

**RECOMMENDATIONS FOR UPDATING TILLAMOOK COUNTY ORDINANCE #84
SHORT-TERM RENTALS**

Neskowin Citizen Advisory Committee
STR Subcommittee

December 2022

The Neskowin Citizen Advisory Committee's Short-Term Rental Subcommittee was developed by the Neskowin Citizen Advisory Committee (NCAC) with the goal to foster communications between community members regarding Short-Term Rentals (STRs) in Neskowin. This new committee worked throughout 2022 to develop recommendations for updating rules and regulations in Tillamook County's Ordinance #84, which governs STRs throughout unincorporated areas of Tillamook County. These recommendations are specific to Neskowin. Our goal is to provide recommendations that reflect support from a variety of community members and demonstrate a balance of livability and personal property rights, while continuing our history of welcoming guests to Neskowin.

These recommendations were developed through a thoughtful combination of research, community feedback (public Zoom meetings, written submissions, communications with community members), attendance and participation in the county STR meetings, and two detailed community surveys. The goal of the first survey was to identify concerns & benefits related to STRs. The final survey's goal was to gauge opinions on priorities and proposed changes to Ordinance #84.

The final survey had 449 responses from eligible NCAC members. 165 respondents (37%) reported that they were homeowners with STR permits. 284 respondents (63%) reported they do not own a home used as an STR in Neskowin and included residents, seasonal owners, property owners, business operators/owners, and long term rental residents. It is worth noting that while 449 responses is a very good response rate, there are a number of eligible NCAC members who did not participate in the survey for whatever reason.

The recommendations from our subcommittee do not necessarily reflect the individual opinions of any STR subcommittee member, and recommendations to the county & NCAC are advisory only. Any updated rules & regulations will be voted on by the Tillamook County Board of County Commissioners. The recommendations are below, followed by a basic summary of survey data and survey results.

Neskowin Community Demographics as of October 2022 (all numbers are approximate):

908 Improved Properties - multiple owners all eligible for NCAC

426 Approximate Number of Unimproved Properties - multiple owners all eligible for NCAC

205 Residents - 2020 US Census

187 STR Permits - many granted to homes with multiple owners

85 condos, townhomes or apartments with STR permits (56 in commercial zoning)

102 stand alone homes with STR permits

RECOMMENDATIONS

- **Improved Enforcement**

There is community feedback that complaints are not adequately addressed by the county. The actual number of documented violations at STRs in Neskowin reported by Tillamook County is extremely low. Adding new rules and regulations is meaningless if they cannot be adequately enforced. Therefore, we highly recommend Tillamook County hire an enforcement officer who can work nights and weekends during the summer months to more effectively enforce Ordinance #84. A person in this role would be able to actively promote compliance and reduce the burden on the county sheriffs who are already spread thin responding to emergencies. This role will also reduce reliance on others to report perceived problems, as enforcement should not solely fall on neighbors. We consider enforcement to fall under both tourism and public safety umbrellas, and subsequently eligible for Operator Fee funds and Transient Lodging Taxes. Therefore, we recommend allocation of funds to support improved enforcement.

- **Percentage Cap**

Although there is a continuing discussion among STR subcommittee members about what the appropriate and precise percentage cap for STRs in Neskowin should be, we are in agreement in recommending that some level of a percentage cap limit on the number of STR permits issued in Neskowin be implemented. This recommendation is supported by a majority of respondents on the survey, and included a wide variance of percentage levels supported. If a percentage cap is established by the County, there is also strong support in the survey to include residentially zoned condos & townhomes in a cap (no exclusions for such dwellings in NeskR1 & NeskR3 zones). There is also community support to allow dwellings with STR permits in commercially zoned areas to be exempted from inclusion in any potential percentage cap.

- **Update “Sleeping Areas” to “Bedrooms”**

We recommend calculating maximum occupancy based on the number of “bedrooms” instead of “sleeping areas” in an STR at a rate of 2 per bedroom +2 guests overall. The majority of respondents to the survey supported this change. For the purpose of the survey, we defined a “Bedroom” as a room intended for sleeping with a door and operational exterior window egress (window minimum 44” up from the floor and minimum 24’ tall and 20’ wide). However, the Oregon Residential Specialty Code, recently amended, which is administered by the Oregon Buildings Division, and governs the construction and reconstruction of dwellings and the requirements for all habitable spaces including bedrooms, will likely require the county to refine the STR definition of a “bedroom” for purposes of occupancy. We would like to see some allowances be made that factor in some exceptions for existing studios, dwellings which include lofts, and similar dwellings, to the extent that such residences and dwellings may be somehow excluded by this definitional change. We believe this change will have a cumulative impact on at least some of the livability concerns expressed in our community. Ideally, marginally reducing the overall number of guests allowed in STRs will have an impact on lowering the overall number of cars, traffic, trash, etc.

- **Online STR Directory, Complaint Form and Exterior Signage**

We recommend an online STR directory containing the STR address, contact phone number, contact email, and maximum occupancy. To protect privacy we do not recommend an owner's name be required online with this information, but it could be optional. We believe an online directory will facilitate communication between neighbors and help resolve any potential issues more quickly than complaining via a third party. For exterior signage on site, survey results support continuing to require the name and phone number for a contact person, but no additional required information garnered majority support.

