STRs operating in the county (including the cities). Assuming 60% to 70% of these are outside of cities, would mean that there are approximately 950 – 1,100 STRs currently operating in unincorporated Clackamas County.

Assuming 75% compliance (meaning we could get 75% of the total to register and pay within the first two years), a simple calculation shows baseline fee for the 2-year registration would need to be around \$800 - \$900 in order to support the program:

$\$640,000$ (2 yrs. staffing/overhead) \div 825 registrants (75% of 1,100) = \$775 per registrant
 $\$640,000$ (2 yrs. staffing/overhead) \div 720 registrants (75% of 950) = \$888 per registrant

It is important to note that these estimates are based on the program as currently drafted. If the regulations become more complex, or bifurcated to apply different regulations for segmented areas of the County or housing types, both administration and enforcement needs would increase, thus increasing the registration fees. Additionally, if the Board is interested in directing some funds to another program; for example, supporting affordable housing, the registration fee would need to be increased from the baseline calculated above.

Regardless of the regulations established, Staff recommends creating some sort of incentive at the start of the program in order to get owners of STRs to register (e.g. a discounted fee for an initial period of time, or for STR owners who are already paying the TRT, if they register within a specific amount of time).

STRATEGIC PLAN ALIGNMENT:

- **How does this item align with your Department's Strategic Business Plan goals?**

The project aligns with the Long-Range Planning program's purpose of providing land use and transportation plan development, analysis, coordination and public engagement services to residents; businesses; local, regional and state partners; and County decision-makers so they can plan and invest based on a coordinated set of goals and policies that guide future development.

- **How does this item align with the County's Performance Clackamas goals?**

The proposal aligns with the Performance Clackamas goal to "Build Public Trust through Good Government" by responding to a work program priority and by creating regulations and a process by which a land use that is not currently specifically allowed in our code may become a permitted and compliant use.

LEGAL/POLICY REQUIREMENTS:

Staff is not aware of any legal requirement to allow STRs. Adoption of STR regulations will follow the established process for ZDO amendments and/or County Code amendments.

PUBLIC/GOVERNMENTAL PARTICIPATION:

County Staff has been engaging in public outreach regarding STRs with Community Planning Organizations and other groups and will continue to do so throughout the remainder of this project. In addition, public notice will be provided, as required by law, for any proposed amendments to the County Code or the ZDO that come before the Board for consideration at a public hearing.

OPTIONS:

- (1) Discontinue the project and maintain the status quo. The result is that the Zoning & Development Ordinance (ZDO) will remain silent on whether STRs are permitted anywhere in the unincorporated county and there will be no permitting process for STRs.
- (2) Direct Staff to proceed with the adoption process for allowing, regulating and registering STRs in legal dwellings in unincorporated areas of the county, including:
 - a. Establishing a public comment period for the proposed amendments to the County Code to establish the STR registration program, with the regulations as proposed in *Attachment 1*;
 - b. Drafting any necessary amendments to the ZDO to specifically allow for the use of dwellings as STRs; and;
 - c. Scheduling all necessary public hearings for the adoption of both the County Code amendments and the ZDO amendments.
- (3) Direct Staff to proceed with the adoption process for allowing and permitting STRs in legal dwellings, but with certain identified changes to the proposed regulations in *Attachment 1*. This Option would include Options 2(b) and 2(c).
- (4) Direct Staff to proceed with the adoption process for allowing STRs in legal dwellings, but do not include a registration process or any regulations. This Option would include only Option 2(b).
- (5) Direct Staff to schedule a future policy session for additional discussion.

RECOMMENDATION:

Staff recommends Option (2). Direct Staff to proceed with the adoption process for allowing, regulating and registering STRs in legal dwellings in unincorporated areas of the county, including:

- a. Establishing a public comment period for the proposed amendments to the County Code to establish the STR registration program, with the regulations as proposed in Attachment 1;
- b. Drafting any necessary amendments to the ZDO to specifically allow for the use of dwellings as STRs; and;
- c. Scheduling all necessary public hearings for the adoption of both the County Code amendments and the ZDO amendments.

ATTACHMENTS

1. Draft amendments to County Code, ***Chapter 8.10 Short-Term Rentals***
2. Other comments received by Staff (since August 2019 BCC policy session)

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Martha Fritzie @ 503-742-4529
--

NOTE: Additions and deletions shown in mark-up format in this document represent amendments from the first draft of Chapter 8.10, presented to the Board on August 6, 2019.

Chapter 8.10

8.10 SHORT-TERM RENTALS

8.10.010 Purpose

The purpose of this chapter is to regulate short-term rentals in order to enhance public safety and livability within the unincorporated areas of Clackamas County. Specifically, this chapter addresses public safety concerns typically associated with short-term rentals, and clarifies the process for both property owners and staff related to permitting short-term rentals and enforcing violations of these standards.

8.10.020 Definitions

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

- A. ADMINISTRATOR means the County Administrator of Clackamas County or his/her designee.
- B. DWELLING UNIT means a building, or portion thereof, with one or more rooms designed for residential occupancy by one family, or, as permitted under Chapter 8.10 for use as a short-term rental. Guest houses or other similar structures without a legal kitchen are not dwelling units and may not be used as a short-term rental.
- C. OCCUPANTS means persons who are authorized to stay overnight in a designated sleeping area within a dwelling unit.
- D. OWNER is the owner or owners of a dwelling unit used as a short-term rental.
- E. PREMISES means the area identified in a registration for use as a short-term rental.
- F. REGISTRANT means the owner, or agent of the owner, designated on the registration to act for the owner, who is responsible for ensuring the short-term rental adheres to all applicable requirements to maintain a short-term rental registration.
- G. REGISTRATION means a short-term rental registration.
- H. SHORT-TERM RENTAL means a dwelling unit, or portion of a dwelling unit, that is rented to any person or entity for lodging or residential purposes, for a period of up to 30 consecutive nights.
- I. SLEEPING AREA means a room or other space within a dwelling unit designed and intended primarily for sleeping. Roll-out beds, fold-out couches, or other temporary sleeping accommodations such as tents and recreational vehicles shall not be considered a sleeping area, and may not be used to increase the allowed occupancy of a short-term rental as provided in Section 8.10.060(B).

8.10.030 Applicability

This chapter shall apply within the unincorporated areas of Clackamas County including within urban growth boundaries, but shall not apply within the boundaries of any incorporated city.

This chapter does not apply to hotels, motels, bed and breakfast facilities, hostels, campgrounds, recreational vehicle (RV) camping facilities, or organizational camps.

ATTACHMENT 1

ZDO-273: SHORT TERM RENTALS

9/25/2019 BCC Planning Session

Page 1 of 7

8.10.040 Short-Term Rental Registration Requirements and Fee

- A. All short-term rentals shall be registered, ~~unless except that they are rented for fewer than 30 total nights in a calendar year~~ any short-term rental that qualifies for an exemption to the Transient Room Tax under Section 8.02.060(C), as “incidental” use of the property, shall be exempt from the registration requirements set forth herein.
- B. Application forms for a registration for a short-term rental will be available at County offices. Applications for initial and renewal registrations for a short-term rental must be submitted to the County and must be signed under penalty of perjury. The application documents must include at least the following:
1. The location of the premises.
 2. The true names, telephone numbers, and addresses and any aliases of the persons that have, or have had within the preceding year, a financial interest in the premises.
 3. A Land Use Compatibility Statement, signed by a Planning & Zoning Division representative, affirming that the premises has met all applicable requirements in the Clackamas County Zoning and Development Ordinance for a short-term rental and that the dwelling unit complies with Section 8.10.060(A).
 4. Signed affidavit of compliance with all listed life, fire and safety standards, and all applicable requirements in Section 8.10.060(D-~~GF~~).
 5. Evidence that all current taxes and fees owed to Clackamas County have been paid.
 6. Evidence that a Transient Lodging Tax registration form has been submitted to the County.
 7. The name, telephone number, and address of a contact person who shall be responsible and authorized to respond to complaints concerning the use of the short-term rental.
 8. Proof of liability insurance coverage on the short-term rental.
 9. A statement that the registrant of the short-term rental has met and will continue to comply with the standards and other requirements of this chapter.
 10. ~~A s~~ A ~~s~~ Site ~~p~~ Plan that identifies, at a minimum, all structures on the property, driveway(s), off-street parking spaces, and garbage receptacles.
 11. ~~A d~~ A ~~D~~ W ~~dwelling unit~~ dwelling unit floor plan that identifies, at a minimum, all sleeping areas, other rooms in the dwelling unit and exterior exits.

