From: Stan Winters
To: CD STRComment
Subject: Fwd: STR Comments
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Chelan County Commissioners,

Please consider these comments/ideas concerning the draft code related to short-term rentals.

Chelan County STR Issues

No "200 foot rule for Owner Occupied" for Tier One

No 15 day rental while owner is away for Tier One

I have issues with the Draft Code: lines 177 through 182, having to do with Tier One STRs.

These lines have to do with the definition of a Tier 1 Short-term rental. My objection is to part (b), which states that a short-term rental can be classified as Tier one if the STR is located within 200 feet of the owner's primary residence.

The core, essence, and only definition of "owner-occupied" is that the owner actually occupies/lives in that house as their primary residence. Changing the requirement to "lives within 200 feet", makes that definition useless, and opens the door to misuse of the intent of what a Tier 1 STR is. This will have a potential ripple effect throughout the entire code related to short-term rentals.

Imagine the possible result of this exception to the rule that a Tier 1 STR requires that the owner lives in the house as their primary residence:

Imagine that an STR owner lives on a street in a residential zone. They are surrounded by other homes. There are areas with density high enough that 8 (or more) homes could be within 200 feet of this owner's home. This homeowner could qualify to use each of those 8 homes as short-term rentals.

This example is taken to the extreme, but it is entirely possible and it creates a loophole that I don't think anyone will want to deal with.

It is critical to protect the concept of what "owner-occupied" actually means. Without a firm, reliable definition of "owner-occupied" it will be very difficult to administer code consistently going forward. "Owner-Occupied" is a keystone concept that supports the code related to short-term rentals and holding firm to the actual definition: *owner occupied means the STR is the owner's primary residence and they are present in their home during the rental period*, is the key to creating a code that is clear, concise, and easy to monitor and enforce.

We could mitigate the effect of the exception by saying a homeowner can have only one "owner-occupied" Tier 1 STR on a separate lot. But this still doesn't address the problems this creates.

One of our biggest problems in areas affected by short-term rentals is loss of housing stock for people who want to actually live in our county. Allowing a home owner in a residential area to purchase even one home (within 200 feet) and turn it into an STR just takes one more home off of the market. It defeats the purpose of what we are trying to achieve with these regulations. The renters of this non-owner occupied STR may behave better (with the owner in another house 200 feet away), *but it is still one more home taken out of the housing stock for people that want to live here, and it violates the definition of Owner-Occupied and "Residential Zone".* The code is very clear that the use of a home in a Residential Zone must be as the owner's primary residence.

15 Day Exception

On lines 179 and 180 the condition of allowing a Tier One STR to be rented for no more than 15 days (provided that an on-site qualified person is there during the owner's absence) should be deleted.

There is no way this can be monitored or enforced. And I don't know of any valid reason it should even be considered.

If it is allowed to stay as a part of the code I suggest the following must be considered/included:

- **The 15 days must be consecutive.** 15 days, if not used consecutively could cover every weekend of Christmas Tree Lighting and October Fest. That kind of use is not what this exception is designed for.

- **Define the method of monitoring compliance.** How will the STR owner inform the County when they will be using their 15 days? How will the County record the days that the owner will be absent? Will this information be public (if neighbors care about monitoring)? Could there be a situation where the owner requests more days? Is the STR owner required to let the County know about the owner's absence before the actual event? Is there an approval process? What happens if the owner rents the house more than 15 days without being present? What happens if the owner rents the house without being present and without having an "on-site qualified person"there?
- **Define "Qualified Person", and Define "there":** What is a qualified person? Does that have to be an adult? Does that have to be someone with experience in renting homes? What makes one person qualified and another person not-qualified? What exactly does "there" mean? Does it mean that a person is in or at the STR the entire time the house is rented? Does it mean they are there during the day, but go to their own home during the night? Or vice-versa?

Let's not twist the meaning of our definitions:

- "Residential Zone" should mean that this zone is for residences/dwellings, as defined in the current Chelan County Code – for people to reside in.
- "Owner Occupied" should mean that the owner of the home lives in that house (not within 200 feet).

Thank you,

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