- **Parking - Max 6 Vehicles**

The STR survey did not show a majority opinion for any single parking solution. However, based on a majority of respondents desiring some increased parking limitations, and our review of considerable community feedback on this issue, our committee recommends a limit of 6 off-street parking spots per STR, and continuing to require 1 spot per "Bedroom" (not "Sleeping Area") plus 1 extra (up to 6). Requiring more spots can encourage removal of landscaping to make way for parking, and we hope that a reduction on parking spots will have a cumulative impact on lessening the number of cars in our neighborhoods and associated livability concerns.

- **Bear Resistant Trash System & Weekly Trash Pick-Up**

Consistent with the majority of survey respondents, we recommend requiring some type of bear resistant trash bin or enclosure for STRs. The survey supports requiring this for all owners in Neskowin, but we recognize Ordinance #84 is limited to STRs. We do not recommend requiring twice weekly trash pickup for STRs with two or more reservations per week. This is an undue burden and does not factor in the number of occupants or amount of trash produced. Additionally, upon checking with Nestucca Valley Sanitary Service, they indicated that they do not have the manpower nor truck capacity to do a large number of twice weekly pickups in Neskowin.

- **Dark Skies Initiative**

Survey responses supported a requirement for the exterior lights at STRs to be shielded downwards. However, factoring in the strong survey result for these types of rules to apply to all homes in Neskowin, we are instead encouraging the NCAC to consider taking steps and gathering community input for feedback on the feasibility of a Dark Skies Initiative in Neskowin.

- **Community Rules**

There was strong support for various rules for trash, parking and lights to apply equally to all homes in Neskowin, and not just STRs.

- **Increase Amount of Transient Lodging Tax (TLT) Funds Allocated to Neskowin**

There was strong community support that TLT (currently 10% of rental revenue) funds should be reallocated towards enhanced enforcement in Neskowin. Overall, our community would like to see more TLT grants awarded to support public safety and impacts of tourism directly to Neskowin. Ideally, these funds would be commensurate with the high amount of TLT our STRs generate for the community, and would be provided on an annual basis for long-term community enhancement and initiatives.

- **In-Person Response Requirement**

Consistent with the majority of survey respondents, we do not recommend a requirement for in-person response 24/7. This would require owners to either hire local property management, or hire a local person for coverage.

- **Annual Nightly Limit, Max Occupancy Limit, or Proximity/Distance Based Limits**

There are STR subcommittee members and many community members that support some or all of these limits. However, solid majorities of survey respondents did not. Therefore, as a subcommittee we do not recommend any of these types of limits at this time.

The NCAC STR Subcommittee would like to thank our community for working together to find common ground for all community members in Neskowin on what can be a generally divisive topic. We believe these recommendations encompass a fair and balanced approach to STRs in Neskowin. The recommendations recognize the challenges and respect the benefits that go hand in hand with welcoming visitors to the Oregon Coast. Thank you for your consideration.

Respectfully,

NCAC STR Subcommittee

Alex Sifford - Resident

Alexis Tate - Business Representative

Hillary Gibson - STR Owner

Roger Wicklund - STR Owner

Tom Prehoditch - Resident

Page 5: Final STR Survey Summary Slides

Page 6-19: Final STR Survey Data Slide Presentation

The slide presentation may be viewed online with optimal formatting: [STR SURVEY](#)

SUMMARY

- Yes 73% • Require some type of bear resistant trash system
- Yes 72% • Various rules should equally apply to all Neskowin homes
- Yes 72% • Reallocate TLT funds for enhanced enforcement
- Yes 65% • Online complaint form
- Yes 64% • Require exterior lighting to be shielded downward
- Yes 59% • Percentage cap on number of STR permits
- Yes 58% • Exempt commercial zones from potential percentage cap
- Yes 57% • Calculate max occupancy by "bedroom" instead of "sleeping area"
- Yes 56% • Some type of additional parking limit
- Yes 51% • Online directory of STR permit contact info
- Yes 50% • Exterior signage include contact person & phone number

SUMMARY

- No 84% • Ban STRs in Neskowin
- No 79% • Different property rights based on owner's time at home
- No 64% • Exempt condos & townhomes in residential zones from potential percentage cap
- No 61% • Proximity or distance based limits
- No 59% • Cap on total maximum occupancy
- No 58% • Require some STRs to remove garbage twice weekly
- No 55% • Limit on number of nights per year annually able to rent
- No 54% • Require local management

NO MAJORITY RESPONSES



Grandfathering by Category
Transferability of STR permits
STR Permit Limits Per Person



NESKOWIN CITIZEN ADVISORY COMMITTEE

SHORT-TERM RENTAL SUBCOMMITTEE

DEC 2022
STR SURVEY RESULTS

GOAL
GATHER COMMUNITY INPUT FOR
RECOMMENDATIONS TO UPDATE ORDINANCE #84

SURVEY BACKGROUND

The STR Subcommittee is balanced with Neskowin volunteers who applied, interviewed & were selected to serve along with an invited business representative.

Alex Sifford - Resident
Alexis Tate - Business Representative
Hillary Gibson - STR Owner
Roger Wicklund - STR Owner
Tom Prehoditch - Resident

This survey had 449 eligible responses. The survey was open to all NCAC members (age 18+ people who reside in, own property in, or are a business owner or operator within the NCAC boundary or "Neskowin" zip code 97149).

All questions required an answer to provide a clean set of data for tangible information to share with the county.

Thank you to Biff Schlicting for NCAC communications & coordination of survey distribution & data.