- C. A separate registration application must be submitted for each proposed short-term rental; however only one short-term rental registration shall be approved per dwelling unit.
- D. At the time of submission of a short-term rental registration application, the registrant must pay a short-term rental registration fee. The fee amount shall be set by resolution of the Board of County Commissioners.
- E. A registration is transferable to a new registrant, so long as the new registrant submits a new ownership/management change application notification to the administrator, signed by the original registrant, of the transfer and agrees in writing to comply with the requirements of this chapter. A change of registrant notification form shall be provided by the administrator.

8.10.050 Registration Termination – Renewal – Fee

- A. A short-term rental registration terminates automatically two years after the date of issuance, unless a newly approved registration ~~renewal~~ application is approved obtained by the owner.
- B. ~~A registration renewal application shall include information similar in nature to that Registrants wishing to continue uninterrupted operation of a short-term rental shall provided on the registrant’s initial registration application and must be submit a new application~~ ed to the County prior to expiration of the registration.
- C. At the time of submission of a new short-term rental registration ~~renewal~~ application, the registrant must pay the short-term rental registration ~~renewal~~ application fee. The fee amount shall be set by resolution of the Board of County Commissioners.
- D. A short-term rental registration terminates automatically if state statutes, regulations or guidelines are modified or changed to prohibit operation of the short-term rental under this ordinance.

8.10.060 Standards and Conditions

Any short-term rental must comply with the following requirements at all times, in addition to any other state and local requirements:

~~A.~~ Dwelling Unit. The short-term rental must be operated within a legally-established, permanent dwelling unit. The dwelling unit associated with a short-term rental shall that was not have been established through a land use approval or other approval process that specifically limiteds the use of the dwelling unit, theor occupancy of the dwelling unit, or the duration of the existence of the dwelling unit. ; such as an aExamples of non-qualifying dwellings include those approved as an accessory farmworker dwelling, a caretaker dwelling, or a temporary dwelling for care.

A.
B. Maximum Overnight Occupancy. The number of overnight occupants in the short-term rental shall not exceed the number of occupants authorized in the registration. The

maximum overnight occupancy shall be clearly posted in the short-term rental, disclosed in any advertising of the availability of the short-term rental, and included in any rental agreement with tenants. The maximum overnight occupancy stated in the registration shall be calculated as follows:

1. Two occupants per sleeping area, plus two additional occupants.
2. Children under the age of two shall not be counted.
- ~~3.~~ In no case shall more than 15 overnight occupants be authorized by a short-term rental registration.

~~C.~~ 3. Noise. Occupants shall abide by the County's current noise control ordinance (Clackamas County Code Chapter 6.05) and observe quiet hours from 10 p.m. to 7 a.m. the following day. Notice to occupants shall be clearly posted on the premises that identifies the quiet hours and states that unreasonable noise is prohibited.

~~C.~~ D. Parking. One off-street parking space per two sleeping areas is required. Garage space may be used to meet required parking standards if evidence is provided that there is sufficient cleared garage space to fit a vehicle(s). All required parking spaces must be available for renters/occupants to use.

1. If the short-term rental contains only one sleeping area, one off-street parking space is required.
2. If the short-term rental cannot provide the required number of parking spaces based on sleeping areas, registrant may request a reduced maximum overnight occupancy based on available parking. In no case shall the registrant advertise for, or rent to, more persons than are authorized under the reduced maximum occupancy total.
- ~~3.~~ In no event shall vehicles block access for emergency vehicles, block access to the premise, or block a parked motor vehicle. Violation of this section may s, subject the offending vehicle to immediate tow pursuant to ORS 98.853.

~~E.~~ 3. Garbage. All garbage from a short-term rental shall be legally removed from the premises by the owner, tenant/occupant or franchised service provider at least once per week maintain weekly garbage pickup service during any week, or portion thereof, in which the short-term rental is occupied. A, and all outdoor garbage receptacles shall be covered. ROne recycling container(s) that follow service standards shall be available for use by renters.

~~E.~~ F. Registration Identification. The registration identification number assigned to the short-term rental by the administrator shall be included on any advertisement or rental platform where the premises is offered to the public for occupancy.

~~F.G.~~ Building and Fire Safety. A short-term rental shall comply with all ordinances that apply to a residential dwelling, and all structural components shall be kept in sound condition and good repair. In addition:

1. Working smoke detectors and carbon monoxide detectors shall be installed and maintained in locations as required in the Oregon Residential Specialty Code, Ssections R314.3 and R315.3, in all sleeping areas and in the kitchen
2. Two (2) working fire extinguishers shall be provided in the unit, with one of the extinguishers placed within the kitchen in an easily accessible location

3. Code-compliant pPool and hot tub barriers shall be present, if applicable
4. ~~All sleeping areas shall have escape and rescue openings with a net clear opening of not less than five square feet. Every sleeping room shall have not less than one operable emergency escape and rescue opening, including basement sleeping rooms. Emergency escape and rescue openings shall have a net clear opening of not less than 5.0 square feet. The net clear height shall not be less than 24 inches, and the net clear width shall not be less than 20 inches. emergency escapes that are clearly accessible and in good working order~~
5. All exterior building exits shall be clear, operable and available to renters
6. All electrical wiring shall be covered, and wall outlets, switches and junction boxes shall have appropriate code-approved covers in place
~~—Electrical panels shall have a clearance space of at least 30 inches from each side, and 78 inches high in front of the panel. All circuit breakers and/or fuses are clearly labeled in the event the power needs to be shut off to a certain area or appliance.~~
- ~~6.7.~~
7. ~~Fireplaces and flues shall be installed and maintained in accordance with recognized standards and shall be inspected and cleaned on a regular basis.~~
8. All restrictions and prohibitions for burning as determined by the local Fire District shall be observed. ~~In addition, the use of outdoor fire pits and fireplaces shall be prohibited from June 15th through September 15th, and All wood-burning -fire pits and fireplaces shall be covered or made otherwise unavailable during that burn prohibition periods.~~ Contact information for the local Fire District shall be clearly posted in the short-term rental.
- ~~8.9. The dwelling shall have no open code violations.~~
9. ~~All other requirements listed in the Short-term Rental Self-Inspection Form shall be strictly adhered to.~~
- 10.
- G. ~~Notice of Contact. A notice shall be posted, clearly visible from a public right-of-way, that identifies the name and contact information of a person or entity located within a one hour drive of the short term rental property, that shall be responsible for remedying any violations of required standards in this chapter. The listed representative shall make every reasonable attempt to respond and remedy a violation within 24 hours of being contacted.~~

8.10.70 8.10.070— Registration Review

- A. The administrator shall, within ten (10) days after receipt of a complete application for a short-term rental registration and applicable fee, either issue the owner a registration or provide notice of denial.
- B. Upon approval, the administrator shall furnish notice of the approval to all residents and owners of properties abutting or across the right of way from the short-term rental. This approval notice shall provide the name, telephone number, and address of a contact person who shall be responsible and authorized to respond to complaints concerning the use of the short-term rental.
- C. The administrator may deny a registration application for failure to submit the materials or fee set forth in Section 8.10.040, for failure to meet the standards and conditions set

forth in Section 8.10.060, for submitting falsified information to the County, or for noncompliance with any other applicable County ordinances.

8.10.080 Examination of Books, Records and Premises

To determine compliance with the requirements of this chapter, the Clackamas County Zoning and Development Ordinance, and any local tax measures, the administrator may examine or cause to be examined by an agent or representative designated by the administrator, at any reasonable time, the premises, and any and all financial, operational and facility information, including books, papers, and state and federal income tax returns. Every owner is directed and required to furnish to the ~~a~~Administrator the means, facilities and opportunity for making such examinations and investigations.

