Wendy Lane

From: Dawn Vyvyan <dpvyvyan@outlook.com>
Sent: Friday, July 2, 2021 4:58 PM
To: CD STRComment
Cc: Dawn Vyvyan
Subject: Comment opposing STRs

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

Dear Chelan County Commission,

I understand the Commissioners are still taking comments from residents. I am one who will be impacted by allowing short-term rentals in my neighborhood. My experience with any home that is not occupied by the owner and run as a bed a breakfast, is subject to the abuses that can occur. My street had one that was a nightmare for those who lived near-by. Parties, drinking, noise at all hours and cars spilling out into the street. The owner was oblivious to any of this and refused to keep her vacationers respectful of our neighborhood. After much complaining, she finally sold and made life much easier for us all.

There are amble hotels and vacation units in town to take care of vacationers. The town is built for that, and that is where it should remain. Those who choose not to live amongst the crowds should have the piece and quiet they seek to enjoy.

Please do not allow short term rentals in our neighborhoods where our quality of life will be doomed for ever!

Thank you, Dawn

Dawn P. Vyvyan
11658 River Bend Drive
Leavenworth, WA 98826

Office 206-628-3014
Cell 206-953-6105

Wendy Lane

From: Soren Scott <sorenadlerscott@gmail.com>
Sent: Friday, July 2, 2021 4:57 PM
To: CD STRComment
Subject: Fwd: STR Code

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

---------- Forwarded message ---------
From: **Shelby Scott** <shlebco@gmail.com>
Date: Fri, Jul 2, 2021 at 4:54 PM
Subject: Fwd: STR Code
To: sorenadlerscott@gmail.com <sorenadlerscott@gmail.com>

---------- Forwarded message ---------
From: **Sarah Piestrup, EAMP** <sarah@cascadewellness.com>
Date: Fri, Jul 2, 2021 at 4:02 PM
Subject: STR Code
To: <CD.STRComment@co.chelan.wa.us>
CC: Shelby John Scott <shlebco@gmail.com>

Dear Chelan County Commissioners,

You have thus far allowed an invasion of our hard earned private residence, land and peace by allowing invasive disruptive and dangerous commercial businesses (unstaffed STRs with out of town owners) in our back yard to spite clear codes against this. When the public is using a space it should be where it belongs, in commercial zoning and the business should be staffed for the surrounding peoples safety and peace. The county was clear when we obtained a CUP for our home business that overnight rentals were not allowed. I realized after there was a time when this was to be "examined." Nothing was acceptable about that lack of due process and now you are taking it to a level that is beyond my wildest comprehension of cruelty and misjudgment for everyone involved. If you grandfather these illegal businesses in with last minute loopholes you are effectively silencing residents and making enforcement of the exact abusive activities that we have been desperately pleading with the county about since the day it started impossible to enforce.

As most residents with actual legal jobs we were unable to attend the meetings as we were at work.

I agree wholeheartedly with the Manson Community Council's letter to you about these specific points about this latest code that has eroded any hope I had in your humanity or ability to stand up for the residents who elected you.

Of particular concern are these eleventh hour changes being considered:

Occupancy:

As very clearly described in the Manson Community Council's letter to you, occupancy in this draft is based on bedrooms, as was agreed to by the Task Force. What was not agreed to was the change reflected in lines 865-870 that defines bedroom to mean "either enclosed or open areas within a structure being used as a STR that provides sleeping accommodations such as mattresses, beds, sofa sleeper, roll away beds,. day/trundle beds, bunk beds, murphy beds, etc . . " Our neighbor has a 3 bedroom home and advertises that it "sleeps 17" and to "bring your own wine" it is looming directly over our son's bedroom and causes untold disruption and harm to our family that I have written to you many times before. Her sewer is leaking onto our water line and nothing about that property was meant to hold anyone extra in any other place than a proper bedroom. This is simply criminal to add and in no other space in any legal residence is anything other than a proper bedroom considered as such. Why on earth would you add that here?

Planned Unit Development Loophole must be closed:

PUD's must not be exempted from the density cap (line 203). Exempting them fundamentally changes the compromises arrived at by the task force participants.

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

Noise (line 470)

The county's noise ordinance is very general and difficult to enforce. There needs to be a specific standard for STRs that is easy to enforce.

Please add the following language: In addition to the noise standards identified in chapter 11.96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

We truly appreciate the hours and hours of hard work all of you have invested in this thorny issue. Please don't negate the fair and balanced solutions arrived at by diverse interests by caving to pressure from Short Term Rental owners at this eleventh hour.

I would also like to add that our area on Fox Rd in Leavenworth is fully saturated with STRs. I would guess we are at 50% and over half of those are unoccupied and owned by people who have never lived in Leavenworth. This is true for my immediate area and I can show you pictures, a map, videos and ads if you need any proof. This is unacceptable. You need to make the cap the cap and not grandfather in the free for all you started. These people took their own risk starting an illegal business and doing the slightest research would have alerted them to the legal challenges and basic rules that they were being allowed to break by county permission while their impact was assessed. They failed, terribly, as neighbors. Please uphold the basics of the zoning we purchased in. I worked my whole life for this house and I am not leaving. I am also not STR staff and I have been expected to be a security guard and greeting committee and I don't accept the position. We have a right to peace in a residential area and nothing about this code is going to ensure that as it is now.

Sincerely,

Sarah, Soren and Shelby Scott

10454 Fox Rd

Leavenworth WA, 98826

Wendy Lane

From: Lindsey Tillotson <lindseytillotson@hotmail.com>
Sent: Friday, July 2, 2021 4:57 PM
To: CD STRComment
Subject: STRs in Leavenworth

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

Dear STR commission,
I have been a resident of Chelan County in Leavenworth since 2001. My husband and I bought our home on Bayne Rd in 2004 and have created life and family in this wonderful community. Our boys are in the Cascade school district, they play sports, ski and play in our local hills and rivers. My husband and I work at Confluence Health as RN's. We benefit from the local tourist economy in many ways with access to great restaurants, health fresh food and diverse educational opportunities. Though we appreciate the income tourism brings into our town, we have serious concerns about the massive growth of short term rentals in our community. Our friends that want to live in Leavenworth and make it their permanent home can't afford to buy homes in the area. The homes that are bought for STRs erode the sense of neighborhood that create community. We ask that you:
Grandfather our neighborhoods and create a cap of 6% on STRS in the 98826 zip code and disallow tier 2 and 3 in residential areas.
Also, please impose and enforce restrictions on STRs to preserve our community and local neighborhoods.
Thank you,
Lindsey Kellett
Chelan County resident

Wendy Lane

From: Sean Lynn <sean@loveleavenworth.com>
Sent: Friday, July 2, 2021 4:48 PM
To: CD STRComment
Subject: Final Comment (Let's Hope)

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

Commissioners Bugert, Gering, Overbay and Director Brown,

As you all know, I have promoted fair and balanced solutions to STR issues from day one and respect the time and effort you all have given to the STR regulation challenge. I run Love Leavenworth Vacation Rentals in a way that allows for us to have good relationships with the neighbors and have found that good communication and a little empathy from those on both sides are critical to peaceful coexistence.
I would request that in the final deliberation that the Board have a conversation about policy.

Is the core goal of this code to reduce STRs and the accompanying nuisance issues in rural neighborhoods, or is the goal to encourage the existence of adequately managed STRs in our rural communities?

I believe all concerned citizens from both sides of this issue deserve to see this difficult conversation. This conversation and subsequent policy direction will be critical to the rollout and administration of the new STR ordinance.

So that you know, I scrapped 2 and 1/2 pages of boring comments to make this one crucial request😉

Sean Lynn

Wendy Lane

From: D Fuller <dfullerwa@gmail.com>
Sent: Friday, July 2, 2021 4:49 PM
To: CD STRComment
Subject: STRS

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

Board of County Commissioners:
I am disappointed in the current draft for two main reasons. The first is the grandfathering in of illegal STRS that are present in quiet residential neighborhoods. I don't believe that there is any reason that a non owner occupied STR should be there at all. These are basically "party houses" that attract groups of mostly young people on vacation. The second reason has to do with occupancy loads. I feel that these are too high. These numbers encourage a party atmosphere, not a family atmosphere.
I feel that the out of area owners are only concerned with money to be made, and really don't care about the quality of life in our small towns. Please revise this draft!!
Diane Fuller
Leavenworth
Sent from my iPad

Wendy Lane

From: Andie Baker <andiebaker@msn.com>
Sent: Friday, July 2, 2021 4:48 PM
To: CD STRComment
Subject: Fw: Short Term Rental (STR) Task Force Recommendations & Next Steps

Importance: High

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

I am forwarding a previously sent email - I'd sent it to a different address.

From: Andie Baker <andiebaker@msn.com>
Sent: Sunday, June 13, 2021 10:48 AM
To: info@chelancountyneighbors.org <info@chelancountyneighbors.org>
Subject: Re: Short Term Rental (STR) Task Force Recommendations & Next Steps

Hello,

Unfortunately, my spouse and I were not really aware of opportunities to offer input into the new short-term rental regulations and now draft regulations are being written. We are located on North Shore Drive and are surrounded by Airbnbs which operate with the owners in absentia.

One "neighbor" consistently hosts very large gatherings without any form of supervision. Recently we were treated to an all-weekend frat party that continued to 2 or 3 in the morning with extremely loud music, and which featured young men fueled by alcohol fueled swimming off the easement beach at 1:30 AM. Clearly it is only a matter of time before there is a tragic accident. Lakeside owners resent the invasion of their own beaches and post "private property" signs - over and over as they disappear.

We (neighbors and ourselves) have made repeated complaints to the owners which fall on deaf ears. When, as a courtesy we called the owners (before calling the sheriff to report "quiet hours" violations), the woman suggested we call her renters directly - as she was unwilling to do so. Neighbors have discussed amongst ourselves what to do about these irresponsible STR owners and their hands off approach but we feel our hands are now essentially tied by the rather permissive regulations drafted.

How do we complain? Whom do we complain to? (Couldn't regulations have stipulated that there be a local representative with responsibility for oversight, perhaps located within 10 - 15 miles of the rental? Couldn't an agent representing the owner be required to check in guests so as to ensure renters are within occupancy limits, and are of legal drinking age? Were these things considered? Sadly, it seems that the commission has bent over backwards to avoid agitating owners who want to keep the cash coming in, with little consideration of residents who are impacted.

The residence I am referencing (one of two next door) is located immediately behind our home and overlooks our house and yard. Renters are constantly walking/running up and down the easement, going to and from the beach. It's a small beach and it is commandeered routinely by renters of #23097. The owners of the rental have even allowed their renters to moor their boats here - and they tell us to make their renters move their boats.

Here are other ways we are impacted:

The owners of the short-term rental at 23097 Lake Wenatchee Hwy do not provide any oversight of their rentals, and never have knowledge of how many people are actually staying in the residence. The owner's VRBO listing (as recently as last week) promoted the house with occupancy of 12 - 14 guests. Their home is only 3 bedroom per county records - and photos show they have added bunk beds in an open basement and call couches "beds" elsewhere. The house is only 1517 sq ft, but the owners now list it as 2489 sq ft by including the attached garage/storage. (Note: As of this weekend the owners have downgraded their occupancy to 12 people, still twice the 2 per bedroom occupancy allowed by the new rules.) The owners are aware there are frequently additional people staying at their rental and they are equally unaware whether or not renters are following rules. (Is there any real penalty listed for owners who flout the new requirements? Again, how and to whom do I report problems with renters? With owners?

There are frequently in excess of 14 people staying at this residence, a special problem for us as we share a well with the STR. There are only 2 of us in our household.

The STR has decks surrounding the lakeside exposure, a prime partying place for noisy renters. This deck overlooks our home and yard, and renters can even see into our bath and bedroom.

We feed wildlife on our property and turkeys and other near tame animals go missing routinely after weekends.

We are immediately surrounded by 4 STRs - that we are aware of.

Finally, nobody over 21 wants to spend every weekend in the middle of a frat party, a situation which we endure routinely.

Perhaps owners could be required to take the driver's license and phone numbers for **each** occupant, and these could be kept on record?

Perhaps owners could be required to post cameras at entrances to discourage the onslaught of additional, non-registered guests?

Perhaps use of easement beaches could be made private - *for residents only*, to prevent overcrowding and other dangers of alcohol combined with swimming. (Besides, the public beach at the state park is less than 5 mi away.) As it stands, our beach is used as a draw for STR business - and it leads to the small easement beach being over-run by AirBnBers who camp out all day, monopolizing the beach and preventing local taxpayers from using the beach.(We were told that one owner near our property had actually tried to charge for beach time!)

Lastly, perhaps Chelan County could put out a guidebook for STR owners, as well as a book for guests, reminding them that they are in someone else's backyard, on someone else's block, in someone else's neighborhood.

This free-for-all needs management. Access to the beaches, unregulated and unobserved, with guests under 21 drinking and swimming at all hours is a disaster waiting to happen. As it stands, owners have little liability or responsibility, particularly to their neighbors. There are well understood reasons for the creation of business districts.

We support business but not at the expense of those of us who worked and saved years to be able to live on Lake Wenatchee. Home owners treat this land very differently from opportunistic STR owners. We are requesting strict oversight with substantial monetary penalties, at a minimum. We also demand that responsible parties be present at check-in for those STRs without owners/managers on site.

Sincerely,

Andie Baker & Lisa Diederich

17572 N Shore Dr
Leavenworth, WA

From: Lisa Diederich <lmdiederich@gmail.com>
Sent: Friday, May 14, 2021 4:45 PM
To: Andie Baker <andiebaker@msn.com>
Subject: Fwd: Short Term Rental (STR) Task Force Recommendations & Next Steps

Sent from my iPad

Begin forwarded message:

> **From:** "R.U.N. (Residents United For Neighbors)" <info@chelancountyneighbors.org>
> **Date:** May 12, 2021 at 4:16:26 PM PDT
> **To:** lmdiederich@gmail.com
> **Subject: Short Term Rental (STR) Task Force Recommendations & Next Steps**
> **Reply-To:** info@chelancountyneighbors.org
>
> Hello Neighbors,
>
> Yesterday morning, on May 11th, the Board of County Commissioners ***received the Task Force's recommendations and directed Community Development Director, Jim Brown, to incorporate these provisions into a new draft ordinance.***
>
> Keep reading to get up to speed on important details about the Task Force, what exactly was presented on the call, next steps, and what you can do.
>
> ---
>
> **Who was in the Task Force?**

Chelan County's Short Term Rental (STR) Task Force consisted of 3 residents, 3 STR owners, and 3 Planning Commissioners. The residents' representatives were Ken Longley, John Agnew, and Kirvil Skinnarland (President of R.U.N.). They worked hard on behalf of residents, and we're grateful to them!

After six challenging meetings between the residents' representatives and owners of STRs, a consensus was reached on several big issues. The Task Force completed its work on April 19th.

Read the full report

What was recommended?

The good news is that the agreement includes future protection of residential neighborhoods in most zoning districts. But, in order to achieve that, the major concession by the resident representatives was to accept "grandfathering" short term rentals in operation prior to August 25, 2020—as long as the STR complies with very strict standards (2 people per legal bedroom; maximum bedrooms dictated by septic permit; parking requirements; and much more).

This means that most existing STRs will be allowed to continue to operate for now, although many must reduce their number of occupants. All must come into compliance with new standards (see below) and obtain permits.

The agreement sets a cap of 6% on the number of absentee owner STRs in unincorporated areas of the county except the Manson Urban Growth Area (UGA) which is set at 9%. This means only 6% of the housing inventory in each zip code can be converted into short term rentals.

The actual levels of STRs in the 98826 (Leavenworth area) and 98831 (Manson area) zip codes are significantly higher. In 98826, the current percentage of STRs is over 15%. In the Manson area, it's over 11%.

The good news is that **no new absentee owner STRs will be allowed in these zip codes** until the density of STRs drops ***below*** 6% in the Leavenworth area, 9% in the Manson UGA, and 6% in the rest of the Manson unincorporated area outside of the UGA. There are no limitations on the number

of Tier 1 (owner lives on property) STRs but, again, there will be new standards (maximum 8 occupants, 2 per bedroom) ***and*** permits must be obtained.

Other provisions of the agreement include the following:

Transfer of Permits: An STR permit may be transferred one time within 5 years of adoption of the new code. Good news: after that 5-year period, ***permits are not transferable***.

Occupancy Limits:

Tier 1 STRs (owner lives on property):

Occupancy is limited to 2 persons per bedroom with **caps of 8 people**

Tier 2 STRs (absentee owner):

Occupancy is limited to 2 persons per bedroom with **caps of 12 people**

Tier 3 STRs (absentee owner):

Occupancy is limited to 2 persons per bedroom with **caps of 16 people**

Minimum Lot Size: See page 4 of the Taskforce report for details. In most rural residential zones, future STRs will be permitted only where they meet a strict minimum lot size.

Unfortunately, the grandfathering of existing STRs means that residents will have to live with a higher number of STRs in their neighborhoods for now. But, on the positive side, there will be no new STRs in 98826 and 98831 for a long time. This will end the purchase of homes solely for the purpose of converting them into STRs. As we've noted before, the vast majority of STRs in unincorporated Chelan County are owned by people who don't live in Chelan County.

The new STR ordinance will contain standards for off-street parking, signage, and fire safety. In addition, a contact person must be available to respond to neighbors' complaints on a 24-hour/7-day a week basis.

Many details of the ordinance still need to be worked out and R.U.N. will be an active participant in this process. Additionally, we'll need your help and donations to ensure we get a strong ordinance and effective enforcement.

What are the next steps?

You can help! The next steps for the County are as follows:

1. **Before June 1st** - The Community Development Department drafts the actual ordinance and releases it.
2. **June 1st** - The County Commissioners hold a workshop (available for the public to observe). Written comments from the public will be important.
3. **June 15th (Tentatively scheduled)** - Public hearing—your voice is needed!
4. **Late June (Tentative)** - The Board of County Commissioners makes a decision.

Residents United for Neighbors' emails will keep you up to date on this new ordinance and **alert you when it's time to submit written comments and provide public testimony**. We'll advocate with the Commissioners for strict enforcement, transparency of permit applications, noise standards, and more.

With your support, we can continue to advocate for us residents and build support for strict regulations and enforcement. Please find out more about how you can help by going to chelancountyneighbors.org.

Sign up, spread the word, put up a yard sign, join our facebook group, donate, and volunteer—let's come together as neighbors and keep our communities thriving!

Donate to R.U.N. Via PayPal

Respectfully,

Board, Residents United for Neighbors

Jerry Jennings, Matthew Carlisle, Plain; George Wilson, Lake Wenatchee; Cherie Warren, Eagle Creek; Steve Stroud, Fox Rd; Kirvil Skinnarland, Bruce Williams, Pat Thirlby, Barbara Rossing, Mara Bohman, Leavenworth; Stan Winters, Peshastin; Mike Cochran, Chelan; Brian Patterson, Manson.

Wendy Lane

From: Shelby Scott <shlebco@gmail.com>
Sent: Friday, July 2, 2021 4:48 PM
To: CD STRComment
Subject: Fwd: STR Code

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

---------- Forwarded message ---------
From: **Sarah Piestrup, EAMP** <sarah@cascadewellness.com>
Date: Fri, Jul 2, 2021 at 4:02 PM
Subject: STR Code
To: <CD.STRComment@co.chelan.wa.us>
CC: Shelby John Scott <shlebco@gmail.com>

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am not leaving. I am also not STR staff and I have been expected to be a security guard and greeting committee and I don't accept the position. We have a right to peace in a residential area and nothing about this code is going to ensure that as it is now.

Sincerely,

Sarah, Soren and Shelby Scott

10454 Fox Rd

Leavenworth WA, 98826

Wendy Lane

From: Andie Baker <andiebaker@msn.com>
Sent: Friday, July 2, 2021 4:46 PM
To: CD STRComment
Subject: Residents United for Neighbors

Importance: High

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

Address: 17572 N Shore Dr, Leavenworth, WA 98826

Dear Commissioners,

I've just received notice that I must submit my comments on the proposed STR by 5PM today, so I will rush to make a few points.

First, this entire exercise appears designed to placate, NO - support, short-term rentals in Chelan County under the pretense of caring about the impact to local homeowners. Indeed, a great deal of this public effort seems motivated to avoid lawsuits from STR owners.

Even at this late date (and after major concessions) you are still considering additional requests by STR owners, rather than protecting residents/ local homeowners.(!) In effect, you are selling the soul of Chelan County, certainly Lake Wenatchee.

You have grandfathered most existing short-termed rentals even though they are clearly illegal under existing zoning code. This major concession has done nothing to slow the increasing flow of new requests for allowances made by STR owners (i.e., children under 2 years old). Surely, you realize that you are selling space in this county to temporary residents who could not care less about this place once their vacation is over. This is as opposed to homeowners who have fought to preserve the quality of this very special place - Lake Wenatchee (i.e. a forested Nasson Ridge), who care about its businesses and its history.

In effect, by allowing the overpopulation of STRs you are creating a natural wonders "Disney Land" resort that is rapidly becoming inhospitable to full-time & longtime residents.

#1 We live at the lake 100% of our time and unfortunately are immediately surrounded by at least 8 STRs. Being full time gives us a front row view to the actions of renters, as well as to the negligence of owners of STRs. I wrote previously about the problem of off-site STR owners who never meet or know who, or how many people are staying at their property. We are routinely treated to frat parties with rampant underage drinking, all night noise and music, and of critical concern: drunken swimming in the lake after midnight. This is a recipe for disaster, and someone is going to die unless strict requirements are put into place.

STRs are monetizing our homes and lake access: At a minimum, you must limit lake access to those renters who opt to stay at STRs located directly on the lake. Those who rent a home not located directly on the lakefront would be advised to use beaches at the state park just a few miles away. This would limit the overwhelming assault of too many visitors over-running the beaches shared by homeowners, and reduce the likelihood of accidents, as well as minimizing damage to the shoreline created by such overuse. In addition, this might limit incentive to overwhelm the residents of Lake Wenatchee with STRs (17% in our "neighborhood") and to reduce the volume of STRs along Lake Wenatchee HWY who promote their properties as "lakefront". Note: We are already over-run with individuals who drive down from Lake Wenatchee HWY and park vehicles in front of our homes, overcrowding the road around the lake. With too many vehicles, underage drinking and unsupervised children running from the lake back up to where they are staying along the highway, the sc ene is set for a tragic accident. (As I wrote this, 3 boys under age 10 ran unsupervised up the trail in the easement heading back to where they are staying on Lake Wenatchee HWY.) This is no joke, Commissioners.

If the commission avoids taking any enforceable action to prevent under-age and reckless drinking in/on the water, as well as overcrowding of beaches, then your motives on behalf of sustaining and promoting STRs become transparent.

#2 Is there any funding for enforcement of the limitations placed on STRs? How do we report violations? (We have been advised by local realtors that law enforcement has acknowledged they WILL NOT ENFORCE violations.) Is this exercise of creating limitations STRs simply to placate homeowners with the belief that *something* is being done?

#3 STRs are already violating the proposed limit of 2 per room, calling bunk beds in the basement another bedroom, etc. Our immediate neighbors have a 3 bdr STR which advertises 12 - 14 residents! People lie when money is at stake. Will this be monitored? How is this going to be enforced? Is this simply lip service? Our immediate neighbors live outside of Chelan County and never see their renters. They have instructed us to complain to their renters if there is a problem. Is the commission really in support of such hands-off lack of responsibility? In addition, we share a well with this house -- there are routinely 14+ renters staying there. There are only 2 of us - this directly impacts us.

#5 There are so many problems created by STRs, the depth of which you haven't seen. Has there been a study conducted of water resources at the lake? Most of us have wells which are likely drawing from the same aquifer. The influx of so many people will strain resources beyond what you have yet imagined.

#6 The outdoor music and noise of partying is unbelievable. Do we call the sheriff? Will this be punished? How will STR owners take responsibility for *anything*? There should be NO OUTDOOR SPEAKERS allowed in STRs.

To conclude, Lake Wenatchee has remained a very special place for many years because of the character of its residents. I hear it said that nobody lives at the lake full time. This is not true. However, we are being over-run by STRs.

Your actions now will have long lasting impacts and negative consequences on Lake Wenatchee, and on Chelan County.

At a minimum, you must restrict lake usage to homeowners and those STRs located directly on the lake shore.

And please, commission longer, more accurate and responsible studies of the long-term impacts to resources, wildlife, and yes, residents, before giving our home up to STR owners.

Lake Wenatchee is a precious resource not meant to be monetized by a few greedy people who don't live here.

Please do the right thing, not just the most financially advantageous.

Respectfully,

Andie Baker, PhD & Lisa Diederich

Wendy Lane

From: Sally Kane <dskane2@gmail.com>
Sent: Friday, July 2, 2021 4:44 PM
To: CD STRComment
Subject: STR

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

Comments to:
Jim Brown
Kevin Overbay
Bog Burget
Tiffany Gering

Re:
STR in Lake Wenatchee Area

99.1% of the letters you will receive will not be like this one!!!!

I am 83 years old and live on the same lake side lot purchased by my family in 1928!!!

I have seen that the basic problem is that YOU county officials are not addressing the need to control the increased congestion on our limited resources like: trails, parks, lakes, rivers, and NEIGHBORHOODS .

After 83 years, what I see happening.....worries me.

Sally Kane
18045 North Shore Drive
509-669-6116

Sent from my iPad

Wendy Lane

From: Bob Fallon <bobfallon@gmail.com>
Sent: Friday, July 2, 2021 4:43 PM
To: CD STRComment
Subject: Comment on Chelan County Draft Short Term Rental Code

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

TO:Chelan County Board of County Commissioners

FROM: Bob Fallon
12275 Village View Drive
Leavenworth

Well, here I go again, last chance to cajole or embarrass you into doing the right thing.

You are on the verge of amending Title 11 of the Chelan County Code to legalize an incredible number of currently illegal commercial operations in residential zones.

There is absolutely no doubt that whole house non-owner occupied STRs are currently illegal in Chelan County, and despite two years of wrangling, you have never claimed they are.

You have spent two+ years interacting with residents and debating a variety of new code elements, but you have never once explained to the residents of Chelan County why you think they would be better served by giving up their neighborhoods for the financial benefit of non-resident investors. You hide behind the Comprehensive Plan that requires the county to protect residential neighborhoods and promote the economy. But nothing in the Plan requires that these two goals be met in the same zones. In fact, it implies that they cannot be.

Your refusal to enforce the current code is breathtaking. You have occasionally alluded to legal issues that have led the Prosecuting Attorney to refuse to defend code enforcement. That is an incredible conclusion. If this is indeed a valid, defensible assessment, the facts have to be revealed. The citizens of Chelan County are owed the opportunity to judge whether you and the Prosecuting Attorney deserve the money we are paying you to run Chelan County.

Chelan County has a remarkable reputation for allowing a wide variety of activities that violate code. This has had a variety of manifestations and consequences over the years that has led many citizens to be skeptical of the county's ability to run itself responsibly.

This proposed code amendment is the granddaddy of all excursions from the code and will solidify Chelan County's reputation as a great place to break the law but a poor place for residents to rely on code to protect their homes, neighborhoods and communities.

Why, when controversy arises, does money always win. Please consider quality of life in Chelan County on a par with money (particularly money earned by non-residents).