SURVEY BACKGROUND

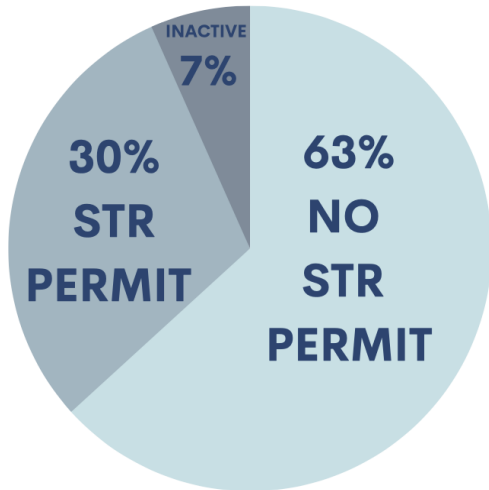
Recommendations to the county & NCAC are advisory only. Any updated rules & regulations will be voted on by Tillamook County Board of County Commissioners. This survey will provide the county with general opinions of the community.

Policies are ideally based on facts, and when the county is considering various updates to rules and regulations, we hope this community input will be a factor taken under advisement.

Feedback? Please feel free to share comments with the NCAC: info@neskowincac.org

Public Comments may be sent to Tillamook County STR Advisory Committee:
publiccomments@co.tillamook.or.us

1 ARE YOU A HOME OWNER WITH AN STR PERMIT?



284 NO - I do NOT own a home used as an STR in Neskowin = 63%

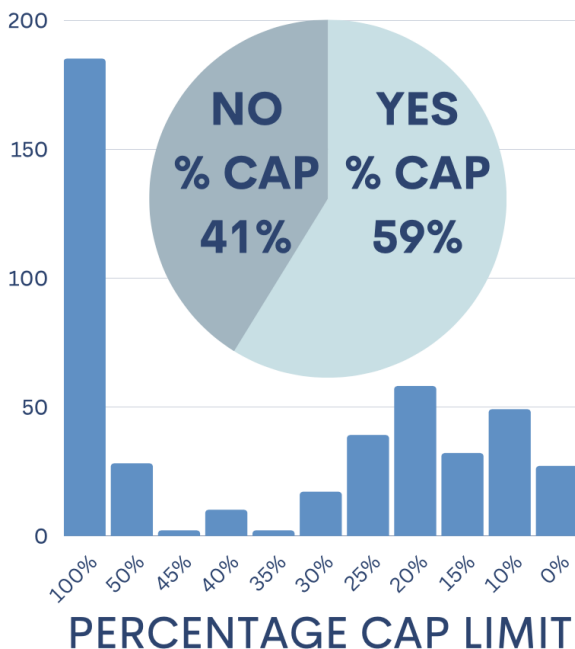
135 YES - STR permit holder actively renting = 30%

30 YES - STR permit holder NOT actively renting for any reason = 7%

284 respondents (63%) reported they do not own a home used as an STR in Neskowin (includes residents, seasonal owners, property owners, business operators/owners, and rental residents).

165 respondents (37%) reported they were homeowners with STR permits.

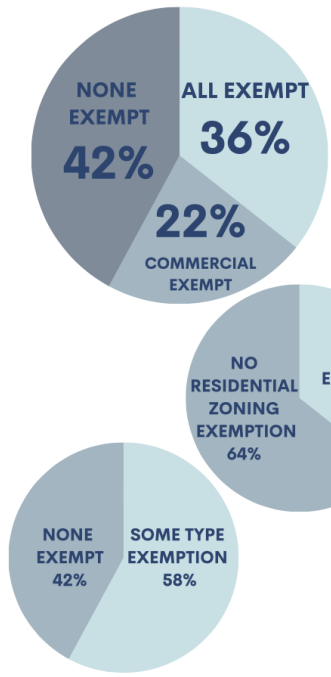
2 DO YOU SUPPORT A LIMIT ON THE TOTAL NUMBER OF ALL STRS IN NESKOWIN VIA A "PERCENTAGE CAP" WHICH WOULD LIMIT STR PERMITS AT A CERTAIN PERCENTAGE OF TOTAL PROPERTIES?



264 respondents (59%) supported some level of percentage cap from 0%-50%

- 185 100% cap limit (no limit) = 41%
- 58 20% cap limit = 13%
- 49 10% cap limit = 11%
- 39 25% cap limit = 9%
- 32 15% cap limit = 7%
- 28 50% cap limit = 6%
- 27 0% cap limit (ban) = 6%
- 17 30% cap limit = 4%
- 10 40% cap limit = 2%
- 2 35% cap limit = .4%
- 2 45% cap limit = .4%

3 IF A PERCENTAGE CAP LIMIT WERE ADDED TO ORDINANCE #84, DO YOU SUPPORT APPLYING THE LIMIT TO STAND-ALONE HOMES ONLY & EXEMPTING CONDOS, TOWNHOMES & APARTMENTS OR SIMILAR FROM CALCULATIONS FOR A PERCENTAGE CAP?



