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MAY 07 2020

CHELAN COUNTY  
COMMUNITY DEVELOPMENT

Karen L. Haas  
12862 Shore Street  
Leavenworth, WA 98826

May 6, 2020

Chelan County Planning Commission  
c/o Community Development  
316 Washington Street, Suite 301  
Wenatchee, WA 98801

Re: Chelan County Draft Short-term Rental Code

Dear Commissioners:

We are pleased with the direction the County is heading in developing code for Short Term Rentals. The draft code released on April 10th is a good start. We encourage the Commission to proceed with adoption of the code without delay. Virtual meetings are going to be a reality we are going to have to live with for some time and are a workable solution for allowing public input along with written comments.

Here are the changes we seek to the draft code:

1. Do not grandfather existing STRs for an unlimited time. A density limit must include a mechanism to "sunset" or significantly reduce the number of STRs in over-saturated areas such as 98826, where the density already exceeds 5% of houses.
2. We support the overlay district for 98826. The cap on density should be 5% of the single family housing stock in the area.

3. If existing STRs are initially permitted for a provisional period, all must be told that after 3 years, if the density is over 5%, a lottery will be held to determine which owners will receive annual permits.

4. STRs with owners living permanently on site should be given priority in the permitting if there is excess demand (more than 5%).

5. Include children in the occupancy limit of 10 people. Children have impacts on septic systems and water use, as well as contribute to noise.

6. The one percent growth rate should not apply to any area until the number of STRs falls below 5% of the number of single family dwelling units.

7. We support the non-transferability of permits when the property is sold, and this must extend also to LLCs.

8. STRs must not be allowed in the Leavenworth or Peshastin Urban Growth Areas (UGAs).

9. Add a purpose statement that addresses the need to protect the supply of affordable housing for long term rental and/or purchase.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Haas".

Karen L. Haas



## CD Director

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**From:** Alex White  
**Sent:** Friday, May 8, 2020 3:39 PM  
**To:** CD Director  
**Subject:** FW: [CD Planning]RE: Chelan County Draft Short-term Rental Code

Fyi, another STR comment for you.

Alex White  
Planner I  
Chelan County Community Development  
T: 509.667.6586  
[alex.white@co.chelan.wa.us](mailto:alex.white@co.chelan.wa.us)

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**From:** Alan Hunt [mailto:[a\\_f\\_hunt@hotmail.com](mailto:a_f_hunt@hotmail.com)]  
**Sent:** Friday, May 8, 2020 3:23 PM  
**To:** CDPlanning  
**Subject:** [CD Planning]RE: Chelan County Draft Short-term Rental Code

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External Email Warning! This email originated from outside of Chelan County.

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Dear Planning Commissioners,

I encourage you to continue with adoption of the draft code for Short Term Rentals without further delay.

Here are my recommendations for changes needed to fully address the problems caused by STRs in the unincorporated areas of Chelan County.

1. Existing STR's are clearly illegal under the current zoning code. While you may want to issue them a temporary permit for 2 years, the long term goal must be to reduce the density in the heavily impacted areas of the county, e.g., 98826 zip code. A lottery should be used to determine which STR's are given permits.
2. The cap on density in Manson and the 98826 overlay should be 5% of the single family housing stock in the area.
3. Children should be included in the occupancy limit of 10 people.

Thank you for the opportunity to comment.

Sincerely,



**CD Director**

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**From:** Stan Winters <winterss1@me.com>  
**Sent:** Sunday, May 10, 2020 9:08 PM  
**To:** Jim Brown; CD Director  
**Subject:** Comments on STRs in Chelan County

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To: Jim Brown, Deanna Walters

Berk Consulting

Dear Jim and Deanna,

I would like to add comments pertaining to the issue of Short Term Rentals in Chelan County.

1. **What seems to be missing from the discussion about Short Term Rentals is a Vision for Chelan County.** We should consider formally adopting something like what "Our Valley, Our Future", has done with the goal *to develop an overall vision and strategic action plan for the region, and to improve residents' quality of life by creating a vibrant community while addressing some of our toughest challenges.* This should frame decisions about STRs.

Unfortunately, instead of making decisions based on a shared vision for our community, decisions may be made just to create a compromise, which will ensure that everyone gets something, everyone loses something and the debates and animosity will continue.

2. **Zoning in Chelan County and UGAs:** Zoning in general serves multiple important issues including providing clear directions for planning infrastructure such as roads, water system, sewers, and business services, and for keeping incompatible uses separate from each other.