8.10.090 ~~Remedies for Noncompliance~~Emergency Revocation, Administrative Appeals and Penalties

- A. ~~The administrator may deny, suspend, or revoke a registration for failure to comply with this chapter or rules adopted under this chapter, for submitting falsified information to the County, or for noncompliance with any other County ordinances~~In the sole determination of the Clackamas County Building Official, when a violation of the building code or applicable county ordinance exists at a short-term rental that presents an immediate serious fire or life safety risk, the Clackamas County Building Official may immediately revoke the short-term rental permit as a fire or life safety risk. The Clackamas County Building Official shall provide written documentation of the violation, and notification of the owner's right to appeal.
- B. ~~The remedies provided in this section are not exclusive and shall not prevent the County from exercising any other remedy available under the law~~Upon an emergency revocation, the short-term rental shall not be rented or used as a short-term rental unless the revocation is withdrawn or a new short-term registration has been obtained.
- B-C. ~~At any time following the emergency revocation of a short-term rental permit pursuant to this subsection, the Clackamas County Building Official may reinstate the permit upon a re-inspection by the Clackamas County Building Official verifying that the subject building code or county ordinance violation has been corrected.~~

8.10.100 Administration and Enforcement

~~The County encourages owners, registrants, occupants, and affected residents and owners of nearby properties, to cooperate directly to resolve conflicts arising from the occupancy of any short-term rental. Along those lines, the first attempt to remedy a violation of any of the standards in this chapter shall should be to contact the listed-representative associated with the registration, as identified in the approval notice and the required short-term rental posting and as posted on the short-term rental property. In the event that the listed representative does not respond within 24 hours or does not adequately remedy the problem issue, the XXXX Code Enforcement Division of the Department of Transportation and Development for Clackamas County may should be notified.~~

- A. ~~Except as otherwise provided for in state law or in the Clackamas County Code, f~~For acts of noncompliance, the Code Enforcement Division of the Department of Transportation and Development XXXXX Department for Clackamas County shall administer,

ATTACHMENT 1

ZDO-273: SHORT TERM RENTALS

9/25/2019 BCC Planning Session

Page 6 of 7

- supervise, and perform all acts necessary to enforce this chapter or any other chapters of the Clackamas County Code applicable to short-term rentals.
- B. Citation: whenever an owner operates a short-term rental which is found in violation of, or contrary to, any provision of this chapter, that ~~person-owner~~ may be issued a citation.
- C. Forms of Citation: the form for the citation to be issued under this chapter shall contain the following: a description of the specific violation alleged, the name and address of the person producing or permitting the violation, the time and place of the occurrence of the violation, the name and address of the office of Code Enforcement Division of the Department of Transportation and Development~~XXXXX~~, a form for admitting or denying the violation, and a schedule of the forfeiture amounts for specific violations.
- D. A person who receives a citation for violation of this chapter shall respond within fourteen (14) days of the issuance of the citation by payment of any penalties established under this chapter, or by requesting a hearing as provided in this section.
- E. In addition to citation, Code Enforcement Division of the Department of Transportation and Development may:
1. Require an inspection of the premises;
 2. Suspend the short-term rental registration until the short-term rental is in compliance with the standards and conditions set forth in Section 8.10.060; or
 3. If there have been three separate violations of this chapter related to the same short-term rental within the applicable two-year registration period, revoke the short-term rental registration.
- F. A person who is denied a short-term rental registration, or who has its registration suspended or revoked ~~by the administrator pursuant to Section 8.10.090~~ may request a hearing as provided in this section.
- GF. A person who receives a citation for violation of this chapter may deny all or part of the alleged violation by completing an appropriate response form, attached to the citation, and mailing or delivering it to the Code Enforcement Division of the Department of Transportation and Development~~XXXXX~~, as indicated on the citation. Upon receipt, the Code Enforcement Division of the Department of Transportation and Development~~XXXXX~~ shall forward the form to the office of the hearing officer.
- HG. A person who is denied a short-term rental registration, or who has its registration suspended or revoked ~~by the administrator pursuant to Section 8.10.090~~ may appeal the determination by completing an appropriate appeal form, and mailing or delivering it to Code Enforcement Division of the Department of Transportation and Development~~XXXXX~~, as indicated on the determination. Upon receipt, Code Enforcement Division of the Department of Transportation and Development~~XXXXX~~ shall forward the form to the office of the hearing officer.
- IH. Chapter 2.07 of the Clackamas County Code shall govern the notice and procedure associated with any compliance hearing.

8.10.110 Penalties

Violation of this chapter shall be punishable by suspension or revocation of a short-term rental registration, or by a penalty or fine in an amount set by resolution of the Board of County Commissioners. Except in the case of an emergency revocation, any owner may not obtain or renew a short-term registration on any premises in the unincorporated areas of Clackamas County sooner than one year after the date of revocation.

Fritzie, Martha

From: Sasha Burchuk <sashamonya@gmail.com>
Sent: Friday, August 2, 2019 2:06 PM
To: Fritzie, Martha
Cc: Alex Mahan
Subject: Draft Short-term Rental Regulation - Garbage Disposal

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Martha,

Just reading over the proposed draft regarding short term rental regulations in Clackamas County. Everything here looks good to me with the exception of one thing, unless you have a remedy for it, and that is weekly garbage collection in rural areas, specifically Mt. Hood.

My husband and I own a small A-frame in Rhododendron and had contracted with Bliss Sanitary for a couple of years, but after 6 consecutive months of them not picking up our garbage, we fired them. This is, unfortunately, a common tale with Bliss that we've heard from neighbors. Bliss had many excuses, here are some of the ones I heard when I called week after week:

1. The truck we were driving today wouldn't fit down your street 2. Your bear-proof can is too heavy 3. It's just been a really difficult week around here

You'll just have to take me at face-value here, but I'm a proactive and very solution-oriented person and there was nothing that could be done to get them to pick up our garbage. They would often skip weeks for no apparent reason, without letting us know, and then come to pick up the garbage that had been accumulating and tell us it was now too heavy for them to pick it up (because they had skipped pick up for 3-4 weeks).

We now take our garbage to the dump ourselves every 2 weeks or so. This ensures that our trash is disposed of in a more timely manner than when we were paying the only sanitation company in our area for weekly service. To mandate that we be on a weekly service agreement with them would be 1) absolutely ineffective because we would still be disposing of our own garbage on a regular basis unless the county could hold them accountable somehow; 2) a gift to them, unless you can force compliance on them.

I hope you'll take my comments in to consideration when drafting future proposals. Just wanted to alert you to the issue our community has. Perhaps you can find another equitable way to word things that allows us to dispose of our garbage ourselves as many of us have been doing, or else maybe you could see what can be done at the county level to step up compliance with the sanitation companies and give us homeowners a way to report them.

Thanks,
Sasha

BEGIN-ANTISPAM-VOTING-LINKS

Teach CanIt if this mail (ID 030116h4P) is spam:

Spam Email:

<https://mhub.clackamas.us/canit/b.php?c=s&i=030116h4P&m=96f823e0337a&rlm=base&t=20190802>

Phishing Email:

<https://mhub.clackamas.us/canit/b.php?c=p&i=030116h4P&m=96f823e0337a&rlm=base&t=20190802>

END-ANTISPAM-VOTING-LINKS

Fritzie, Martha

From: Betsy@mthoodrentals.com
Sent: Friday, August 2, 2019 6:12 PM
To: BCCMail; Humberston, Kenneth; Fritzie, Martha
Subject: Clackamas County STR Regs Draft Proposal - comments

Follow Up Flag: Follow up
Flag Status: Completed

Hi-

Thank you for all of your hard work in preparing the draft proposal. Overall, I think it is fair and reasonable and most of what is being proposed is already a regular business practice for Mt Hood Vacation Rentals. I do have a couple of questions for clarification.

Maximum Number of Occupants:

The proposal is to limit occupancy to 2 people per sleeping area plus 2. Can you define what constitutes a sleeping area? Also, for larger homes with large bedrooms, I would like to see a higher occupancy approved.