Has it occurred to you that this destruction of neighborhoods by outside investors resembles what has historically happened to vast swaths of the West. Sophisticated moneyed interests overwhelm naive inexperienced locals to extract a commodity (in this case our pleasant neighborhoods, our superb outdoor amenities), take the money from the community, leaving devastation in their wake (dysfunctional neighborhoods and communities).

This attitude on the part of the county has led to the presence of a group of over 1000 investors who are arrogant, aggressive, insulting and demanding, who have a sense of entitlement to break the law. They are bewildered and confused when questioned. They are stunned when residents fail to see the beauty of their investments. Continued acquiescence to their outrageous impositions is embarrassing and destroys the citizens' faith in the power of government to protect them.

If indeed the Prosecuting Attorney is correct and some STR operators have a document or evidence of "permission" to operate and will win a lawsuit against the county, so what. It can not be many and the county will be successful in enforcing the code against the vast majority of illegal operations. What are you afraid of? Enforce the code.

Have you asked our new Prosecuting Attorney his opinion on the defensibility of the current code?

In short, do your duty. Protect residents, your constituents. Amend the code to clearly define STRs. Continue the ban on whole house commercial businesses in residential zones. Clearly define where these entities can legitimately operate (I am not against them in appropriate commercial, resort or truly remote locations distant from residential neighborhoods). Enact stringent enforcement provisions and assure they will be implemented. Be responsible. Join with your neighbors, your friends, your constituents to make Chelan County a great place to live, work and play.

Wendy Lane

From: Ted <tedgrandpre@gmail.com>
Sent: Friday, July 2, 2021 4:39 PM
To: CD STRComment
Subject: STR Public Comment

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

Thank you for taking comments on this deeply divisive topic.

My wife and I have been visiting Lake Chelan and the surrounding areas for most of our life. She spent a few weeks a year at Wapato point from an early age to just last year. We purchased a home in Manson in the beginning of 2020 and have spent most of our time at the new house ever since. COVID and telecommute have altered the workplace and allowed us to live a better life on "the East Side." This new telecommute reality is here to stay. We have witnessed others permanently move to Chelan County to live, work, and play here.

The home we purchased was in the mid $300,000.00 range. It was a very competitive property, and most of the competition was "West Side Money." The home is a 900 sq ft, one bedroom home and does not even have a full bathroom. It had been used as a vacation rental for a long time and required repair and TLC.

The first time I stood on the deck of the property, a neighbor yelled at me to "Go back to Seattle."

A few days later, another neighbor approached me and berated me with insults, and drove home the fact that "West Siders" are not welcome.

Not deterred, my wife and I spent the rest of the year doing projects such as painting, landscaping, drainage, a new porch, and furnishing the house. Or should I say "cabin". We hired all local contractors for help with all the projects and furnished much of the cabin from businesses along Woodin Ave.

All building materials were purchased from Builders Supply in Manson, and we do everything we can to support the local economy. We also employ local landscapers and cleaners and pay them well.

Multiple properties around us are rentals, and we have not seen anything out of the ordinary or what would be regarded as a problem property. Unfortunately, bad music and kids twerking by the pool is the new normal.

We spoke with Vacasa prior to purchasing this property and was told "Good news I found out that we can use the old permit for the rest of this year and then at the end of the year will need to fill out a new permit with the new name for 2021 so we're good to go." This entity was not to be trusted and we got caught in the moratorium limbo.

A close friend of ours rents a 1700 sq ft home near downtown Chelan almost every year for a week. This year, that house was $1,000.00 a night during the peak summer weeks. When she inquired about the same time next year, the price had gone up to almost $1,500.00 a night.

The prices for a nice mid-sized rental near downtown Chelan have now eclipsed over-the-water bungalows at 5-star all-inclusive resorts in the Maldives. With airfare through Dubai.

Removing two thirds or any number of rentals from Chelan County will create two very real responses.

• The rentals left standing will raise their rates even higher since there is less competition but the same or increased demand. Higher rents will follow, and they will be able to sell the property for much more if they desire. More than likely, it will sell to West Side money.
• The rentals that were removed from the pool, will continue to operate, unregulated and under the table. This will also increase rental rates. Once legitimate rentals, they will be forced to operate within a quasi-prohibition situation. This will lead to lower safety standards and more potential for negative outcomes. If there are no resources to police existing rental properties and complaints, how will anyone police the underground rental market?
• Owners of some rentals will get out of the game and sell their properties. Odds are, they will be sold to people who will use them as second homes and sold at very high prices. This will lower the legitimate rental pool. Also, see #1 and #2.

This whole thing has been pushed by a few very vocal residents and RUN. Which Unites nothing and is causing massive division among residents.

I would like to ask, each and every person complaining from the Leavenworth area if they have lived there since before 1965 when the town transformed itself to attract more tourists. Or if they recently moved there and having nothing better to do than complain that they moved into a tourist town.
I really feel like the majority of the opposition is coming from a very vocal few, in a 1.2 sq mile town and that does not represent the entire county of Chelan.

I trust the committee will work hard for everyone and come to a fair conclusion to this matter.

Thank you for your time.

Wendy Lane

From: Chuck Egner <chuck@37cellars.com>
Sent: Friday, July 2, 2021 4:38 PM
To: CD STRComment
Subject: Short Term Rental comment

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

2 July, 2021

Dear Commissioners,

Between my wife and I, I estimate we have written at least a half dozen letters to you regarding this hugely life impacting cancer of Short Term Rentals here in the 98826 zip code, over the past many years. I wanted to send one last letter, expressing my disappointment over what appears to be the probable last word from you people on this issue.

I feel you have totally abandoned us residents of Chelan County. We have written to you about every instance of negative impact these businesses have had on us and nearly ALL of our neighbors on our hill. And, without a doubt, we have been ignored. Nowhere have you taken our problems of continuing depletion of natural water resources; our greatly increased danger of losing our homes to wildfire; our constant battle with trespassing on our private property; our lack of sleep from the noise of raucous nightly renters without supervision; our private road being degraded by hundreds of trips up and down by non-resident, non dues paying nightly renters (often 15 or more cars from ONE STR driving up and down several times a day) that we residents of our hill have to shell out of our own pockets each year to repair. Is this fair in any circumstance?

What gives these Non-resident STR owners more rights than WE are afforded? We, who paid for our homes and retirements with a lifetime of hard work and saving for what we wanted for ourselves. Not from money paid from nightly renters who have destroyed the quality of life we worked so hard for? If you pass your currently favored edicts, you will have spit in the faces of your citizens and residents of Chelan County, the only people you have been elected by to represent in their best interest. We implore you, give us some peace, sanctuary and safety in our own homes!

Chuck Egner
1261 Dempsey Road
P.O. Box 520
Leavenworth, WA 98826

Wendy Lane

From: Director of Operations <steve@cityofcashmere.org>
Sent: Friday, July 2, 2021 4:30 PM
To: CD STRComment
Subject: STR Comment
Attachments: Ord 1299 Amend Title 17 Short Term Rentals.pdf

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

The City of Cashmere supports Section 11.88.290 (2) C. iv adopting Cashmere's (Urban Growth Area included) land use regulations, development standards and land use designations, as they apply to short term or vacation rentals of 30 days or less (Ordinance attached).

Consider indicating such in any future summary of the code.

Thanks and contact me with questions.

Steve Croci
Director of Operations
City of Cashmere
101 Woodring Street
Cashmere, WA 98815

steve@cityofcashmere.org
Office: 509-782-3513
Mobile: 509-433-2072
FAX: 509-782-2840

ORDINANCE NO.1299

AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON; ADDING AND AMENDING PROVISIONS WITHIN TITLE 17 OF THE CASHMERE MUNICIPAL CODE; REGULATING THE USE OF PROPERTY FOR SHORT TERM RENTALS OF LESS THAN THIRTY DAYS; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council and City Planning Commission have studied the issue of short term rentals for several weeks; and

WHEREAS, the Planning Commission has held a public hearing to consider the amendments to Title 17 to the Cashmere Municipal Code as set forth in this Ordinance and recommends approval of this Ordinance to the City Council; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and concurs with the recommendation of the Planning Commission and finds that adoption of this Ordinance is in the best interest of public health, safety, and welfare of the citizens of the City of Cashmere; now therefore,

THE CITY COUNCIL OF THE CITY OF CASHMERE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new definition is hereby added to Section 17.08.010 of the Cashmere Municipal Code to read as follows:

> "Short Term Rental" means a residential dwelling unit, or portions thereof, that are rented to overnight guests for fewer than 30 consecutive days.

Section 2. The District Use Chart set forth in Section 17.18.020 of the Cashmere Municipal Code is hereby amended to add "Short Term Rental" under "Commercial Uses" as set forth in the table below:

17.18.020 District Use Chart.

	SF	SR	AR	MF	P	DB	C/LI	WI
Commercial Uses								
Short Term Rental						PRM	PRM	PRM

Section 3. A new Section 17.58.170 is hereby added to the Cashmere Municipal Code to read as follows:

17.58.170 Short Term Rentals

A. Where authorized pursuant to the District Use Chart set forth in Section 17.18.020, Short Term Rentals may operate provided they obtain a business license pursuant to Chapter 5.04 of the Cashmere Municipal Code, which license identifies a property representative by address, telephone number, and email address who will be available to respond to complaints and emergencies.

B. All Short Term Rentals shall maintain off street parking as required pursuant to the table set forth in Section 17.54.030 (B).

Section 4. The off street parking table set forth in Sub-Section (B) of Section 17.54.030 of the Cashmere Municipal Code is hereby amended to add the following under the "Commercial" category in the table:

Property Use	**Required Parking Spaces**	
Commercial		
Short Term Rental	Per Dwelling Unit	1
	Plus for each bedroom over 2 bedrooms within each dwelling unit	1

Section 5. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

APPROVED:

MAYOR JAMES FLETCHER

ATTEST/AUTHENTICATED:

CITY CLERK, KAY JONES

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By:
CHARLES D. ZIMMERMAN

PASSED BY THE CITY COUNCIL:	05/24/2021
PUBLISHED:	06/02/2021
EFFECTIVE DATE:	06/07/2021
ORDINANCE NO.	1299

Wendy Lane

From: Holly Simpkins & Lew Guenther <wedaccount@yahoo.com>
Sent: Friday, July 2, 2021 4:24 PM
To: CD STRComment
Subject: Comment re Short Term Rentals

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

Hi. We've owned a home in the Lake Wenatchee area since 2006 and have watched with dismay as short term rentals have destroyed local neighborhoods. We have lived next to two different short term rentals during most of that time and have many crazy stories as a result. For example, a school bus pulled up to the short term rental next door and unloaded all of its passengers who were staying in that small 3-bedroom house. Additionally, we and our children were often treated to naked, drunk individuals running around outside/using the hot tub in view of our kids' bedroom. The owners of these two rentals live on the west side and are motivated by one thing, profit. They have little regard for the neighborhood or addressing our complaints about parties running late into the night, renters who park in our parking spaces or who clearly exceed the capacity of the house. In fact, we moved from our house in Pine River Ranch because many of our neighbors sold and those houses were turned into short term rentals.

We are glad to see that the county is finally taking action to protect its neighborhoods and residents. We are particularly concerned, however, about one provision of the new ordinance regarding the exemption of children under 2 from the occupancy limit (line 409). Exempting children under 2 will make enforcement very difficult. We now live in a community with limits in the covenants on occupancy for rentals and the owners next door will swear up and down that they don't have more than the allotted number of people even when it is clear to us (and to them, they have cameras) that the occupancy limit has been exceeded. If children under 2 are exempted it is inevitable that in the face of complaints owners will claim that the children that were present were under 2 and those making the complaints will not have access to the information needed (birth certificates for children of renters??) to rebut that information. A clear standard of 1 person=1 person is needed for ease of enforcement and avoidance of abuse by owners and short term renters.

We appreciate your consideration.

Thanks,

Holly and Lew

Wendy Lane

From: Gretchen Daiber <gretchen@gretchendaiber.com>
Sent: Friday, July 2, 2021 4:23 PM
To: CD STRComment
Subject: STR Code Comment #2
Attachments: STR Code Comment #2

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

July 2, 2021

Chelan County Commissioners
cd.strcomments@co.chelan.wa.us

Dear Chelan County Commissioners,

In deciding on the final STR code please address our concerns. We are long time full time residents of Chelan County. Non owner occupied STRs have a serious negative impact on our neighborhoods. Besides the noise, safety (traffic and elevated fire risks) and invasion of privacy by STR renters, there are serious issues with overburdened septic systems in these rentals. Because of lack of enforced occupancy limits, health issues loom large to the neighbors as well as to the STR property itself. All occupants must be counted, including all children, as the septic system must handle the impact of all the renters. Many permitted and unpermitted STRs rent to more occupants than the septic systems are designed to handle on an ongoing basis. Neighbors and downslope residents are impacted by the stench as well as possible overflow. Count all occupants including children under 2 in your limits and insure that all STRs comply with septic system usage requirements and PLEASE ENFORCE THE CODE ONCE ADOPTED.

Respectfully,
Gretchen Daiber
1535 Dempsey Road, Leavenworth

Wendy Lane

From: Gretchen Daiber <gretchen@gretchendaiber.com>
Sent: Friday, July 2, 2021 4:22 PM
To: CD STRComment
Subject: STR Code Comment
Attachments: STR Code Comment

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

July 2, 2021

To: Chelan County Commissioners
cd.strcomments@co.chelan.wa.us

Attention Chelan County Commissioners:

We are 30 year plus residents and landowners in Chelan County. With that history we find the recent increase in the number of STRs on our communities troubling. The final draft of the STR code has many acceptable compromises but fails to address long standing issues that have serious negative impacts on residental neighborhoods. Please listen to the residents not just absentee owners of STRs for your consideration of the final code.

STRs are commercial lodging busisnesses and as such belong in commercial zones. As it stands they endanger neighboring full time residences and neighborhood infrastructure not designed for heavy commercial use. In our neighborhood (Dempsey Road in Leavenworth) that infrastructure is privately owned as we live on a private road. As residents and owners we all share responsibility for the safety of the road's users. The County must require STR owners to obtain permission from other owners who share the legal responsibility for this common infrastructure.

Please keep neighborhoods safe for residents.

Sincerely,
Gretchen Daiber
1535 Dempsey Rd., Leavenworth

Wendy Lane

From: Jimi Wilson <jbwilson@nwi.net>
Sent: Friday, July 2, 2021 4:22 PM
To: CD STRComment
Subject: STRs

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

One last comment - seems like all the STR owners talk about is money. All the residents talk about is community.

Thanks for listening.

Jimi Wilson

Sent from my iPhone

Wendy Lane

From: PAULA D GOODWIN <probinson58@msn.com>
Sent: Friday, July 2, 2021 4:19 PM
To: CD STRComment
Cc: PAULA D GOODWIN
Subject: SHORT TERM RENTAL Comments

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

Dear Jim Brown and Commissioners,

I am a retired resident of Chelan County since 2015, specifically in the Kahler Glen Community. Our beautiful communities of Plain, Lake Wenatchee, Ponderosa, Chiwawa Pines and Leavenworth are quickly eroding due to over tourism and the unregulated proliferation of illegal STRs. We used to frequent downtown Leavenworth shops and restaurants, but sadly we have surrendered the weekends and holidays to tourists.

After being so very close to an ordinance at the end of 2020, you paused the process and appointed a task force to try and come to a consensus. The difficult task of compromises that were reached and agreed to by all parties was a huge accomplishment and should not be changed at this critical hour.

Here are my concerns:

1. Children under the age of 2 MUST be included in the occupancy count (line 409). To do otherwise has the direct result of increasing occupancy. All other drafts counted everyone, including children, and should not be changed at this late stage.
2. Occupancy should be calculated by number of bedrooms in the building permit and septic permit, or community CCRs, whichever is stricter.
3. PUD's MUST NOT be exempted from the density cap (line 203). Exempted them fundamentally changes the compromises arrived at by the task force participants
4. Noise - the ordinance is very general and difficult to enforce. There needs to be a specific stander for STRs that is easy to enforce. Please add the following language: In addition to the noise standard identified in chapter 11.96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.
5. DO NOT change the word "and" to "or" (line 384) This change would open the door to increased occupancy
6. Occupancy limits should apply for both DAYTIME and NIGHTTIME

I appreciate the long hours of hard work all of you have invested in this very difficult issue. Please don't negate the fair and balance solutions arrived at by diverse interest by caving to pressure from Short Term Rental owners at this eleventh hour. They do not live here, they do not live with the repercussions of decisions made here. They only seem to care about their "investment". Tourism, and over tourism is taking a toll on our beautiful area. The rivers are overrun, littering, traffic, parking, etc. Please make the right decision and support the people who you are sworn to serve.

Respectfully,
Paula and Richard Robinson
20616 Haight Drive
Leavenworth, WA 98826

Wendy Lane

From: Mandi Muscutt <mmuscutt@cascadesd.org>
Sent: Friday, July 2, 2021 4:15 PM
To: CD STRComment
Subject: Leavenworth STR

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

To whom it may concern,

I live in Leavenworth and am concerned about our housing situation and neighborhoods. The short-term rentals have reduced the availability of long-term housing for people who actually live and work in Leavenworth and brought an odd dynamic to the place we raise our children. When people are on vacation, they are less likely to care about the neighborhood. We have had loud music and conversation coming from rentals late in the evening, children driving four-wheelers in the middle of our road, and strangers wandering around our property thinking they were staying here. All of this, and I believe my experience is mild.

Please make decisions that show more care for our community than for money. I realize that I live in a tourist town and understand our economy relies on tourists; however, it is possible to saturate and over-use our resources. Then where will we be?

Thank you for your thought and time,
Mandi Muscutt

Wendy Lane

From: Mary <mshima4540@gmail.com>
Sent: Friday, July 2, 2021 4:14 PM
To: CD STRComment
Subject: STR's Comment submittal

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

Mary Shima
7151 Icicle Road
Leavenworth,Washington 98826
509-548-2401
mshima4540@gmail.com

July 2, 2021

Commissioners,

I have owned my home in the Icicle Island Club HOA, located on Icicle Road, since 1994. I am a full time resident. This community association was platted sometime in the late 1960's. We are an association of small lots, with very little property separating each home. We are within 1/4 mile of the Snow Lakes trailhead.

I am writing to ask that STR's be sunsetted, and not grandfathered. We have several STR's in my community that in my opinion are operating in violation of the HOA Documents including the CCR's. I am strongly against grandfathering nonconofming Tier II STR's especially on the small sized lots we have in our HOA community. We have experienced a whole host of problems, some of which are trespassing, outdoor fires out of season, including in July and August, increased traffic over bridges and private roads, people walking around that we don't know with unruly dogs unleashed and not controlled. Many many times the STR renters fish out of season and do not care if you remind them of the state rules.

One of my concerns is that the proposed code, if adopted, will be used by the STR owners in this community as approval of and permission by the County for them to continue what I feel is a violation of this HOA's bylaws and CCR's. It seems like they have done that in the past.I request specific language making it clear in the event the proposed code is adopted that the County does not intend to alter or supersede our Icicle Island club HOA rules and CCR's.

I oppose grandfathering STR's on the tiny nonconforming lot sizes like ours in the Icicle Island Club. If my request is not granted, I request that at the very least the County requires CUP's so location suitability can be evaluated. I also request specific language that makes it clear that nothing in the proposed code is meant to permit STR's to exist where or when otherwise prohibited by law or contract, for example the Icicle Island HOA rules and regulations.

Sincerely,

Mary Shima

Wendy Lane

From: Rob Whitten <plainhardware@gmail.com>
Sent: Friday, July 2, 2021 4:11 PM
To: CD STRComment
Cc: Bob Bugert
Subject: Short Term Rentals

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

Commissioners:

I am a 30 year resident and business owner in Plain. The rise of our tourism based economy in the last 30 years has been a very healthy and good thing for our community. It has built a better community, with many new families with children coming to our area for the jobs or business opportunities that this industry has created. Our community has grown stronger as a result of tourism and STR's and it is a great, inclusive, and diverse mixing pot of new residents from all over the world.

In the 30 years that I've lived here, I've never had a problem with an STR tenant and I have many in my subdivision. But I've had to call 911 multiple times for local owners or renters (monthly). If we can ban or severely limit a 3 day rental, or a 29 day rental, why can't we ban a 31 day monthly rental? That would get rid of some bad neighbors! But it might violate some Constitutionally guaranteed property rights. Oh, that pesky Constitution! I don't think the Constitution makes a distinction between a 29 day rental and a 31 day rental.

Your 30 page code will negatively affect our community here in Plain and Lake Wenatchee. We have but one industry - tourism.

Tourism cannot exist without beds for tourists. We have virtually no land zoned for hotels, plus that doesn't fit the nature/needs of our mountain tourists. They want a cabin in the woods.

In forcing this complex and expensive to enforce code on STR's, it is obvious that the goal is to reduce the number of beds available for tourism, thus hurting our tourist economy and the families/kids in our community that have tourism based jobs or businesses.

Almost all employment in our community is based on tourism. If you reduce the number of beds available, you will reduce the number of jobs. The tourism supported families won't need affordable housing in the area as they will lose their jobs or businesses and have to move elsewhere to find work or business opportunities.

It's a strange irony that the County is handing out grants from the hotel/motel tax to promote tourism, while at the same time they are trying to reduce tourism with the STR Code.

Eliminating or reducing STR's WILL NOT address affordable housing for these tourism supported working families. The market demand for vacation homes is so strong from Western Washington that prices are high and rising quickly. This will not change. If a home can no longer be used as an STR and it goes on the market to be sold, there are literally buyers waiting in line for it. The local working family with children will not be able to afford it (as they will be losing their tourism based job), while the five bidders from Bellvue will be bidding up the price with an all cash offering. Please take the time to talk to some Real Estate professionals who serve Lake Wenatchee and learn about the market and the likelihood that reducing SRT's will help our local young families score an affordable house.

Some people state that eliminating STR's will "save our community". If driving out local families, children, and businesses and creating an elitist retirement community for rich people is what they speak of, then that is what they will get. That is not a vibrant nor healthy community. It is my opinion that the 30 (retired) core people who for the last

4-5 years have been pushing to eliminate STR's are a vocal but SMALL minority (who just recently moved here full time). They don't realize that all the business amenities and services that they enjoy and rely on are here because of tourism.

The majority will speak at the ballot box.

The businesses that have not been treated fairly or legally by the county will tie this up in court for years, costing the County more money, less focus/time spent on serving the citizens, and potential liability to you, the commissioners, for possibly violating Washington State's Open Public Meetings Act.

Wouldn't this be simpler if you properly fund the sheriff's department and task them with actively enforcing the laws already on the books, and work with the STR community to help fund this effort? That won't be challenged in court, saving everyone time and money, while at the same time keeping our communities inclusive, safe and healthy.

Please feel free to call me or stop by to visit any time to discuss this issue.

Sincerely,

Rob Whitten
Plain Hardware
Cell (509) 630-1107

Wendy Lane

From: Sarah Piestrup, EAMP <sarah@cascadewellness.com>
Sent: Friday, July 2, 2021 4:03 PM
To: CD STRComment
Cc: Shelby John Scott
Subject: STR Code

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

Dear Chelan County Commissioners,

You have thus far allowed an invasion of our hard earned private residence, land and peace by allowing invasive disruptive and dangerous commercial businesses (unstaffed STRs with out of town owners) in our back yard to spite clear codes against this. When the public is using a space it should be where it belongs, in commercial zoning and the business should be staffed for the surrounding peoples safety and peace. The county was clear when we obtained a CUP for our home business that overnight rentals were not allowed. I realized after there was a time when this was to be "examined." Nothing was acceptable about that lack of due process and now you are taking it to a level that is beyond my wildest comprehension of cruelty and misjudgment for everyone involved. If you grandfather these illegal businesses in with last minute loopholes you are effectively silencing residents and making enforcement of the exact abusive activities that we have been desperately pleading with the county about since the day it started impossible to enforce.

As most residents with actual legal jobs we were unable to attend the meetings as we were at work.

I agree wholeheartedly with the Manson Community Council's letter to you about these specific points about this latest code that has eroded any hope I had in your humanity or ability to stand up for the residents who elected you.

Of particular concern are these eleventh hour changes being considered:

Occupancy:

As very clearly described in the Manson Community Council's letter to you, occupancy in this draft is based on bedrooms, as was agreed to by the Task Force. What was not agreed to was the change reflected in lines 865-870 that defines bedroom to mean "either enclosed or open areas within a structure being used as a STR that provides sleeping accommodations such as mattresses, beds, sofa sleeper, roll away beds,. day/trundle beds, bunk beds, murphy beds, etc . . " Our neighbor has a 3 bedroom home and advertises that it "sleeps 17" and to "bring your own wine" it is looming directly over our son's bedroom and causes untold disruption and harm to our family that I have written to you many times before. Her sewer is leaking onto our water line and nothing about that property was meant to hold anyone extra in any other place than a proper bedroom. This is simply criminal to add and in no other space in any legal residence is anything other than a proper bedroom considered as such. Why on earth would you add that here?

Planned Unit Development Loophole must be closed:

PUD's must not be exempted from the density cap (line 203). Exempting them fundamentally changes the compromises arrived at by the task force participants.

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

Noise (line 470)

The county's noise ordinance is very general and difficult to enforce. There needs to be a specific standard for STRs that is easy to enforce.

Please add the following language: In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

We truly appreciate the hours and hours of hard work all of you have invested in this thorny issue. Please don't negate the fair and balanced solutions arrived at by diverse interests by caving to pressure from Short Term Rental owners at this eleventh hour.

I would also like to add that our area on Fox Rd in Leavenworth is fully saturated with STRs. I would guess we are at 50% and over half of those are unoccupied and owned by people who have never lived in Leavenworth. This is true for my immediate area and I can show you pictures, a map, videos and ads if you need any proof. This is unacceptable. You need to make the cap the cap and not grandfather in the free for all you started. These people took their own risk starting an illegal business and doing the slightest research would have alerted them to the legal challenges and basic rules that they were being allowed to break by county permission while their impact was assessed. They failed, terribly, as neighbors. Please uphold the basics of the zoning we purchased in. I worked my whole life for this house and I am not leaving. I am also not STR staff and I have been expected to be a security guard and greeting committee and I don't accept the position. We have a right to peace in a residential area and nothing about this code is going to ensure that as it is now.

Sincerely,

Sarah, Soren and Shelby Scott

10454 Fox Rd

Leavenworth WA, 98826

Wendy Lane

From: jennie mellor <jmhmellor@yahoo.com>
Sent: Friday, July 2, 2021 3:59 PM
To: CD STRComment
Subject: STR - comments

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

Thank you for all the time and effort spent on this issue.
Thank you for taking the time to listen.
I hope that all affected parties will be equally represented and listened to.

We currently and for the past 38 years have lived in Bellevue WA. We have been visiting and enjoying Chelan county for over 40 years.
A few years ago we found a piece of property and began to realize a dream of having a place of our own in the Leavenworth/Plain area.
Wet have built a home on the Chumstick Hwy about 2 miles from Plain.
We currently are using this newly built home as an STR.

We went into the entire process and have been up front all along with everyone that we have dealt with, from the county to our neighbors,
that it was our intention to use it as an STR to help defray the cost.
Needless to say we were quite surprised to learn about Chelan County's proposed 'regulations' regarding STR's and the way that it
could impact our freedom to use our land (we have 9 acres). Not once in all our dealings over the last few years was this mentioned to us.