It is clear that in the Chelan County Zoning and the Peshastin UGA zoning, *only uses listed in the use charts for each particular zone are allowed.* If a use is not listed in the zone chart, that use is

not allowed. Neither the general Chelan County code nor the Peshastin UGA code list Short Term Rentals (or vacation rentals, or hotels, or motels, or tourist lodging) as allowed in residential zones. Therefore they are not allowed. **This makes all Short Term Rentals in residential zones in the county (except in Manson) illegal.**

**3. Restricting or Banning Short Term Rentals is not a “Taking”.**

Chelan County can defend successfully any challenges to STR restrictions or outright bans. The Oregon Supreme Court ruled in favor of a ban on STRs in Cannon Beach. Details of this case are in the UW Law Review article that is attached. The analysis added: **“Given the effects of Airbnb on the local housing market, as well as its role in accelerating gentrification, it is likely that a court applying the Cannon Beach and Agins analysis would find for the local jurisdiction, rather than the Airbnb host.”**

4. I have attached two documents (and one summary) that are the best, and most objective and factual summaries of STR issues I have seen. If you would like to see STR issues framed in the larger context of benefits and negative impacts, please read these articles.

1. ***University of Washington Law Review article on the Effects of Short Term Rentals on Communities.*** This is a 7 page summary of a 70 page document, which I’ll also attach. If you don’t have time to read the complete document here are a few key points:

**Costs to Communities**

(STR) hosts gain a financial benefit while imposing costs on their neighbors and the surrounding communities. The surrounding community experiences a loss of affordable housing, increase in average rental prices, and changes in neighborhood character.

**Property Rights: The Oregon Supreme Court ruled in favor of a ban on STRs in Cannon Beach, OR.**

In **Cope v. City of Cannon Beach**, the Supreme Court of Oregon considered whether a municipal zoning ordinance prohibited transient occupancy was a taking under the Constitution. Landowners challenged the ordinance as an impermissible taking without providing just compensation in violation of the Fifth and Fourteenth Amendments. In finding for the City of Cannon Beach, the Supreme Court of Oregon stated that the ordinance substantially advanced the legitimate governmental interest of “securing affordable housing for permanent residents and in preserving the character and integrity of residential neighborhoods” and that there was a nexus between the regulation and interest served. The court further stated that the ordinance did not deny owners an economically viable use of property. In finding for the City of Cannon Beach, the Supreme Court of Oregon stated that the ordinance substantially advanced the legitimate governmental interest of “securing affordable housing for permanent residents and in preserving the character and integrity of residential neighborhoods” and that there was a nexus between the regulation and interest

served. The court further stated that the ordinance did not deny owners an economically viable use of property.

## **Conclusion**

Policymakers must adopt approaches that conform to the following overarching principles:

*Protect affordable housing stock:* As hosts realize additional income and equity from underutilized resources, market pressure increases to convert long-term rentals to short term accommodations. However, doing so depletes local affordable housing stock. Given the dearth of affordable rental housing, the pressure to convert long-term rental stock to the Airbnb market stresses an already under-resourced market.

*Prevent hotelization of residential neighborhoods:* Preventing hotelization—fundamentally changing the nature of residential neighborhoods through proliferation of commercial accommodations—is essential to control noise and unsanitary conditions, and maintain a community's social fabric.

**2. Community Consequences of AirBNB, University of Washington Law Review** complete article with footnotes. The article is attached, and you can also access through this link: <file:///C:/Users/swinters/Desktop/STRs/UW%20Law%20Review%20Community%20Consequences%20of%20Airbnb.pdf>

**3. SHORT-TERM RENTAL HOUSING RESTRICTIONS, White Paper prepared for the National Association of Realtors.** [file:///C:/Users/swinters/Downloads/STR%20NAR%20LEGAL%20\(1\).pdf](file:///C:/Users/swinters/Downloads/STR%20NAR%20LEGAL%20(1).pdf)

**This paper, although prepared by the National Association of Realtors, comes to very similar conclusions to the University of Washington Law School paper.**

Summary: While individual hosts and guests may benefit economically, the use of short-term rentals produces significant consequences for the surrounding community. Airbnb proliferation causes fewer affordable housing options, higher average asking rents, and erosion of neighborhood social capital.