Garbage Removal:

The proposal requires weekly garbage service. Bliss Sanitary Services picks up the garbage in the Mt Hood area where about 75% of the STRs are located. They do not pick up in several locations for a variety of reasons including inability to access narrow roads or lack of turn-around areas, when there is a lot of snow on the ground, at locations with very long driveways or roads off the main road. MHVR hauls the garbage from about 1/3 of the homes we manage to our dumpster at our office. Bliss does pick up the garbage at our office once a week most of the year and during the summer and Christmas Vacation, it is usually twice a week. Where is it available, we do require weekly garbage service at the STRs we manage. I would recommend a revision to the requirement that the garbage must be legally removed from the premises at least once a week.

Legal Kitchen:

One requirement proposed is that all STRs must have a legal kitchen. Can you define what constitutes a legal kitchen?

Requirement for Site Plans:

This was unclear what you are looking for. We have floor plans for all of our vacation rentals on our website (except for the geodesic dome because we have not figured out how to create it). Is it proposed that the site plans are to be posted inside the STR? This was unclear to me.

Thank you for your consideration of the above questions/comments. I look forward to seeing the next communications about the CC STR regulations.

Betsy LaBarge President & CEO
MT HOOD VACATION RENTALS
Creating Memories That Matter

T 866-794-6813 | betsy@mthoodrentals.com

Mail: PO Box 454 | Office: 67898 E Highway 26 | Welches, Oregon 97067
www.mthoodrentals.com | [Twitter](#) | [FaceBook](#) | [Instagram](#)

Summer Vacation at Mt Hood | Hike, Bike, Paddle, Golf & Relax all in One Day

Spam Email

Phishing Email

Fritzie, Martha

From: Dave Rooksby <jazzmandave@aol.com>
Sent: Saturday, August 3, 2019 7:06 AM
To: Rogalin, Ellen
Cc: Fritzie, Martha
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ellen,

Thank you for letting me know that the County is selling out its constituents for a buck.

It's outrageous that people can so severely impact a neighborhood they don't even live in.

It's ruined our home buying experience.

Thanks for nothing

David Rooksby
GW Distribution LLC
(503)-490-0912
jazzmandave@aol.com
www.pearlriverusa.com

On Aug 2, 2019, at 1:14 PM, Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations -- that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/planning/str or contact Senior Planner Martha Fritzie at mfritzie@clackamas.us or 503-742-4529. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beavercreek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Spam Email

Phishing Email

Fritzie, Martha

From: Dave Lythgoe <dmerit@msn.com>
Sent: Saturday, August 3, 2019 9:51 AM
To: Rogalin, Ellen
Cc: Fritzie, Martha
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Flagged

Morning,

Thanks for all the progress. I favor the draft plan with one exception. Prohibited fire pits should be limited to wood fires. Propane/gas fire pits should be allowed as they are well contained, controllable, and do not emit sparks.

Thanks for considering.

Dave Lythgoe

From: Rogalin, Ellen <EllenRog@clackamas.us>
Sent: Friday, August 2, 2019 1:14 PM
To: Rogalin, Ellen <EllenRog@clackamas.us>
Cc: Fritzie, Martha <MFritzie@clackamas.us>
Subject: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations -- that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/plannng/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or **503-742-4529**. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beaver Creek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Spam Email

Phishing Email

Fritzie, Martha

From: Nora Gambée <noragambée1314@gmail.com>
Sent: Saturday, August 3, 2019 6:08 PM
To: Rogalin, Ellen
Cc: Fritzie, Martha
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Thank you for your seeing this issue through. It is very refreshing to see our representatives taking an interest and taking care of us the general public.

I am interested in be kept in the loop on this matter.

Nora Gambée
Welches Resident

On Fri, Aug 2, 2019 at 1:20 PM Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations - that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/planning/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or **503-742-4529**. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beaver Creek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

Spam Email
Phishing Email

Fritzie, Martha

From: Rogalin, Ellen
Sent: Monday, August 5, 2019 9:11 AM
To: Fritzie, Martha
Subject: FW: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Completed

FYI

Ellen Rogalin, Community Relations Specialist

503-742-4274

Office hours: 9 am – 6 pm, Monday-Friday

From: Steve Wilent <swilent@gmail.com>
Sent: Monday, August 5, 2019 9:09 AM
To: Rogalin, Ellen <EllenRog@clackamas.us>; lara wilent <lara.wilent@gmail.com>
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Thank you, Ellen. I'll look at the proposed regs and provide detailed comments. For now, one issue:

2. Exempts STRs rented for a total of less than 30 days in a calendar year from needing to obtain a registration

That's too high a number: 30 days is 15 weekends, or every weekend during the summer season, mid-June thru August. And that's the period during which most of the problems occur. I know -- my wife and I live within earshot of 4 short-term rentals. I suggest 12 days as the appropriate minimum.

Steve Wilent
21360 E. Briarwood Rd.
Rhododendron, OR 97049
Home office: 503-622-3033

On Fri, Aug 2, 2019 at 1:26 PM Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations - that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/plannng/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or 503-742-4529. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beavercreek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

Spam Email

Phishing Email

Fritzie, Martha

From: Mac Barger <MacB@richardsonsports.com>
Sent: Monday, August 5, 2019 10:27 AM
To: Rogalin, Ellen
Cc: Fritzie, Martha
Subject: RE: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Completed

Hi Ellen,

Thank you SO much for forwarding me the info. We currently own and operate two of the top rated vacation homes in Eugene (Lane County). I think all of the outlines are fair and would hopefully make relationships with neighbors stronger.

I am not sure I its most appropriate to send over a couple of notes to you or someone else.

My only two concerns would be:

- **Garbage Service:** Best practice is to have a home cleaner who can remove all trash and recycling with each turn. Just want to make sure the rules would not mandate owners having curb service. I can speak from experience and say that trying to coordinate curb garbage service between owners, guests, and cleaners is almost impossible. One slip and you have another week of smell. It's also likely cans would sit on curb for extended periods. I just want to make sure this rule doesn't eliminate the best practice of having cleaning crew take care of all trash on behalf of owners.
- **15 Person Max:** With new rules on the horizon one of the biggest concerns would be how do they relate to estate values. Those county decisions in some of the Oregon coast areas have limited resale values of homes and diminished home values up to 30% in some cases (Gearhart and Bend are good examples). I think Clackamas County looks to be more cautious of this but the only proposed rule that I believe has potential to *limit* real estate values is the 15 person cap. I think this was put into place because of some of the issues on Mt. Hood with Vacassa but has potential to limit the top value of a larger home and that would be really disappointing to anyone in this position. There would also be sweeping legal issues if you have people with 1.5 million dollar homes that are then valued at 1.1 because of the cap on the number of STR guests. There are tons of great rentals across Oregon and other mountain towns with over 15 guests that function really well and maintain good relationships with neighbors. A good owner who is following the rules will do so with a 2BR home or a 7BR home ☺

I think the regulation is fine so that there are rules and expectations in place but I don't think any regulation should have potential to limit real estate values.

Thanks again!

Mac Barger
Sales Director | Captuer
Ext. 130



RICHARDSON.

T: 541-687-1818

F: 541-687-1130

RichardsonSports.com

WEAR THE BEST™

From: Rogalin, Ellen <EllenRog@clackamas.us>
Sent: Friday, August 2, 2019 1:14 PM
To: Rogalin, Ellen <EllenRog@clackamas.us>
Cc: Fritzie, Martha <MFritzie@clackamas.us>
Subject: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations -- that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/plannng/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or 503-742-4529. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist
Clackamas County Public & Government Affairs
Transportation & Development | Business & Community Services
503-742-4274 | 150 Beaver Creek Road, Oregon City, OR 97045
Office hours: 9 am – 6 pm, Monday-Friday

[Spam Email](#)
[Phishing Email](#)

From: Steve Wilent <swilent@gmail.com>
Sent: Monday, August 5, 2019 10:37 AM
To: Rogalin, Ellen; Fritzie, Martha
Cc: lara wilent; Greg Gano; Mary Mattila; Fred Mattila; Dianne Downey
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Completed

Ellen, Martha:

The draft short-term or vacation rental (STR) regulations are an excellent start. Here are my recommendations for revising the proposed regulations:

1. An exemption for STRs rented for a total of less than 30 days in a calendar year from needing to obtain a registration is too high a number: 24 days is 12 weekends, one per month; 29 days is most weekends during the summer season, mid-June thru August, the period during which most of the problems occur. I suggest 12 days/year as the appropriate minimum.
2. Set a number of complaints by neighbors that triggers the revocation of a registration.
3. Provide a mechanism (web form) through which neighbors can submit complaints with details including photos and/or audio recordings.
4. Establish an STR advisory board consisting of property owners/rental agents, neighbors, local officials, and others, to advise the BCC on STR issues.