We very purposefully built our home to accommodate, and we try to rent it, to multigenerational families like our own.
I can certainly understand that no one wants to live next to a party house.
We have strict house rules and believe that there should absolutely be city and county ordinances and regulations regarding issues like noise, parking, garbage and nuisances.

Why is the county not concentrating on enforcing or strengthening current regulations instead of writing new lengthy and draconian codes?

Writing laws to limit, curtail and remove STR's seems like a bad course of action for several reasons:

* This is a direct infringement upon individual property rights.

* Some of the proposals represent what could be a severe economic hardship.
Not only to owners who need the income to pay their mortgages but to the towns and communities that depend on tourism for their economic welfare.

* The proposed limits on STR's would adversely affect the ability of many working people to support their families.

We hire, for example, housecleaners, gardeners and maintenance help, and we are only one small home. We also promote and encourage guest

to patronize local businesses. Where will all of these people be employed if STR's are shut down or limited?

* The economic outcome seems like it would be bad, if not devastating, on all fronts.

Please consider ways to enforce current code and regulations before resorting to drastic measures and punitive 'solutions' that are liable to create more problems than they fix.

Sincerely
Jennie and Joel Mellor

Wendy Lane

From: terranovareg@aol.com
Sent: Friday, July 2, 2021 4:03 PM
To: CD STRComment
Subject: STR

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

Hello

As a full time home owner at Lake Wenatchee I ask you not to change any language to allow more short term rentals over what the previous percentage cap has been determined to be. We live in a residential community. If people want to have STRs there should be a special zoned area just for them which they could then build and buy into.. This should not be allowed in existing residential neighborhoods for all the reasons you have heard, including the disruption and decrease in enjoyment of ones own property.

At Kahler Glen where we live, there is an individual who is proposing a Kahler Mountain Club which would include all the homes of Kahler Glen whether one wants to be in it or not. He desires 50 homes available for STRs per night to support his vision. PLEASE DO NOT ALLOW THIS TO HAPPEN.

Thank you
Regina Terranova
20701 Club House Drive unit 201
Leavenworth WA

Wendy Lane

From: Michele Peltonen <michelep@ourownspeed.com>
Sent: Friday, July 2, 2021 3:58 PM
To: CD STRComment
Subject: Draft Short Term Rental Code

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

Dear Commissioners,

My husband and I own property near Plain. We have enjoyed spending our weekends there for over 20 years. And as my husband nears retirement, we intend to become fulltime residents.

It would be our preference that all "short term rentals" (as defined in your draft code) be owner occupied. Our area has safety concerns, such as fire, that we think would be better protected against by the presence of an owner. However, we accept that our preference has basically no chance of being enacted.

Given that is the case, our concerns regarding safety are particularly relevant to more rurally located short term rentals. In addition to fire concerns, there are issues with garbage and wildlife - bears in particular.

We are concerned that the provision in the draft code dealing with garbage only requires that: "Trash must be in proper containers on collection day." It does not say ONLY on collection day. It is a common enough problem in our area with people putting their garbage container out in advance of collection day and the added time out adds to the time the bears can be attracted to it. Given the current draft wording, I can envision that short term renters, most of who will be renting for a weekend, will put the garbage out on the day they leave (typically Sunday) – regardless of when the collection day is.

Short term rentals that are not owner occupied should have to deal with the case where the rental does not end on collection day. Owners would have two options we can think of:
a) Require that all renters take all remaining garbage away with them. (In which case, the owner should provide trash bags for the removal of the trash.)
or
b) Put the garbage out themselves (personally or via an agent) to ensure it is put out on the correct day.

The draft code refers to CCC Chapter 4.04, but 4.04 does not deal with garbage collection. The draft code also refers to "Good Neighbor Guidelines". I could find no such document. I found a Chelan County "Good Neighbor Handbook". But the handbook provides no specific guidance, much less requirements, regarding how to handle garbage.

The issue of garbage may seem minor, but it is even hard to get local residents to be bear-wise with their garbage. Without fairly strict requirements, it is highly unlikely non-occupant owners and their renters will take care to be bear-wise.

Thank you for your consideration.

Yours truly,
Michele Peltonen
425-603-0711
Local address:
18512 Little Chumstick Creek Road

Wendy Lane

From: lauri.malmquist@peshastin.org
Sent: Friday, July 2, 2021 3:51 PM
To: CD STRComment
Cc: 'Cheryl Parsley'; 'Doug Clarke'; 'Lauri Malmquist'; 'Leticia Vizcaiano'; 'Stan Winters'; 'Steve Keene'; 'Trish Ortize'
Subject: Peshastin Community Council STR Code Comments
Attachments: PCC STR Comments BoCC 7.2.21.docx

Importance: High

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Jim, Bob, Kevin and Tiffany, attached are our comments.

Thank you, Lauri Malmquist, Chair

Peshastin Community Council
P O Box 711
Peshastin, WA 98847
communitycouncil@peshastin.org

July ~~1ne 30~~, 2021

Chelan County
Board of County Commissioners
Director of Community Development

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Thank you for your ongoing efforts to create a section of code affecting short term rentals in Chelan County.

After attendance at the final public hearing on the proposed Short Term Rental code 11.04, the Peshastin Community Council would like to add the following comments for your consideration.

We thank you for putting emphasis on and budgeting for increased enforcement efforts, which are vital for the success of this new code.

We thank you for taking into consideration the wishes of many Peshastin residents, by including 'new short term rentals would be limited to commercial zones in the Peshastin UGA' (lines 34 & 35); and the code proposal of a 0% cap on STRs within the residential zones of the Peshastin UGA (line 189).

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The~~On line 69 of the~~ draft code ~~is the~~ statesment "Short Term Rental land uses are commercial..." (line 69), which is in agreement with the letter and intent of the Peshastin UGA. (line 80; line 84 table)

The Council would like (2)(B)(d) lines 200-204, to be struck or amended. Tier 2 and Tier 3 STRs; including Planned Unit Development Overlay Districts and Master Planned Resorts Overlay Districts; and within the Peshastin UGA, should only be allowed in Commercially zoned districts. ~~However, on line 218, the Peshastin UGA use chart, there is no specific mention of STRs in the commercial use category. The Peshastin Community Council specifically requested that STRs be listed in the use chart, as of (....August 2019?) to clarify this issue. We ask that you amend the use chart to reflect this.~~

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Lines ~~Lines~~ 364-366, referring to non-conforming STRs in residential zones within the Peshastin UGA, need to be deleted or amended.; ~~O~~only those STRs located in the non-residential zones of the Peshastin UGA should be considered in this classification, as no STR should be located in any of the three residential zones.

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Chapter 11.88.290 Section (E) 'Existing Short Term Rentals' is important for the community of Peshastin, as it pertains to four illegally operating STRs in a residential zone within the Peshastin UGA.

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Because STRs have never been allowed in residential zones within the Peshastin UGA, t~~T~~here should be no route for "grandfathering" of current STRs existing in any residential zone, only those located in non-residential zones.

Thank you for your work and your consideration of our comments.

Peshastin Community Council

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Lauri Malmquist, Trish Ortiz, Steve Keene, Doug Clarke,
Stan Winters, Cheryl Parsley, Leticia Vizcaino~~Of note, the AirDNA data from January 2020 reports 7 whole house STRs within the Peshastin UGA: 3 in R-1(residential), 1 in C-D(commercial), 1 in I-C(industrial), and 2 in PU(public use, which at this time includes only the Peshastin Library and Peshastin-Dryden Elementary properties. This last seems highly unlikely.We thank you for putting emphasis on and budgeting for increased enforcement efforts, which are vital for the success of this new code.~~

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Wendy Lane

From: Kelly Wagman <kellywag@outlook.com>
Sent: Friday, July 2, 2021 3:49 PM
To: CD STRComment
Subject: Short Term Rental Code Input for the Record

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

Dear Commissioners,

First, I'd like to thank you taking the time and forming the task force. From the beginning, I've heard the STR community as receptive to the give and take that is required for compromising. Some things will be challenging, but overall the package of change looks like something we can all support. I do have two concerns:

The first is relative to occupancy limits. Changing occupancy to count children under 2 is counter-productive. We do not take "instant bookings", I vet every renter by reviewing their booking information, asking questions, looking them up on social media, searching them on Google, and talking with them when needed.

Bookings without children are my first red flag. If they haven't explained the purpose of their visit, I ask. This weeds out bachelor/bachelorette parties, young adult parties, etc... If it is to celebrate a birthday/anniversary or similar, I arrange a call where I remind them of the "No party" restriction and explain exactly what that means and only move forward with the booking after we've reviewed relevant sections of the house rules and rental agreement again.

As a result, most of our guests are multi-generational families, or a few couples gathering with their children. These are the kind of guests I believe we want more of, not less. The proposed limits, which are already some of the most restrictive (Lincoln County, Or 3/bed, +2, excludes children under 2, Placer County, CA 2/bed+2, excludes children under 16, Scottsdale, AZ 6 adults + all dependent children are a few examples of top vacation destinations) will limit vacationers of this type to the area.

If the limitations are based on septic concerns counting small children doesn't make sense. They don't use the toilet, they take little baths, if guests do laundry (unlikely over a weekend!) their clothes have little impact, and at our place, they don't even use the sheets. Talk about unlikely to party until the wee hours, talk to the parents of a two year old 😉.

The second concern is not allowing changes to grandfathered properties. All properties over time require maintenance that requires a permit (ex. water heater replacement). We also have a list of improvements that we want to make over the next several years like moving the washer and dryer to make a better entrance and upgrading our deck. This not only improves the guest experience but allows us to maintain or enhance the value of our property and should not be restricted. The restrictions on making changes requiring a permit should be removed. Owners should be able to make improvements to their property if it doesn't increase non-conformity.

Thank you for your consideration.

Kelly and Lew Wagman

Wendy Lane

From: Melissa Roe <melissakroe@gmail.com>
Sent: Friday, July 2, 2021 3:41 PM
To: CD STRComment
Subject: STR rules/regulations

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

Hello,

My name is Melissa Roe and I live full-time at 11681 River Bend Dr. in Leavenworth. I am concerned about the STR situation here in Leavenworth and would ask that you would please institute rules and regulations that would restrict the number of STRs that are not owner-occupied, as this has a profound negative effect on our neighborhoods and sense of community. The numbers of STRs has dramatically increased in the last 5-7 years, and if we continue to allow them to be owned by people not permanently living in Chelan County, this results in empty neighborhood streets during the off-season (which negatively impacts the long-term residents here, as well as the businesses), and during the high-season it will inevitably result in an excessive number of STRs that don't have an resident owner attached who can deal with any issues of noise non-compliance or other problems.

The long-term residents of Leavenworth ask that you hear our voices, and institute policies that are good for our neighborhoods and community.

Thank you,
Melissa

11681 River Bend Dr.
Leavenworth, WA 98826
(425)495-3101

Wendy Lane

From: Paul Rawlins <rawlinslp@msn.com>
Sent: Friday, July 2, 2021 3:40 PM
To: CD STRComment
Subject: Safety Concerns Regarding Current Draft Code

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

My husband and I are full-time residents in Chiwawa River Pines. For over 20 years we have been fortunate to have lived in an area that is safe. Our neighbors know each other so it is only natural that we keep an eye out for any unusual activity or strangers in our area. Today, because of STRs, that is no longer the case. I no longer feel safe when I constantly see strangers in an area that was established for residential living. Also, do these visitors know or care about the impacts of fires in our community and the surrounding area? I am requesting that the County Commissioners do not grant any further STRs in this neighborhood, that they development a system to monitor the current STRS for compliance to the rules, and that they establish sizeable fines or other penalties for non-compliance.

Thank you.

Elizabeth Rawlins
2218 Riffle Drive
Leavenworth, WA 98826

Wendy Lane

From: Don MacKenzie <donmackenzie@hotmail.com>
Sent: Friday, July 2, 2021 3:39 PM
To: CD STRComment
Subject: PUDs, MPRs, and the Task Force

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Dear Commissioners,

RUN is leading a charge inaccurately claiming that the exclusion of PUDs undermines the caps that they agreed to in the task force.

In the task force, the question of the PUD and MPR exclusion came up, and it was agreed that it had been in the draft code for a long time, had not been controversial, and that removing it could hamstring the County's ability to approve these developments.

The PUD and MPR (and commercial zone) exclusions were in fact very much a part of what the STR side agreed to in the task force. We understood that we were agreeing to caps in Residential/Resource and LAMIRD zones, that would be separate from the PUD and MPR overlays.

I urge you to adhere to your own prior good judgment on this issue, and avoid undermining this provision.

Best regards,
Don MacKenzie

Wendy Lane

From: Susan Plummer <susancpg@yahoo.com>
Sent: Friday, July 2, 2021 3:37 PM
To: CD STRComment
Subject: Grandfather my neighborhood!

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

Dear Commissioners,

This letter is to inform you that I am opposed to STR's in neighborhoods. We moved here 9 years ago and love our friendly neighbors and we look out for each other, BUT that is being threatened by the increase of STR's.

Our neighbors sold their house a few years ago, and the new owners rent it out as a STR. Every couple of days, we have new people drive down our shared private driveway to stay in the STR. I don't know who they are, and don't care to know. I no longer am concerned about this house, because it is a business in our neighborhood - NOT our neighbor.

I am asking that you include children 2 and under in your occupancy count. All prior drafts of the ordinance included everyone.

In addition, please require the following:

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.

Please grandfather my "right" to live in a single family neighborhood without STR's!!!

Susan Plummer
12478 Shore St.
Leavenworth,WA 98826

Wendy Lane

From: Tina Rieman <tinarieman@tumwater.net>
Sent: Friday, July 2, 2021 3:36 PM
To: CD STRComment
Subject: STRs in Chelan County

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

Dear County Commissioners,

Dick and I strongly suggest that you, the County Commissioners, do not grant more concessions to the absentee STR owners, 90% of whom (I have heard) do not live in Chelan County. Their interest is financial and I don't believe they care about their impact on our community. In our area, Dempsey Hill, we have 4 Nightly Rentals within a couple hundred yards of our property. Two are absentee owners. With no resident owner on these premises there is no control over impacts (loud music played late, loud conversations (occasionally accompanied with foul language induce by heavy drinking), occasional trespassing onto our property, and traffic issues – especially in the winter.

Thanks for hearing our voice!

Tina and Dick Rieman

Sent from Mail for Windows 10

Wendy Lane

From: Candace Egner <candace@37cellars.com>
Sent: Friday, July 2, 2021 3:33 PM
To: CD STRComment
Subject: From Dempsey Road Owners and Residents
Attachments: Dempsey Road letter 7.2.2021.docx

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

Dear Commissioners,

This letter is from most of the owners and residents who live on Dempsey Road in Leavenworth. We have three large absentee owner rentals in our neighborhood and three Tier 1 type rentals. The three large STRs will not meet the draft code due to their small lot sizes but will be grandfathered so we will be living with them for a long time. We remind you that the grandfathering of existing STRs was a huge concession made by the resident members of the Task Force. Therefore, residents have the right to expect strong regulations to protect neighborhoods in exchange. Continual concessions to STR owners who do not live or work here in Chelan County are unacceptable. Specifically, please address the following issues:

1. **Occupancy (Line 409)** Please do not exclude children under 2. This has the effect of increasing occupancy because it allows for a greater number of adults and older children. Moreover, it is impossible to enforce. The STR representatives never asked for exclusion of children under 2 during the negotiations and residents gave up a lot to gain the occupancy caps of Tier 1 : 8, Tier 2 : 12 and Tier 3 : 16.
2. **Exceeding Daytime Occupancy (Line 424)**— Tier 3 should be eligible to obtain a CUP for a Place of Public and Private Assembly to exceed daytime occupancy. For Tier 1 and Tier 2, the property must be required to be 5 acres or larger with access from a major highway, not a functional highway. The Task Force did not have time to get into the details of this issue and it is obvious that events and weddings are not acceptable on smaller lots accessed through residential streets.
3. **Require Compliance with the Building Permit (Line 404)** – STRs must be in compliance with their building permits as well as the septic requirements spelled out in the code. Many STRs have added bedrooms and bathrooms illegally. While I understand that building permit records are not complete, they certainly should be applicable along with other county records such as the Assessor's records and the GIS.
4. **Noise (Line 470)**—We need specific enforceable language. At a minimum you should ban any outdoor amplified music.
5. **PUD Exemption from Density Cap (Line 203)** – The language in the Task Force agreement is ambiguous and was not discussed in detail. Future PUDs should not be exempt from the density cap because they provide one of the best opportunities for the County to make progress on affordable housing.
6. **Grandfathering Historical Occupancy Levels and Exemption from Occupancy Limits (Line 384)**—The STR proponents have asked for a change in the ordinance language that would allow existing STRs to continue with their historical occupancy levels. The Task Force did negotiate this specific issue and it was not agreed to in the consensus proposal. Please do not make this change or we will continue to have large STRs with occupancies over 12 people throughout residential neighborhoods. Some STR owners who have bigger septic systems have asked to change the "and" in line 384 to "or". This paragraph is obviously written to accommodate some specific STR owners which is troublesome in itself. The occupancy caps negotiated by the Task Force must be held up regardless of the septic capacity. No exceptions. Higher occupancies negatively impact neighbors.

7. **End Date for Grandfathering of August 25, 2020** – Again, this issue was specifically debated by the Task Force and the agreement sets a firm end date of August 25, 2020. There has to be a cut off point and if you open this door, it will be hard to close it.
8. **Shared Infrastructure** – All STR owners who share wells/springs, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change from existing code and it will have impacts on privately shared infrastructure. It is only fair that the County require STR owners to obtain permission from others who share water sources and access.

Most STR advocates are willing to destroy communities and the residential neighborhoods of others in order to preserve their desire to have a second home. Your obligation as elected officials is to protect the health and welfare of people who actually live and work here. While it is not easy to tell one group of people that they are not allowed to do what they desperately want to do, we ask you to act with integrity and do what is best for the majority of the residents and local businesses in Chelan County. And, we ask you to follow the mandatory goals and policies of the Comprehensive Plan which are listed at the beginning of the draft STR code. The welfare of neighborhoods and communities must be a higher priority than protecting the investments and rental income of a small group of people.

Sincerely,

Owners and Long Term Renters (see list below)
Dempsey Road
Leavenworth

OWNERS
John
Agnew
Patty Hebert
John Black
Marilyn Black
Von Bridges
Robert Bridges
Reed Carlson
Amy Carlson
Laurie Clayton
Gretchen Diaber
Mike Heath
Tarn Heath
David Dailey
John Deliduka
TJ Dreis
Carol Dreis
Joe Eckroth
Karen Eckroth
Ben Edwards
Jena Edwards
Chuck Egner
Candace Egner
Buford Howell
Valla Howell
Dean Johnson
Karl Krantz
Dawn Krantz
Bob Maher
Amy Maher

OWNERS
Greg Marbett
Phil Marbett
Cheri Sears
Robert Mattielli
Sandra Mattielli
Lynne Daugherty
Anna Milner
Pat Murphy
Heather Murphy
Tina Rieman
Dick Rieman
Piero Sandri
Angela Sandri
Juliana Weis
Dominic Sandri
Gina Tedeschi
Sloane Schubert
Kirvil Skinnarland
Alan Hunt
Tom Stanton
Suzanne Stanton
Dale Swanson
Patti Swanson
Pat Thirlby
Rick Thirlby
Mark Wall
Toni Riccelli
Steven White

LONG TERM RENTERS
Adrienne Dow
Erik Cannella
Mogens Bach
Mary Catherine Grienauer

Wendy Lane

From: Kristen Ward <KWard@cascadesd.org>
Sent: Friday, July 2, 2021 3:28 PM
To: CD STRComment
Subject: Grandfather our neighborhoods

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

Hello,
I am writing you today to advocate for our neighborhoods. It is imperative that we keep our neighborhoods in tact. Please grandfather our neighborhoods and enforce the regulations. Without the two elements, our neighborhoods will be destroyed.
Thank you,
Kristen Ward
Leavenworth, WA.

Sent from my iPhone

Dear Commissioners,

This letter is from most of the owners and residents who live on Dempsey Road in Leavenworth. We have three large absentee owner rentals in our neighborhood and three Tier 1 type rentals. The three large STRs will not meet the draft code due to their small lot sizes but will be grandfathered so we will be living with them for a long time. We remind you that the grandfathering of existing STRs was a huge concession made by the resident members of the Task Force. Therefore, residents have the right to expect strong regulations to protect neighborhoods in exchange. Continual concessions to STR owners who do not live or work here in Chelan County are unacceptable. Specifically, please address the following issues:

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2. **Exceeding Daytime Occupancy (Line 424)**— Tier 3 should be eligible to obtain a CUP for a Place of Public and Private Assembly to exceed daytime occupancy. For Tier 1 and Tier 2, the property must be required to be 5 acres or larger with access from a major highway, not a functional highway. The Task Force did not have time to get into the details of this issue and it is obvious that events and weddings are not acceptable on smaller lots accessed through residential streets.
3. **Require Compliance with the Building Permit (Line 404)** – STRs must be in compliance with their building permits as well as the septic requirements spelled out in the code. Many STRs have added bedrooms and bathrooms illegally. While I understand that building permit records are not complete, they certainly should be applicable along with other county records such as the Assessor's records and the GIS.
4. **Noise (Line 470)**—We need specific enforceable language. At a minimum you should ban any outdoor amplified music.
5. **PUD Exemption from Density Cap (Line 203)** – The language in the Task Force agreement is ambiguous and was not discussed in detail. Future PUDs should not be exempt from the density cap because they provide one of the best opportunities for the County to make progress on affordable housing.
6. **Grandfathering Historical Occupancy Levels and Exemption from Occupancy Limits (Line 384)**—The STR proponents have asked for a change in the ordinance language that would allow existing STRs to continue with their historical occupancy levels. The Task Force did negotiate this specific issue and it was not agreed to in the consensus proposal. Please do not make this change or we will continue to have large STRs with occupancies over 12 people throughout residential neighborhoods. Some STR owners who have bigger septic systems have asked to change the "and" in line 384 to "or". This paragraph is obviously written to accommodate some specific STR owners which is troublesome in itself. The occupancy caps negotiated by the Task Force must be held up regardless of the septic capacity. No exceptions. Higher occupancies negatively impact neighbors.
7. **End Date for Grandfathering of August 25, 2020** – Again, this issue was specifically debated by the Task Force and the agreement sets a firm end date of August 25, 2020. There has to be a cut off point and if you open this door, it will be hard to close it.

8. **Shared Infrastructure** – All STR owners who share wells/springs, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change from existing code and it will have impacts on privately shared infrastructure. It is only fair that the County require STR owners to obtain permission from others who share water sources and access.

Most STR advocates are willing to destroy communities and the residential neighborhoods of others in order to preserve their desire to have a second home. Your obligation as elected officials is to protect the health and welfare of people who actually live and work here. While it is not easy to tell one group of people that they are not allowed to do what they desperately want to do, we ask you to act with integrity and do what is best for the majority of the residents and local businesses in Chelan County. And, we ask you to follow the mandatory goals and policies of the Comprehensive Plan which are listed at the beginning of the draft STR code. The welfare of neighborhoods and communities must be a higher priority than protecting the investments and rental income of a small group of people.

Sincerely,

Owners and Long Term Renters (see list below)
Dempsey Road
Leavenworth

OWNERS
John Agnew
Patty Hebert
John Black
Marilyn Black
Von Bridges
Robert Bridges
Reed Carlson
Amy Carlson
Laurie Clayton
Gretchen Diaber
Mike Heath
Tarn Heath
David Dailey
John Deliduka
TJ Dreis
Carol Dreis
Joe Eckroth
Karen Eckroth
Ben Edwards
Jena Edwards
Chuck Egner
Candace Egner
Buford Howell
Valla Howell
Dean Johnson
Karl Krantz
Dawn Krantz
Bob Maher
Amy Maher

OWNERS
Greg Marbett
Phil Marbett
Cheri Sears
Robert Mattielli
Sandra Mattielli
Lynne Daugherty
Anna Milner
Pat Murphy
Heather Murphy
Tina Rieman
Dick Rieman
Piero Sandri
Angela Sandri
Juliana Weis
Dominic Sandri
Gina Tedeschi
Sloane Schubert
Kirvil Skinnarland
Alan Hunt
Tom Stanton
Suzanne Stanton
Dale Swanson
Patti Swanson
Pat Thirlby
Rick Thirlby
Mark Wall
Toni Riccelli
Steven White

LONG TERM RENTERS
Adrienne Dow
Erik Cannella
Mogens Bach
Mary Catherine Grienauer

Wendy Lane

From: STRACC Admin <info@straccwa.org>
Sent: Friday, July 2, 2021 3:27 PM
To: CD STRComment
Subject: Comments on Draft STR Code

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

Dear Commissioners:

The Short-Term Rental Alliance of Chelan County (STRACC) is a coalition of individual homeowners, property managers, and affiliated individuals and businesses. We are dedicated to maximizing the benefits of vacation rentals as a necessary, valuable and important part of Chelan County tourism. We seek collaborative solutions and encourage cooperation among our members, neighbors and communities, and believe that appropriate regulations can support these goals.

STRACC appreciates the opportunity for STR owner and operator involvement that was afforded by the task force. We respect the task force process and the consensus reached. The compromises are important, even though we may not like them all. We also understand that the task force was always intended to be advisory in nature, and that the final decisions would rest with the Commissioners.

STRACC furthermore appreciates evidence based decisions, like the Commissioners' choice to align occupancy counts with existing Health District practices for children under 2. Families with young children are among those who gain the most from staying in an STR, and cause the fewest issues for owners and neighbors.

The draft code is at a point that many owners and operators can live with. STRACC offers the following suggestions with the goal of improving clarity of the code, reducing administrative burden, respecting property rights, and minimizing the county's exposure to litigation from groups of property owners.

Clarify Parking Requirements

In the last workshop, it appeared that the Commissioners agreed that one parking space per occupied bedroom was a reasonable amount of parking to require. Table 11.90-3 in the hearing draft appears to reflect this. However, the language at line 442 appears to require a parking space for each STR bedroom, in addition to the two spaces already required for a single family home. STRACC recommends clarifying the language as follows:

(i) One off-street parking space for any onsite manager, plus one off-street parking space per rented bedroom, shall be provided, and shall not be located within a setback and not within any recorded access easement, consistent with the provisions of Chapter 11.90.

Prohibition on Changing Nonconforming Properties

This week's hearing demonstrated what an important issue this is to many property owners.

Existing Chelan County Code states that "Uses, lots, and structures rendered nonconforming by the adoption of this title may be continued and maintained in reasonable repair, " (11.97.010) and that "A pre-existing use which is nonconforming shall not be enlarged, or altered in any way which increases its nonconformity" (11.97.025). The draft STR code would depart from this established principle by forcing pre-existing STRs to shut down if they make any change requiring a permit. The list of work exempt from permits is quite short. An owner who wants to install an HVAC system in response to rising temperatures, or even replace an existing system, would require a permit. So would anything more than decking replacement on a deck more than 30" above grade. It is hard to see how these changes would "increase the nonconformity" of an existing STR. But, this provision will force owners to choose between maintaining their legal nonconforming status and completing work that is needed to protect the safety and health of residents and guests.