189 NO - include ALL STRs in calculation of a percentage cap, regardless of zoning or property type (current calculations reflect all STRs) = 42%

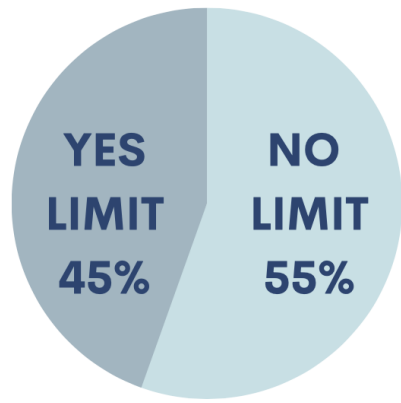
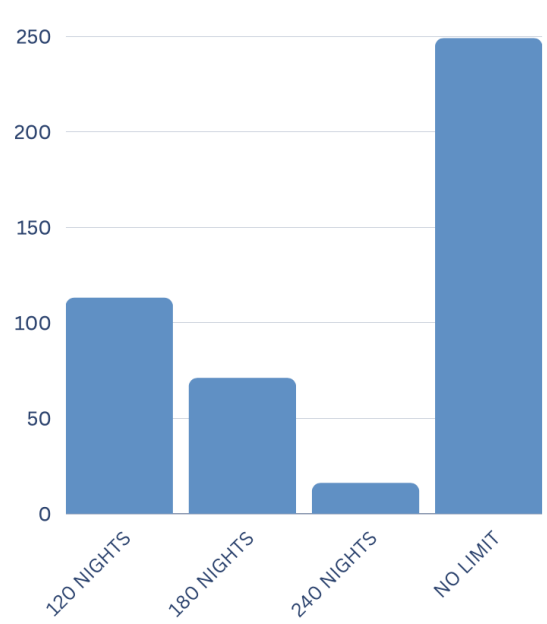
160 YES - exempt ALL condos, apartments, townhome style homes etc from a percentage cap, regardless of zoning = 36%

100 YES - exempt ONLY permits for STRs in NeskC Commercial zones (including but not limited to Neskowin Resort & Proposal Rock Inn). This option would NOT exclude condos in NeskR3 & NeskR1 zones from being included in potential percentage cap calculations (including but not limited to Chelan, Pine-Crest, Pacific Sands & Breakers Beach Houses) = 22%

289 Respondents (64%) supported no exemptions for any properties in NeskR3 & NeskR1 residential zones from potential percentage cap

260 Respondents (58%) supported exemption for commercially zoned properties from potential percentage cap

4 DO YOU SUPPORT A LIMIT ON THE NUMBER OF NIGHTS PER YEAR AN STR CAN BE RENTED?



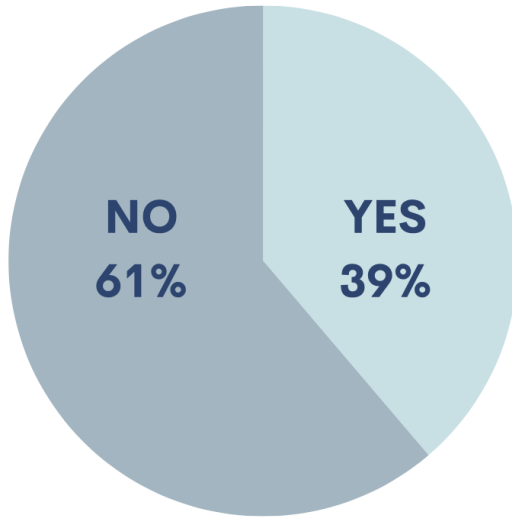
249 365 NIGHTS = 55% NO LIMIT
113 120 NIGHTS = 25%
71 180 NIGHTS = 16%
16 240 NIGHTS = 4%

NUMBER OF NIGHTS PER YEAR ALLOWED TO RENT

5

DO YOU SUPPORT DENSITY/PROXIMITY BASED LIMITS?

For example, requiring a certain distance between two STRs, or limiting percentage of STRs per area smaller than Neskowin (neighborhood, street etc.).

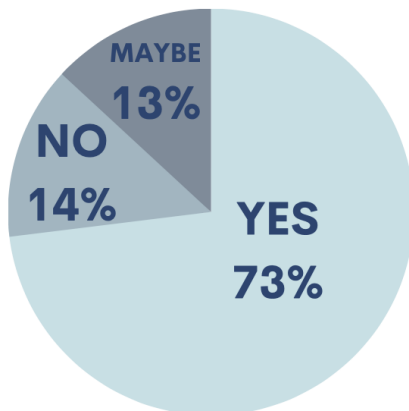


275 NO = 61%

174 YES = 39%

6

SHOULD ANY TYPE OF BEAR RESISTANT TRASH CONTAINER, BARRIER, OR ENCLOSURE BE REQUIRED AT STRS?