Thank you for considering this. My wife and I live within earshot of 4 short-term rentals. In most cases, renters are considerate of our residential neighborhood values. However, too many are not. Note that the property

managers in our area deserve credit for being cooperative in responding to our concerns.

Steve Wilent

21360 E. Briarwood Rd.
Rhododendron, OR 97049

Home office: 503-622-3033

On Mon, Aug 5, 2019 at 9:10 AM Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Hi Steve,

Thanks for the feedback, and look forward to your detailed comments.

Ellen Rogalin, Community Relations Specialist

503-742-4274

Office hours: 9 am – 6 pm, Monday-Friday

From: Steve Wilent <swilent@gmail.com>

Sent: Monday, August 5, 2019 9:09 AM

To: Rogalin, Ellen <EllenRog@clackamas.us>; lara wilent <lara.wilent@gmail.com>

Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Thank you, Ellen. I'll look at the proposed regs and provide detailed comments. For now, one issue:

2. Exempts STRs rented for a total of less than 30 days in a calendar year from needing to obtain a registration

That's too high a number: 30 days is 15 weekends, or every weekend during the summer season, mid-June thru August. And that's the period during which most of the problems occur. I know -- my wife and I live within earshot of 4 short-term rentals. I suggest 12 days as the appropriate minimum.

Steve Wilent

21360 E. Briarwood Rd.
Rhododendron, OR 97049

Home office: 503-622-3033

On Fri, Aug 2, 2019 at 1:26 PM Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations

-- that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/planning/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or 503-742-4529. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beaver Creek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

Spam Email
Phishing Email

Fritzie, Martha

From: Mary Kelley <kelleyma@ohsu.edu>
Sent: Monday, August 5, 2019 2:56 PM
To: Fritzie, Martha
Subject: short-term rentals

Follow Up Flag: Follow up
Flag Status: Completed

Hi, Martha,

My comments are below:

1. I support limited short-term rental operations. I have a potential house to rent, but want to be careful of the tenants and that they do not disturb my neighbors or cause local damage to the forests and fields.
2. By this I mean, no regular large events or parties, limited number of people per stay, and limits on noise and number/type of vehicles (preferably no loud machines, no machines destructive to forest areas). Short term renters in forested areas must be carefully vetted and advised of extreme fire hazards in the summer. Where I live, at the end of S. Olsen Rd., if the forest catches fire from a cigarette butt, campfire, or sparks of a machine, it is likely that it will be a raging fire and our houses on this road will go too, as there is no body of water near for putting the fire out.
3. Pets/children of short-term tenants should be monitored and controlled carefully, as many local areas have predators such as cougars, bobcats, coyotes, etc. Most city children do not have a background in interacting with wildlife (or not!). Rural area renting is far different from city/small town rentals.
4. No firearms, fireworks, or explosives.

Thanks you for reading this.

Best regards,

Mary Kelley
20007 S. Olsen Road
Beavercreek, Oregon 97004
503-312-5753

[Spam Email](#)
[Phishing Email](#)

Fritzie, Martha

From: Doug Saldivar <plazatrail@gmail.com>
Sent: Tuesday, August 6, 2019 6:16 AM
To: Fritzie, Martha
Subject: Re: Short Term Rental regulations

Follow Up Flag: Follow up
Flag Status: Completed

Thanks,

I think you have done a great job with this.

Doug Saldivar

On Mon, Aug 5, 2019 at 1:38 PM Fritzie, Martha <MFritzie@clackamas.us> wrote:

<https://www.clackamas.us/planning/str>

Click on “Aug. 6 Board Policy Session” near the top of this page

Martha Fritzie, Senior Planner
Clackamas County DTD | Planning & Zoning Division
150 Beaver Creek Road | Oregon City, OR 97045
(503) 742-4529
Office hours 8:00am to 6:00pm | Monday - Thursday

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your feedback. We appreciate your comments and will use them to evaluate and improve the quality of our public service.

From: Doug Saldivar [mailto:plazatrail@gmail.com]
Sent: Saturday, August 3, 2019 7:34 AM

To: Fritzie, Martha <MFritzie@clackamas.us>

Subject: Short Term Rental regulations

It appears that a link I was sent that would allow me to review the proposed Short Term Rental Regulations is not working. Could you please notify me when the regulations are available.

Thanks,

Doug Saldivar

plazatrail@gmail.com

503-622-5673

69054 E Fairway Ave

Welches

Spam Email

Phishing Email

Fritzie, Martha

From: Moss, Kevin on behalf of BCCMail
Sent: Tuesday, August 6, 2019 7:50 AM
To: BCC - All County Administration Staff
Cc: Fritzie, Martha; Hughes, Jennifer
Subject: FW: Short Term Rental Regulations Draft Proposal for Unincorporated Clackamas County

Good Morning Commissioners,

Please see below email from the Pinelli's relating to short term rentals.

This information has been sent to Planning for the record.

Thank you

Kevin Moss

Administrative Board Assistant
Board of County Commissioners/County Administration
503-655-8581
kmoos@clackamas.us

The Office of the County Administrator would love to get your feedback on our service. Please take a minute to fill out the following 5-question survey.

<https://www.surveymonkey.com/r/HZPQSCCC>

From: Joanne Pinelli [mailto:joannepinelli@gmail.com]
Sent: Saturday, August 03, 2019 09:53 AM
To: BCCMail <BCCMail@clackamas.us>
Subject: Short Term Rental Regulations Draft Proposal for Unincorporated Clackamas County

Please let me know you got this.

We are responding to the DRAFT of the new regulations proposed for rental properties on Mt Hood. We are owners of a log home near Welches that will be affected by this. It is a seasonal rental property.

Our questions/comments:

-'Posting signs or notices regarding the property being a rental. Post the signs inside and out'. We do have signs INSIDE our property for renters. BUT we would NEVER put a sign regarding it being a rental OUTSIDE the property. For serious security reasons. Our log home is a beautiful large log home on four remote acres. Along the Sandy River. We have found 'strangers/fisherman' illegally walking our property for fishing. Strangers can get full access to our property without our knowing. It is so remote that if people knew it was a seasonal rental (because of some posted sign) then break-ins would become a serious concern. Posting a sign like that would NOT be something we would ever do.

-Financial Records: what is meant by 'right to examine financial records'? This does not sound legal?

-Registration fee: how much are you considering charging for a two year registration? I did not see that in the DRAFT.

Thank you. Joanne & Frank Pinelli
58200 Marmot Road, Sandy, OR

Vacation Rental Property.

Spam Email

Phishing Email

Fritzie, Martha

From: Polk, Eben
Sent: Wednesday, August 7, 2019 12:40 PM
To: Fritzie, Martha
Cc: Bell, Cheryl
Subject: short term rental code 8.10.060

Follow Up Flag: Follow up
Flag Status: Completed

Hi Martha,

Nice work on the short term rentals project.

I happened to be reading the policy session documents for the short term rentals process and noticed there is a paragraph about garbage and recycling:

E. Garbage. A short-term rental shall maintain weekly garbage pickup service during any week, or portion thereof, in which the short-term rental is occupied, and all garbage receptacles shall be covered. One recycling container shall be available for use by renters

Is this up for discussion? It might be helpful to talk a bit about the intent and the implications.

