From:	Bob Fallon
To:	CD STRComment
Subject:	Draft STR Code
Date:	Monday, August 10, 2020 10:10:17 PM

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TO:CD.STRComment@co.chelan.wa.us.

FROM: Bob Fallon
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Leavenworth
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RE: Draft Code for CC STRs

DATE: 8/10/2020

In addressing the community's current debate about STRs I would like to make a few general comments and then get to possible code modifications concerning STRs.

Over the last couple of years Upper Wenatchee Valley residents have spent over $100,000.00 and thousands of hours trying to get their elected and appointed officials to follow established codes. These efforts are the Adventure Park in Leavenworth and Enchantment Meadows, Riverstone, Eagle Creek, Fox Road and, biggest of all, STRs in Chelan County. Uniformly, these battles have pitted residents trying to protect their neighborhoods and communal life from outside investors seeking to capitalize on Chelan County's unique environment. Money over quality of life.

To a large extent, the prosperity of parts of Chelan County depends on tourism. The residents have been encouraged to sacrifice to support the economy. For the most part we have been willing, not without some grumbling, to put up with traffic, lack of parking, crowded trails and rivers, strangers wandering our neighborhoods and noise. We are told that we are fortunate to have fine restaurants and shops to enjoy, although they are over priced and inaccessible.

Now, due to the extraordinary and still increasing number of STRs, we are being asked to sacrifice our last refuge; our quiet, supportive, communal neighborhoods; the very essence of why we have chosen to live in the Upper Valley. We are told it is our duty to live in misery to support an economy that is over running the natural boundaries of this beautiful spot.

Why does money always take precedence over lifestyle? Why must an outsider's ill conceived (illegal) investment be protected rather than the legal, reasonable expectations of residents who invested in residential zones?

Everyone (except STR operators) accepts that Chelan County has an STR problem. I will not recount what most acknowledge.

On to a proposed solution, a modification of Title 11, zoning.

I would like to stipulate some basic premises that can be argued elsewhere:

- Zoning Ordinances are designed to separate incompatible uses
- STRs are businesses
- Businesses generally are not allowed in residential zones
- Residents want neighbors they know and trust, with whom they share common values, who are members of the community and all that represents. They do not want a steady flow of strangers who are disruptive, who they do not know and therefore can not trust.
- STRs are currently not allowed or permitted in residential zones in CC
- The District Use Chart is useless when considering STRs. There are extensive areas of the county where actual lot sizes are much smaller than the zoning would indicate in residential zones.
- BOCC Vision for STR code: “The BOCC wishes to protect the character of residential communities across the county while allowing for property-owner income from STRs”
- Residential uses take precedence over business uses in residential zones.
- Residents of CC are under no obligation to sacrifice their neighborhoods to an extraordinary number of visitors. There is a limit to our hospitality.
- Multiple jurisdictions have successfully abolished or significantly limited STRs

- Goals of new code: Protect neighborhoods, preserve residential housing stock for full time residents, mitigate increasing housing costs and rising property taxes.

My suggestions for modifying Title 11 to meet the vision of the BOCC:

- Define STRs: Tier 1-basically a B & B: up to 3 units, owner/operator on site, CUP
  with same conditions as in code now for B & Bs
  Tier 2- up to 12 guests, CUP required
  Tier 3- up to 30 guests, CUP required
- Where permitted: Tier 1: Any residential zone with density limits
  Tier 2: RR 5 (actual lot size 5 acres) and larger, guests perhaps a single extended family, anticipated to be in-obtrusive and quiet with no off property effects, with significant density limits.

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  Tier 3: RR 20, RR10 RC AC MC MPR Actual lot size 10 acres
  or more, 1000 feet to next neighboring house. Significant limits on numbers and density.
  In other words, only Tier 1 in any residential lot less than 5 acres:
  This means RR 2.5, RV, RW, RRR
  Code must adhere to current Manson, Peshastin and Municipal UGAs.
- STRs are permitted in any RC AC MPR MC zone with CUP

- Conditions: For Tier 1: same as B & B currently in code (11.88.210)
  For Tier 2 and 3: Everything that's been proposed in new code: responsive/responsible "manager", meet all codes (including Septic, ADA, definition of bedroom, fire, trespass, noise, etc.) Also must be accessed by its own driveway off a major arterial or highway, not a private road or local street/road. Must have adequate parking that does not bother neighbors.
- No grandfathering of any STR in a residential zone, all must apply for a permit under the new code and guidelines. If more STRs than 5% of the housing stock

qualify, there must be a lottery to immediately reach the 5% limit. Maximum sunset: 1 year. CC and the residents of residential zones are under no obligation to protect the ill advised, illegal investments of STR operators. Their property is still valuable. The loss of an illegal operation is not a “takings”.

- DO NOT develop an administrative CUP. That’s a rubber stamp. The transition to the new code will be arduous. Write the code you want to live with, not a code that makes code enforcement’s life easy. The transition may be expensive. The cost should be covered by permitting fees, not tax dollars.

- This proposal provides for the integrity of residential neighborhoods and hopefully helps our residential housing shortage and cost crunch. It allows for some, but not an unlimited number, of property owners to generate income. Principally, it allows full time residents to help with their mortgage while at the same time they are full time neighbors contributing to, rather than detracting from the community. It provides an acceptable level of support to the area’s economy.

Thank you for your consideration and thank you for all the effort you are putting into this thankless task.