STRACC encourages the County to modify this provision so that legal nonconforming status is forfeited only when the owner makes a change that increases the nonconformity of the STR.

Manson Grandfathering Provisions

In the last code workshop, the BOCC changed the cap and transfer rules for Manson from 9% / 3 years to 6% / 5 years, in the name of consistency. If consistency is the goal, STRACC encourages the Commissions to better align Manson grandfathering criteria with the rest of the county: payment of taxes and operation between July 2019 and August 2020.

Existing county code (CCC 16.02.040) states that "It is the intent of Chelan County to proactively prevent code violations through education. Where violations have been documented, compliance with the code may be pursued through administrative remedies and voluntary compliance as a first step. When warnings and voluntary compliance efforts have been unsuccessful, compliance may be pursued with civil penalties to ensure uniform and efficient application of the code." The county's clearly preferred approach is to educate and warn, and STR regulation should follow the same path.

However, many Manson owners were never educated on permitting, and now face a harsh penalty. These owners should be able to continue if they pay double permit fees for prior unpermitted operation, whether they held a permit in the past or not.

In an email exchange with the Commissioners on June 30, Manson Community Council Chair Kari Sorensen shared a task force document. In one corner, she circled and annotated with "We agreed to all of this" the idea that Manson operators should be able to continue if they operated in 2019 or 2020 and pay double permit fees for each year of prior unpermitted operation, as we have proposed here.

Moratorium

STRACC urges the BOCC to provide a path to grandfathering for owners who committed significant resources toward creation of their STR prior to the moratorium date.

Data and Re-evaluation

STRACC believes that evidence-based policy is the best and fairest way to balance the interests of stakeholders. We encourage the county to ensure that data is collected and made available - not only to county staff but to stakeholders as well - on issues such as STR visits, revenue, tax collections, and the number, source, and resolution of neighbor complaints and citations for code violations.

STRACC further recommends that the code provide for a task force to evaluate the effects of the code after its adoption. This group should be charged with conducting (or overseeing a consultant to conduct) a rigorous review of the costs and benefits of STRs in Chelan County and how the code has affected STR owners and neighbors.

Clarify Meaning of "Verified" Violations and Path of Responsibility

One thing you heard from both sides in the hearing is that people on both sides would like more clarity on the meaning of "verified" violations. STRACC believes that a verified violation must be one for which there is clear and convincing evidence and for which the property owner has had a right of appeal. We encourage the county to clarify in this manner.

Additionally, STRACC believes that the responsible party should be the first point of contact when a complaint is lodged. Wallowa County, Oregon's STR code provides a good model for this:

A substantive complaint is one that: (1) Has first been attempted to be resolved by the owner/manager, (2) Is not anonymous, and (3) Is accompanied by corroborative evidence such as photographs or affidavits. Complaints which have been, in the opinion of the Director, resolved, shall not count as substantive complaints.

Required Property Rights Analysis

RCW 36.70A.370 and WAC 365-196-725 mandate that counties use a process to assure that proposed regulatory actions do not unconstitutionally infringe upon private property rights. There does not appear to be anything in the record suggesting that the County has followed such a process in developing the draft code. STRACC believes it will benefit both STR owners and the County if the County completes this process before adopting the code.

SEPA

While it appears that CUPs for Tier 3 STRs will be subject to SEPA, it is unclear whether the permits for Tier 1 and 2 STRs will be subject to SEPA. The code is not clear as to whether the administrative review is "limited" or "full." Since there is no specific exemption from SEPA for STR permits in Title 13, CCC or in WAC 197-11, the County should make it clear as to whether or not SEPA applies. The current code states that Manson STR permits shall be issued "under Title 14 limited administrative review." STRACC recommends that the County similarly specify that the newly established STR permits shall be issued under limited administrative review. This will help to reduce administrative burden and the need to involve multiple agencies in the permitting process for hundreds or thousands of STRs.

Conclusion

Short term rentals are a vital part of Chelan County's tourist economy and provide many jobs for residents. STRACC will continue to work hard to educate our members to be the best operators we can be and to abide by the final code.

Sincerely,
The STRACC Executive Board

Wendy Lane

From: carolyn@bjwhite.net
Sent: Friday, July 2, 2021 3:25 PM
To: CD STRComment
Subject: Short Term Rental

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

Chelan County Commissioners:

Please remember the residents of Chelan County who elected you to serve them.

Accept the work of the Short Term Rental Task Force and keep limits as agreed. A major concession was made by residents to gain more protection for now and for the long term. DO NOT give in to STR owners, most of whom do not live in Chelan County and have no vested interest in our neighborhoods.

Keep Leavenworth a great place to live and work.

Thank you,
Carolyn Phillips
7560 Icicle Road
Leavenworth, WA 98826

Wendy Lane

From: dgann7@gmail.com
Sent: Friday, July 2, 2021 3:24 PM
To: CD STRComment
Cc: dgann7@gmail.com; 'Susan Plummer'
Subject: Comment Regarding Proposed Chelan County STR Code

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

Chelan County Commissioners,

My name is Doug Gann and I reside at 12478 Shore St, Leavenworth. We have lived in Leavenworth for almost 10 years and moved from the "west side" to escape the crowds, seeking a more peaceful environment to enjoy our retirement years. We have witnessed the alarming growth of overnight rentals near our home and are alarmed at the impact it has on the availability of affordable housing. Turning a single family residential home into commercial STR properties has driven up home prices to unaffordable levels, driving out families of modest means. While I can understand the need to reach a compromise agreement on a set of STR policies and codes, there remain certain elements of the draft proposal that I strongly object to.

1) I am adamantly opposed to transferring or issuing new permits to the purchaser of a STR property, particularly in areas that exceed the prescribed density cap. Eliminating STR's through attrition is the only practical way to reduce the density of STR's down to the targeted levels, thus preserving the property rights and residential zoning characteristics for all home owners.
2) I support counting all visitors, regardless of age for determining occupancy limits.
3) I also support using the ratio of 2 visitors per approved/permitted bedrooms and/or approved septic system designs. This occupancy limit insures size of visiting families or groups don't exceed the normal capacity of the structure, including septic systems. Over taxing septic systems leads to serious health issues for surrounding home owners. Many of us in the county rely on single party wells for our drinking water so preserving the health of our soils and ground water is critical.
4) All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.
5) I believe there should be a process in place for a nearby homeowner to challenge the compliance (e.g. occupancy limits) of a STR property. The STR owner should be required to demonstrate they are meeting all STR regulations and the permit should be subject to termination for repeat offenders.
6) Lastly, I believe the county should increase STR taxes or fees to help cover the cost of compliance. It's clear this problem is out of control and it will take adequately funded enforcement to bring the problem under contract. Given the profitability of STR's, it's clear there is room for the compliance enforcement of a STR program to be self-funded.

Thank You,
Doug Gann
dgann7@gmail.com
(206) 419-8467

Wendy Lane

From: Sandsintahoe <sandsintahoe@aol.com>
Sent: Friday, July 2, 2021 3:22 PM
To: CD STRComment
Cc: lj2341@gmail.com
Subject: STR testimony

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

Hello,
My name is Susan Mitchell and this is my testimony regarding STRs in Chelan County.
I have been a full time Leavenworth resident for 17 years. In 2015 a STR "accessory dwelling" was built as close to our property line as legally allowed, so I've had to live next to a loud STR for 6 years, although it seems longer.

I would like to remain anonymous if this is to be submitted publicly if possible. We could not attend the public meeting on Tuesday June 29th because my husband works as a department director at our local hospital, and I have multiple sclerosis.

This is my experience living next to a vacation rental:

My husband and I are calm, friendly, polite people that tend to keep to ourselves, although when we tell our concerns the the STR owners we are treated as "complainers". My husband has communicated issues to the owners when incidents arise; sometimes we get a reply, and sometimes we do not. We have real concerns about our dealings with the vacation renters; not just trivial complaints.

The STR generally has a full parking lot, with loud guests, honking cars, car alarms going off, people slamming doors and breaking windows, bottles being broken, screaming children, etc. We can hear loud music booming through the walls of the rental. In the yard are often loud, drunken parties, people yelling and screaming, and Karaoke hot-tub parties. People shouting playing volleyball, Pickleball, and horseshoes until all hours. Balls hit and damage our fence over and over. We've witnessed children climbing and hanging from wooden fence, resulting in damage on at least 7 occasions. We repeatedly have trash thrown over the fence onto our property including Frisbees, tennis balls, volleyballs, whiffle balls, food wrappers, water bottles, beverage cans, water guns, used Kleenex, a croquet mallet, balloons, golf balls, croquet mallets and fireworks debris.

We've had their guests park in our driveway, ignoring the posted "Private Property" sign. They've knocked on the door during our meals requesting us to retrieve items thrown over the fence. We've caught them trespassing into our backyard and hiding in order to retrieve items.

We've been threatened by guests to have eggs thrown at us, and have narrowly missed being hit by balls thrown over the fence. We've been subjected to loud and aggressive shouting such as "Common dude just FUCKING PUKE MAN!!!" then see vomit spewing up against our fence.

The owners built their 2 story vacation rental right next to our property with large windows that look to our house and backyard. We have witnessed total strangers staring at us while we are doing chores or trying to relax in private. It's unnerving. The renters are complete strangers with unknown backgrounds and/or criminal histories, and since they aren't monitored, and we have no idea who they are, it feels as if they're not accountable. It's nothing like having a real neighbor whom you know, and has a vested interest in the neighborhood.

The owners of the STR generally leave on the weekends to a different address when guests arrive. Unfortunately we don't have that luxury, so WE are the ones who have to stay and endure the excessive loudness. We don't have another house to retreat to and we don't get any financial benefit, while the owners get to escape the mayhem and reap all the rewards....$800 - $1300 per night depending on the season. Often there are more guests than legally allowed, with tents set up in the backyard.

When we moved here in 2004, we carefully evaluated the neighborhood to see if we would be happy with noise level, surroundings, and neighborhood feel in general. We were thrilled with this area, and took comfort in the R2 zoning laws. But that was before the rules were bent, and we were forced to live next to a mini hotel. We used to think this was our "forever home", but now we're not so sure.

My husband and I are from working-class Southern California originally. We worked our own way through college, and paid our dues working long hours at hard jobs. We drove on packed freeways, and lived with high crime and polluted air. It was a dream come true when we moved to this lovely area and purchased a house and became part of the community. On the rare occasions when the STR is vacant, we sit in our yard and enjoy the quiet beauty and wildlife of this area, and remember how this area used to be, and how it was intended to stay with zoning regulations....a rural neighborhood with respectful neighbors.

In addition, we've had to purchase many No Trespassing signs, privacy tarps, ear-plugs, and white noise machines to keep our home livable. My health has been affected negatively by the noise and aggression and stress caused by the STR.

Besides the STR next door, we have additional STRs in the immediate area that resemble Frat Houses, with younger crowds who hang out on patios and balconies yelling and playing loud music till well past 1:00am.

It's concerning because this was once a beautiful, peaceful community that is becoming ugly and obnoxious. My husband and I have been watching it's decline due to the rapidly rising numbers of unmonitored vacation rentals nearby.

My testimony is truthful and heartfelt. Please take my testimony into consideration as a friendly long-term resident of Leavenworth. We need your help before it gets even more out of control.

PLEASE GRANDFATHER OUR NEIGHBORHOODS AND IMPOSE AND ENFORCE SIGNIFICANT RESTRICTIONS ON STRs

Thank you for your time and consideration,
Sincerely,
Susan Mitchell

Wendy Lane

From: Mike Redman <mcredman@msn.com>
Sent: Friday, July 2, 2021 3:16 PM
To: CD STRComment
Subject: STR Code Draft

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

As a Leavenworth homeowner and resident, I am writing to voice my objections to several items in the current STR Code Draft.

1. Tier 2 and tier 3 STRs should NOT be allowed in residential areas.
2. The "grandfathering" of existing STRs is not acceptable at the current level and would not be near 6%.

This committee should put the interests and values of actual residents of Leavenworth, not absentee owners with no vested interest in the quality of life in this community, first in this decision-making process.
I have directly experienced the impact of these unmanaged STRs and their negative impact on our community.

Michael Redman
1551 Alpensee Strasse
Leavenworth, WA 98826

Wendy Lane

From: Paul Rawlins <rawlinslp@msn.com>
Sent: Friday, July 2, 2021 3:15 PM
To: CD STRComment
Subject: Concerns About Current STR Draft Code

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

To: Chelan County Commissioners

My husband and I have been full-time residents in the Chiwawa River Pines development for over 20 years. We, as well as the other residents of our area, have worked very hard over the years to make this a desirable and safe neighborhood for our families to live. I am concerned about the significant negative impacts of commercial lodging in this area, which is not even supposed to be allowed per our Community By-Laws. I am requesting that the County Commissioners stop the granting of anymore concessions to the STR owners, the majority of whom do not live in Chelan County. I voted for Commissioners who I thought would support the residents and businesses in our county. Please stop any further concessions for STRs as they are severely impacting our housing shortage, our water supply usage, and privately shared infrastructure that all residents need.

Thank you.
Elizabeth Rawlins
2218 Riffle Drive
Leavenworth, WA 98826

Wendy Lane

From: Craig Johnson <mr_craigj@msn.com>
Sent: Friday, July 2, 2021 3:14 PM
To: CD STRComment
Subject: Chelan County STRs need stiffer regulation

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

Please include these provisions in draft of the STR code:

1. Occupancy limits including children under 2 day and night and no events or weddings

2. Specific noise ordinance language

The County's noise ordinance is too general and difficult to enforce. The following language should be added:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Infrastructure limits

STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate they have received written concurrence from co-owners to convert a residential structure to a commercial use.

4. Special areas off limits to STRs

Lake Wenatchee has no public access other than Lake Wenatchee State Park and Glacier View campground resulting in blatant and rampant trespassing. This area should be designated a non-STR area.

Sincerely,
Teresa Johnson
17651 Northshore Dr.
Leavenworth, WA 98826

Wendy Lane

From: Megan Collins <mbpiers1@gmail.com>
Sent: Friday, July 2, 2021 3:08 PM
To: CD STRComment
Subject: Short Term vs. Long Term rentals

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

There are not enough long term rentals!

My husband and I have two long term rentals in Leavenworth.
Both rentals were to become vacant July 1, yesterday.
We had them both filled within three days of hearing that our tenants were moving. We didn't even advertise the homes.
Both parties were so desperate for a place to live that we did not even have time to paint them before they moved in.
People are desperate to make Leavenworth their home and there is nowhere for them to live.

Please, please "Grandfather our Neighborhood" and impose/enforce restrictions on STRS.
If there are fewer short term rentals, there will be more homes available for long term rent.

Thank you,
Megan Collins
Brad Piers

Wendy Lane

From: Amy Cox <ac7cedarbrae@gmail.com>
Sent: Friday, July 2, 2021 3:08 PM
To: CD STRComment
Cc: Amy Cox
Subject: Lot 51 Owner's Comments - STR - Lake Wenatchee

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

Dear County Commissioners,

I have owned lot 51 Cedar Brae Road on the south shore of Lake Wenatchee for over 20 years.

I oppose STRs because I believe they are illegal: commercial businesses are not allowed in residentially zoned areas. STRs are detrimental to our neighborhoods and our communities.

I am asking you to not undermine the STR Taskforce consensus on short-term rentals. Honor the official Taskforce consensus. Specifically, that all children are people, regardless of age, and must be included in the occupancy limits.

Please ensure the code enforcement is robust and fully funded. Bad actions by STR owners should result in significant consequences.

Thank you for the opportunity to provide comments. Please protect the rights of residents!

Sincerely,

Amy Cox

Owner Lot 51
Cedar Brae Road

P. O. Box 1049
25845 B. US Highway 97

Brewster, WA. 98812

Sent from my iPhone

Wendy Lane

From: Chris Roe <chris.a.roe@gmail.com>
Sent: Friday, July 2, 2021 3:05 PM
To: CD STRComment
Subject: STR Comments - Roe

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

Hello,

I am a Leavenworth resident and ask that you consider provisions in our county's short term rental policies that prioritize the best interest of full-time residents.

I oppose the allowance of short-term rentals that overtake the best interest and community feel of our neighborhoods.

I recommend the commissioners to adopt the proposals from Residents United for Neighbors as they best represent the interests of those of us who live here.

Thanks,
Chris Roe
11681 River Bend Drive, Leavenworth, 98826

Wendy Lane

From: Rhona Baron <rhonabaron@icloud.com>
Sent: Friday, July 2, 2021 3:24 PM
To: CD STRComment
Subject: Short Term Rental Comment
Attachments: STR COMMENTS June 2 2021.pdf; ATT00001.htm; STR COMMENTS June 2 2021.pdf; ATT00002.htm

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

Dear Community Development Folks,

Thank you for taking written submissions about Short Term Rentals in our neighborhoods and communities. Attached are my comments. Thank you for considering.

STR COMMENTS
June 2, 2021

My name is Rhona Baron. I've lived on Center St. in Leavenworth for the past 35 years. I understand that the City of Leavenworth does not allow STRs in residential neighborhoods; however, I'd like to share something that may surprise you while illustrating the position of thousands of homeowners throughout the county.

Five years ago, the neighbor across the street began advertising a room in her house on Air BnB. For two years she ran a "B and B" illegally, making money for herself at the expense of neighbors who dealt with increased traffic, unregulated dogs, noise and in one case, a transient visitor defecating in a nearby yard. After she "tried it out," (I quote her) she applied and was granted B and B status- without so much as an admonishment for previous non-compliance.

She went on to operate her one room B and B for 2 more years, and we continued dealing with non complaint parking, garbage spills, unusual amounts of traffic. When the family vacated for the winter, the house was rented as a duplex, completely against regulation. The dog issues continued, as did bright lights on motion sensors shining into neighbor's bedrooms, frolics in the hot tub and more.

Here's the point. Generating income was the motivator four the neighbor, who was always friendly in person. Building a neighborhood, on the other hand, motivated us. I can't tell you how uncomfortable it was to finally confront her when she expanded her house and petitioned for more rooms to rent out. This is the way it works. Of course those seeking money by having commercial ventures will be the most vocal. It's part of doing business! On the other hand, we neighbors train ourselves to get along, share fences, trade zucchini, and deal with noise issues calmly. We all have the same stake in making it work without assertive confrontation.

If you wonder why you don't hear from more of us, it's because we are stuck in neighbor mode. Not business mode, not political mode, not campaigning mode. We just want to come home, say hi and relax on our properties after a workday. I recently commented to a sales clerk in

Chelan that I was willing to fight on behalf of neighborhoods. She said "thank you," sounding relieved. "I'm glad you are," she told me. It was not a battle she'd be comfortable undertaking, although she completely agreed that commercial rentals do not below in community neighborhoods. You will find countless others like her.

In the case of our street, once I got mad enough (it took four years and a number of sleepless nights) to organize our neighborhood, every immediate neighbor on either side, front, back and beyond registered a formal complaint within the hearing process. The examiner from the county said he'd never seen resistance like ours. In the end, he granted the expanded B and B but called out a number of non-compliant issues for correction and placed other safeguards in place concerning neighbor impacts.

She now runs a quiet, less impactful commercial venture on our street. I still have strangers standing on a new deck gazing into my living room. So no, it's not wonderful. But it's tolerable.

Dealing with this B and B was a time consuming, upsetting, bitter battle that FINALLY achieved adherence to codes-- though complaints had been made all along. I don't have much to do with my B and B neighbor at this point, but it's worth it.

Our story is an excellent example of dealing with a commercial venture owned by a neighbor who actually might care about how her overnight business impacts our street. Pause for a moment to consider owners who are based out of town. Long pause. These short term owners are not in residence, they don't have to get along, they are not raising families, caring for aging elders, nurturing gardens or attempting to relax in the beauty of our region after a day of working within it.

These folks have NO STAKE WHATSOEVER beyond loading up their revenue stream while suffering none of the consequences of having to live next to the units they promote. So let's be completely realistic here. If our B and B owner operated as she did before most of the neighborhood invested in a concerted effort to control her, seriously, what do you believe occurs other STR's? I've heard many stories far

worse than ours, of grievances that never get resolved, causing residents to consider actually moving away!

If enforcement were stronger, some of the offensiveness might be curbed. If neighbors were willing to do battle on a monthly basis (as I now am) something might change. If elected representative (likely most of you) cared more about the residents who build and live in our communities than out of town folks looking to make our private streets, mountainsides or riverfront their commercial playgrounds, we residents could step back from suffering in silence, filing complaints and repeated requests for simple respect on our community streets.

The folks who live and work here deserve FIRST CONSIDERATION. Or I am missing something fundamental? To serve us, I am requesting that you:

1. Protect our peaceful residential zoning from commercial ventures!
2. Count children under two as human beings instead of wiggling a way to up transient visitor load.
3. Reconsider the grandfathered units if they have a historically negative impact on a neighborhood. Or do away with "grandfathering."
4. Make sure you can enforce neighborhood codes.

Most of all, I'd like you to understand that although you may not hear from us in force, don't assume we have a lesser investment in the outcome. We have trained ourselves to be neighbors, motivated by getting along and being gentler with each other. Meanwhile, those who don't live here and pump their income off our quiet streets and lovely natural settings are motivated by money. Who would you rather live next do to?

Rhona Baron
Executive Director, Cascade Farmlands
http://www.cascadefarmlands.com
Creative Director, Dangerous Women
https://www.dangerous-women.org
rhonabaron@icloud.com
Office: 509-548-5058

Wendy Lane

From: CRAIG JOHNSON <mr_craigj@comcast.net>
Sent: Friday, July 2, 2021 2:57 PM
To: CD STRComment
Subject: STRs in Chelan County

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

Thank you Chelan County commissioners for forming the STR citizen task force. You have shown residents a mature local government in action.

There are many major issues yet to be considered. I write this from a full-time owner perspective at Lake Wenatchee where I experience blatant trespassing all year. There is no commercial entity on the lake, no parking, and no public access other than Lake Wenatchee State Park and Glacier View Campground. Simply put, there is no infrastructure to allow STRs on the lake. Unscrupulous rental owners know the only lake access is by trespassing on private property and many tell their renters that all docks and shoreline are public. Clearly, the Lake Wenatchee area, specifically Northshore Dr. and Braeburn on the south shore should be off limits to STRs.

If asked, I would be glad to testify about these issues in a public forum.

Sincerely,
Leland Craig Johnson
17651 Northshore Dr.
Leavenworth, WA 98826
206.755.5067

Wendy Lane

From: Lynda Fischer <lyndaf55@hotmail.com>
Sent: Friday, July 2, 2021 2:53 PM
To: CD STRComment
Subject: Short Term Rentals

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

As homeowners in the Lake Wenatchee area, we are increasingly concerned about the negative impact of short-term rentals in our area. The increase noise, traffic, open fires and lack of respect for the community have noticeably increased over the 25 years that we have been homeowners in this area. We built our current home specifically to enjoy the quiet and beauty of the area, which is being negatively impacted by people who arrive to have a party.

We have been following the study process of the Short-Term Rental Task Force, and the fact that the residents who were appointed to serve have agreed to accept grandfathering of most existing short-term rentals, despite the fact that they are all clearly illegal under existing zoning code. As residents, we made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is completely unacceptable for more concessions to be granted to STR owners - 90% of whom do not live in Chelan County. It is unacceptable for non-resident homeowners' commercial gains in renting their homes, be a higher priority to the county than the quality of everyday life for residents and neighborhoods.

Please take actions to preserve the quality of life for residents of Chelan County by reducing the negative impacts of short-term rentals in our neighborhoods.

Sincerely,

Greg & Lynda Fischer
16145 Telemark Lane
Leavenworth, WA 98826

Wendy Lane

From: Drovdahl, Joy <jdrovdah@spu.edu>
Sent: Friday, July 2, 2021 2:46 PM
To: CD STRComment
Subject: Short Term Rental Code

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

Dear Chelan County Commissioners,

I co-own a home on Cedar Brae Rd in Chelan County. Having purchased the property in 2006, we completed construction of our home March of 2009. We have a shared driveway, well-water, and septic system with our three neighbors and our homes are close together. We have developed our own little community and look out for each other and each other's homes. None of the four homeowners are year-round residents; none of us rent our homes for income. Our four-home community would definitely be negatively affected if any of the owners basically converted the "home" into a "short term rental business." This is the fundamental issue of STRs on the Chelan County community. Absentee owners of STR houses are, in reality, operating a business in quiet residential neighborhoods.

In an ideal world, this would not be allowed. The reasons are many and obvious having been well stated during this process. In the real world we inhabit, the commissioners' goal should be to pass a code that restricts as much as possible how STR houses can be used. While not infringing on the rights of current homeowners (hence the "grandfathering" principle), the code going forward should benefit and support actual residents and the lake community, not commercial business owners.

Thank you very much,

Joy Drovdahl
15761 Cedar Brae
Lake Wenatchee

Wendy Lane

From: Lori Vandenbrink <pnwdreamer67@gmail.com>
Sent: Friday, July 2, 2021 2:45 PM
To: CD STRComment
Subject: Grandfather our Neighborhoods

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

Dear Commissioners Bob Buget, Kevin Overbay and Tiffany Gering and Community Planning Director Jim Brown,

As a resident of Chelan County for twenty+ years who has worked in the recreational and hospitality sector, I have felt the negative impacts of overtourism on our valley, caused in large part by the exponential growth of Short Term Rentals over the past five years.

It saddens me to say that when my family and I roadtrip for my son's mountain bike races that we now look at towns we visit through a different lens, sizing them up to determine if we could move there when Leavenworth no longer offers what it once did. Please, I implore you "Grandfather our Neighborhoods". Please don't succumb to the pressure from the business owners from the westside. We elected you, worked the jobs that kept this town growing, volunteered in the schools, on the trails and at festivals. You are not responsible for looking out for the financial interests of Short Term Rental owners, 90% of which live outside of the county.

I could go on and on, but honestly I've lost faith in the process. After hiring Berk, being so close to an ordinance in 2020, asking community member to come to a consensus and then tweaking what they agreed to I'm at a loss. It sort of explains to be why so many mountain towns in our shoes have hired Host Compliance to begin with.

I'll say it again, please Grandfather our Neighborhoods. We live here.

Kindly,

Lori Vandenbrink
12690 Ranger Road
Leavenworth, WA. 98826

Wendy Lane

From: Doug Klunder <klunder@comcast.net>
Sent: Friday, July 2, 2021 2:40 PM
To: CD STRComment
Subject: Comments on proposed STR code

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

Please accept the following comments on the proposed Short-Term Rental code:

Thank you for the opportunity to comment on the proposed regulations for short-term rentals (STRs).

I readily admit that I have a vested interest in these regulations. For over
6 years I have owned a vacation rental cabin in the Plain area. The cabin has been rented on a short-term basis ever since it was built in the 90s; it is managed by a local professional property management company. As far as we know, there have not been any complaints about our guests' behavior; our property manager ensures that. Instead, we have always been good neighbors, and have helped the local economy. Most obviously, we pay all taxes, create jobs for our property manager and various local companies used in the maintenance of the property--not to mention the money that our guests bring to local companies when they visit. Beyond that, I have invested significantly in renovations to make the cabin as current as possible, using local contractors and bringing further money into the local economy.