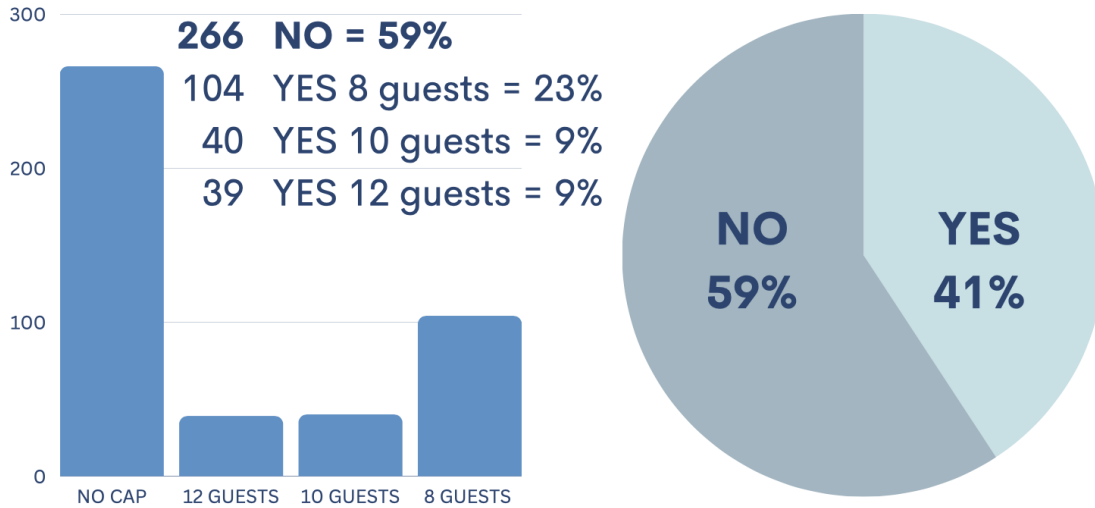


328 YES = 73%

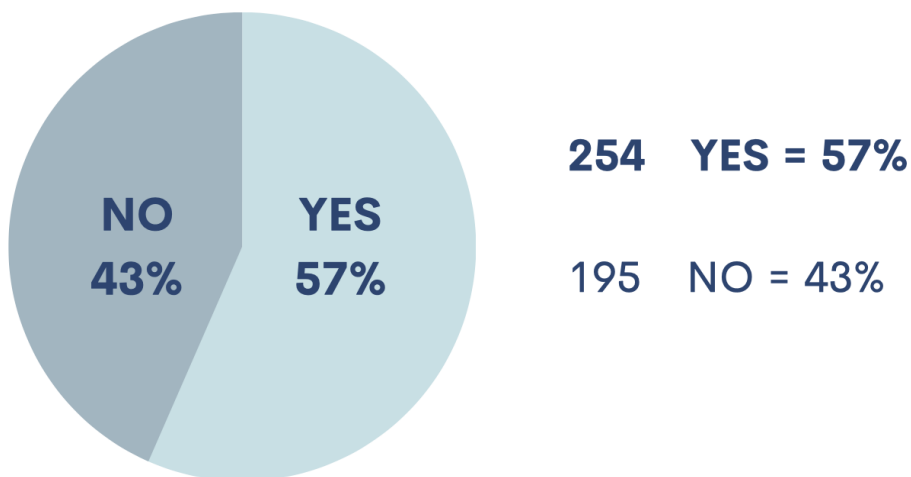
62 NO = 14%

59 Require after a certain number of trash violations annually = 13%

7 WOULD YOU SUPPORT A CAP ON TOTAL MAXIMUM OCCUPANCY PER PROPERTY WITH STR PERMIT, REGARDLESS OF NUMBER OF BEDROOMS OR SLEEPING AREAS?

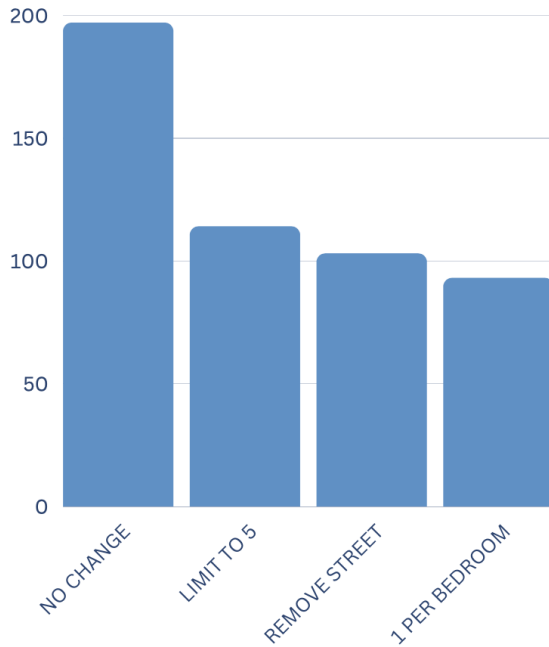


8 SHOULD MAXIMUM OCCUPANCY BE CALCULATED BASED ON "BEDROOMS" INSTEAD OF "SLEEPING AREAS" AT THE RATE OF 2 PER BEDROOM + 2 OVERALL?



9

WHICH OF THE FOLLOWING RESTRICTIONS ON PARKING DO YOU SUPPORT FOR STRS? RESPONDENTS COULD CHOOSE MULTIPLE OPTIONS



197 NO (no change) - Require 1 parking spot per bedroom + 1 extra = 44%

114 YES - Limit parking to actual number of spots available, but no more than 5 spots total = 25%

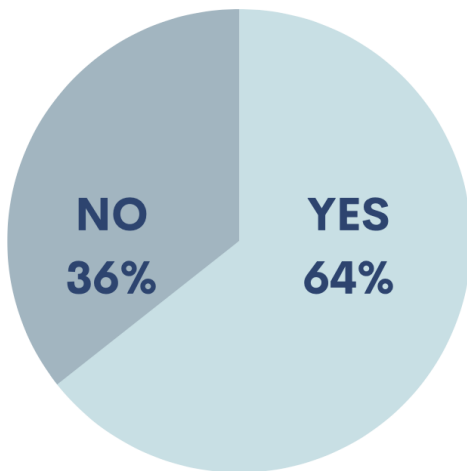
103 YES - Limit parking via removing allowance for 2 on street parking spots from permit total = 23%

93 YES - Limit parking to 1 spot per bedroom/sleeping area = 21%

252 Respondents support some type of additional parking limit = 56%

10

SHOULD STRS BE REQUIRED TO HAVE ANY EXTERIOR LIGHTING SHIELDED IN A MANNER TO DIRECT LIGHT IN A DOWNWARD DIRECTION ON THE PROPERTY?

