From: Gabe Sartin
To: CD STRComment
Cc: Sean Lynn; Jacob Koopmans; info@straccwa.org
Subject: Short Term Rental Code Public Comment
Date: Friday, August 14, 2020 4:26:46 PM

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Dear Chelan County Commissioners,
Please accept this public comment regarding proposed short-term rental regulations. Please confirm receipt and recording of this comment. I am the co-manager of Nugmo, LLC, the owner of the property at 3009 Memory Lane, Leavenworth WA 98826.

I support well-reasoned regulations that protect public health/safety and allow for a better experience for residents and visitors to the area. As a responsible operator of a short-term rental, I always strive to make sure my decisions improve the community and the guest experience at my property. As a member of the Leavenworth community, I am invested in making sure our unique community, whose economy is reliant on tourism and outdoor recreation, continues to thrive while respecting personal desires and property rights of community residents.

I have provided previous comments on earlier versions of the regulations. Below are specific comments on the latest proposed regulations as posted here:

Regarding limits on the number of STRs:
If the problem being solved is housing affordability in Chelan County, limiting use of properties has never and will never address affordability issues. The only way to address this is more housing stock. In my case, limiting my property to not be a short-term rental will not increase the housing stock. I will just use it for my own enjoyment, and not remit the thousands of dollars in lodging taxes (that could be used for affordable housing) to the county because it will not be rented anymore. I agree that STRs in dense urban centers are contributing to affordability issues, but this does not seem to be the case in Chelan County. I do not have all the data in hand (and would appreciate the opportunity to study it), but it appears that most STRs are simply vacation homes that are now able to be enjoyed by more people (and make ownership of a vacation home achievable for more of the population). I know taking my situation and applying it across the entire county would be a bad way to form public policy, but taking a look at the entire system may allow for a better plan to increase affordable housing.

If the problem being solved is allowing true neighborhoods with full time residents to not have transient neighbors, the proposed limits should be directed at those neighborhoods. My property is in a vacation home community with few full time residents. These arbitrary limits should be more directed at communities that want them, not uniformly applied across the county. I fully agree that a neighborhood should have the ability to have some control on their destiny. Regulations should be

enacted to facilitate each community to make their own decision regarding allowance of STRs or not, not apply a one size fits all solution to an ill-stated problem. It seems like mechanisms are in place for this already (form an HOA, ban short term rentals), but maybe additional codes could make this easier for existing neighborhoods. Please consider changing caps to be more localized and with some neighborhood self-determination. If a county wide approach is desired, please spend more time considering zoning areas where caps do and do not apply.

Regarding landline requirement:
If a land line is truly required for public safety, it should be a requirement of every home in the county. Cell phones are ubiquitous now, and other (good) requirements of the code to have emergency contacts, along with a posted physical address should more than suffice to allow for renters to be able to tell emergency responders where they are.

Regarding Inspections:
It appears that all STRs will need to get inspections from the public health office and fire district prior to getting a permit. It appears a 1-year grace period is written into the code. Do those offices have capacity to do these inspections in addition to all the work they already need to do? I would much rather the fire departments spend their efforts and limited budgets preventing forest fires rather than going to every STR and checking a box that there is a fire extinguisher, smoke detector, and deadwood removed. If the commission really believes that these fire inspections and regulations are beneficial for public safety, the regulations should be applied to all housing in the county, and funding enacted to facilitate staff to enforce those checks. If county wide regulations are not adopted, funded, and staffed, I would propose that you work with property management professionals in the area on a self-certification effort, with random checks for enforcement.

Additionally, I believe all homes should be subject to health department inspections on septic systems. This is a public health issue that should be addressed county wide, not just in short term rentals.

Regarding Parking Requirements:
I think the code requiring a parking space for each bedroom is a good provision. This one benefits both the visitor and the community at large. The limit on only allowing one car over the number of bedrooms seems arbitrary. I would propose the following limit:

- The number of cars at the property shall not exceed the occupancy of the property or the number of dedicated spaces provided, whichever is less.

With this regulation, if the occupancy is four and there are two spaces, the limit on cars would be two. If the occupancy is four and there are eight spaces, the limit is 4. This allows for a nice balance of allowing visitors some flexibility, while keeping the number of cars in line with the facilities available.

Regarding occupancy

This section mostly seems good. I would suggest eliminating limits when the owner of the property is staying on premises. I would like to be able to use my home as I like when I am present (just as my neighbors are able to). If this is something I have to give up to operate it as a STR, I understand, but it would be good to exempt occupancy limits when the owner is present.

Regarding 3 strikes and you're out:
There should be tiers of violations, not a blanket 3 strikes and you're out rule. As written, someone can effectively shut down any short term rental in the county by calling in three noise complaints (I hope it would not be that simple, but it looks like the code is written in such a way). I agree that there should be provisions in the code to shut down bad actors, but the code does not appear to be written that way. The code is probably ok as is if the commission were to eliminate 16.20.030 paragraph 2, section E.

Regarding Permit Fees:
These are very round numbers. I do believe that STR operators and users should fund enforcement and permitting activities, but these fees seem arbitrary. I would suggest taking a holistic look at how much these codes will cost to enforce, and then enact a combination of STR lodging taxes and permit/inspection fees to fund those activities.

Pools/Spas:
I agree that this is a public health and safety issue. I don't think that the county has the capacity to perform necessary inspections to truly protect public health in this area. I think you all should work with professional managers to come up with a self certification method for this. I pay a company to service my hot tub before and after every renter (they do tests, make sure the hot tub is clean, and perform routine maintenance). I think a combination of self certification through professional pool/hot tub service in combination with random inspections will be a more efficient, and ultimately safer path than county inspections on a yearly basis.

Task force:
I like the addition of a task force. I believe you should add 3 professional property managers to the task force. Their profession is to responsibly manage short term rentals. They deal with many of the issues trying to be addressed in this code on a daily basis and are in a unique position to know what will and won't work to address problems with short term rentals, as well as have real time data regarding impacts of the proposed code on a broad scale as opposed to an individual owner.

General:
In general, I think there are some good elements to the proposed codes and bad ones. I fully support well-reasoned, rational, and enforceable codes that benefit Chelan County residents and visitors to the county. I still contend that a well-formed problem statement does not exist, which makes judging the code as a whole hard. The current code appears to be a hodge podge of knee jerk reactions to specific grievances, rather than a well thought out systematic approach to addressing real

community problems. I am disturbed at the fact that property management professionals (such as Sean Lynn) appear to have been frozen out of development of these codes. There are plenty of people in the county whose livelihood depends on developing and implementing procedures to have well-run short-term rentals, and those community members have not been consulted. Please spend more time to define the problem, think about the problem with a system thinking approach, involve experts in the community in development of solutions, and come up with a better set of regulations that benefits all members of the Chelan County community.

Thank you,
Gabe Sartin