The proposed code, developed by the task force, is truly a compromise position. As the owner of a STR, there are a number of sections of the code that are far from ideal, especially the occupancy limits--but I recognize that this was agreed to as a compromise, and there are sections that STR opponents are also not happy with. As such, I urge the County to largely adopt the recommendations of the task force, satisfying neither STR proponents nor opponents fully, but creating a middle ground that is acceptable to both.

There is one area, however, that I believe merits amendment, simply because I cannot believe that the draft code intends the draconian result. Section
11.88.290(2)(E)(ii)(b) would effectively prohibit any changes whatsoever to an existing STR, since the STR would be force to surrender its STR permit in order to make the change (and then is unlikely to be able to obtain a new STR permit). I can understand a desire to prevent an existing STR from expanding in any way, but as drafted, the code goes far beyond that. It would also prohibit alterations that are beneficial to all concerned, with no possible detriment to the neighborhood. This includes safety upgrades, such as upgrading electrical systems, or replacing a wood-burning stove with a safer gas or propane stove. It also includes upgrades that are beneficial to the environment in accordance with good public policy, such as projects to improve energy efficiency (either by conservation or by improving heating/cooling systems), installation of a charging outlet or station for electric vehicles, or even the installation of solar panels.

The draft code could easily be amended to allow such changes. This could most easily be done by striking "changed, altered" so that it reads "may not be otherwise be extended or enlarged" without ceasing operation.
Alternatively, you could add an explicit exception for permits related to enhancing safety, energy consumption, or other environmental improvement.

With that minor change, which I believe is in keeping with the task force's intentions, I urge you to adopt the draft code.

Thank you for your consideration.

Doug Klunder
Owner of vacation rental at 12344 Bretz Rd Managed by Natapoc Lodging https://www.natapoc.com

Wendy Lane

From: Tony Meier & Team <tony@windermere.com>
Sent: Friday, July 2, 2021 2:39 PM
To: CD STRComment
Cc: Wendi Meier
Subject: Comments on purposed STR code

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

Dear Chelan County Board of Commissioners,

We own two properties within the Manson UGA area. 2111 Lakeshore Drive, Manson 98831 and 2127 Lakeshore Drive, Manson 98831. Both properties are noted as UR2 in the Manson UGA code. We purchased these properties with the intent relocating our real estate business to Manson and eventual retirement in the area. Since taking ownership we have personally pumped well over $100,000 into the local economy through goods, services, and taxes. Not to mention, the value our guest have represented to the local businesses.

We object to the purposed code in 5 areas.

1. Reclassification of the Manson UGA. When we purchased our home at 2111 Lakeshore Drive in 2016, we paid a premium price for a fully legal and functioning vacation rental under the Manson UGA code. While we only rent for about 5 weeks a year, we have operated under the law and have obtained a permit each year since taking ownership. Any restrictions placed upon the Manson UGA code is going to cause my family undue hardship. Unlike many that this purposed code serves to target, we have been operating under the legal authority of the county. To then classify our home as non-confirming or put limitations on our future ability to sell it as an STR, will cause financial damage to our family and will force us to take legal action to recover these damages.

2. 200 foot limits within the Manson UGA. In Feb 2020, we purchased an adjacent parcel with the intent of building a second home that we would also rent for a few weeks a year. We paid a premium price for this lot because the Manson UGA notes vacation rentals are a permitted use. The inability to build a vacation rental here due to your purposed CAP and the new 200 foot limitation, will cause us to have to sell this property at a loss and will force us to take legal action to recover these losses.

3. Forfeiting an STR permit due to the need/desire to repair/remodel a home. We can understand and support the point that you do not want STR owners to increase occupancy. However, if we want to add a deck or increase the footprint of our house to enlarge the kitchen or living space in compliance with current code, we should be allowed to do so. This poorly written section is only going to promote slip shot construction as owners will be forced to make repairs or construct improvements without a permit. Please rethink this section.

4. Line 375 occupancy limits. Your daytime and overnight occupancy limits do not line up. Your overnight limits exempt children under 3 years old. However, your daytime limits do not provide this same exemption. This error needs to be corrected. BTW.. we are fine with keeping a Tier 2 at a maximum of 12 guest's total. Even though we own a 5 bedroom home, we do not see the need for more than 2 people per bedroom or a maximum of 12, regardless of age.

5. Signage. We see this section as very problematic. While the adjacent property owners all have our contact information, we do not have a sign on our home that screams this home is vacant and come steal from us. We believe this section of the code is going place the county liable for inviting criminals to the area and the resulting theft/damage to these homes. Please rethink this section.

Thank you for your time and consideration

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If we can help you or someone you know, please give us a call!





Wendy Lane

From: Michael Cleghorn <mikecathycleghorn@mac.com>
Sent: Friday, July 2, 2021 2:35 PM
To: CD STRComment
Subject: Impose AND enforce significant restrictions on Short-Term Rentals (STRS)

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

Hello

My wife and I live on River Bend Drive in Leavenworth. We have experienced first hand unruly, drunken/stoned, and obnoxious short terms renters in our neighborhood. The people that own the homes that do short term renters don't live in the neighborhood, and don't seem to care what their renters get up to. The Chelan County Sheriff has been called on these renters on a number of occasions. These STRs have urinated and throw up on our property, among other actions that cause us concern.

You can make sure that our neighborhoods are safe and peaceful for us, the residents.

Therefore, we demand that The Board of County Commissioners (BoCC) "Grandfather our Neighborhoods" and impose AND enforce significant restrictions on Short-Term Rentals (STRS).

If you have questions for me, do not hesitate to contact me.

Thank you, and I hope you decide in favor of residents, and not absent landlords whose only interest is to make money off of these rentals, with little or no concern for the residents that live here.

Sincerely,

Michael Cleghorn
11468 River Bend Dr.
Leavenworth, WA 98826

Wendy Lane

From: mikecochranjr@gmail.com
Sent: Friday, July 2, 2021 2:32 PM
To: CD STRComment
Cc: Gmail
Subject: STR Comment - "Chelan County Caves to Out-of-Town STR Owners"

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

Dear County Commissioners-

Hopefully, this is not a future headline in the Wenatchee World. I do want to thank you all (and Jim Brown and his staff) for the time and effort that has been put into the draft STR code. Without question, it's been quite the effort and you all should be commended.

I will try to keep this brief as I know you have lots of letters to read. My name is Mike Cochran and I'm a Chelan County resident. I've been coming to Chelan for over 40 years, and have owned my home on S. Lakeshore for 25 years. This does not give me privilege or priority – but it does give me perspective. And my perspective is this – out of town STR owners - 90% who do not live or vote in Chelan County - have more influence than those who do live in our precious community. In watching this whole process unfold over the last five years the only conclusion that I can come up with is this - the BoCC gives out-of- town STR owners more weight than those who live and vote in Chelan County.

1. **Out of town STR owners falsely claim that they contribute way more to the local economy than they actually do.** They do not contribute to the social fabric of the community. They do not volunteer at the local food bank, they rarely contribute to non-profits, they do not help the elderly lady next door with her groceries, they don't return the neighbors dog when she gets lost, and they don't volunteer to coach the local soccer team. What they do do is to create noise, garbage, parking issues, and generally make life unbearable for the residents of Chelan County.

2. When I purchased my home 25 years ago in Chelan County, I thought I was purchasing it in an residential neighborhood – not a commercial zone. In a recent email exchange with Deanna Walther, **she referenced STRs as commercial properties**. And by letting STRs proliferate and giving them the opportunity to change the zoning regulations, **the BoCC have legitimized an illegal activity**. I guess if enough people conduct an illegal activity and claim that it supports the local economy then it can become legal. Shameful.

3. **Please do not provide any more concessions to the STR faction, and honor the "consensus" Task Force recommendations – the recommendations that you all recently praised publicly.** STRACC and the STR industry have continued to chip away at the recommendations to their advantage (not to mention the defections of the STR Task Force to the advantage of the STR industry). Residents negotiated in good faith by conceding grandfathering. Count children in occupancy. **Residents of Chelan County have conceded enough over the last 5 years**. In this whole process the STR industry – and STRACC specifically - have not negotiated in good faith. When given an inch they have taken a mile. Do I need to remind the BoCC that STRACC encouraged out to town STR owners to (illegally) change their voter registration so they could vote in Chelan County? When we thought we were close to a new draft ordinance late last year, the STR faction created the "Christmas Eve Massacre" and decimated the hard work that had been put into the ordinance up to that point. Lastly, it would appear that even in Chelan County the well-funded can buy a politician, as the STR industry contributed heavily to Tiffany's campaign (nearly 70% of the $30K raised by my calculations). (Tiffany, you indicated to me that you "weren't beholden to your donors" to which I replied, "your actions will be the judge". Well, your actions have spoken volumes. Your comments during the recent workshops indicated for all where your interests lie. And

when you told me that "you believe in property rights", I guess you forgot to mention that you believe in the property rights of **out-of-town STR owners over Chelan County residents**).

4. For any of this hard work to manifest itself in something that benefits both the residents of Chelan County and to get rid of the "few bad apples" that STRACC supposedly supports, **there needs to be strong, timely, and appropriately funded enforcement.** Adequate STR registration fees and licenses should be established to fund enforcement. Additionally, a registry needs to be developed so you can manage legal STRs. Years in business taught me that you can't manage what you can't measure.

My request to the BoCC is this - **have the courage to make the right decision for the residents of Chelan County – not out-of-town STR owners.** The residents of Chelan County have suffered enough.

Sincerely,
Mike Cochran

Sent from Mail for Windows 10

Wendy Lane

From: Tracy Bowerman <tracybowerman@gmail.com>
Sent: Friday, July 2, 2021 2:29 PM
To: CD STRComment
Subject: Short Term Rentals need stricter regulations and NO grandfathering unless in compliance

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

Hello commissioners,

I am coming to the short term rental debate late and admit I was not aware that there were proposed changes in the existing regulations, which I looked into carefully when I purchased an investment property in Leavenworth in 2015. Had I known, I would have been involved in the process earlier and I'm now scrambling to fully understand your new proposed rules. However, what I see thus far does not make any sense to me.

I live and work in Leavenworth, where our local economy is getting crushed by current housing prices. I am on the lookout for a home for a new preschool director we hired (I'm on the board of a non-profit preschool, Mountain Sprouts) and called a realtor friend to inquire about a house that was recently listed for sale. Although the house had only been on the market for 6 days, it was already pending for sale by a buyer from California who had purchased it with cash for over asking price, sight unseen. The buyer planned to use it as a second home and a short term rental. "I thought that short term rentals were not allowed in the county unless the owner was on site?" I asked the agent. "Everybody does it anyways" was the real estate agent's reply. So much for the preschool director finding a place to LIVE. She will be renting a condo behind Safeway, even though she is in her 60s and has a PhD and will be an incredibly valuable asset to this community. She deserves to live in a house, not a massive condominium complex.

So what I'm asking is please don't place the desires of people from California and Seattle who want to visit here two weeks a year over those people who live here, pay taxes, PAY YOUR SALARY, and contribute to the economy and social fabric of this amazing place. You are doing yourselves a disservice, as we know the economic implications of lack of affordable housing. These story has been told over and over in tourist towns such as Aspen Colorado, Ketchum Idaho, Jackson Wyoming and Lake Tahoe California, where people who serve the tourists can't afford to live in the places they work and eventually local businesses struggle to find employees and either go out of business, move, or are forced to build their own infrastructure for housing and transportation. THIS IS ALREADY HAPPENING IN CHELAN COUNTY! You must do your job to build sustainable economies, and that includes affordable housing for people who live here and contribute to society. We must do our utmost to make sure there is housing available for people who want to LIVE here, not just vacation here, including both housing to purchase and to rent long term. I would argue that Leavenworth has reached its saturation point for visitors and what we need now is people who want to work here. Walk around downtown Leavenworth and look at the Help Wanted signs, read the For Hire section of Craigslist. Businesses cannot find employees right now. True, COVID fears play into this, but so does lack of affordable housing. I know people in their 20s who grew up here and returned here to work who are LIVING IN THEIR CARS because they cannot find a place to rent.

Specifically, why would you grandfather in short term rentals that are out of compliance? Being out of compliance means you are not abiding by existing rules that were in place for a reason! So why should we reward people for breaking the rules? I'll tell you what happens every time I let my 6 year old break the rules--she breaks them again! Everyone I know who lives here and owns a STR has worked hard and paid a lot of money to make sure they are in compliance with the STR regulations. By grandfathering in owners who have not gone through those steps, you are saying that those rules were meaningless in the first place. What you should be doing is making those regulations MORE stringent, not less so.

As for the 6% cap--this sounds reasonable AS LONG AS you include existing short term rentals in this number. In some areas it appears to me that the 6% cap has already been exceeded, so I'm not sure how you plan to implement this cap.

How do you plan to enforce these regulations in the future? I didn't see any answers addressing that in the Task Force report.

My biggest concern is that by not adequately regulating existing STRs you are a) setting a precedent that you won't be able to enforce in the future, and b) by grandfathering in people who are allowing STRs but are out of compliance with the existing regulations, you are telling everyone it's OK to just go ahead and break the rules now and beg for forgiveness later--and they will be forgiven. This may not sound like a big deal but the implications for our society are huge. Already people who SERVE ALL OF US cannot find housing in the places they work, in part because STRs are taking up limited housing supply. These people include the people who clean said rentals, dental hygienists, checkers at Safeway, teachers, people who work at small non-profits, bakers, cooks, and city maintenance employees.

Do your job: listen to your constituents, not people from out of town. Make the STR requirements more strict, don't grandfather in houses that are out of compliance, and figure out a way to enforce the restrictions that are already in place. Yes, tourists are the reason our town exists, but they also leave trash our streets, park on our lawns, pass out drunk on our porches, shit on the banks of our rivers, leave their beer bottles in our parks, and party until midnight in their short term rentals and keep our children up at midnight. Do you really want to pander to these people and reward them for their poor behavior? The people you should be listening to are those who have gone through the process of licensing their rentals, paying their dues, and working with the city and county to follow the rules that were set their for a reason (presumably), as well as those people who have to put up with living near and around those short term rentals and who feel the repercussions daily, as well as the people who work here but who are displaced by the conversion of residences to short term rentals.

Sincerely,
Tracy Bowerman
541-915-3910

Wendy Lane

From: Michelle Gonya <mgonya@hotmail.com>
Sent: Friday, July 2, 2021 2:24 PM
To: CD STRComment
Subject: STR comment/ Icicle Island Leavenworth

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

Hello STR team,

I am writing you from Icicle Island in Leavenworth. This is a private HOA community, and I live here as a full time resident and this is my home.

I would like to make a number of points as input for the proposal that is on the table.

1. Our HOA rules actually prohibit STRs but there are a number of owners (River Haus and Treefort) that blatantly ignore using County current policy as rationale and no real enforcement mechanism.
2. For the 10 years that I have owned this property, the percentage of permanent residents has increased dramatically and now has more full time residents than ever before, changing the Island from a 2nd home Mecca to a Primary Residence community. This shift necessitates more serious consideration of the STR challenges as it is now a full time problem for considerably more people here.
3. STRs are one of the largest pain points for our neighborhood due to the nature of Icicle Island. We are part of a beautiful and pristine environment, that is sensitive due to fire danger, flood danger and wildlife that live in their native habitat. Those who live here full time appreciate, respect and understand how to co-habitate with the natural world which requires attention and respect to the natural ebb and flow. STRs and their owners do not demonstrate the required respect to live here. Over and over again, we have STRs burn fires in dangerous fire seasons, leave lights on for weeks on end which disturbs the salmon and trout habitats and affects our sleep quality and health, and pollute our waterways carelessly.
4. Noise and light pollution and "partying" turn our peaceful full time home into a less peaceful place.
5. Nationally reported Air BNB crime is up including murder, theft, drug and human trafficking, and rape.... this has been in the news nationally and is increasing in severity. Our communities that are now full time residences for so many are now subject to the same criminal risks, without any effort by STR owners to curb or protect our property while making wild profits. To address this risk, I would propose a STR tax and financial and legal sanctions on those owners that would be allocated to security services to protect our communities from physical harm and property damage- with full accountability , oversight and audits by a full time Resident panel.
6. Economic impact: while the STR owner And renters have no regard for our property and health, they take in profits, and increase property taxes unnaturally, making a small town unaffordable for the very people who built this community ... and now exploits its natural resources for Profits without any accountability.

Thank you for your consideration.

Michelle Gonya
7073 Icicle Rd, Leavenworth.

Wendy Lane

From: Kelsey Brown <brown158@gmail.com>
Sent: Friday, July 2, 2021 2:03 PM
To: CD STRComment
Subject: STR codes

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

Hello,

I am writing one last time to talk with your about the draft code. As I have talked about in my previous email and my testimony before the committee, I am one of the few owners caught in the moratorium. My parents and I saved for many years to buy a piece of land and build a cabin in leavenworth (42 Chelsie Ln). We finally got to the point of realizing this dream when we closed on our land in Jan 2020. We were unable to get the building process even started due to the pandemic.

Then in August the moratorium was handed down. This was a blow to us and we had no idea it was coming. All our budgeting and planning was based on the idea that we would rent out your cabin when we were not using it to defray the cost. We are not rich people. We don't have the luxury of having a vacation home sit empty like maybe some other people would. We aren't trying to make money, we are just trying to break even.

Then in Dec 2020, we lost my father due to COVID. This as been a deeply painful and emotional time for us and more so beacuse this was a dream we were building together. It has only been made worse with them uncertainty of if that dream is going to be taken away. Right now it is.

I know there is little interest in addressing the harm that being stuck in the moratorium is causing a small subset of owners. I get it. But I implore you to think about how to help us.

I have one solution that would at least help us. Allowing the Tier 1 STRs be defined as "owner or full time resident occupied". I know this was floated and rejected as an option in draft meetings due to langauge in ADU building codes. But I think there is a carve out here as ADU additions to existing structures are different than new builds. This would:
1. Address affordability issues as we could rent full time to someone at way below market rates. Literally nothing in the code is currently addressing afforability issues.
2. Help address concerns of noise, parking, trash and trespass as there would be a person on site to deal with these issues (and perhaps prevent them by virtue of just being there)
3. Provide full time neighbors and housing for workers in town
4. Would function no differently than a Tier 1 which has been deemed acceptable type of STR on all sides of this issue.

Would being grandfathered be preferable to us? Of course. The other option we are suggesting would cost us way more money. But are we willing to give a little here to keep my dad's dream alive? Absolutely. But I'm just looking for a way to make this work. Please please please think of us affected by the moratorium - those that have spend hundreds of thousands of dollars based on what the county was allowing at the time of investment, and give us some way to save our dream. In the alternative, is ask you allow us to grandfather in based on our closing on land prior to the moratorium. Thank you.

Kelsey Brown

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Friday, July 2, 2021 1:48 PM
To: CD STRComment
Subject: It appears the cynics were right

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

Dear Commissioners,

There is an older gentleman in my Leavenworth Rotary Club who has had a very obnoxious STR close to his house for many years. He and his neighbors tried for years to get the County to do something about this STR but he finally gave up. (Others had the same experience.) I learned not to ask him about the STR because it just brings back all his anger and frustration. I can visibly see his anguish if I bring it up.

A couple of years ago when I started getting involved in the STR issue, I told him about the efforts that residents were making to finally limit STR's, thinking he would be pleased. He just shook his head sadly. He explained to me that, if I thought Chelan County was actually going to do something to protect residents from people who want to make money, I was very naive.

I pointed out that in this case most of the STR owners don't even live in Chelan County. Surely the commissioners would value the concerns of residents over nonresident investors. He just shook his head.

I pointed out that we weren't trying to limit STR's in commercial areas, only in residential areas where current law tightly restricts commercial uses. He just shook his head.

I pointed out that the current commissioners weren't the ones he had been dealing with. He again just shook his head and said, "We'll see."

Now I understand what he meant. The task force is just the latest example in a long drawn out process that has consistently favored out of town investors over residents:

- Rather than having broad community representation for an issue that affects many, such as renters and employers, the task force was limited to just homeowners and STR owners.
- Although STR owners are a small percentage of the population, they were given half the seats.
- Apparently that wasn't enough, so three planning commissioners were added, two of whom favor the STR's. So a majority of the task force favored the interests of a small minority of the population.
- And now it appears that even that biased task force's work is being adjusted to be more pro-STR.

STR owners are getting a huge, immediate, and permanent benefit: legal status for their STR's. which should have been recognized as illegal years ago. Residents are getting only two promises that maybe someday things will be better:
1) the 6% cap which I doubt will ever actually get STR's down to 6% of the housing stock in zip code 98826; and
2) promises that, in the future, the county that hasn't enforced rules to protect residents is actually going to do this in the future. I could possibly imagine the county changing enough to enforce zoning laws, such as not allowing STR's at all in residential zones. I find it hard to believe the county will actually do a good job of enforcing behavior laws such as occupancy limits, owner occupancy rules, noise, etc.

And apparently that isn't enough. The STR owners are pushing for more and it appears that, for some reason, it is important to you to keep compromising the interests of residents in order to satisfy the STR owners.

I have spent two years on this issue and I have concluded that my Rotary friend was right: I have been wasting my time. You could have saved us a lot of time, effort and stress if you had just told us in the beginning that, for whatever reasons you have that you haven't explained to us, the code was going to be designed to satisfy STR investors, not to satisfy residents.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road

Wendy Lane

From: jodie henri <jodieleaf@yahoo.com>
Sent: Friday, July 2, 2021 1:37 PM
To: CD STRComment
Subject: In opposition to Short term rentals

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

Hello Commissioners,
I am writing out of concern for the loss and continued potential loss, of our neighborhoods. My husband and I are opposed to short term rentals especially in residential areas. Short term rentals should be only allowed in Commercially zoned areas since they are run as a commercial business. We have a housing shortage, particularly for our working families and short term rentals only add to this challenge. We need to build and support our local community and not allow out of Townes to buy up our houses and rent them out to visitors with little to no accountability. Our housing should be mostly occupied by community -minded families. We are already beyond our recommended 6% of housing for short term rentals and I believe instead pushing up to 15%. This should not go unchecked.

We currently live next door to an owner occupied short term rental and although we are opposed to it I would be appalled to live next to one that was not owner occupied.

The impact of short term rental is noticeable in our neighborhood. They have increased noise and light pollution and pedestrian and car traffic in areas that where historically occupied by locals. We have had many strangers enter local houses thinking they were their "rental house". This is absurd and should not be a common experience among locals. Please do save our neighborhoods and grandfather them in. If short term rentals are allowed impose and ENFORCE the restrictions. Our STR neighbors do not follow all the conditions of the CUP and yet no one is enforcing it. Do not make neighbors police each other. We should be building neighborhoods not fracturing them.
Thank you for your time.

Sincerely,
Jodie and Mike Tremberth
244 Benton St.
Leavenworth, WA 98826

Sent from Yahoo Mail for iPhone

Wendy Lane

From: shaunm48@gmail.com
Sent: Friday, July 2, 2021 1:37 PM
To: CD STRComment
Subject: Accept the STR ordinance agreement

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

I am writing to encourage the Chelan County Commission to accept the collaborative agreement worked out by the members of the community. There were concessions by all parties, but agreement was reached and the commissioner should honor that agreement.

It is likely the best we can expect and it starts the long process of helping the county align with its comprehensive plan, something that it currently does not.

Shaun

Shaun Seaman
10463 Titus Rd
Leavenworth
664-4934

Sent from Mail for Windows 10

Wendy Lane

From: Amber Tande <AMBERTANDE@msn.com>
Sent: Friday, July 2, 2021 1:29 PM
To: CD STRComment
Subject: STR's in Chelan County

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

Please impose restrictions on STR's for Chelan County. As a brick and mortar business owner in Leavenworth who benefits from tourists, my highest commitment is to this community. Without community we are nothing but a shell. Nothing special. Devoid of authenticity. Far too many businesses are unable to retain great staff because they are unable to 1) find and 2) afford housing here. Families are strapped to the max to make ends meet for their tiny little houses. Let's get on the side of the people. Businesses will continue to thrive. I trust ours will continue to grow beautifully with this restriction set in place.

Bring STR's down to 6% of the housing area from the 15% they currently have and please appropriately zone tier 2 and 3 STR's to stay out of our neighborhoods.

Also, the only reason I was even made aware of this being up for passing is by hearing from other concerned/working community members. I would kindly ask that a better job be done to notify the local community of such proceedings.

Many thanks,

Amber Tande

Wishing you peace and beauty for all your days.

Amber Tande

206-335-2324
https://MysticLiving.org
https://www.facebook.com/AmberTande
https://www.instagram.com/Mystic Living
https://www.facebook.com/ManaMountain
https://www.instagram.com/ManaMountain

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:20 PM
To: CD STRComment
Subject: GRANDFATHER NEIGHBORHOODS!!!!!

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

Dear commissioners,
We live here, have kids that go to schools and donate to non profits and keep the town alive. Please don't toss us under the bus!
Grandfather or mother our neighborhoods to be free of nightly rentals whose owners aren't on site!
Thanks, Gro Buer

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>

Sent: Friday, July 2, 2021 1:12 PM
To: CD STRComment
Subject: Enforcement of STR Listings is Urgent; Naked Guy Exposes only one problem with STRs

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

Dear Commissioners
Please accept my My 12 letter to the editor in the "Leavenworth Echo" as a public comment letter. The Sheriff's statement to the Manson Community Council that enforcement would only be during weekday business hours continues to provoke my concern.:

Naked Guy' Exposes Only One Problem with Short Term Rentals

05/12/2021 - 9:40am

Thank you for the "Naked guy in yard is a short term renter" article, and thanks to Commissioner Tiffany Gering for that quote. However, lewd behavior, noise, drunkenness and nuisance issues expose only the tip of the iceberg of problems with short term rentals.

The primary problem is proliferation of too many absentee-owner "mini-hotels" in rural neighborhoods zoned residential, making housing unavailable for local workforce residents. More than 20 local businesses submitted a letter to the County Commissioners underscoring their urgent concern for hiring and keeping employees, due to the housing shortage. Employees cannot find housing.

Whole-house short term rentals increase housing prices and property taxes for everyone.

Studies show that in areas where short term rentals exceed 5% density of all housing, as is the case in rural Manson, Leavenworth, and Plain/Lake Wenatchee, the negative economic impacts from loss of full-time residents likely exceed any positive economic impacts.

The thriving tourist cities of Leavenworth and Chelan wisely segregate incompatible uses by zones. We hope the County will follow suit—encouraging more short term rentals in commercial or tourist zones, while imposing strict density caps and occupancy limits in residential zones.

In terms of property taxes, the assessor must not use sales of short term rentals as comparable sales to increase neighbors' taxes.

The article's claim of millions of dollars of economic benefits for county businesses is exaggerated. Most short term rental income does not stay in Chelan County-- according to the short term rental industry's own realtor-authored study, stating that 90% of owners do not live in Chelan County.

Enforcement will be key to new regulations, as the article points out. We support Sheriff Burnett in staffing weekends and evenings to respond to nuisance complaints. But nuisance enforcement is not enough. Enforcement of the new regulations must also include monitoring of advertisements on rental platforms such as AirBnB, Home Away, and Vacasa, in order to make sure owners adhere to occupancy limits, septic, parking, and safety requirements.

Fines must be high. Permits must be publicly available and transparent, so neighbors can monitor compliance. Permits must be revoked from owners who illegally advertise more bedrooms or occupants than permitted on the septic or building permit.