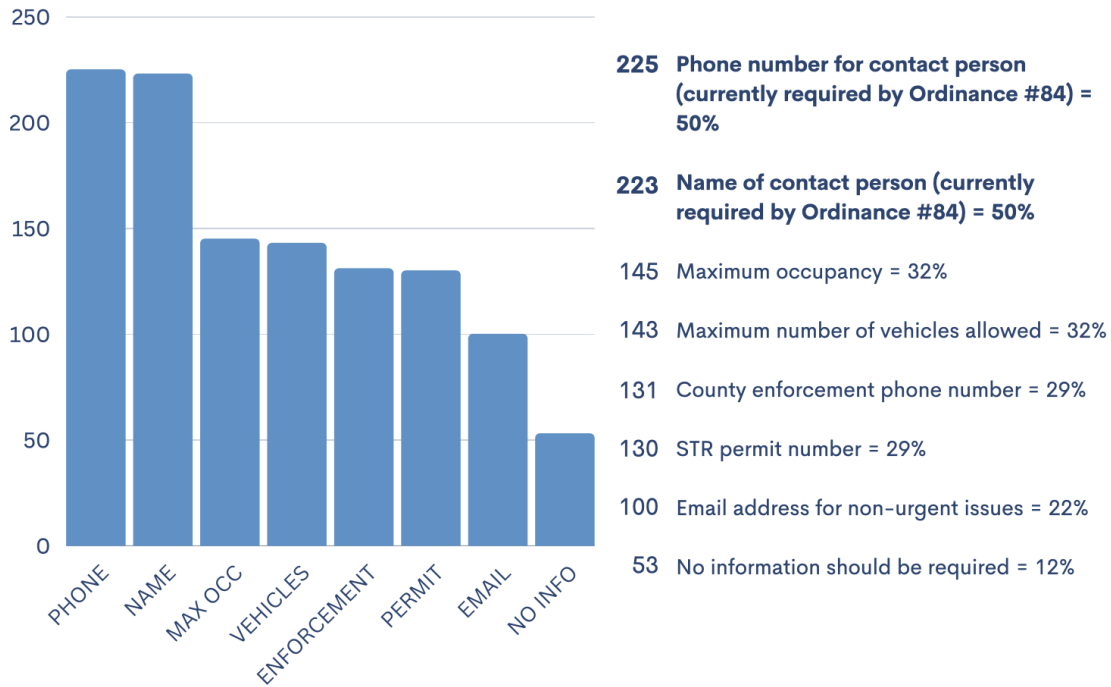


289 YES = 64%

160 NO = 36%

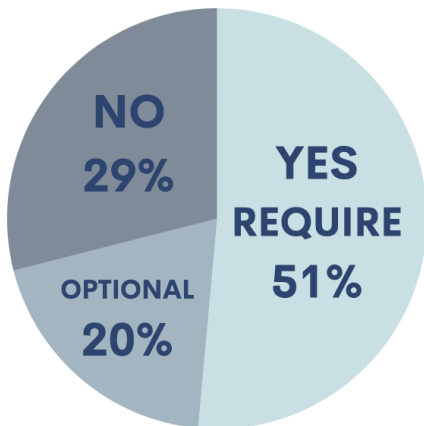
11

WHAT, IF ANY, ADDITIONAL INFORMATION SHOULD BE REQUIRED TO BE INCLUDED ON EXTERIOR STR SIGNAGE? RESPONDENTS COULD CHOOSE MULTIPLE OPTIONS



12

DO YOU SUPPORT TILLAMOOK COUNTY CREATING AN ONLINE DIRECTORY OF STR PERMIT CONTACT INFORMATION TO FACILITATE COMMUNICATION AMONG NEIGHBORS IN THE EVENT OF A POTENTIAL ISSUE?

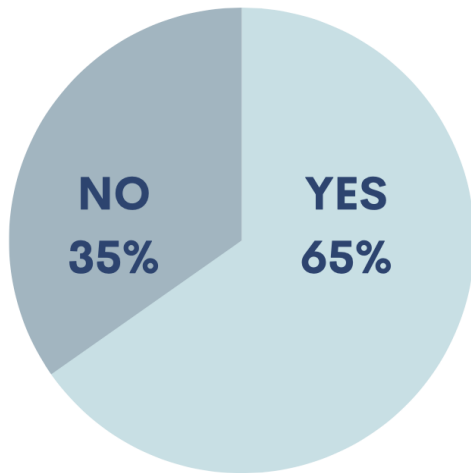


231 YES - require online directory = 51%

130 NO (no change) continue to only require contact phone number posted on property = 29%

88 YES - let owners & property managers voluntarily opt-in online directory = 20%

13 DO YOU THINK IT WOULD BE HELPFUL IF TILLAMOOK COUNTY CREATED AN ONLINE COMPLAINT FORM SPECIFICALLY FOR STRS?



293 YES = 65%

156 NO = 35%

14 DO YOU SUPPORT REQUIRING STRS TO HAVE LOCAL REPRESENTATION (LOCAL MEANING CAN RESPOND IN-PERSON IF NEEDED WITHIN 1 HOUR, FOR EXAMPLE)?