For example, one question is about requiring service. The County does not have a requirement that residential property in unincorporated County must use the franchised garbage service. In addition, there are on-call options and monthly collection options for those residential properties that generate less waste. So if you interpret language to mean the franchised weekly service, that's a new requirement/ new precedent. If you interpret the language to mean that either the property owner or the franchisee can maintain weekly collection then it would be closer to status quo. It would be important to clarify that a property owner cannot use a service provider other than the franchised provider. In other words they can't have their management company move the trash for a fee.

Another question would be about recycling containers. Instead of saying 'one recycling container' the ordinance should probably instead require containers that meet the recycling standards for single and multifamily residential service, and note that the renter should have access to all of those. That would translate to them having a glass container and a mixed recycling container, and in urban areas, also a yard debris container. If we define these operations as businesses per the solid waste chapter, then that would change the conversation as well.

Thanks!

Eben Polk

Clackamas County Sustainability & Solid Waste Program · 503-742-4470 · epolk@clackamas.us

Fritzie, Martha

From: ZoningInfo
Sent: Tuesday, August 13, 2019 10:30 AM
To: Fritzie, Martha
Subject: FW: short term rentals

Follow Up Flag: Follow up
Flag Status: Completed

FYI on some feedback about short term rentals. Thanks.
Steve PhoneRoom.

From: christine badura [mailto:badura88@hotmail.com]
Sent: Monday, August 12, 2019 10:53 PM
To: ZoningInfo <ZoningInfo@clackamas.us>
Subject: short term rentals

Dear Friends,

I have a small airbnb in my basement and rent it out to mostly overnighters at a very low price, between \$30 to \$40, depending on what Airbnb "smart pricing" suggests. By the time I pay taxes, do the related laundry, provide showers and electricity, I am not making much profit. But I like the idea of making travel affordable for people with modest income like me. It provides me with a little income in addition to my \$700+ social security and what I make from 1-2 days as a caregiver. The \$1,000 a month at most that I have made with the Airbnb this year enables me to pay my property taxes and pay some on the equity line that I've taken out for necessary repair projects on my house. That amount reduces considerably in the winter months. I fear that if I have to pay additional taxes as is suggested, my ability to remain in my home safely and protect my assets will be greatly reduced. I really have no other place to go.

I hope you will give some attention my predicament, as I suspect that it is shared by many others. As a senior with no retirement pension or such, there are not a lot of options. Thank you for your consideration.

Christine Badura

[Spam Email](#)
[Phishing Email](#)

Fritzie, Martha

From: Rogalin, Ellen
Sent: Tuesday, August 13, 2019 6:10 PM
To: Margie Chance
Cc: Fritzie, Martha
Subject: RE: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Chance,

Thank you for taking the time to share your thoughts about the proposed STR regulations. You don't need to do anymore to have your comments be considered. I am passing your email on to Martha Fritzie in Planning who is the lead for this project and she will review your comments and add them to the record.

The "comments/questions" link should open an email for you, but what you did here works just as well.

I don't know your answer about AirBnB. Either Martha or I will get back to you on that. Please let me know if you have other suggestions or questions.

Thanks again.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs
Transportation & Development | Business & Community Services
503-742-4274 | 150 Beavercreek Road, Oregon City, OR 97045
Office hours: 9 am – 6 pm, Monday-Friday

From: Margie Chance <mtchance01@gmail.com>
Sent: Tuesday, August 13, 2019 11:41 AM
To: Rogalin, Ellen <EllenRog@clackamas.us>
Subject: Re: Draft Short-term Rental Regulations available online; to be presented to Board for review Aug. 6

Greetings Ms. Rogalin,

I want to submit comments about the proposed STR Regulations. When I click on the proposal or the audio session from Aug. 6th, it works just fine. But the comments/questions link does not respond. My comments are very important to me. Please tell me how to submit them in time to be seriously considered.

In the meantime, they are simply this:

We have an STR for 5 months every winter. It is our primary residence off of Lolo Pass Road in Rhododendron, over 3 1/2 miles off of Hwy 26. We are way out of any neighborhoods. We need options for dealing with garbage, OTHER THAN being required to have a garbage company pick it up. We take our garbage to the dump on a regular basis, and it is less costly for us this way.

We are retired. We stay in the Gulf Coast during the cold winter, therefore, renting out our home for those 5 months. We live a quarter mile from the closest point of garbage pick-up, making it very inconvenient, and it is expensive.

Perhaps STR Owners can sign a document stating they will be responsible for garbage pickup and it will NEVER be left out. Up here, bears can knock it all over the road in the night, when it is left out for pick-up in the morning. Please consider another option for us responsible STR owners. By any description, we are not one of the STRs that are a problem. We deserve a consideration for this fact. We communicate often and clearly with our closest neighbors, all of whom we care about and respect.

Please let me know where I can send this perspective so that it may be considered.

Oh, and a quick question: Will AirBnB (for example) continue to be responsible to collect and distribute all County Fees associated with this proposal? We don't have to deal with County fees at all...AirBnB is required to take care of all of that...it simply comes out of our profit, before we are paid.

Thank you so much,

Margie Chance
Bob Alford

On Fri, Aug 2, 2019 at 1:17 PM Rogalin, Ellen <EllenRog@clackamas.us> wrote:

Good afternoon,

Since you have shown an interest in the topic of short-term rentals in unincorporated Clackamas County, we want to give you a brief update on the status of this project.

As you may know, County Planning staff went to seven meetings throughout the county in May and June, to share information about short-term/vacation rentals and why the county is thinking of regulating them, and to gather input and respond to questions from residents. We compiled that input with input from the County Commissioners, and used that to help us write a first draft of county regulations related to short-term rentals.

This first draft will be presented to the Board of Commissioners at a policy session scheduled from 10:15-11 a.m., Tuesday, August 6, in the County's Public Services Building in Oregon City. The public is welcome to attend, but there is no public comment. You can see the materials – including the text of the draft regulations - that will be presented to the Board online at www.clackamas.us/planning/str. Just click on the **Aug. 6 Board Policy Session** link near the top of the page. An audio recording of this meeting will be available on the webpage shortly after the meeting.

After the August 6 meeting, there will be another meeting with the Board to discuss administration and fees of the short-term rental program. Once the date of that meeting is set, it will be posted on the project website.

We will be seeking public comments and questions about the draft regulations over the next couple of months and there will be public hearings with the Board of Commissioners before the Board takes any final action on new regulations. We will keep you posted about any public meetings and other input opportunities as the details are confirmed.

For more information, please check the project website at www.clackamas.us/planning/str or contact **Senior Planner Martha Fritzie** at mfritzie@clackamas.us or **503-742-4529**. Thank you for your interest in this topic.

Ellen Rogalin, Community Relations Specialist

Clackamas County Public & Government Affairs

Transportation & Development | Business & Community Services

503-742-4274 | 150 Beaver Creek Road, Oregon City, OR 97045

Office hours: 9 am – 6 pm, Monday-Friday

Spam Email

Phishing Email

Fritzie, Martha

From: krm4069@aol.com
Sent: Monday, August 19, 2019 10:58 AM
To: Fritzie, Martha
Subject: County drafts regulations for short-term/vacation rentals; public invited to comment

Follow Up Flag: Follow up
Flag Status: Completed

Questions? Contact Senior Planner Martha Fritzie at mfritzie@clackamas.us or 503-742-4529.

Hi Ms. Fritzie,

In reviewing the summary of regulations item 4.b. Off-street parking: One space per 2 sleeping areas (minimum of one space).

The clear intention of this regulation is to reduce the likelihood of clogged streets as a result of an influx of short term rental visitors to what otherwise would be single family residential communities. The limitation of this regulation is that home owner 'room in home rental property' owners could merely park their own vehicles on the street to make room for/comply with the regulation for their renters to 'off-street' park. The end result would be the same issue, residential streets clogged with vehicles as a result of the short term rental influx of people and vehicles.

Also there is nothing about restricting animal accompanied short term renters. This seems to be an oversight that should be considered. Short term renters to neighborhoods are potentially less likely to follow rules about picking up their dog waste etc. since they are only in the neighborhood for a short period of time and potentially as a one shot.

Thanks.