The safety and health of neighborhoods is at stake. No resident wants to raise their family next to a short term mini-hotel with **(or without)** a naked guy in the yard!

Barbara Rossing for the Board of Directors,

Residents United for Neighbors of Chelan County

Barbara Rossing

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:11 PM
To: CD STRComment
Subject: STR issues

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

MY CONCERNS...
with the report provided to the BOCC by the task force

- Allows tier 2 and 3 (absentee owner) in residential areas. STRS are a component of a tourism economy, but such businesses should be appropriately located in commercial, resort or widely spaced residential zones that separate these businesses away from residential areas.
- Current short term rentals would be grandfathered. Currently 15% of the housing stock in the 98826 zip code are short term rentals. Although a cap of 6% has been recommended, attrition could take decades.
- These are big issues, please do the right thing for those of us who live in and outside of Leavenworth and other high use areas by tourism in our neighborhoods.

Thank you, Gro Buer
8050 E Leavenworth Rd, Leavenworth, WA 98826

Wendy Lane

From: Mara Bohman <mbohman@aol.com>
Sent: Friday, July 2, 2021 1:09 PM
To: CD STRComment
Subject: Short Term Rental Code
Attachments: STR comments July 1.docx

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

Please see attached letter.
Thank you

July 1, 2021

Dear Commissioners Overbay, Bugert and Gering,

As a resident of Chelan County for 8 years and a property owner for 12, I have seen the rapid proliferation of short term rental businesses right in my back yard-property purchased in a residential zone. Many of these business owners are understandably upset to learn that they had been misled by Chelan County about the existing code, others just did not care, but I urge you as you finalize this very important new permitting system, to prioritize the property rights of your residents.

It is frankly shocking to me that this draft code created by the Task Force will allow grandfathering of most existing short term rentals, which have been operating illegally in the county, some for years. Many more who expected to be grandfathered, complained at the recent hearing that they 'unfairly' got caught up in the moratorium. I have a hard time feeling sorry for them, as they had to have known that the county was in the process of writing a new code.

This new short term rental code, if adopted as written, will allow continued illegal property use by many business owners. You Commissioners must recognize that this major concession by the residents was ONLY allowed by balancing it out with a number of protections for residents. YOU MUST NOT CHIP AWAY AT THESE PROTECTIONS. To do this would undermine the hard work of the Task Force and frankly the entire process we all have been working hard on for years.
To help ensure the success of these new regulations, the must be clearly written and easy to enforce.

1. All people must be included in the occupancy limits. Children under 2 ARE PEOPLE
   To allow children under 2 to slip in is much harder to enforce.
   In addition, daytime limits must not exceed what is allowed. Any increase will lead to 'events' which are fundamentally incompatible with residential neighborhoods

2. There must be a minimum separation between short term rentals and residents, not just between short term rentals. If we are truly trying to separate incompatible uses this must be in the code.

3. Planned Unit Developments should NOT be exempt from the 6% density cap. These can be in existing commercial zones. If these are exempt will be popping up right and left and will destroy the goal of reducing the impact of commercial operations in residential zones.

4. All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written permission from their co-owners to convert a residential structure to a commercial use.

5. Again, the code needs to be clear and easy to enforce. The owner MUST be on site, as defined, for tier 1 short term rentals. To allow them 15 days per year to be absent will create a nightmare for the county to enforce-basically it won't be and tier 1s, not included in the 6% cap, will often essentially be tier 2s.

Thank you for all the time and effort that you all have put into this process. It is unfortunate that you three have been left to clean up the mess created by prior administrations who refused to enforce the zoning that is on the books.
You have an opportunity to get this train back on track for the residents of Chelan County.

Regards,
Mara Bohman
Leavenworth

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:07 PM
To: CD STRComment
Subject: Fwd: FW: RUN 2nd comment letter

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

Dear Commissioners,

I want to address four issues that came up during the public hearing: exceeding occupancy limits, grandfathering historical occupancy levels, extending the cutoff date for eligibility for grandfathering, and whether PUDs should be included in the density cap.

All four of these issues were a part of the negotiation process of the Task Force.

Occupancy Caps: The STR group began the Task Force process with asking for the following occupancies: Tier 1:16, Tier 2:16, and Tier 3: no limit. They **did not** ask for exclusion of children under 2 at any time. The residents gave up significant protections for residential neighborhoods such as minimum lot sizes for RV and RW in order to gain the final occupancy limits of Tier 1:8, Tier 2:12, and Tier 3:16, with children under 2 included. Please respect the Task Force recommendations and remember that residents gave up a lot to gain these occupancy caps.

Grandfathering Historical Occupancy Levels: The issue of grandfathering historical occupancy levels of STRs was also discussed. Again, this was **not** part of the consensus agreement of the Task Force. If you grandfather occupancy, we will have STRs throughout the county in residential neighborhoods with occupancies greater than 16. It is fully within the legal discretion of the County to establish limits for STRs including restricting occupancy regardless of historical use. Cities and counties across the country have enacted regulations after STRs were already established that have limited occupancy, restricted locations to certain zones, and established caps on density.

End Date of August 25, 2020 for Grandfathering: Extending the eligibility of property owners to be grandfathered also was a significant issue during the Task Force negotiations. The STR side asked for the following two circumstances for STRs to be grandfathered: 1) property operated as an STR in 2019 and 2020, can provide proof of paying taxes, and had no more than one citation issued to rental guests at the property in 2020; and 2) owners trapped by the moratorium including those who purchased property between 2019 and code adoption date, and can provide evidence of intent to operate it as an STR such as communication with realtors, property managers, cleaners, architects, builders or country staff, etc.

This was hotly debated among the Task Force members and only a portion of the first part was agreed to. Residents again gave ground on other issues in order to gain a **firm cutoff date** at which grandfathering was closed. **This was the**

date of the first moratorium—August 25, 2020. Please do not open the door to owners who did not have operating STRs as of August 25, 2020. This is a very slippery slope.

Planned Unit Developments: The PUD language in the Task Force agreement states that the cap excludes "*Planned Unit Developments with notes on the face plat*". The residents assumed this meant already approved PUDs, not future PUDs. The Task Force didn't explicitly talk about this issue because of the time limits for their discussions. Please do the right thing and include PUDs in the 6% density cap. It is a huge loophole and is contrary to the policies and goals of the Comprehensive Plan. PUDs represent a unique opportunity for the County to increase its workforce housing supply.

We believe the County Prosecuting Attorney's office continues to give you advice that is overly cautious and doesn't reflect the scope of your authority to regulate land use.

Further, you as Commissioners are not bound to validate guidance or advice given by staff that is in violation of your zoning code. Section 11.02.040 Compliance (2) states: *No county official or employee shall issue a permit for a conditional use or variance, or* ***give other authorization for any use that would not be in full compliance with this title. Any permit or other authorization in violation of this title shall be void*** *without the necessity of any proceedings for revocation or nullification, and any work undertaken pursuant to such permit or other authorization shall be unlawful,* ***and no action taken by any elected or appointed official of the county shall validate any such work, permit, or other authorization.***

We need you to implement the goals and policies of the Comprehensive Plan and to protect the residents who live here, work here, and make our communities strong.

Sincerely, Gro Buer

8050 E Leavenworth Rd

Leavenworth, WA 98826

Wendy Lane

From: Rachel Blyth <RBlyth@cascadesd.org>
Sent: Friday, July 2, 2021 1:05 PM
To: CD STRComment
Subject: Public comment on STR

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

Hello BoCC!

I appreciate your willingness to consider local concerns on the issue of Short Term Rentals! As a resident, STRs have a major impact on my daily life. In review of your current draft, I have serval concerns. I am concerned that Tier 2 and 3 (absentee owners) will be permitted to operate in residential areas. I am sensitive to the fact that STRs are an economic asset for many; however, allowing them to operate within our neighborhoods without the supervision of an owner significantly degrades the quality of life for those of us who have made the neighborhoods our year-round home. It is simply too high a price for the community to pay. I am also concerned that, under the proposed code, current STRs will be grandfathered into the limit. Currently, nearly 15% of the housing stock in our area operates as a STR, which has made it increasingly difficult for community members to secure affordable long-term rental housing. Local businesses are under significant strain to retain employees due to this lack, and the sense of community and cohesion in our neighborhoods is suffering. I hope that you will consider abiding by the recommended cap of 6%.

Thank you for hearing my concerns and advocating for families and community over profit and commodification!

Rachel Blyth
8th Grade Math
Icicle River Middle School

Wendy Lane

From: Alison Miller <alisonclairemclellan@gmail.com>
Sent: Friday, July 2, 2021 1:00 PM
To: CD STRComment
Subject: Listen to County residents and limit STRs

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

To Chelan County Community Development staff:
As a resident of Leavenworth, I'm well aware of the detrimental impacts of short term rentals. I accept that I chose to live in a vacation destination, however we can have a vibrant community and economy without allowing large numbers of absentee homeowners drive up costs for residents. Quality of life is a consideration and it appears that residents have not been given ample opportunity to testify; however, my larger concern is the economic impact of allowing absentee owner STRs.
Owners of STRs make up a fairly small number of residents in this area. If someone is renting out a portion of the property where they live to supplement their income, I have no concerns. Leavenworth's B&B code is effective.
Allowing Absentee Owner STRs in residential areas reduces the amount of Chelan County's already limited housing stock that is available to people who live and work (or even live while working remotely) in the County. In addition, it drives real estate prices up, making decent housing unattainable for many residents.
While even in the City of Leavenworth prices have still increased, not allowing absentee owner STRs has helped keep real estate more reasonable, allowing people to live where they work and spend time. I am not exaggerating when I say it will ruin our tight-knit communities to allow unlimited absentee owner STRs. I'm confident that the only residents who do not agree with this view are those that profit financially from the STRs. It is a significant cost- financially and in terms of quality of life- to everyone other than the absentee owner. We have seen these costs building up and the reaction has been this push by residents to manage STRs. Allowing the absentee owners to have the main input to this process is harmful to residents.
Thank you for your consideration of my comment.
Alison Miller
337 Prospect St, Leavenworth, WA 98826

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>
Sent: Friday, July 2, 2021 12:53 PM
To: CD STRComment
Subject: Do not grandfather STRs who missed the Aug 2020 date. Realtors misled clients!

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

Dear Commissioners
Please do not cave in by changing the Taskforce-agreed date prior to which an STR had to be operating and paying taxes.
During the June 29th hearing, several aspiring absentee-owner STR operators argued that property owners who had "planned" to use the property to build an STR be included in the class of property owners with "grandfathered" STRs. They warned that their property rights are being violated. They claimed that they had done their "due diligence" before recently purchasing and there were no apparent restrictions or permit requirements, so they feel entitled to be "grandfathered".
Chelan County started holding public meetings on the development of draft STR regulations in mid-2019. Realtors and others paying attention knew that County regulations were likely to occur years prior to 2019. Anyone doing even minimal due diligence on the STR issue in 2019 or 2020, including realtors, would have been able to reasonably suspect that the operation of STRs might be restricted in the future. This was obvious more than year prior to the August 25, 2020 STR moratorium.
If this new group FIG wants to sue anyone, they should sue their realtor. I am forwarding (below) an example of a promotional email sent out by the NickMclean Realty group 5 months after the Moratorium, touting the value of buying a home in Chelan County to become a Short Term Rental-- even though there was already a strict Moratorium in place for months.
Already known from the Planning Commission hearings and Draft of the Code in June 2020 it was likely that there would be a density cap in some areas, plus some kind of sunset mechanism.
"COVID slowed us down," they claim. I would simply underscore that the STR community so egregiously violated the Governor's stay at Home order during COVID, endangering County residents, that the County Commissioners were forced to issue 2020-38 to rein in Short Term Rentals, mandating that "All Short Term/Vacation Rentals including but not necessarily limited to Air B&B and VRBO shall cease renting accommodations and shall close; no use or occupancy is allowed regardless of whether it is compensated or not, subject to the provisions of subsections 7 and 8 herein."
No STR operator or Hopeful should use COVID as an excuse, when STRS were themselves the problem during COVID. As the Nick McLean email brags, :"Covid-19 increased the demand and subsequent need for more vacation rentals throughout Chelan County."
Moreover, real estate prices have skyrocketed since COVID. Noone who owns property hoping to open a STR lacks for other economically viable options! Noone's property rights are being violated, even if they are unable to use their property as a Tier 2 or Tier 3 STR. They have many other options! Without losing any money, they can:

- sell at a huge profit;
- move into the house themselves, and use it personally as a first or second home;
- rent it long-term, helping fill an urgent need for housing in Chelan County
- rent it long-term, furnished, and stipulate in the lease that the renters have to vacate one weekend per month or all summer, so the owners can use it; or some similar agreement;
- build an ADU in addition to their house, live on the property, and rent out the ADU as a Tier 1 rental, not subject to any caps;

As the RUN Legal opinion pointed out more than a year ago, County Commissioners have the legal authority to prohibit STR's in residential zones, even if they had been legal (although they were not). An Oregon Supreme Court decision addressed this precise point in upholding an ordinance banning short-term rentals: "We next consider whether Ordinance 92–1, by prohibiting transient occupancy, denies property owners economically viable use of their properties. We conclude that it does not. On its face, Ordinance 92–1 permits rentals of dwellings for periods of 14 days or more. The ordinance also permits the owners themselves to reside in the dwellings. Although those uses may not be as profitable as are shorter-term rentals of the properties, they are economically viable uses." Cope v. City of Cannon Beach, 317 Or. 339, 346, 855 P.2d 1083, 1086–87 (1993). The analysis is similar to a November 2019 Washington Supreme Court Case, Yim v. City of Seattle. Even where an STR is legal, a change in zoning restricting its use to a long-term rental is not a "taking" ("an unlawful taking of property without compensation)," as long as the owner has other economically viable uses of the property.
In summary, do not undermine the Taskforce agreement even further, Do not change the date of grandfathering from what the Taskforce agreed.
Below is the Nick McLean misleading email promoting STRS after the Moratorium.
--Barbara Rossing, 7785 E. Leavenworth Rd

During the June 29th hearing, several STR supporters and a new group "FIG" asked that property owners who had planned to use the property to build an STR be included in the class of property owners with "grandfathered" STRs. They claimed that they had done their "due diligence" before recently purchasing their property and there were no apparent restrictions or permit requirements, so they feel entitled to be "grandfathered".
Chelan County started holding public meetings on the development of draft STR regulations in mid-2019 and most people paying attention knew that such regulations were likely to occur years prior to this. Anyone doing even a little bit of due diligence on the STR issue would have been able to discover this and reasonably suspect that the operation of STRs might be restricted in the future. This was obvious more than year prior to the August 25, 2020 STR moratorium.
If this new group FIG wants to sue anyone, they should sue their realtor. I am forwarding an example of a promotional email sent out by the NickMclean Realty group 5 months after the Moratorium, touting the value of buying a home in Chelan County to become a Short Term Rental-- even though there was a Moratorium already in place.
Everyone should have already known from the Planning Commission Draft of the Code in July that there would be a density cap in some areas, and likely some kind of sunset mechanism. That all existing STRs are allowed to be permitted (with strict standards) is LESS strict that what looked like the Code would be in July.
COVID slowed them down, they say. I would simply underscore that the STR community so egregiously violated the Governor's stay at Home order during COVID that the County Commissioners were forced to issue

---------- Forwarded message ---------
From: **Nick** <nick@nickmclean.com>
Date: Wed, Dec 30, 2020 at 6:35 AM
Subject: Should you own a short term rental... Airbnb in Chelan County

Should you own a Short Term Rental in Chelan County...

A short term rental 'Airbnb' is any home that is rented out for less than 30 days. This has become a preferred way to stay when on vacation in Chelan County (Leavenworth to Lake Chelan) for many people and families.

Covid-19 increased the demand and subsequent need for more vacation rentals throughout Chelan County. This is because in a pandemic people do not want to stay at a highly populated hotel. A short term rental gave them the distance and privacy to vacation during COVID-19.

Traveling using the airlines has dramatically declined especially for travel outside of the United States. When long-distance travel decreases tourism in Chelan County increases. We saw this in 2008-2011 during the Great Recession. People started choosing vacations that were less expensive and closer to home. Tourism has increased in Lake Chelan and Leavenworth for the last 10 years.

This trend will continue and the demands will grow.

The question for you is should you own a Short Term Rental?

The benefits can be amazing. There are vacation rentals that gross near $100,000 a year. On average a short-term rental will be in the $30,000 gross range. The more you use it as an owner the less you will make.

My recommendation to clients is not to own a vacation rental purely as an investment. See it as a hybrid investment. One which generates income to offset or cover all your costs on an asset you and your family get to enjoy.

It is very common for the rental income to cover all expenses taxes, insurance, utilities, dues, and interest.

If you are interested in owning a vacation rental in Eastern Washington reply to this email and tell me the locations and budget you are interested in. Please note vacation rental budgets start at $400,000 and average around $750,000 for a quality rental. This is because location matters most.

If you own a home that you believe would be a good vacation rental reach out to us. We can tell you what you can expect for income as a vacation rental and/or what it is worth if you sold it to one of our clients as a vacation rental.

Nick McLean

Nick McLean Real Estate Group

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You are receiving this email because you opted in via our website.

Our mailing address is:

Nick McLean Real Estate
29 S Wenatchee Ave
Wenatchee, WA 98801-2266

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Wendy Lane

From: Von Bridges <von.bridges@gmail.com>
Sent: Friday, July 2, 2021 12:38 PM
To: CD STRComment
Subject: A final plea

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

County Commissioners of Chelan county -
We are beyond frustrated and disappointed that we are, yet again, pleading for the sanctity of our neighborhoods.
This matter was settled, then the threats of lawsuits from STRACC and their now leader, Tiffany Gering, caused the reversal of important policies to be put in place and acted on.
Then, the embattled task forces were assigned to navigate and defend their positions instead of you three who are the elected commissioners of our county doing your jobs, and supporting the will and desire of your constituents.
It's been proven that the majority of the STRACC community are opportunistic business owners who do not live here, yet were able to take advantage of the lack of policy regarding STR's and infiltrate the housing market to their complete advantage.

15% of our housing market are unregulated commercial business that you want to grandfather in ?! This is completely unacceptable.
With an eventual decrease to 6% that would take how many lifetimes to achieve ?!

The concerns of Chelan county residents regarding these illegal businesses are not hard to understand.

We have invested our life's savings to either own or build in the reprieve of a small town and area.
Only to have our lifestyle completely disrupted by theses opportunistic business investors.

The time is now to do the right thing for the people who live, work, fundraise, volunteer and love the county of Chelan.

Thank you for your time -
Von and Robert Ward
380 Dempsey Rd.
98826

Sent from my iPad

Wendy Lane

From: Sherrie Littlefield <badslittlefield@gmail.com>
Sent: Friday, July 2, 2021 12:37 PM
To: CD STRComment
Subject: Tier 3

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

Dear Commissioners,

This also needs to be noted. Tier 3 STRs should absolutely connect to a major highway, not just a "functionally classified" highway. By allowing functionally classified highways it would include Cedar Brae and the River Road, both of which are *two lane dead end roads* and not highways. Safety of egress is the rationale for requiring Tier 3 STRs to be connected to actual highways. In a county with huge fire risk, the importance of egress can not be understated. Please make the new STR regulations reflect this.

Sincerely,
Sherrie Littlefield
12370 Meacham Rd
Leavenworth, WA. 98826

Wendy Lane

From: Pamela J Mullen <pamelaj.mullen@gmail.com>
Sent: Friday, July 2, 2021 12:35 PM
To: CD STRComment
Subject: STR decisions

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

Commissioners:
Please don't go with the money and wealth of those renting STRs in our neighborhoods. Our neighborhoods are being ruined by these rentals. On our street of 7 there are 3 large STVs, and two are big party houses that keep us awake. I see such a lack of respect for our neighborhood by so many renters. We are on septic and under 2 year olds contribute to what goes into the system. They definitely should be counted.
Please consider those that own homes and live in those homes full time. Our quality of life is more important than the money STR owners make on their rentals. There are so many reasons we are the ones that should be supported in this, not the following of the big money.
Respectfully,
Pamela Mullen and James McVay
20701 Pelton Pl
Leavenworth, WA 98826

Wendy Lane

From: Sasha Morgan <sashajm7@gmail.com>
Sent: Friday, July 2, 2021 12:33 PM
To: CD STRComment
Subject: STR

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

Dear Committee,

As a Leavenworth resident of nearly my whole life, I have seen my downtown coworkers forced to live in communities far out of the way to afford rent. In addition, I know few families whose children I went to school with who could afford to move into town if they ever could.. I have the following major concerns with the proposed code:

It allows tier 2 and 3 (absentee owner) in residential areas. STRS are a component of a tourism economy, but such businesses should be appropriately located in commercial, resort or widely spaced residential zones that separate these business away from residential areas.
Current short term rentals would be grandfathered. Currently 15% of the housing stock in the 98826 zip code are short term rentals. Although a cap of 6% has been recommended, attrition could take decades.
Thank you for listening.

Sasha Morgan
10495 Titus Rd
Leavenworth

Wendy Lane

From: Kenneth Morgan <kjm76c@gmail.com>
Sent: Friday, July 2, 2021 12:28 PM
To: CD STRComment
Subject: STR

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

Dear Sirs,
I own a condo in Leavenworth. I live on Long Island. I bought it so I could stay in Leavenworth visiting my granddaughters and my son and daughter-in-law, and enjoy the beautiful community. I refuse to rent out my condo. Sure, that would pay the mortgage, but I bought the condo for the lifestyle, not to run a business in a residential area.
So let me make it clear. I firmly oppose any STRs in residential areas. That's why we have a commercial district. I say NO to more STRs and am strongly in favor of totally ending the practice where they currently exist as soon as possible.

Ken Morgan
100 Ski Blick Strasse C-106

Wendy Lane

From: Christine Jakobsen <christine.jakobsen@gmail.com>
Sent: Friday, July 2, 2021 12:27 PM
To: CD STRComment
Subject: Input on STR

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

Dear Committee,

As a Leavenworth resident of 20 years I have two major concerns with the proposed code.

- It allows tier 2 and 3 (absentee owner) in residential areas. STRS are a component of a tourism economy, but such businesses should be appropriately located in commercial, resort or widely spaced residential zones that separate these business away from residential areas.
- Current short term rentals would be grandfathered. Currently 15% of the housing stock in the 98826 zip code are short term rentals. Although a cap of 6% has been recommended, attrition could take decades.

Thank you for listening.

Christine Morgan
10495 Titus Rd
Leavenworth, WA

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Friday, July 2, 2021 12:18 PM
To: CD STRComment
Subject: PUD's should NOT be excluded from the 6% cap!

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

Dear Commissioners

It would be a serious mistake (and yet another unnecessary gift to the STR industry) to exclude Planned Unit Developments (PUD's) from the 6% cap.

In Lines 36 and 203 please delete "Planned Unit Overlay Districts expressly permitting short-term rentals" from the exceptions not subject to the 6% density cap.

There are two important reasons why PUD's should not be excluded:

1) **The purpose of PUD's is to "reduce the cost of housing" for Chelan County residents.** Developers are allowed the benefit of doubling the number of units they can build on a parcel in order to provide residents the benefit of more housing. If developers can get double density PLUS selling the units as STR's (which sell for more than residential housing), they get a double benefit and **residents not only get no benefit at all, the immediate neighbors will have to endure STR's.**

2) A PUD that is developed in an existing residential neighborhood already will impact the neighborhood because of its double density. **Allowing the double density units to be STR's would be essentially allowing a resort inside an existing neighborhood, destroying the quality of life for existing residents.**

My existing residential neighborhood had a recent close call with a PUD. The owner of a parcel that abutted several existing residents requested a PUD permit to build double the allowable number of units. The Hearing Examiner rejected the request only because of the combined strong opposition of the neighbors and the Leavenworth National Fish Hatchery. Without the fish hatchery, it probably would have been approved. **The proposed exception for PUD's in lines 36 and 203,would, in a case like that, have allowed the parcel to become 12 contiguous STR's with 150 guests, completely changing the character of the neighborhood from residential to a tourist business.**

If a developer wants to build a resort, s/he should do that in an area zoned appropriately, and it should be far from existing residents.

Thank you,.
Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road
Leavenworth

Wendy Lane

From: Glenn Kuz <glennkuz@gmail.com>
Sent: Friday, July 2, 2021 12:17 PM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

Dear Chelan County Commissioners,

I am an STR owner and operator and I'd like to offer some comments and suggestions as you consider the final draft of the STR Code in development. Thank you for hearing our concerns and forming the task force, I realize this process is complex and will be challenging to keep all parties happy.

I appreciate the formation of the task force and the great work at considering these revisions. I'd like to show my support for and strongly encourage you consider grandfathering in all existing STR's. The individuals bought their land and homes and took on a huge financial commitment without violating any current laws or regulations. To impose a shut-down on them at this time would be unfair and unethical. It's imperative to include all existing STRs including those that can show they begun operationalizing their intentions prior to the moratorium date. If there was something in the works about regulating the STR's then it should have been advertised widely so people could make informed decisions about purchasing vacation property. It would be unfair and unethical to not include these individuals.

The code should allow owners of grandfathered STRs to make changes to their property without losing grandfathered status and please remove restrictions on making changes requiring a permit. Owners should be able to make improvements to their property as long as **they don't increase their non-conformity**. This would be consistent with existing Chelan County Code on non-conforming uses and structures. Restrictions in this way are a violation of the homeowners rights to make improvements to their property that they themselves may enjoy the benefits of.

Lastly, I'd like to voice my support for retaining the exclusion for children under age 2 from guest limits. Very few families have more than one child under 2 and they do not significantly affect wastewater management.

Thank you for all your work and consideration of these points. I am a good neighbor in good standing in my community and wish to continue offering STR along with the economic benefit it brings to my local community, residents, and businesses. With my well-run STR, everyone benefits so please do not be restrictive for a few bad eggs in the lot. I'm happy to follow reasonable rules and regulations to ensure my STR is not disruptive to my community and neighbors, but also do not make the rules impossible for me to continue my business reasonably.

Thank you!

Glenn Kuz

21732 Palomino Rd

Leavenworth, WA

98826

206-851-5018

Wendy Lane

From: Jamie Mathey <jbm@matheylawfirm.com>
Sent: Friday, July 2, 2021 12:06 PM
To: CD STRComment
Subject: Proposed STR Code - Icicle Island Club Resident's Public Comment

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

Commissioners,

I am a 10 year full time resident of Icicle Island Club HOA on Icicle Road located four miles outside of town, and I have owned the property for 16 years. I served on the HOA's Board of Directors for 15 years.

Our HOA was platted in the late 1960s with tiny nonstandard sized lots, which are not suitable for STRs or any other commercial use or purpose. We share the expense of maintaining our own roads and bridges.

We currently have four known illegal Tier II STR businesses operating in our neighborhood, two of which (Icicle Riverhaus at 7020 Icicle Rd and Leavenworth Treefort at 7079 Icicle Rd) are considered by full time residents and weekenders alike to be immediate and ongoing nuisance properties, of the type that this proposed code was originally intended to address and ultimately sunset out of existence.

These are investors with eyes wide open who were not mislead into thinking their STR businesses were permissible at their current locations. None of them have ever received a CUP. The owners reside in the Seattle area and they spend little to no time at these properties themselves – what we actually experience here is just an endless parade of trespassers and partiers. I have personally been negatively impacted every year by STR trespassers on my property and STR parties late into the night. Last summer one STR crashed their surveillance drone into the trees above my house.