244 NO - (no change - owners may self-manage and continue to have local contact person without requirement to respond in person) = 54%

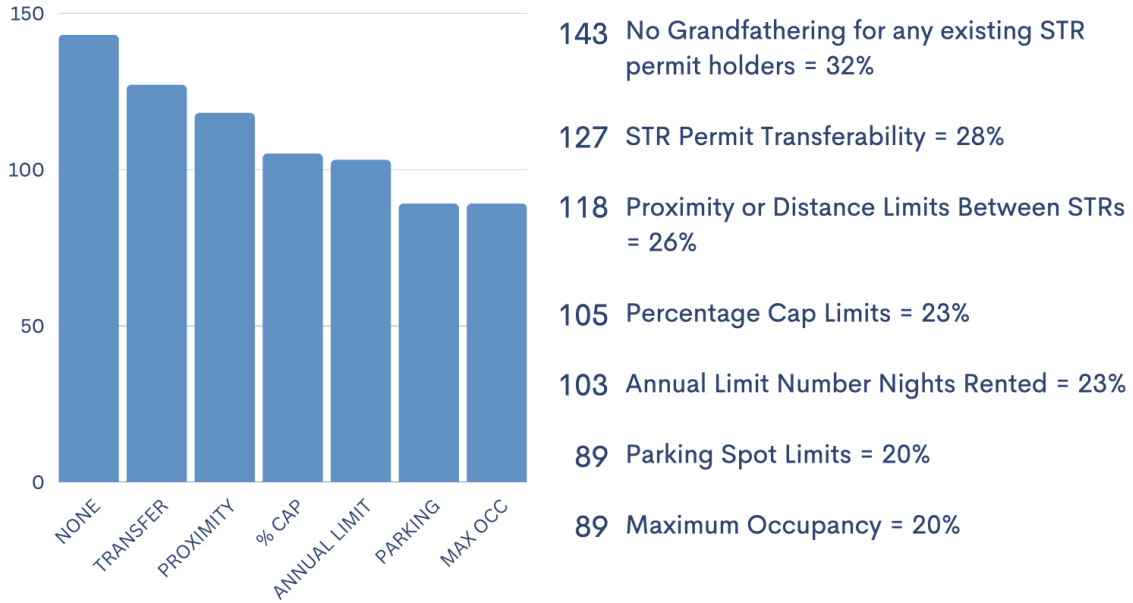
137 YES - Require Local Response In Person 24/7 (cost variable) = 31%

68 YES - Require Local Property Management (approximately 30% commission) = 15%

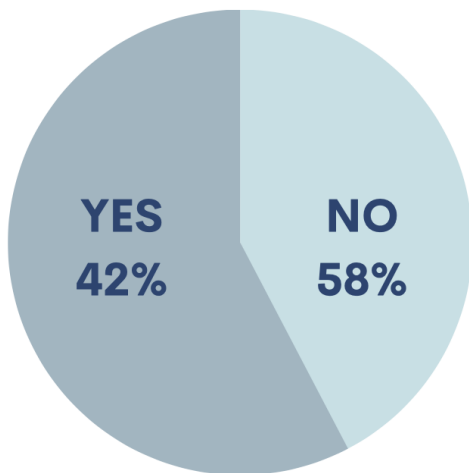
205 Total respondents (46%) supported some type of local property management requirement

15 IF CHANGES WERE MADE TO ANY FUTURE ORDINANCE, WHICH CATEGORIES WOULD YOU SUPPORT "GRANDFATHERING" FOR CURRENT STR PERMIT HOLDERS?

RESPONDENTS COULD CHOOSE MULTIPLE OPTIONS



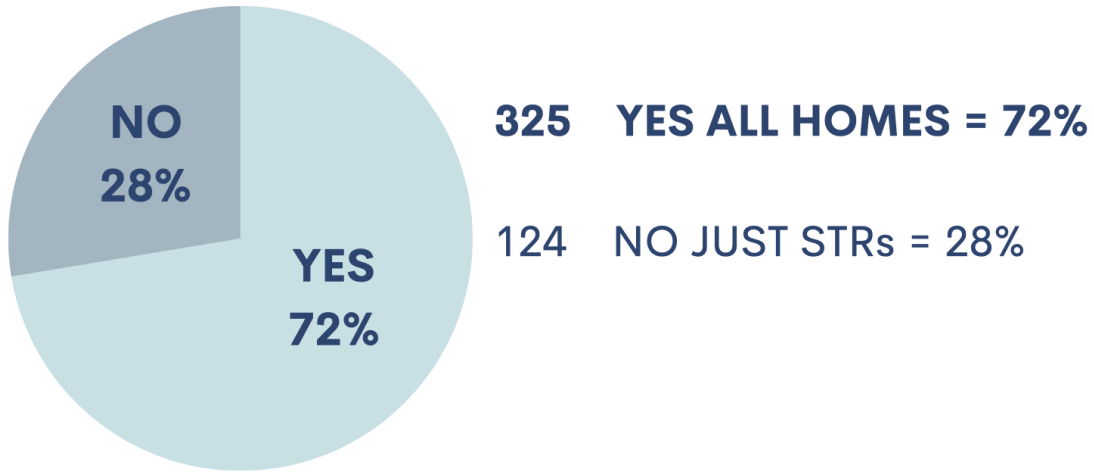
16 DO YOU SUPPORT A RULE REQUIRING STRS WITH 2 RESERVATIONS WITHIN A 7 DAY PERIOD TO BE REQUIRED TO REMOVE GARBAGE TWICE WEEKLY, REGARDLESS OF OCCUPANCY LIMITS?