Current regulations attempt to walk the line between protecting property rights and mitigating externalities created by short-term rental accommodations and borne by the local community. In doing so, *the law fails to adequately address consequences resulting from the vast increase in short-term rental accommodations.*

The clearest, cleanest solution is to use zoning to restrict Short Term Rentals to areas that are designed and meant to serve tourist needs.

The unsurmountable problem is that the uses of residential areas – neighborhoods and communities, are incompatible with non-owner occupied Short Term Rentals (AKA Mini-Hotels). Neighborhoods are by definition made up of people who share some common interest in their community. They work locally, they send their kids to schools in the community, and they look out for each other's interests. Short Term Rental users don't have any of these characteristics. They use the infrastructure of the community, they reduce the number of available homes, they reduce the number of rental available, and they don't add any "social capital" to the community. These two uses; residential and commercial, must be separated.

Without intact communities and neighborhoods what do we really have left?

Why would we, Chelan County, trade our communities and residential areas... where we raise our families and live our lives, just for the ability for a few thousand people (many of them not Chelan County residents) to make commercial investments here. Those people have plenty of other investment options that don't include degrading our communities and neighborhoods.

Please make the decision to ban non-owner occupied Short Term Rentals in our county's residential areas.

Sincerely,

Stan

Stan and Vania Winters  
8200 Riverview Rd  
Peshastin, WA 98847  
509 293-0457  
Stan and Vania Winters  
8200 Riverview Rd  
Peshastin, WA 98847  
509 293-0457



**Washington Law Review** The *Washington Law Review* is the flagship student-edited journal of the University of Washington School of Law. It is published quarterly.

**Community Consequences of Airbnb**, Allyson E. Gold

This is a summary of a much larger article. Readers are encouraged to download and read the entire document.

### Intro

Debates rage about the effects of the sharing economy, which has dramatically transformed the way consumers access the marketplace. Using a smartphone, a person can book a pet sitter on Rover, order dinner delivery through Seamless, and set up a visit from their own private masseuse on Soothe—all from the backseat of their Uber. *The benefits of such apps can be tremendous, but these gains may be accompanied by far-reaching and unintended consequences.*

**The growth of Airbnb rentals within a jurisdiction is linked to the loss of long-term rental accommodations. For jurisdictions already grappling with an affordable housing crisis, an influx of Airbnb listings and the attendant consequences threatens the stability and vitality of the community.**

According to Airbnb, it “uniquely leverages technology to economically empower millions of people around the world to unlock and monetize their spaces, passions and talents to become hospitality entrepreneurs.” Airbnb’s positive effects for users, and on the local economy, however, are not without their costs. **The growth of Airbnb rentals within a jurisdiction is linked to the loss of long-term rental accommodations. For jurisdictions already grappling with an affordable housing crisis, an influx of Airbnb listings and the attendant consequences threatens the stability and vitality of the community.**

Opponents of short-term rental accommodations are primarily concerned with “commercialization of residential neighborhoods.” **Where once there were communities of mutually invested neighbors, now there are tourists with needs that may conflict with those of permanent residents.** The reality of professional hosts with numerous listings is at odds with Airbnb proponents’ characterization of the platform as a way for average homeowners to subsidize their incomes.

### I. Effects of Short Term Rentals

Airbnb started as a way for locals to earn extra money by renting spare rooms to tourists. Today Airbnb has more than four million listings—more than the top five hotel brands combined.

- A. Positive Effects for Individuals and the Community. The benefits of short-term rental platforms to guests are readily apparent. The ability to book a short-term rental rather than a hotel can be attractive to guests for a variety of reasons.
  - 1. Wealth Accumulation for Hosts Sharing homes on Airbnb allows hosts to realize increased capital through **two channels** of wealth accumulation. First, **new income is available** to the host via the short-term rental platform, which raises total income. Second, as the home’s potential to generate additional income rises, its total value as an asset grows, leading to **increased home equity for the host.**



... studies touting alleged economic gains ignore the fact that most spending would happen anyway, absent the Airbnb option, as travelers opt instead to stay in hotels and other accommodations. As a result, they “vastly overstate the effect” of Airbnb on the local economy.

2. Local Economic Impact. Airbnb’s own research suggests that short-term rental platforms may have a positive effect on the local economy. By providing accommodations to tourists, short-term rental platforms help draw more people, and their dollars, to an area.