I have followed the code making process from the early zoom meetings with the elected Planning Commission, and I was impressed by their thoughtful and careful consideration. However, I am concerned that the interests of the vast majority of county residents were NOT represented when the process was moved behind closed doors to the unelected Task Force, and I strongly disagree with its suggestion to eliminate sunsetting completely and allow STRs on non-conforming lot sizes to be grandfathered in perpetuity. As I understand it, that brokered deal to eliminate sunsetting was entirely dependent on a host of specific other restrictions which have since been chipped away at to the point that the entirety of that proposal should be voided. None of my neighbors support it.

I am supportive of STRs in locations where they are appropriate and do not create a burden on full time residents. We have a unique situation in my neighborhood that deserves the same type of that individual consideration and code adjustments that various STR owners have been recently receiving.

- Please do not allow the wholesale grandfathering of STRs on tiny non conforming lot sizes. These should have a sunset, and in the meantime require a CUP or similar individualized evaluation.
- Please include language in the Code that makes clear that permission by the County to continue operations is not intended to supersede other types of restrictive covenants, rules, regulations, deeds, contracts, HOA bylaws, etc.

Respectfully,

Jamie Mathey
7004 Icicle Rd
Leavenworth, WA

Wendy Lane

From: Gloria Brady <gbrady6448@aol.com>
Sent: Friday, July 2, 2021 11:58 AM
To: CD STRComment
Subject: A Residents Statement in support of blocking STR is Residential Neighborhoods

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

Dear Board of Commissioners:

I have attended the Coffee Zooms, the Workshops, and the Public Hearing. I am amazed at what the STR owners believe they have a right to that Full time Residents of the Residential neighborhoods do not. All I heard is they have investments and should be allowed to be Grand fathered in because they have made HUGE investments; they couldn't get their building permits on time; they didn't know what the codes are; etc. They made a speculative investment in a secondary property and they want a guarantee that they won't lose they investment. Full time owners of residential properties have made HUGE investments also, and our homes are our primary residencies. We don't have the option of going back to our primary homes and regrouping.

I believed you when you reported that you were going to lower the number of STR in the 98826 zip code, from 15% to 6%. How can you possible expect to accomplish this goal if you capitulate to the demands of all the STR owners?

Is it the responsibility of our County to make sure they are made whole financially? What about Grand fathering in the full time, permanent residents. We pay our taxes, obtain all permits, meet all codes, pay for inspections as the cost of investing in a home. My late husband and I build a new home in the old footprint of the property we have lived on since 1995 in 2014. We had to meet the setbacks, size of property, inspection of our septic system, capacity of our well, permits for and approval of building plans, and many more hoops. We also employ local businesses far more than out of area owners, such as spas, pools, windows, repairs, hardware, wineries etc. Why should the owners of investment properties be treated differently?

They are not here and really have no way of knowing what the renters are like and how they act when renting. We have had loud music until all hours, renters arriving at all hours, driving like they are on a speedway on a 35 miles per hour road at all hours, they leave garbage all over or put it in peoples receptacles, they trespass and encroach on private property. If the owners are so sure they have screened people so carefully please have them give their personal phone numbers so that we residents can contact them when we have problems. We all know that calling law enforcement is at best a futile act.

I can not believe that they are so concerned about young children. Any child over two must have a paid seat on an airplane. They need to follow the same rules as planes and hotels. They are commercial income properties and are not entitled to dictate what they expect from Chelan County.

Once again would one of you please get a count of all the STR's that are in the neighborhoods of the owners of the STR's that want to establish them in our neighborhoods. I would be willing to bet they live in nice neighborhoods that do not allow commercial lodging of any kind next door to them.

Finally once again I would like to remind you that we the Residents of Chelan County vote for you, not people from out of State or the west side. You ran on a platform of representing the citizens of Chelan County, and acting in their best interest. Please look in the mirror and remember why you are in your position and who put you there. Citizens of Chelan County deserve to be represented and our rights protected by you. Why have we had to fight every step of the way to protect our homes and property.

Thank you for hearing me out,

Gloria J. Brady
15885 River Road
Leavenworth, WA

Wendy Lane

From: Tammy Barnes <barnes.tammy@hotmail.com>
Sent: Friday, July 2, 2021 11:57 AM
To: CD STRComment
Subject: STR Comment

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

It's my understanding that a hearing was held during the day when most people were unable to attend concerning str's. I am a permanent resident of the Plain area and am very concerned about the number of short term rentals in our rural area. Please do not let str's make up 15% of the housing in the area. Permanent residents desires for the community need to have priority in how this community is shaped. STR's can be a part of the make up but should be restricted to areas designed for the short stay population. STR's should be restricted from Tiers 2&3. These are rural areas that str's have no business occupying.

Wendy Lane

From: Susan Butruille <sbutruille@icloud.com>
Sent: Friday, July 2, 2021 11:48 AM
To: CD STRComment
Subject: STR testimony

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

Dear Commissioners,

Please enact the recommendations of the task force and do not change them.

We must control the proliferation of STRs and curb the detrimental effects on our neighborhoods.

Sincerely
John Butruille
12150 Titus Place
Leavenworth

Wendy Lane

From: Marty Fallon <martyfallon@gmail.com>
Sent: Friday, July 2, 2021 11:30 AM
To: CD STRComment
Subject: STR Comments

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

Chelan County Commissioners:

You are facing a decision that will shape the future of Chelan County.

Throughout history, towns and their resources have been exploited by "extraction industries", which have taken the profits away from the community and, leaving in its wake, a depletion of resources, environment, and quality of life for the remaining citizens. It is clear to me that this is exactly what is happening at this time regarding non-owner occupied STR's in residential zoning.

Most of the owners of STR's who spoke at the Hearing were not residents of this County. They bought properties as investments and have choices, but operating STR's and disrupting residential neighborhoods with a Commercial Business should not be one of them. They purchased in RESIDENTIAL zones and are operating illegally. This "investment property" has value and, if income is desired, can certainly be turned into a long-term rental, which is a well-documented need in our communities.

The apparent ignorance or outright audacity of some of the owners who spoke at the hearing is appalling… "I didn't know", "no one told me", "I was told…"
Strange way to manage an expensive investment.

Tier 2 and Tier 3 STR's are Businesses and belong in Commercial Zones, not Residential.

Marty Fallon
12275 Village View Dr.
Leavenworth, WA 98826

Wendy Lane

From: david satterfield <davesfield@comcast.net>
Sent: Friday, July 2, 2021 11:29 AM
To: CD STRComment
Subject: STR Comments

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

Hello,

We ask the county council working on the STR ordinance to listen to the local residents that have been adversely affected by the number of commercial STR's invading their neighborhoods.

The new rule added to the ordinance exempting children under two years of age from the occupancy limits should not be allowed. This recent change will make enforcement very difficult and created a conflict with the ordinances limit of two people per bedroom.

All STR owners should be required to get written permission from residents with whom they share driveways, water supply systems, and septic systems. The amount of people staying in STR's will far exceed the average residential use of these shared systems and overburden said systems.

Thank you for considering the impact of too many commercial STR's ruining the community for local residents.

David Satterfield
15956 Cedar Brae

Wendy Lane

From: Tim Sale <tim.sale@gmail.com>
Sent: Friday, July 2, 2021 11:15 AM
To: CD STRComment
Subject: Chelan County STR Public Comments

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I spoke at the public hearing and listened to all of the comments. I've been participating for over two years and I think we're very close to having a workable solution but we're not quite there yet.

First, let me say that I'm sorry to see that some of this debate has turned into nasty attacks in the hearings and even in the news. None of you should be subjected to that - it has no place in a situation where everyone looks to be trying their hardest to find a workable solution.

The moratorium should in many ways be seen as a success for letting people know that Chelan County is closing the door on new STRs. I don't know of anybody who purchased a home or started building a home in Chelan county with the purpose of being an STR once they were made aware of the moratorium.

However, there are a few of us that are really stuck in a terrible position of being in the process of making our STR when the moratorium was enacted without warning. We stand to be significantly harmed financially by something that will have little to no impact on the greater STR debate.

(First offer on land in June of 2019, closed same land in Jan 2020, issues building permit in July 2021, did not check STR box as guided by builder and architect because it is to be a split-use property, construction should be complete in sept/oct, have lots of documented conversations about STR usage before moratorium, even rented land out one weekend in June 2020 to show intent)

I know some people like to look at us as outsiders who don't belong in Chelan County but we're just working people like everyone else. I don't have piles of cash and I'm not looking to create a business of STRs. We are trying to build something for our future and this current code could be devastating to us.

Aside from the unnecessary legal exposure that this will open the county up to, it just doesn't seem like the right position for the county to take for less than 1% of the STR population.

Thank you for listening and considering.

--
--Tim

Tim Sale
tim.sale@gmail.com

Wendy Lane

From: Diane L <suncrowz@hotmail.com>
Sent: Friday, July 2, 2021 10:28 AM
To: CD STRComment
Subject: Str= noise and stress

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

It really sucks to see your Father, who worked his whole life with the dream of retiring to a quiet place in the country, to instead end up amidst a string of short term rentals, subject to loud noise, trespassers tromping across his front yard, and having to pick up discarded beer cans, chip bags and pop bottles in his yard that come from the rentals across the street.

Recently we were subject to an almost all night party across the street, with loud music, voices and cars coming and going until 3:30 am.

Please cap the short term rentals, rewrite the noise ordinance, and enforce it.

Diane Littau

Sent from my iPad

Wendy Lane

From: kerwinloukusa@gmail.com
Sent: Friday, July 2, 2021 10:21 AM
To: CD STRComment

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

Dear County Commissioners,

My wife and I work and live in Chelan county in the public sector (my wife as a nurse and I at the PUD). We have live here because of quality of life and the people that we live around. We have closely followed the developments regarding STR's for many years as it has had an impact on our life. From noise, to housing availability, constant turnover of new people coming through the neighborhood living near STR's is very noticeable as a full time resident.

Up till now I have been willing to make some compromises around the percentage of houses that are allowed to be grandfathered in along with some other details, but following along on the process I have been noticing that the draft code has been continuously getting eroded from its original form. I realize that life requires compromises, but I am struggling to understand why the residents that live next to STR's must sacrifice so much to appease the owners of these "businesses" that are operating in residential areas.

Coming to a consensus on how to regulate these businesses is important, but it is frustrating that we are simply ignoring the cost that already has been given to the community members in Chelan County. The argument that most STR owners have made about needing to protect there investment is simply false, almost any property that has been purchased in the prior decade or before has a market value that likely far exceeds the purchase price, they are welcome to sell it back into the community if they like.

The term externality is defined as follows by wikipedia: "In economics, an externality is a cost or benefit that is imposed on a third party who did not agree to incur that cost or benefit."

These STR's are place an externality (some positive, but mostly negative) on the folks that live near them and the community as a whole as it reduces the number of long term residents and were done without consent. Chelan county residents are now being forced to subsidize STR owners investments in residential real estate by accepting a reduction of quality of life, increased property tax burdens and loss of community.

I realize that is extremely unlikely for the task force, board of commissioners and other stakeholders at this point to radically change the draft code to reduce the number of outstanding STR's. In light of that I implore the commissioners to consider thinking about adding wording that considers impact that STR's have on the surrounding residents with regard to noise and occupancy:

Specifically:

Noise (line 470)
The county's noise ordinance is very general and difficult to enforce.There needs to be a specific standard for STRs that is easy to enforce.
Please add the following language: In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

Occupancy:

Children under age 2 must be included in the occupancy count (line 409). To do otherwise has the direct result of increasing occupancy. All prior drafts counted everyone, including children, in the occupancy counts, and this core issue of occupancy should not be changed at this late stage.

As very clearly described in the Manson Community Council's letter to you, occupancy in this draft is based on bedrooms, as was agreed to by the Task Force. What was not agreed to was the change reflected in lines 865-870 that defines bedroom to mean "either enclosed or open areas within a structure being used as a STR that provides sleeping accommodations such as mattresses, beds, sofa sleeper, roll away beds,. day/trundle beds, bunkbeds, murphy beds, etc . . " By allowing virtually any sleeping area to be included you essentially void any occupancy limits - STRs regularly stuff lofts, basements, stair landings, etc with beds tucked behind a screen, or just wall to wall beds, which hugely increases the occupancy. The occupancy must be based on the number of bedrooms in the building permit and septic permit, not actual overfilled capacity practices.

If this draft code does not materially improve the problems that the community is currently experiencing it won't end here, but continue to amplify until something breaks. Please consider the LONG TERM impacts of the decisions being made here for the development of

community as a whole and not only the financial interest of business owners currently that are currently forcing the residents to subsidize their businesses.

Thanks,
Kerwin

Wendy Lane

From: katie holmes <mobileholmes@gmail.com>
Sent: Friday, July 2, 2021 10:15 AM
To: CD STRComment
Subject: Who puts BOCC in office?

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

Aloha!

We do, your constituents. People who do vote in our county should have absolutely no say in our laws and ordinances. It's absolutely mind boggling that any person who does is not registered to vote in Chelan County should have any say in this.

--
Katie

Wendy Lane

From: Oliver Brulotte <obrulotte@gmail.com>
Sent: Friday, July 2, 2021 10:14 AM
To: CD STRComment
Subject: Comments re STRs and Impact on Housing and Neighborhoods

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

Board of County Commissioners
Chelan County
400 Douglas Street, Suite 201
Wenatchee, Washington 98801

July 2, 2021

Dear Commissioners,

Thanks for the opportunity to comment on Short Term Rentals and help to shape the regulations that impact our community. My wife, Pam, and I have lived in Leavenworth for 20 years and are active in our community. We own several businesses, volunteer in local non-profits and love NCW.

We feel strongly that the rules and regulations for STRs should serve two main functions. First, they should protect the community housing stock so that we can have a working community. We feel rules should be restrictive to ideas like grandfathering existing illegal STRs and that it's important to be able to monitor and enforce any proposed density cap.

In addition, we feel all STR rules should be enforceable and focus on prioritizing and preserving healthy, tight knit neighborhoods and communities. The fabric of our neighborhoods is important and also fragile. Strong and enforced rules that limit noise, occupancy and disruption by commercial endeavors in residential zones feels like common sense.

We appreciate all of your efforts and hard work professionalizing the standards and enforcing the codes for operating Short Term Rentals and hope you will consider our point of view for protecting our community housing stock and preserving peaceful neighborhoods.

Thank you,

Oliver Brulotte
Pamela Brulotte

10690 Titus Road
Leavenworth, Washington 98826

Wendy Lane

From: Mark <toklat2@nwi.net>
Sent: Friday, July 2, 2021 9:58 AM
To: CD STRComment
Cc: Jim Brown
Subject: STR Comment

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

Dear Commissioners:

Please do not inject these illegal STR lodging facilities into our single-family residential zoning districts

"Grandfathering" these incompatible STR businesses into our residential neighborhoods should not and must not be permitted.

Thank you!

Wendy Lane

From: Steve marks <marksst4@gmail.com>
Sent: Friday, July 2, 2021 9:51 AM
To: CD STRComment; STRACC Admin
Subject: STR Public Comment

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

ON SHARED INFRASTRUCTURE;
The RUN people want to change this so that STRs in communities like Ponderosa and Chiwawa Pines will have to seek approval to operate,
This will completely go against what the task force wanted and result in long drawn out litigation that we have all seen before. This totally defeats the purpose of the task force and why it was set up in the first place!

I DON'T WANT MY DUES GOING TO PAY FOR YET ANOTHER FAILED LAW SUITE!!

Thanks for your time,
Steve Marks
21304 Stetson Rd
full time residence in the Ponderosa,

Wendy Lane

From: Mark Stoddard <mdstoddard1@gmail.com>
Sent: Friday, July 2, 2021 9:34 AM
To: CD STRComment
Subject: Short Term Rentals Comment

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

Chelan County Community Development,
As a full time resident of Chelan County, I am very concerned with the current proposal related to Short Term Rentals outside of commercial zoning. The original proposal seemed way too strict and this current proposal is way too lenient. I would strongly urge the BoCC "Grandfather our Neighborhoods", impose and enforce significant restrictions on STR's. With STR's making up 15% of the housing market in the 98826 zip code and the current proposal, it will take decades to meet the target of 6% STR's. This is totally unacceptable and there should be a plan to reach this target within 5-7 years to have any impact on the quality of life here in the upper valley. Please listen to your residents and voting constituents - not those who only profit from our area.

Thanks,
Mark Stoddard
12859 Wilson Street
Leavenworth, WA 98826

Wendy Lane

From: Lauren Johnson <lj2341@gmail.com>
Sent: Friday, July 2, 2021 9:29 AM
To: CD STRComment; Barbara Rossing
Subject: Definition of Bedroom: only legal bedrooms listed on septic permit, County Assessor's website

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

Dear Commissioners:
Please protect residents by changing the proposed definition of "Bedroom" in 14.98.1632 of the draft code.
The definition should allow ONLY the number of bedrooms permitted on the septic permit and on the County Assessor's Property web site, which records the number on the building permit.
Enforcement of occupancy limits will be impossible since if there is no official, public benchmark to verify how many bedrooms are legal for each house.
During the Task Force negotiations, residents gave up massive concessions in order to get strict occupancy limits, with the most significant concession being the "grandfathering" of all existing STRs that meet strict standards.
Occupancy limits tied to number of bedrooms is key among those strict standards.
Occupancy limits are meaningless, however, if you define bedrooms to include almost any possible sleeping space.
The proposed definition of "Bedroom" in 14.98.1632 of the draft code is far too broad. It allows "any enclosed or open areas within a structure being used as a Short Term Rental that provides sleeping accommodations such as mattresses, beds, sofa sleepers, roll away beds, day/trundle beds, bunkbeds, murphy beds, etc."
Such a loose definition of "Bedroom" will maximize occupancy of every STR, in contravention of the BOCC's stated goal of "...minimizing the nuisance impact of short-term rentals on adjacent residences..." as noted in Lline 141. Allowing rec rooms, offices, enclosed patios, etc. to be claimed as bedrooms will cause overcrowded STRs to become the norm throughout Chelan County, maximizing their impact on the surrounding residents.
Please change the definition of "bedroom" to be much simpler and align with county records (septic permit and the Assessor's property record).
I propose you substitute this definition (proposed also by Brian Patterson, PhD):
"For purposes of CCC 11.88, a "bedroom" will be defined as those rooms in a dwelling unit that were defined as such in the building permit(s) associated with the dwelling unit or otherwise listed in county records."
The number of bedrooms for each permitted structure is clearly listed in the public Geographic Information System map hosted by the county online, 1 so this is easy to track even if the original building permits are not available.
Please following the objective of the code (line 141) as determined by the Board of County Commissioners (BOCC), namely:
C) The provisions of this chapter are necessary to promote the public health and safety by protecting year-round residents' enjoyment of their homes and neighborhoods by **minimizing the nuisance impact of short-term rentals on adjacent residences and by minimizing the detrimental impact of excessive short-term rentals on the affordable housing supply.**
Bedrooms must be only those on the septic permit and building permit, listed in County records.
Sincerely,
Lauren Johnson, 7785 E. Leavenworth Rd

Wendy Lane

From: Susan Butruille <susanbutruille@gmail.com>
Sent: Friday, July 2, 2021 9:28 AM
To: CD STRComment
Subject: STRs

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

To the Commissioners:

I reside at 12150 Titus Place in Leavenworth, zip code 98826.

After years of allowing unregulated and under-regulated STRs, we need prompt and honest action on your part. Do not change the consensus of the task force after negotiating their recommendations. How can we trust any commissioner who now changes the recommendations?

Do not discount small children as persons allowed.
They use as many facilities and resources as adults. We have an STR next door and we are concerned about overuse of septic and water systems.

Please adopt recommendations as they are.

Susan Butruille

Sent from my iPhone

Wendy Lane

From: Fred Carani <fredcarani@yahoo.com>
Sent: Friday, July 2, 2021 9:26 AM
To: CD STRComment
Subject: str ordinance

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

Dear Commissioners,

Please stop rewarding the str owners who have blatantly violated county code by operating motels in rural residential zones. The moratorium was ignored by realtors and rental agencies who told clients that str were allowed. The final ordinance has to have some teeth in it to punish violators. Current str should have to apply for new permits and NOT be grandfathered in. Those who have clearly violated current code should prohibited from operating at all.

Thank you,
Fred and Claudia Carani
11220 Clark Canyon Rd. (43 year residents)
Leavenworth

Wendy Lane

From: Joanne Stanford <joannestanford@gmail.com>
Sent: Friday, July 2, 2021 9:24 AM
To: CD STRComment
Subject: Outside the area

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

Please be aware that the STR's are doing a write in campaign to get your support. They are encouraging their guests from outside the area to send in their opinion.
This is once again proof that the STR's do not care about our community.

Please help us keep our neighborhood a neighborhood!
Thank you
Joanne Stanford
2393 Kinnikinnick Dr, Leavenworth, WA 98826

Wendy Lane

From: Autumn Waite <autumnwaite@live.com>
Sent: Friday, July 2, 2021 9:07 AM
To: CD STRComment
Subject: Short-term rental public comment

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

Hello!

As a long time visitor to Chelan/Manson, I am very concerned with the future of short-term rentals. My family of 6 adults and 4 children travel to Chelan and/or Manson numerous times per year, always utilizing a short-term rental. While we cannot yet afford our own place there, we hope to in the future.

We have watched rental prices increase year after year, and know that if short term rentals are reduced, this will only further drive prices out of our range. I can assure you that in our time in Chelan/Manson we support the local economy in many ways. From dinner to shopping and certainly wine purchases, I am not sure why anyone that wants Chelan/Manson to thrive would want to reduce the number of visitors coming to the area.

It will certainly put a sour taste in our mouth if we can longer afford to visit the area, and we would be forced to look at other areas to stay and spend our money in the future. This would also likely result in us buying elsewhere down the road, as we could likely only afford to buy if we could rent it out as well.

I was surprised to hear this was even a consideration, and hope that those that want the best for Chelan/Manson will reconsider reducing short term rentals.

Autumn Waite

Wendy Lane

From: Dave <alpenice@nwi.net>
Sent: Friday, July 2, 2021 7:21 AM
To: CD STRComment
Subject: Please keep my neighborhood STR free

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

To Chelan County Commissioners,

I'm writing to request that the Icicle Island Club in Leavenworth be kept free of STR's, and that they not be grandfathered, and should be banned.

This residential neighborhood is not only in a home owners association, but also inside a Forestry zone. Neither allow for any occupancy, other an a single family residence. Creating commercial use, by advertising on the internet, opening up the private neighborhood to the public, and allowing occupancy to exceed single family requirements are all in non conformance.

From personnel experience, I have lived next door to Icicle Riverhaus at 7020 Icicle Rd for over 25 years. I have been subjected to countless negative encounters with the public. Such as trespassing on private property, bond fires during fire bans, loud noise and party's at all hours, and over crowding with faceless strangers. The owners of this residence are never there, and they have a service that takes care of their nightly rental. They charge $500.00 a night, none which goes back to the Icicle Island club for additional use of roads and bridges, or do they pay any hotel taxes to the state or county. There is zero benefit to anybody, but the owners of the Icicle Riverhaus.

My only solution to these problems created by nightly renters is to call the sheriff, which I have also done countless times, and usually the sheriff is not helpful or co operative. Or I have considered calling the Chelan County building and land use department, and complaining every time there a disturbance or over occupancy at the Icicle Riverhaus. This is what happened at Jay Creek in the Icicle River Valley between Ron Cotman and Rob Harris, until finally Chelan County officials threated to fine Mr. Harris if he continued nightly rentals of his dwelling. I don't have time or energy to do this, but things are getting worse at the Icicle Riverhaus, as well as at several other nightly rentals that keep popping up at the Icicle Island club.

The lot sizes of the Icicle Island club are generally small and don't offer much space between buildings. I am sure that if any of the Chelan County Commissioners or anyone else lived next door to one of these transient nighty rentals, they wouldn't like it either.

Please to the right thing, follow the codes and regulations, and ban these types of residence's from the Icicle Island Club.

Regards, Dave Bale – 7015 Icicle Rd. Leavenworth.

Sent from Mail for Windows 10

Wendy Lane

From: Janessa Smith <ritual.botanics@gmail.com>
Sent: Friday, July 2, 2021 8:48 AM
To: CD STRComment
Subject: Short term rentals & my family

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

To whom this may concern,

I am writing to ask that you please grandfather our neighborhoods and enforce significant restrictions on STRS. This is one of the most amazing communities I've ever lived in and I see it dwindling away with the housing being swept away by people purchasing 2nd homes as a businesses is heartbreaking. Community is so important, we all can see through Covid how we held each other together and how important connection is for our well being.

I luckily found a place on the outskirts of town in an area filtrated with air bnbs, I would love to move to town so my kids could play with other kids but the cost has just sky rocketed due to lack of availability. Please help keep some hope for community to continue here, without that this place will lack heart. Furthermore, there will be no place for the employees, it's already bad. Please don't make it worse.

Janessa Smith
Sent from my iPhone

Wendy Lane

From: Drovdahl, Bob <bdrovdahl@spu.edu>
Sent: Friday, July 2, 2021 8:44 AM
To: CD STRComment
Subject: Short-term rental code

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

Dear Commissioners:
I am a co-owner of a home at 15761 Cedar Brae Rd in Chelan County. We bought the property in 2006 and completed construction of our home in March, 2009. Our home links with three other homes through a shared driveway, well-water, and septic system. None of the four homeowners are year-round residents; none of us rent our homes for income. Our four-home community would be negatively affected if any of the owners basically converted the "home" into a "STR business." Writ large, this is the fundamental issue of STRs on the Chelan County community.
Absentee owners of STR houses are basically operating businesses in residential neighborhoods. In an ideal world, this would not be allowed. In the real world we inhabit, the commissioners' goal should be pass a code that restricts as much as possible how STR houses can be used. While not infringing on the rights of current homeowners (hence the "grandfathering" principle), the code going forward should benefit residents and the community, not commercial business owners.
Thank you,
Robert Drovdahl

Wendy Lane

From: Sharon Lunz <slunz@nwi.net>
Sent: Friday, July 2, 2021 8:43 AM
To: CD STRComment
Subject: STR Comments

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

Dear Commissioners Bob Bugert, Kevin Overbay and Tiffany Gering and Community Planning Director Jim Brown,

As residents of Chelan County who live in the outskirts of Leavenworth, and owners of long-term rentals in the area for decades, we are keenly aware of the many negative impacts on our community of the huge growth in Short Term Rentals (STR) over the past 5 years. The facts are clear, and I know that after all of your hard work on this issue you too are familiar with the issues related to affordable housing, neighborhoods, and community, among others. You also have heard loudly from many owners of STRs of the impacts the proposed regulations will have on their finances.

You were elected, or hired in Jim's case, to look out for the best interests of Chelan County and your constituents, keeping the big picture and the greater good in mind. You are not responsible for looking out for the financial interests of Short Term Rental Owners, 90% of whom live outside of Chelan County, at the expense of locally owned businesses and residents. You have bent over backwards to be fair to STR owner's interests, but ultimately when someone chose to invest in a property and business that had no legal basis for operating in the existing code, they took a risk that has financially rewarded them to date. If they did not know they were taking a risk then that is their fault, as the smallest amount of research would have revealed the legality issues that have been well documented in the last decade.Their bad for not doing their homework, and Chelan County residents should not have to suffer in order to compromise any further to make these STR owners financially whole.