Sincerely,

Kevin R. Mitchell

[Spam Email](#)
[Phishing Email](#)

Fritzie, Martha

From: Lavabit <Crosslinked@Lavabit.com>
Sent: Tuesday, August 20, 2019 8:53 AM
To: Fritzie, Martha
Subject: Short-term/Vacation Rental Properties ("STR")

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Fritzie, thank you for the opportunity to weigh in on this matter.

Of primary importance - Content is confidential, proprietary and copyrighted. All rights invoked. Sender has an Expectation of Privacy. Distribution/redistribution in any form or format is prohibited. We are not to be identified in any public record. The content below may be used, but it's source is never to be revealed.

Please add our voices to those who are adamantly opposed to the operation of STR in any area for the following reasons:

- Safety - the present unnecessary risk to the residents via increased traffic and the introduction of criminals to a neighborhood that they would otherwise not have a reason to be in.
- Jobs - this damages existing businesses who are paying taxes, fees and have made significant investments in order to operate hotel/motel. This approach creates an unfair competition to those businesspeople who have taken significant risk; and, who are providing employment to those most in need of employment. The operation of STR precludes the employment of many people.
- Revenue - already, numerous STR are being operated without obtaining business licenses, paying income and other taxes/fees. By the very nature of their wide distribution, it makes it economically unfeasible to monitor and enforce the existing regulations, much less those needed to ensure the safety of the local residents and/or the clients.
- Health - they should be held to similar (if not equal) standards as hotels/motels regarding having safety/health inspections done on their living and eating facilities.

By way of example, we have an illegal AirB&B operating next door. Through our contacts, we have learned that at least one registered sexual predator has been a client. Numerous clients are from California and drive at unsafe speeds in this area that has numerous small children. They generate additional trash and noise. If we and our neighbors wanted to live next to a hotel, we could have chosen to do so. We chose to live in a residential neighborhood that is not zoned for businesses.

Please, do all possible to make STR prohibited. If not, then give all residents within a 500 distance of the property line of any STR, and/or anyone on a street that is used by clients of the STR, the ability to black-ball it. That is, one single objection precludes the existence of an STR.

Most respectfully,

A Registered Voter of the County of Clackamas

Spam Email
Phishing Email



AUG 27 2019
BCC/GS

August 21, 2019

Clackamas County Commissioners
2051 Kaen Rd.
Oregon City, OR 97045

Dear Commissioners:

I read with great interest that the board of commissioners is considering allowing short term rentals in the unincorporated areas of the county. My parents grew up in Milwaukie and Sellwood, I graduated from Milwaukie High School in 1968 and it was only in the last couple of years that we sold my childhood home in the Ardenwald District. I now live on South Toliver Road just out of Molalla; my husband and I purchased our home in 1990.

I have operated a successful small health and wellness center offering workshops, classes and day retreats off and on for about 15 or 20 years out of my home. I recently added a tiny home complete with incinerator toilet and hot and cold water cooler used as a classroom or meditation room. This cabin would be ideal for overnight availability after attending a workshop, biking the rural roads, spending respite time in the mediation garden where one can grill or enjoy the fire pit picnic area, or sky diving at Sky Dive Oregon just across the field from my home business.

If I were able to offer short term rental of the cabin, I would be able to sustain the expenses of staying in my home once my husband, a retired Marine Officer and Vietnam Veteran, passes away from Glioblastoma IV which was diagnosed in November 2018. He is currently in Hospice Care at Avalon French Prairie Nursing Home in Woodburn.

I have crossed paths with some of you from my years of community involvement and work in domestic violence, Big Brothers Big Sisters, Catholic Charities or Canby Area Chamber of Commerce work including coordinating Leadership Canby in the 90's.

I have conducted mindfulness workshops from my home on South Toliver Road for many years and by being able to start my business again with an added level of income potential after I loose my husband's retirement income, I would be able to develop the financial ability to sustain and re-open my gardens and stay in my home well into older age.

It is my hope that you will decide to allow short term rentals thereby giving seniors an opportunity to increase income which may allow them to stay in their homes and age in place.

Sincerely,



Susan Cazier, MA
Rainy's Garden and Wellness Center
503-320-0419

Susan Cazier
Rainy's Garden & Wellness
12417 S. Toliver Rd
Molalla, OR 97038

Fritzie, Martha

From: Judy <jjcave@frontier.com>
Sent: Saturday, August 31, 2019 2:53 PM
To: Fritzie, Martha
Subject: STRs in Mt. Hood area
Attachments: STR Trash.jpg

Hello,

The house directly across the street from us is a short term rental. We have yet to meet the owners and have no idea who they are. But yesterday, Friday, August 30, 2019, someone came up and put this out at the street. Trash pickup on our street is on Wednesdays. Shortly after I took this photo, crows landed on it and proceeded to tear into the bags and made an even bigger mess. One of this weekend's renters was good enough to clean it all up, but they just left it at the street. We will now have to look at this until next Wednesday.

We would ask that the County regulations require that owners of STRs up here be required to use bear-proof garbage cans. We have had problems with bears on our street in the past because of the garbage piled up and left outside by renters.

We would also ask that garbage cans and recycle tubs be required to be moved off the street and hidden from view by the night of garbage pickup.

Thank you,

Judy Cave
70502 E. Terrace Dr.
Rhododendron, OR 97049
503.622.0584

Spam Email
Phishing Email



Fritzie, Martha

From: Jezrai Hower <iluv_monix@yahoo.com>
Sent: Tuesday, September 10, 2019 6:26 PM
To: Fritzie, Martha
Subject: Short Term/Vacation Rental Properties

Please discuss-

Limiting # of occupants per property, some homes have 3-5 sets of bunk beds in a single room. Our neighborhood is on an independent water system and the infrastructure was not built to accommodate 14-18 people in a 3-4 bedroom home.

In Bend-
it is 2 per room, plus 2 on a pull out.

Please consider.

Thank you,

Concerned Clackamas County Home Owner

--
BEGIN-ANTISPAM-VOTING-LINKS

NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Teach CanIt if this mail (ID 04101qyPB) is spam:

Spam Email:

<https://mhub.clackamas.us/canit/b.php?c=s&i=04101qyPB&m=e13ddc1493bb&rlm=base&t=20190910>

Phishing Email:

<https://mhub.clackamas.us/canit/b.php?c=p&i=04101qyPB&m=e13ddc1493bb&rlm=base&t=20190910>

END-ANTISPAM-VOTING-LINKS

Fritzie, Martha

From: Mark Skinner <mwskinner55@gmail.com>
Sent: Thursday, September 12, 2019 11:57 AM
To: Fritzie, Martha
Subject: Short-term rental housing regulations

Follow Up Flag: Follow up
Flag Status: Completed

Senior Planner Martha Fritzie
Clackamas County

Dear Ms. Fritzie,

My neighborhood is being ruined by short term rentals. Clueless people driving around looking for their units pulling into strange driveways, party houses with people who talk about guns and party loudly until four in the morning, more cars, more traffic, strangers wandering the streets, more danger due to cars parked in the street narrowing the roadway, and actual trespassing. Loud pool parties at virtually any time of day. Too many people, too many cars, too many strangers, too much noise. Why are my rights to the peace of mind I sought by moving to a quiet treed place subservient to those of my money-grubbing neighbors, anyway? I mean, let's face it, my neighbors are making money at the expense of my peace of mind and well-being. I think that is wrong.

Indeed, I think the entire idea is wrong and wonder why we are allowing the ultra-rich to bulldoze cities and communities and even entire states into giving up all the things they have promised their citizens, just so these corporate owners can get richer while the politicians get payoffs from them. These are not mom and pop businesses but giant corporations who consistently lie and mislead and break their promises using hordes of lawyers and lobbyists to get their way. But I am clearly in the minority with that view. Or, to put it another way, the horse has left the barn.

Therefore I read the proposed regulations posted at <https://www.clackamas.us/planning/str> They are ok, but there are some things that are just wrong or naïve.

2. Exempts STRs rented for a total of less than 30 days in a calendar year from needing to obtain a registration

COMMENT: People will lie about this to avoid paying the tax, and lots of heavy use dwellings will not be registered or regulated. ALL dwellings should have to register. This is a gigantic loophole in and otherwise pretty reasonable set of regulations.