3. Not all economists agree on the extent of economic gains attributable to Airbnb. **Analysis by the Economic Policy Institute (EPI) suggests that they are “much smaller than commonly advertised.” According to the EPI, studies touting alleged economic gains ignore the fact that most spending would happen anyway, absent the Airbnb option, as travelers opt instead to stay in hotels and other accommodations. As a**

**result, they “vastly overstate the effect” of Airbnb on the local economy.**

## B. Effect on the Local Housing Market

Airbnb lauds its service as a mechanism to allow underutilized resources to be put to use. However, in collecting a fee to share space in their homes, **hosts gain a financial benefit while imposing costs on their neighbors and the surrounding communities. The surrounding community experiences a loss of affordable housing, increase in average rental prices, and changes in neighborhood character.**

### 1. Loss of Long-Term Rental Accommodations

**Homesharing diminishes the available housing stock and exacerbates the affordable housing crisis by converting long-term rental accommodations to short-term rentals.**

Airbnb has removed 13,700 long-term housing units from the rental market in Montreal, Vancouver, and Toronto. The rate of Airbnb expansion—and its effect on the rental markets—outpaces the policies meant to protect cities from a loss of affordable housing. In some neighborhoods, Airbnb growth far surpasses new construction, resulting in a net loss to the available housing stock.

### 2. Increase in Average Asking Rents

The rise in popularity of Airbnb in a jurisdiction increases average rents in that area. Airbnb and other homesharing platforms function to “relocat[e] their properties from the long- to the short-term rental market,” thereby increasing rental costs.

### 3. Changes to Neighborhood Composition

As landlords convert their units from long- to short-term rentals, striking changes appear in neighborhood character. **Where once there were communities of mutually invested neighbors, now there are tourists with needs that may conflict with permanent residents.** These conflicts result in decreased quality of life for long-term residents. An influx of rental units “reduces the cohesion in the neighborhood, reduces the number of people who are invested in the neighborhood, and damages businesses that serve the local population.”

**a. Influx of Commercial Interests**

A significant portion of the Airbnb market consists of commercial hosts—those with more than one listing. The large number of listings held by a single host suggests that commercial operators benefit from lax regulations of short-term rentals.

The increased presence of commercial hosts drives changes to neighborhood character. In fact, the twenty-five highest grossing Airbnb hosts in the United States each made more than fifteen million dollars in 2017 off hundreds of units each. That professional entities with hundreds, if not thousands, of units are profiting most greatly from the platform is **at odds with Airbnb’s characterization of itself as way for average homeowners to subsidize their income.** As one Silver Lake Neighborhood Councilmember said, “[i]t’s supposed to be a spare room—not corporate interests taking over our neighborhood and turning everything into a virtual hotel.”

**“It’s supposed to be a spare room—not corporate interests taking over our neighborhood and turning everything into a virtual hotel.”**

**b. Decrease in Neighborhood Social Capital**

**“Social capital it is the glue that holds societies together and without which there can be no economic growth or human well-being.”** The foundation of social capital is that “social networks have value.” The concept incorporates “not just warm and cuddly feelings, but a wide variety of quite specific benefits that flow from the trust, reciprocity, information, and cooperation associated with social networks.” As Airbnb listings change the character of the neighborhood, and as residents are displaced by the influx of tourists, social capital declines. As a Nashville resident noted, living in close proximity to an Airbnb accommodation feels uncomfortable all the time because you don’t know what to expect . . .

**2. Resident Replacement:** “the growth of tourism and the consequent conversion of housing into accommodation for visitors” results in collective displacement.

**Studies supports the notion that Airbnb produces financial rewards for hosts at the expense of low-income communities of color;** as residents are priced out of middle-class neighborhoods. This creates a vicious cycle wherein rents increase in the new neighborhoods, pushing out long-term residents.

**II. Current Regulations Governing Short Term Rental Platforms**

Given their localized effects, regulations of short-term rentals typically occur at the city level. However, spurred by efforts of municipal ordinances, **many state governments have taken measures to regulate the effects of short-term rentals.** Arizona, Idaho, Indiana, Florida, Tennessee, and Wisconsin enacted legislation to prevent local jurisdictions from prohibiting or unreasonably restricting all short-term rentals.