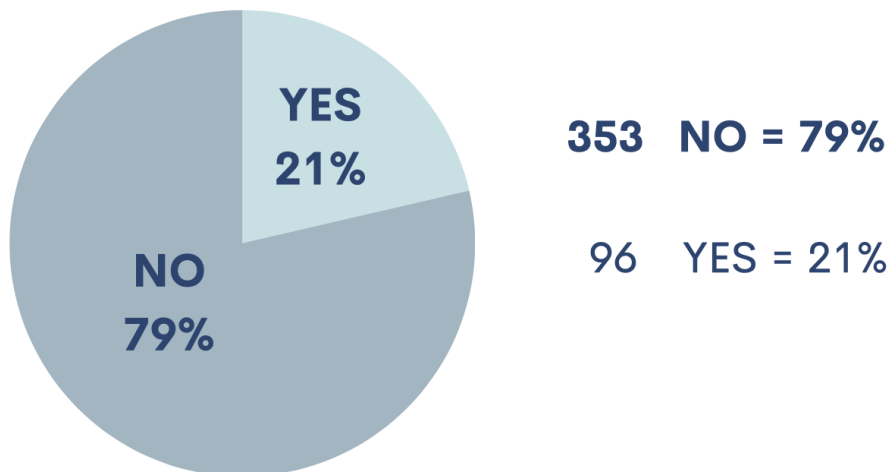
259 NO = 58%

190 YES = 42%

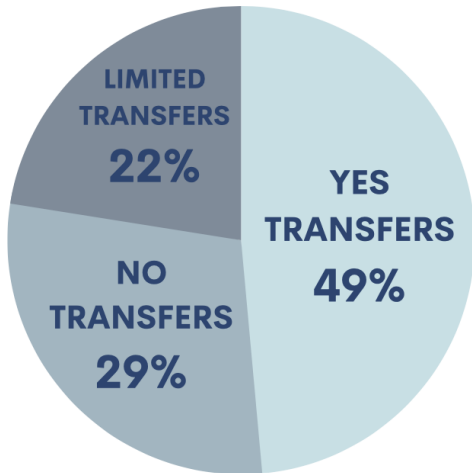
17 SHOULD VARIOUS RULES FOR TRASH, PARKING, LIGHTS ETC., APPLY EQUALLY TO ALL HOMES IN NESKOWIN, OR JUST STRS?



18 DO YOU BELIEVE PROPERTY RIGHTS SHOULD DIFFER BASED ON THE AMOUNT OF TIME AN OWNER PERSONALLY SPENDS IN THEIR HOME?



19 SHOULD STR PERMITS BE TRANSFERABLE?

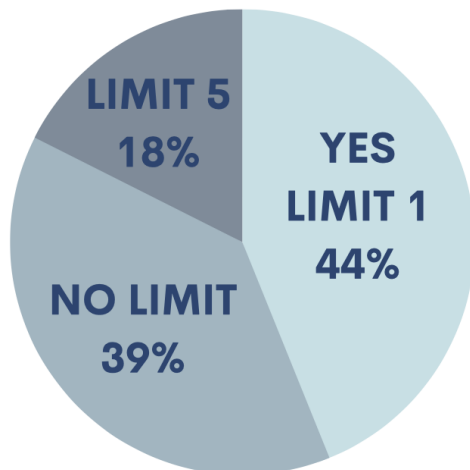


218 YES in all cases, including upon sale (no change) = 49%

130 NO in all cases, NOT transferable upon sale = 29%

101 PARTIALLY in some cases (such as family members or any "arm-in-arm" transaction where the two parties have a pre-existing personal or professional relationship) = 22%

20 GOING FORWARD, SHOULD NEW STR PERMITS BE LIMITED PER PERSON?

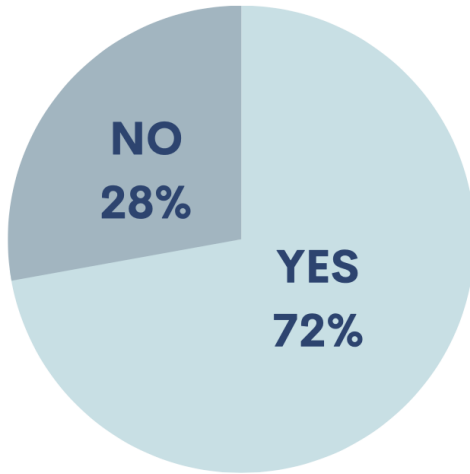


197 YES - one STR permit per person = 44%

173 NO (no change) = 39%

79 YES - no more than 5 STR permits per person = 18%

21 DO YOU SUPPORT REALLOCATION OF ADDITIONAL TRANSIENT LODGING TAX (TLT) FUNDS FOR ENHANCED ENFORCEMENT OF ORDINANCE #84?

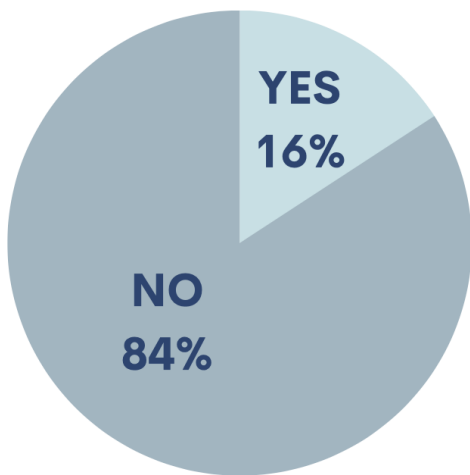


324 YES = 72%

125 NO = 28%

22

DO YOU SUPPORT BANNING STRS IN NESKOWIN?



378 NO = 84%

71 YES = 16%



THANK YOU

Thank you everyone in the community for participating throughout this year long process. A substantial amount of valuable feedback and information has been shared and received between neighbors and the NCAC.

Our committee is thankful that our community is working together to find common ground for all home and property owners in Neskowin.

Survey results will be shared with Tillamook County's Short-Term Rental Advisory Committee & NCAC's Community Plan volunteers.