8.10.040 Short-Term Rental Registration Requirements and Fee

COMMENT: This is all pretty good stuff but it's not immediately clear what happens to this information. There should be a public registry of ALL renters in the county, with a description of what they are renting and their contact information and maximum occupancy. It should be online, including the amount of occupancy taxes they paid the county the previous year (I know, that can't happen but it should). That way we can check to be sure that our neighbors are operating legally.

In no case shall more than 15 overnight occupants be authorized by a short-term rental registration.

COMMENT: Max occupancy of 15 is much too high; those are de facto hotels. This encourages unlawful and inappropriate gatherings at party houses where neighbors' peace of mind are of no concern to the renters. We should not be allowing hotels in residential areas, which this provision is achieving. Let's be clear, my neighbor across the street at 1124 SE River Forest Rd is running a hotel. There are five cars in the driveway all the time, constant turnover, tons of noise as well as some pretty creepy people talking about getting out their guns or threatening neighbors who ask them to be quiet, a professional cleaning service that is in there at ten, out by two, then in comes the next batch of

guests. Hell, someone had a wedding in FRONT of the house with 100 people and my tiny street was lined with cars creating traffic danger; people were wandering around and onto private property. He rents that thing out for \$375/night about 180 days a year and if he's voluntarily paying the tax I'll eat my shoe. These regulations should prevent all of this. Why does the zoning law not matter? Why is the county allowing the zoning regulations to become so porous and undefined by allowing hotels in residential areas?

Thanks for the opportunity to provide feedback. Can you tell me please, Is this a public meeting:

**BCC Planning
Session**

Wednesday, Sept. 25
9:30 a.m. to 11 a.m. City
Public Services Building 4th Floor, 2051 Kaen Road, Oregon

Please put me on your email list for this topic if there is one.

Thanks,

Mark

Mark Skinner
1275 SE River Forest Rd.
Milwaukie, OR 97267
971-337-7132

[Spam Email](#)
[Phishing Email](#)

Fritzie, Martha

From: Mark Skinner <mwskinner55@gmail.com>
Sent: Thursday, September 12, 2019 1:04 PM
To: Fritzie, Martha
Subject: Short-term rental housing regulations Redux

Follow Up Flag: Follow up
Flag Status: Completed

PS. The fees need to be really high to cover the admin costs for the county; on top of all the rest of the inconvenience and annoyance and danger, I do not want to pay even more through additional taxes or loss of other services to help my neighbors wreck my neighborhood while making money at my expense. This is going to evolve into a big bureaucracy with lots of moving parts, and it has to, because otherwise it will continue to be anarchy. That bureaucracy is going to cost a fortune and the program should be self-supporting based on the occupancy taxes only. If 6% isn't enough, charge more. Or as George Harrison said: "If five percent should appear too small, be thankful I don't take it all". Here's an example:

On June 5, 2019, The City Council of the City of Palm Springs adopted Resolution No. 24622 modifying certain user fees and charges. Specifically for Vacation Rental and Homeshares, the following fees will be effective on July 5, 2019:

- Vacation Rental - New Registration Fee - \$944.00
- Vacation Rental - Annual Renewal Fee - \$944.00
- Homeshare - New Registration Fee - \$236.00
- Homeshare - Annual Renewal Fee - \$236.00
- Land Use Permit (LUP) Fee for Estate Homes - \$273.00
- Administrative Appeals Board - Appeal Fee - \$802.00

PPS. The regs need to emphasize neighbors' ability to enforce the regs with help from the county. That means great public information, transparency, and a better standard for noise for STRs. In Palm Springs this is the standard: There is **no outside amplified noise** (i.e., music) allowed at any Vacation Rental or Homeshare property while being rented. Music must be fully contained within the property at all times...and shall not be audible at the property line. (Most of us don't have decibel meters to measure noise, which is what you need to assess noise violations in Clackamas Co.)

PPPS. The hotline idea for complaints with follow-up—also a feature of Palm Springs regs—is a really good idea for helping us regulate STRs with the county's help. Having a 24/7 enforcement officer paid for with the taxes is a really good idea. Takes the pressure off the Sheriff.

VACATION RENTAL HOTLINE 24/7

If you need to report an active complaint about a Vacation Rental/Homeshare or event house in your neighborhood, please call:
#(760) 322-8383

PPPPS: Some communities limit the number of contracts permitted. This prevents fulltime occupancy and gives the neighbors much needed relief from the worst offenders.

PPPPPS: Penalties need to be severe to disincentivize violations.

Thanks again, Mark

Senior Planner Martha Fritzie
Clackamas County

Dear Ms. Fritzie,

My neighborhood is being ruined by short term rentals. Clueless people driving around looking for their units pulling into strange driveways, party houses with people who talk about guns and party loudly until four in the morning, more cars, more traffic, strangers wandering the streets, more danger due to cars parked in the street narrowing the roadway, and actual trespassing. Loud pool parties at virtually any time of day. Too many people, too many cars, too many strangers, too much noise. Why are my rights to the peace of mind I sought by moving to a quiet treed place subservient to those of my money-grubbing neighbors, anyway? I mean, let's face it, my neighbors are making money at the expense of my peace of mind and well-being. I think that is wrong.

Indeed, I think the entire idea is wrong and wonder why we are allowing the ultra-rich to bulldoze cities and communities and even entire states into giving up all the things they have promised their citizens, just so these corporate owners can get richer while the politicians get payoffs from them. These are not mom and pop businesses but giant corporations who consistently lie and mislead and break their promises using hordes of lawyers and lobbyists to get their way. But I am clearly in the minority with that view. Or, to put it another way, the horse has left the barn.

Therefore I read the proposed regulations posted at <https://www.clackamas.us/planning/str> They are ok, but there are some things that are just wrong or naïve.

2. Exempts STRs rented for a total of less than 30 days in a calendar year from needing to obtain a registration

COMMENT: People will lie about this to avoid paying the tax, and lots of heavy use dwellings will not be registered or regulated. ALL dwellings should have to register. This is a gigantic loophole in and otherwise pretty reasonable set of regulations.

8.10.040 Short-Term Rental Registration Requirements and Fee

COMMENT: This is all pretty good stuff but it's not immediately clear what happens to this information. There should be a public registry of ALL renters in the county, with a description of what they are renting and their contact information and maximum occupancy. It should be online, including the amount of occupancy taxes they paid the county the previous year (I know, that can't happen but it should). That way we can check to be sure that our neighbors are operating legally.

In no case shall more than 15 overnight occupants be authorized by a short-term rental registration.

COMMENT: Max occupancy of 15 is much too high; those are de facto hotels. This encourages unlawful and inappropriate gatherings at party houses where neighbors' peace of mind are of no concern to the renters. We should not be allowing hotels in residential areas, which this provision is achieving. Let's be clear, my neighbor across the street at 1124 SE River Forest Rd is running a hotel. There are five cars in the driveway all the time, constant turnover, tons of noise as well as some pretty creepy people talking about getting out their guns or threatening neighbors who ask them to be quiet, a professional cleaning service that is in there at ten, out by two, then in comes the next batch of guests. Hell, someone had a wedding in FRONT of the house with 100 people and my tiny street was lined with cars creating traffic danger; people were wandering around and onto private property. He rents that thing out for \$375/night about 180 days a year and if he's voluntarily paying the tax I'll eat my shoe. These regulations should prevent all of this. Why does the zoning law not matter? Why is the county allowing the zoning regulations to become so porous and undefined by allowing hotels in residential areas?

Thanks for the opportunity to provide feedback. Can you tell me please, Is this a public meeting:

**BCC Planning
Session**

Wednesday, Sept. 25 Public Services Building 4th Floor, 2051 Kaen Road, Oregon
9:30 a.m. to 11 a.m. City

Please put me on your email list for this topic if there is one.

Thanks,

Mark

Mark Skinner
1275 SE River Forest Rd.
Milwaukie, OR 97267
971-337-7132



Virus-free. www.avg.com

Spam Email
Phishing Email