**A. Traditional Conceptualizations of Property Rights**

Property rights are often understood as a “bundle of rights that may be exercised with respect to that object—principally the rights to possess the property, to use the property, to exclude others from the property, and to dispose of the property by sale or by gift.” However, while a property owner has broad rights with respect to the disposition of the property, the legal system governs “how these decisions must or may be carried out.” Contracting to let a property via a homesharing platform like Airbnb raises questions about which rights in the “bundle” apply to the agreement. **Airbnb fastidiously uses the terms “host,” “guest,” and “share” to discuss the arrangement between parties.** Instead of renting a space, a host can “share any space . . . from a shared living room to a second home and everything in-between” with guests. Despite this careful use of language, whether a short-term rental arrangement is a landlord/tenant agreement, a hotel/lodger agreement, or something in the middle informs what regulations apply to both the host and the guest.

Several regulations are imposed on hotels including antidiscrimination regulations, ADA compliance, tax collection, health and safety standards, and commercial liability insurance, among others. Currently, most jurisdictions do not hold Airbnb listings to the same battery of regulations to which hotels are subjected.

The absence of traditional commercial zoning regulations means that while hotels are confined to areas designed for commercial activity, short-term rentals are largely unrestricted.

### **Challenging Regulations as an Impermissible Taking**

The degree to which the government may restrict a landowner’s use of her own property is a longstanding legal question that predates the era of online homesharing platforms. In **Cope v. City of Cannon Beach**, the Supreme Court of Oregon considered whether a municipal zoning ordinance prohibited transient occupancy was a taking under the Constitution. Landowners challenged the ordinance as an impermissible taking without providing just compensation in violation of the Fifth and Fourteenth Amendments.

*The Court applied the Supreme Court’s analysis in Agins v. Tiburon, 193 noting that a regulation “effects a taking if the ordinance does not substantially advance legitimate state interests . . . or denies an owner economically viable use of his land.”*

In finding for the City of Cannon Beach, the Supreme Court of Oregon stated that the ordinance substantially advanced the legitimate governmental interest of “securing

**Given, however, the effects of Airbnb on the local housing market, as well as its role in accelerating gentrification, it is likely that a court applying the Cannon Beach and Agins analysis would find for the local jurisdiction, rather than the Airbnb host.**

affordable housing for permanent residents and in preserving the character and integrity of residential neighborhoods” and that there was a nexus between the regulation and interest served. The court further stated that the ordinance did not deny owners an economically viable use of property. The court did, however, concede that rentals of dwellings for periods of fourteen days or more and owners residing in their property themselves “may not be as profitable as are shorter-term rentals . . . they are

economically viable uses.” In finding for the City of Cannon Beach, the Supreme Court of Oregon stated that the ordinance substantially advanced the legitimate governmental interest of “securing affordable housing for permanent residents and in preserving the character and integrity of residential neighborhoods” and that there was a nexus between the regulation and interest served. The court further stated that the ordinance did not deny owners an economically viable use of property.

### Host Accountability Measures

#### a. Updated Zoning Laws and Licensing Requirements

In response to the growth of homesharing platforms, many jurisdictions have created a new type of land use in their zoning ordinances. The new zoning categories accommodate short-term rental land use, reflecting the multifaceted purposes of the properties.

#### b. Restrictions on Eligible Hosts, Length of Rentals, and Available Locations

##### i. Updated Zoning Laws and Licensing Requirements

**Instead of mom and pop hosts, it is common for owners of multiple properties to make available several whole-home listings on Airbnb, functioning as commercial property owners.**

To prevent a decrease of affordable housing stock, policymakers have imposed limitations on who is eligible to rent out short-term accommodations.

Airbnb was founded on the premise that hosts could earn extra money by renting out available space—a spare room or even a couch—in their homes. As the model exploded in popularity, the profile of hosts changed. Instead of mom and pop hosts, it is common for owners of multiple properties to make available several whole-home listings on Airbnb, functioning as commercial property owners.

In San Francisco, for example, only permanent residents may become short-term rental hosts.

In Los Angeles, the definition is even more restrictive. Los Angeles short-term rental hosts may only rent their primary residence, defined as where the host lives for more than six months of the year.

Amsterdam limits hosts to renting thirty nights annually.

In Santa Monica, California, renting an entire residence for less than thirty days is banned completely.



**January 2018, the Nashville City Council voted 19–3 to phase out non-owner occupied short-term rentals from areas zoned for residential use.**

**Limiting Short-Term Rentals in Certain Areas** To prevent the erosion of neighborhood character, some jurisdictions severely limit which neighborhoods may have short-term rentals. In New Orleans, short-term rentals are banned from most of the iconic French Quarter.

In Tuscaloosa, Alabama, short-term rentals are strictly limited to only three areas of the city.

Other cities limit short-term rental density based on the neighborhood's zoned use. In January 2018, the Nashville City Council voted 19–3 to phase out non-owner occupied short-term rentals from areas zoned for residential use.

## **B. Monitoring and Enforcement**

Regulation of short-term rentals raises questions regarding enforcement. Despite official requirements, many hosts do not comply with licensing registration regulations.

## **C. Policies to Address Discriminatory Practices and Concentrations of Wealth Along Racial Lines**

### **2. Recommendations**

The following recommendations speak to the core principles of short term rental policy reform, but it is also imperative that policymakers engage the community in their response. Policymakers must adopt approaches that conform to the following overarching principles:

- *Protect affordable housing stock,*
- *Prevent hotelization of residential neighborhoods,*

#### **a. Protect Available Housing Stock**

As hosts realize additional income and equity from underutilized resources, market pressure increases to convert long-term rentals to short term accommodations. However, doing so depletes local affordable housing stock. Given the dearth of affordable rental housing, the pressure to convert long-term rental stock to the Airbnb market stresses an already under-resourced market.

#### **b. Prevent Hotelization of Residential Neighborhoods**

Preventing hotelization—fundamentally changing the nature of residential neighborhoods through proliferation of commercial accommodations—is essential to control noise and unsanitary conditions, and maintain a community's social fabric.

Local governments should contemplate limits on the number of licenses that a single individual may hold.



Finally, short-term rental accommodation policy should restrict the number of days a whole-home accommodation may be rented in a given year.

Renting a spare room or couch in one's home and a whole-home accommodation are different types of accommodations, with different effects on the local community. *The law should treat them as such.*

Because the permanent resident is present, the social fabric of the community is maintained. In contrast, a whole home listing leads to a revolving door of short-term residents who are unfamiliar with neighborhood policies and lack the motive to invest socially in the community. **Given the disparate effects, lawmakers should cap the number of nights a whole-home accommodation may be listed in a given year**

**First, lawmakers must categorize unhosted Airbnb listings as public accommodations under Title II of the 1964 Civil Rights Act.**

## Conclusion

Airbnbs can provide a boon to hosts and guests. By converting a previously underutilized asset into a short-term rental accommodation, hosts gain a new income stream and increase their home equity. Guests, too, benefit from Airbnb's platform, as the accommodations are typically more affordable than traditional hotels and provide an opportunity to "live like a local."

These gains, however, come at a cost. While individual hosts and guests may benefit economically, the local housing market experiences significant change in the form of fewer affordable housing options and erosion of neighborhood social capital.

At the same time, discrimination on Airbnb's platform means that the benefits and consequences are not evenly distributed, with economic gains accruing disproportionately to white users.

As Airbnbs continue to gain popularity, it is essential that legal strategies support their economic benefits while curtailing community harms.

**Adopting multi-faceted and comprehensive approaches are necessary to protect affordable housing stock, prevent hotelization of residential areas, and create meaningful opportunities to benefit from participation in the short-term rental market.**



## CD Director

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**From:** Alex White  
**Sent:** Friday, May 8, 2020 2:20 PM  
**To:** CD Director  
**Subject:** FW: [CD Planning]STR Proposed Ordinance

Fyi, another short-term rental comment. Not sure if this needs to be forwarded onto the consultant or not.

Alex White  
Planner I  
Chelan County Community Development  
T: 509.667.6586  
[alex.white@co.chelan.wa.us](mailto:alex.white@co.chelan.wa.us)

*Notice: All email sent to this address will be received by the Chelan County email system and may be subject to public disclosure under GR 31.1 and Chapter 42.56 RCW and to archiving and review.*

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**From:** Ken Longley [mailto:kenlongley66@gmail.com]  
**Sent:** Friday, May 8, 2020 2:16 PM  
**To:** CDPlanning  
**Subject:** [CD Planning]STR Proposed Ordinance

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I own a home at Lake Wenatchee. Approximately three years ago the large house next to me sold to a couple of doctors from Seattle. They told me that they couldn't afford the house so so they would be doing short term rentals. I tried, without success, to work with them in advance so that the traffic, noise, parking, and garbage issues could be avoided, or at least minimized. Since they were "self managing" they were not present and refused to deal with problems or to even respond to my texts, emails or voice mails.

My comments to the STR Proposed Ordinance are based on my experience with these non resident owners.

1. Like many other places around the lake, we share a driveway with other owners. In order to access my property, I have to drive across my neighbors property in accordance with a surveyed, recorded easement. This easement is directly in front of their house, but they have consistently refused to recognize my right and in fact have directed their renters to park on my access.

In the Proposed Ordinance, the applicant must indicate an appropriate level of off street parking. If my neighbors describe the parking without acknowledging my access easement, how will the county deal with this situation prior to issuance of a license? For this reason, no application for a license should be issued prior to the neighbors being able to review and confirm issues like this. When an owner applies for a license the applicant should be required to provide notice to all neighbors who will be impacted by the operation of a STR.

2. The shared driveway to our homes is not plowed in the winter and there is no off street parking available to my neighbor. Our driveway usually is impassible until @May. In situations where there is no winter off street parking, the applicant should be prohibited from renting from November 1 until May1.

3. Issues of non-compliance will inevitably arise during the term of a license that has been granted. Simply calling an off site manger to complain is not sufficient. there should be a system where transgressions can be reported and the license pulled or suspended. there should be complete transparency in this process for the neighbors and the owners.

4. The current density is unacceptable. 100% of all STR's should NOT be allowed to be grandfathered in. An acceptable density should be found given the characteristics of the neighborhood and other factors and a set number of licenses could be issued on a first come, first serve basis. The remainder could be in line for the next year's licensing round. In addition, the density should NOT immediately rise in the first five years. We need to see whether whatever density is originally agreed to is working, and whether increasing the density is necessary or desired.

Thank you for taking the time to review this important issue.

Ken





## CD Director

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**From:** Jim Brown  
**Sent:** Wednesday, May 6, 2020 7:23 PM  
**To:** CD Director  
**Subject:** Fwd: Feedback on short term rentals

You are tracking these right Deanna?

Sent from my iPhone

Begin forwarded message:

**From:** Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>  
**Date:** May 6, 2020 at 12:30:19 PM PDT  
**To:** Shelley Brodersen <sbrodersen@mac.com>  
**Cc:** Jim Brown <Jim.Brown@CO.CHELAN.WA.US>  
**Subject:** RE: Feedback on short term rentals

Shelley and Eric--

Thank you for your email. We will include your comments in our deliberations and in the public record.  
Best regards,

Bob Bugert  
Chelan County Commissioner, District 2  
Office: 509-667-6215  
Mobile: 509-630-4480

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

**From:** Shelley Brodersen <sbrodersen@mac.com>  
**Sent:** Wednesday, May 6, 2020 11:35 AM  
**To:** Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>  
**Subject:** Feedback on short term rentals

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Hi Bob - we are residents at 17285 North Shore Drive in Lake Wenatchee and would like to give some feedback as to our experience with a rental property across the street. Last summer/winter we had multiple issues with renters. The rental house was built a few years ago and is quite large ( I saw on VRBO it rents for \$1000 a night). The cost of the rental lends itself to be rented to large groups, I am guessing bachelor parties etc. There were at least 4-5 large rental parties over the summer/winter that violated noise regulations and we had to go out into street and ask them to be quiet. There is a hot tub on the front deck of the house facing the street, where there would be large groups of people partying and making noise past 10 pm. One group of renters walked on our property down to the lake - they were actually in our yard.

We were not sure what recourse or options were available to us for complaints. The owner was aware of these incidents, but he lives in the Seattle area so he is only notified after the fact. We appreciate

the thoughtful approach the county is taking to evaluate the short term rental policy and wanted to give feedback on our recent experiences. If you have any additional questions, please let us know.

Shelley & Eric Brodersen

## CD Director

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**From:** Wade Gano <wadegano@me.com>  
**Sent:** Monday, May 4, 2020 12:08 PM  
**To:** CD Director  
**Subject:** [Kirsten Larsen] Short term rentals

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We have a cabin on Lake Wenatchee and have been impacted by some of our neighbors renting on a short term basis, ie excessive noise, parking on our property, etc. I reviewed the Draft Short-term Rental Code, but I am confused as to whether the existing short term rental properties will be subject to the operational standards and licensing requirements, I see that existing legal sort term rentals are exempt from the density requirement but I do not see if they are exempt from the other provisions of the proposed ordinance. Will current sort term rentals be required to obtain a land use permit and if so, is there a window of time in which they must apply and obtain the permit following the effective date of the ordinance?

I thank you in advance of your reply,  
Sincerely,  
Wade Gano

Sent from my iPad