After being so close to an ordinance at the end of 2020, you paused the process and appointed a task force to try and come to consensus. The delicate balance of compromises that this hard working group arrived at is a huge accomplishment, and to pick and choose which aspects to keep and which to change of their consensus report negates the entirety of that process. That is not how consensus works. Even supposedly "minor" tweaks at this eleventh hour, such as not counting children under age 2,and exempting Planned Unit developments, can have huge ramifications to the goals you set for the task force to accomplish.

I implore you to have the final code reflect the compromises carefully and thoughtfully agreed to by all stakeholders representatives of your appointed task force, and not add loopholes and changes that will hugely weaken it and make it very difficult to enforce.

Of particular concern are these eleventh hour changes being considered:
Occupancy:

- Children under age 2 must be included in the occupancy count (line 409). To do otherwise has the direct result of increasing occupancy. All prior drafts counted everyone, including children, in the occupancy counts, and this core issue of occupancy should not be changed at this late stage.
- As very clearly described in the Manson Community Council's letter to you, occupancy in this draft is based on bedrooms, as was agreed to by the Task Force. What was not agreed to was the change reflected in lines 865-870 that defines bedroom to mean "either enclosed or open areas within a structure being used as a STR that provides sleeping accommodations such as mattresses, beds, sofa sleeper, roll away beds,. day/trundle beds, bunkbeds, murphy beds, etc . . " By allowing virtually any sleeping area to be included you essentially void any occupancy limits - STRs regularly stuff lofts, basements, stair landings, etc with beds tucked behind a screen, or

just wall to wall beds, which hugely increases the occupancy. The occupancy must be based on the number of bedrooms in the building permit and septic permit, not actual overfilled capacity practices.

Planned Unit Development Loophole must be closed:

- PUD's must not be exempted from the density cap (line 203). Exempting them fundamentally changes the compromises arrived at by the task force participants.
- All **future** Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

Noise (line 470)

- The county's noise ordinance is very general and difficult to enforce.There needs to be a specific standard for STRs that is easy to enforce.
- Please add the following language: *In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.*

We truly appreciate the hours and hours of hard work all of you have invested in this thorny issue. Please don't negate the fair and balanced solutions arrived at by diverse interests by caving to pressure from Short Term Rental owners at this eleventh hour.

Sincerely,
Sharon and Greg Lunz
Leavenworth, WA

Wendy Lane

From: Daniel O'Connor | SEE BICYCLES <dan@seebicycles.com>
Sent: Friday, July 2, 2021 8:42 AM
To: CD STRComment
Subject: Short Term Rentals comment

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

I'm submitting my opinion on STRs. Our neighborhoods in the Leavenworth area where I have lived for 40 years are being ruined by these rental properties. The noise from large and loud group parties of tourists who don't care about the neighbors is intolerable. And dozens of extra vehicles parking on a street, clogging our streets and creating safety issues. Nevermind that these rentals have depleted housing availability in this area to a shocking degree. You should "grandfather" our neighborhoods AND enforce significant restrictions on STRS. Please impose restrictions on STR's - bring them down to 6% of the housing area from 15%. I'm also asking you to appropriately zone tier 2 and 3 STR's out of our neighborhoods.

Thank you for your consideration of this dire issue.

Daniel O'Connor
12597 Wilson St
Leavenworth, WA

Wendy Lane

From: Ryan Harmaning <ryan.harmaning@gmail.com>
Sent: Friday, July 2, 2021 8:35 AM
To: CD STRComment
Subject: STR Draft Code - Moratorium issues

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

Thank you Commissioners for the further deliberations on this very important topic. My family purchased a vacation property in a recreational community near Plain in October of 2019, but have been visiting and staying in Chelan County for decades.

We are asking that both in fairness, *and* to simplify the current code, you include Grandfathering for those who can demonstrate they were, in the process of creating their Vacation Rental prior to the August 25th Moratorium. The Moratorium was an unprecedented move - unsubstantiated by data, and includes ambiguous language that appears to put it on even more shaky ground

While we were acting in good-faith and relying on existing County Guidelines while creating our STR, the Moratorium has attempted to change the condition of our land from under our feet. This imposition - again with no real justification - is not only inequitable, but potentially legally fraught for the county.

The harm cause by leaving the Moratorium in place is real - it complicates the existing code, and will be a significant financial and emotional burden on not only to my family who are investing significantly in the County for the long-haul, but also the direct livelihoods of the great service people who help clean, restore, build, and improve our property. We know these people, have good relationships with them, and know they also support Grandfathering of the Moratorium and have written to this effect as well.

The group Fairness in Grandfathering (FIG) has submitted a simple and clear proposal which addresses the concerns of the owners, workers, and County in a simple and clear way. I implore you to revisit this. Don't let this Moratorium be a blight on an otherwise productive and largely fair process.

Thanks again for your time and consideration,

- Ryan Harmaning

Kenmore, WA

Wendy Lane

From: Reed Carlson <bearrun@tumwater.net>
Sent: Friday, July 2, 2021 8:32 AM
To: CD STRComment
Subject: Comment on Short Term Rental draft code

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

Regarding upcoming STR code issues, I am very concerned about limits to noise in neighborhoods due to special events including weddings.

I have a business photographing weddings in Chelan county and I know very well the impacts these events can have on neighborhoods. Large noise generating events should be restricted to locations that have capabilities to mitigate noise and traffic issues including adequate parking.

I currently live in a neighborhood that has nonconforming STRs that have included weddings at their locations. The noise has extended into nighttime hours and has been very disruptive to existing single family residences. Issues of traffic flow and parking are also very disruptive to our neighborhood.

I would suggest:

"Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts."

I live at 315 Murphy Highlands, Leavenworth WA 98826.

Thank you.
Reed Carlson.

Sent from my iPhone

Wendy Lane

From: Kirvil Skinnarland <kirvil213@outlook.com>
Sent: Friday, July 2, 2021 8:22 AM
To: CD STRComment
Subject: comments on the STR code

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

Dear Commissioners,

While I support the draft ordinance for the most part, there are still some very important issues that need to be addressed, as follows:

1. **Occupancy (Line 409)** Please do not exclude children under 2. This has the effect of increasing occupancy because it allows for a greater number of adults and older children. Moreover, it is impossible to enforce. The STR representatives never asked for exclusion of children under 2 during the negotiations and residents gave up a lot to gain the occupancy caps of Tier 1 : 8, Tier 2 : 12 and Tier 3 : 16.
2. **Exceeding Daytime Occupancy (Line 424)**— Tier 3 should be eligible to obtain a CUP for a Place of Public and Private Assembly to exceed daytime occupancy. For Tier 1 and Tier 2, the property must be required to be 5 acres or larger with access from a major highway, not a functional highway. The Task Force did not have time to get into the details of this issue and it is obvious that events and weddings are not acceptable on smaller lots accessed through residential streets.
3. **Require Compliance with the Building Permit (Line 404)** – STRs must be in compliance with their building permits as well as the septic requirements spelled out in the code. Many STRs have added bedrooms and bathrooms illegally. While I understand that building permit records are not complete, they certainly should be applicable along with other county records such as the Assessor's records and the GIS.
4. **Noise (Line 470)**—We need specific enforceable language. At a minimum you should ban any outdoor amplified music.
5. **PUD Exemption from Density Cap (Line 203)** – The language in the Task Force agreement is ambiguous and was not discussed in detail. Future PUDs should not be exempt from the density cap because they provide one of the best opportunities for the County to make progress on affordable housing.
6. **Grandfathering Historical Occupancy Levels and Exemption from Occupancy Limits (Line 384)**— The STR proponents have asked for a change in the ordinance language that would allow existing STRs to continue with their historical occupancy levels. The Task Force did negotiate this specific issue and it was not agreed to in the consensus proposal. Please do not make this change or we will continue to have large STRs with occupancies over 12 people throughout residential neighborhoods. Some STR owners who have bigger septic systems have asked to change the "and" in line 384 to "or". This paragraph is obviously written to accommodate some specific STR owners which is troublesome in itself. The occupancy caps negotiated by the Task Force must be held up regardless of the septic capacity. No exceptions. Higher occupancies negatively impact neighbors.
7. **End Date for Grandfathering of August 25, 2020** – Again, this issue was specifically debated by the Task Force and the agreement sets a firm end date of August 25, 2020. There has to be a cutoff point and if you open this door, it will be hard to close it.

We need you to follow the goals and policies of the Comprehensive Plan which clearly call for protection of residential neighborhoods from commercial uses and call out your obligation to provide and protect housing for all economic sectors of our community. The economic benefits of STRs are modest and have been grossly exaggerated by STRACC. The harms to communities greatly outweigh the benefits. Yet, your Board continues to make concession after concession to STRACC. While it is true that some STR owners have been misled by their real estate agents and maybe even by County staff, but with the housing market the way it is, they are not going lose their invested money if they have to sell.

On the other hand, neighbors have and continue to lose the qualities that make their neighborhoods safe and friendly places to live in Chelan County. Working families and individuals cannot find homes. Local businesses cannot find employees because of the critical housing shortage. These are the actual problems that need to be solved. Helping STR owners to make more money is not your responsibility.

Sincerely,

Kirvil Skinnarland
510 Dempsey Road
Leavenworth, WA 98826

Wendy Lane

From: Caitlin Huson <caitlin.huson@gmail.com>
Sent: Friday, July 2, 2021 8:20 AM
To: CD STRComment
Subject: STR hopes

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

Dear Commissioners,

In 2019, my husband and I started looking for a cabin in the central Cascades, somewhere we loved visiting and hoped to put down roots. In 2020, we finally found a small a-frame cabin in a rural residential recreational development down by Blewett Pass. We researched the county's permitting process for a STR, for which we were told there was no permit process. At the time, the draft code did not include RRR. We even have the original brochures from the 1970s when our community of cabins was marketed to Seattleites to invest in vacation cabins in a recreational paradise. We contacted Peshastin Community Council, and were told that even though our address was Peshastin, they do not represent our neighborhood. Because there were no STR restrictions and the draft code excluded caps in our area, we signed a purchase and sale agreement on July 13.

We were due to close in late July, but the pandemic brought real estate processes to a halt. Our sale finally closed on August 26.

We were shocked to learn we were trapped in an unfair situation under the moratorium, which was put in place without notice the day before we closed, and would exclude us from grandfathering. Throughout the year, we have listened in on workshops, we have sent in comments, we have spoken in the hearings. We have done everything we can to work with the county to come up with a system to regulate STRs. But the fact remains that we made a substantial investment, in good faith, acting in reliance on the current rules. We were irreversibly in the process of creating our dream cabin and STR and we will suffer significant harm without grandfathering.

In the hearings, there seems to be a trend to pit residents against STR owners, but we are the same. We own homes, we pay county taxes, many of us are registered Chelan County voters. We care about our neighborhoods, and each other. And we've all spent the last 18 months contending with a global pandemic, one that brought county operations to a near standstill, as well as real estate processes, in the name of public safety. Because of that, as Commissioner Gering said in one of the workshops, "2020 is a mess."

It was a dream of mine to buy our cabin, and share it with others as an STR when I wasn't using it. My hope was that it would bring people together when it was safe to do so. Not just family vacations and friend reunions, but creative retreats for artists and writers--people like me who were hit by the pandemic and forced to pivot careers.

In Tuesday's hearing, there was overwhelming support for grandfathering all STRs, including those caught in the moratorium who had intent, and were already committed to a real estate transaction. No one spoke out against this at the hearing. Much of the rhetoric we see from RUN is based on false assumptions that we could somehow have been aware of what was going to happen in the future or that we were doing something illegal. Both of those assertions are demonstrably false. The other thing we often hear is that we were taking a gamble and we somehow deserve to lose our investment. I reiterate that we did our due diligence prior to signing our purchase and sale agreement. No permit was required. STR is a residential use per WA case law, and the draft code at that time excluded limits in RRR zones.

Please consider the straightforward framework that has been put forward by FIG's legal counsel. It is a reasonable path to taking a fair approach to grandfathering.

Thank you for your time and consideration. Hope you have a nice holiday weekend!

Wendy Lane

From: mezzolark <mezzolark@aol.com>
Sent: Friday, July 2, 2021 8:13 AM
To: CD STRComment
Subject: Our concern regarding STRs

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

Dear Board of County Commissioners,

My husband and I are full time residents of greater Leavenworth — we reside at 12862 Shore Street, Leavenworth, Washington 98826, and have lived here now for 13 years. We have personally witnessed the worsening change to our area as the short term rental homes has increased exponentially especially over the last 5-6 years. There is evidence in my own once quiet neighborhood when some of these places have been rented — loud unwanted music and talking, laughing, yelling happening all day and into the evening. It is particularly bad for our backyard neighbors, because the rental right next to them constantly has the identity of a party house due to its in ground swimming pool and sandlot volleyball court. In the summertime it is almost always rented and many times the residents exhibit behavior that is quite obnoxious and intrusive into what is supposed to be a quiet residential neighborhood. There are way too many of these STRs in our area.

We demand that the BoCC "Grandfather our Neighborhoods" and impose and enforce significant restrictions on STRs.

Thank you for taking major steps in this way for us to reclaim our neighborhoods.

Sincerely,

Karen Haas
12862 Shore Street
Leavenworth, Washington 98826

Sent from the all new AOL app for iOS

Wendy Lane

From: jbwilson@nwi.net
Sent: Friday, July 2, 2021 8:06 AM
To: CD STRComment
Subject: STR Enforcement

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

Knowing that the Sheriff's department is stretched thin covering a large county and tasked with many enforcement issues, we have repeatedly requested (but have not received) speed enforcement on our rural roads.

Why would we expect code enforcement for STRs at night and on weekends? Based on past performance, we have little faith in the viability of enforcement of all the regulations proposed in the STR document. Can you really tell us they will be rigorously enforced going forward?

Jimi Wilson

Wendy Lane

From: Jodie Galvan <jodie_0606@hotmail.com>
Sent: Friday, July 2, 2021 7:54 AM
To: CD STRComment
Subject: Support for short term rentals in Chelan County

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

Dear Commissioners,

We support short term vacation rentals in Chelan County. We own one cabin in Plain, WA. It is managed by Love Leavenworth and we regularly employ local contractors to do work on the cabin and grounds. Our guests leave messages about how much they loved the chance to spend a weekend in the mountains hiking, biking, floating and visiting local shops and restaurants. Our neighbors have our direct contact information and we have not had any complaints from them regarding loud or unruly guests. We are up there at least monthly to check in on the cabin and with our neighbors. We love it up there and we want to share that experience with others. Please find a way to support short term rentals in a manner that benefits the whole community over the long term.

Thank you,

Jodie Galvan
425.359.7355

Wendy Lane

From: Oliver Brulotte <oliver.brulotte@iciclebrewing.com>
Sent: Friday, July 2, 2021 7:37 AM
To: CD STRComment
Subject: Munchen Haus Comments re STRs and the Impact on Employee Housing
Attachments: Munchen Haus - Letter to Chelan BOCC re Housing - 7 2 21.docx

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

Dear BOCC, Thank you for the opportunity to comment on the proposed STR rules under review. We strongly support rules that allow housing stock to remain available to the community workforce.

Oliver Brulotte
München Haus Owner

Board of County Commissioners
Chelan County
400 Douglas Street, Suite 201
Wenatchee, WA 98801

July 2, 2021

Dear Commissioners,

We write to you today as an owner of Icicle Brewing Co. which is one of many businesses who share a common threat – our businesses are being affected by the lack of available Leavenworth-area housing for our employees. STRs represent a threat to the supply of housing stock in our community. We bring this to your attention simply with the intent to inform you so you may make decisions on behalf of our residents and businesses with the full knowledge of the problem we face.

Our experience is that there is not enough housing in the Leavenworth area to house the employees who work in our businesses. This problem has worsened in recent years.

Here is what we hear from our employees:

- Many employees would like to live in the Leavenworth area, but cannot find housing that is available to rent.

- When a unit becomes available to rent or buy, many employees report that it is too expensive for them to afford. While we think of this as a problem specific to lower paying service jobs fueled by tourism, we also hear from middle and upper management, professionals, and some business owners that cost is a barrier to both renting and buying in the Leavenworth area.

- Young single people often rent out rooms in a shared house to afford housing. When these people start to have families and want to find their own small "starter" homes, they find extremely limited options to rent or purchase.

- Some employees have a pet, which they report makes it even more difficult to find a rental.

- A growing number of employees who commute from down valley express dissatisfaction with living outside of the community where they work. Many employees value being part of community life, and do not feel they are able to participate meaningfully because of where they live.

Here are some of the ways this lack of housing for employees affects our local businesses:

- Businesses have a harder time retaining employees: With more workers commuting from farther away, our businesses are finding that retention rates are dropping.

- Employees sometimes work in Leavenworth until they can find comparable work closer to their homes, often in the Wenatchee area.

- Lack of housing causes skilled workers to turn down jobs: Businesses like Cascade Medical and Cascade School District have had skilled workers turn down employment because they cannot afford the price of housing.

- Some management staff are leaving their jobs, citing lack of housing, not lack of employment opportunities, as their main reason. Many of these employees have young families and find they cannot find a starter home or apartment in the Leavenworth area.

- Lack of community connection impacts customer service: Employees in the tourism economy are expected to have knowledge of the local area to share with customers. When employees live further away, they have limited knowledge of local hikes, the best local kid-friendly experiences, or other interesting local tidbits to share with our visitors.

- Employees are more transient: Employees know how difficult it is to find housing in the Leavenworth area, and businesses are reporting that Leavenworth is attracting a more transient employee. These employees may only stay for a few months or a season before moving on to a new location. These short work stints increase training costs and decrease morale.

- Employees drive individual cars to work: This causes a host of issues including employees who are tardy due to weather, increased costs for employers who pay for employee parking spaces or pay employees to get to work early so they aren't on the road during peak traffic times. Many of these employees also park in downtown spaces and commute during peak traffic times, adding to traffic backups and parking shortages. This challenge is not easily mitigated with current public transportation options due the number of work shifts that begin or end when bus service is not available.

- Lack of community connection increases division: There are pros and cons to any economic engine. In recent years, employers have noticed that employee dissatisfaction based on the lack of housing has led more employees to take a jaded stance towards the tourism economy, which affects workplace morale, customer service and the overall positive environment our businesses hope to foster in Leavenworth.

As business leaders, we're eager to offer support and participate meaningfully in the dialogue surrounding housing. Both a strong community and economy are important to us, and we appreciate your time to grapple with this important community issue.

Sincerely,

Oliver Brulotte

Icicle Brewing Company, LLC

Wendy Lane

From: Jim Gebhardt <jimg@striderconstruction.com>
Sent: Friday, July 2, 2021 7:36 AM
To: CD STRComment
Cc: gebhardts.linda@gmail.com
Subject: Draft Short Term Rental Code--Review Comments

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

To Whom It May Concern:

We have read the document and believe it is a good start. We do have concerns about the following not being adequately addressed:

1. (3)(B) Occupancy

a. Occupancy rates are driven by the number of bedrooms for which the septic system is permitted. What about septic systems that were "grandfathered" and were/are knowingly deficient. An example, most of the older cabins/homes along the South Shore of Lake Chelan. I suggest you require a septic system evaluation by a certified inspector against current standards/codes (as an STR is a "Change of Use") to establish a realistic capacity. The septic systems should also be inspected annually by a certified inspector for all STRs to ensure they are fully functional at the capacity permitted.
b. There is no mention of the consequences for exceeding the "permitted" occupancy rates. Suggest 3 strikes and you are out!! Also needs the response time from time of notice and allowable time to cure by the Operator.

2. (3)(I) Fire Safety and Outdoor Burning: Suggest "designated (fire safe) smoking areas be established.
3. Why isn't there a special B&O tax rate or Property Tax "Adder" on STR properties to recognize this "business/commercial" use. It is needed to cover the added burden on and costs of County services (fire, sheriff, other emergency services, infrastructure etc). The Property Tax Assessment "ADDER" would perhaps help keep the County from jacking up the Assessments on ALL of us who bought our homes to be just that, our home. The STRs are adversely impacting housing availability and affordability, therefore driving up the home prices, and in turn this raises the "comps" used to establish the assessments on long term residents. NOT FAIR!!
4. There ought to be a provision for Owner liability for illegal activity—under-age drinking, drug use, etc. As neighbors we don't want to have to become policemen too.

Thank you

Jim and Linda Gebhardt
12678 Wilson St.
Leavenworth, WA 98826
360-319-7308

Wendy Lane

From: Colin Forsyth <colinforsyth@gmail.com>
Sent: Friday, July 2, 2021 7:22 AM
To: CD STRComment
Subject: SRT Comments

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

Hi There,
I am writing to comment on the short term rental rules. I have lived in Leavenworth for over 10 years and have really seen the significant negative impact that short term rentals have had on our community and housing market. I am in favor of significant regulation of STR's in areas zoned for houses. STR's are not compatible with neighborhoods.
I am in favor of STR's in commercial zones. I am also in favor of STR's on properties where the landowner is present. I believe that STR's are a great way for locals to make some money renting out a portion of their house or an ADU, but only if they are on site. This mitigates all of my concerns about loud groups and rich people and companies taking profits out of our county.
I was dismayed to see that the makeup of the task force was split between locals and STR owners. I believe that it gave way too much weight to the STR owners, and too little to the overwhelming majority of people living in Chelan County who are affected by the STRs.

In short, please focus on how to make STR's work for the communities, and not to maximize profit for the few who can afford it!

Colin Forsyth

Wendy Lane

From: Rob Shurtleff <rob@shurtleff.org>
Sent: Friday, July 2, 2021 7:08 AM
To: CD STRComment
Subject: please tighten restrictions on STRs

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

1: make sure there are mechanisms for enforcement.

2: make sure that a non comforting STR operator faces significant enough penalties that they don't just ignore the regulations and consider fines just the cost of doing business.

3: if there is an exception to day time occupancy, line 424 keep it small, certainly fine to have another family over for dinner, not ok to host a major day time event.

4: Noise is a key issue. we have had short term rentals more then 200 years away from our residence and frequently can hear that the house is being rented by the noise..

5: Shared Infrastructure. we a narrow driveway when the house next door was an STR there were significant issues with folks driving up and down at all hours and high speeds. Make sure there is a provision that shared resources can not be commercialized without permission

thanks
rob shurtleff
lake wenatchee

Wendy Lane

From: Mark Julian <mjulian25@msn.com>
Sent: Friday, July 2, 2021 6:52 AM
To: CD STRComment
Subject: Short term rental ordinance addendum

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

Dear Commissioners,

My previous email regarding the STR ordinance proposals contained a couple of recommendations that were not stated as clearly as they should have been, please see the additions below. Thank you for your time and sorry for the additional email.

There needs to be some way to address noise issues, particularly loud music from STR properties.

There needs to be a strict limit as to number of occupants and vehicles, limiting the number of occupants to the number of bedrooms on the septic permit and building permit should be a minimum standard of protection for neighboring properties.

Limiting the number of vehicles to 50% of the number of bedrooms on the septic permit and building permit should be another minimum standard of protection for neighboring properties. These houses generate many trips per day when occupied, many more than a strictly residential use.

If the STR residence shares a well, septic or driveway/easement with a neighbor they must have the neighbors approval. Anything less is a complete misuse of joint use property.

Respectfully submitted,

Mark Julian
19739 Beaver Valley Rd
Leavenworth, WA

Wendy Lane

From: Gabriel Kiritz <gkiritz@gmail.com>
Sent: Friday, July 2, 2021 6:47 AM
To: CD STRComment
Subject: STR Comment

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

Dear County Commissioners,

I am writing to express my concerns over the proposed Short Term Rental code for Chelan County. I am deeply concerned at the extent to which Tier 2 and Tier 3 rentals are permitted and will continue to be under the proposed code. While tourism plays an important part in this region's economy, allowing short term rentals with absentee owners to proliferate means that those of us who live here cannot or will not be able to afford rent or buy homes and continue contributing our hard work to the community.

My partner and I are small business owners, currently renting an apartment, trying to build a business that serves our community. We currently have one employee and hope to hire 1-3 more in the coming year. Where will those employees live? Where will the employees needed to make all of the businesses downtown function live, when so much of our housing stock is taken up by absentee owners trying to make their wealth build more wealth? Any affordable rental properties remaining are at risk of turning into Tier 2 and Tier 3 STRs, quickly making our area an untenable place to live for the working and middle class who sustain this community and its day-to-day functioning.

I ask you to please impose restrictions on STRs:

- Bring the STR percentage down to 6% of housing stock
- Please zone Tier 2 and Tier 3 out of residential areas, and rural residential zones
- Please treat Tier 2 and 3 STRs as they are - hotels / bed and breakfasts - and require them to meet the same safety, fire, noise, parking, and health codes as other lodging

Thank you for considering my input,
Gabriel
--
Gabriel Kiritz
gkiritz@gmail.com
650-387-6069

my pronouns today are he, him, his
currently living on the traditional lands of the Wenatchi & Yakama people

Wendy Lane

From: Kevin Gilbert <gkgilbert55@gmail.com>
Sent: Friday, July 2, 2021 6:40 AM
To: CD STRComment
Subject: Comment on draft STR code + more

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

Chelan County Commissioners,

I want to share briefly my concerns about the current draft STR code.

#1. Noise. To further the standards of chapter 11.96 I want any machine, device or equipment that amplifies music inside any short-term rental to not be heard beyond the property line of the short-term vacation rental at all times.

#2. Visual. Short term rental (not in the draft code currently) property owners are responsible to deflect the vision of their patrons from the privacy views of their neighbors decks/patios within 200'.

Thank you for your time,

Kevin Gilbert
3909 Burch Mtn. Rd.
Wenatchee, Wa. 98801

509-630-6795

Wendy Lane

From: David Morgan <davidmorgan29@hotmail.com>
Sent: Friday, July 2, 2021 6:26 AM
To: CD STRComment
Subject: Grandfather Neighborhoods

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

Protect our neighborhoods by imposing AND enforcing the strictest possible regulations on STRs.
David Morgan
10405 Titus Rd
Leavenworth

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

Wendy Lane

From: Jenny Bourgeois <jbadewitz85@gmail.com>
Sent: Friday, July 2, 2021 5:55 AM
To: CD STRComment
Subject: Please protect our neighborhoods!

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

Hello,
I'm writing to vocalize my stance as someone who lives and owns a business in Leavenworth that you strongly impose and enforce greater restrictions on the current amount and future expansion of STR's.

STR's ultimately inhibit the positive growth and structure of a community by removing participating residents from the available housing and thus workforce. I have 3 employees, one of which lives in a vehicle and the other two that are being priced out of their housing. We have had a couple renting out our second bedroom in our home in addition to a couple living in a 5th wheel and a single individual living in a travel trailer on our property all because they can not find affordable housing.

I was born and raised in Park City Utah and have seen first hand what unchecked growth and STR expansion can do. It will price labor out of the area which means folks have to commute. However leavenworth is not of the financial income caliber worth commuting for so business will and are experiencing a lack of labor. I know of three very successful local businesses: Yodelin, Argonaut and Larch that are closed two days a week simply because they do not have the staffing. If folks can't find housing they can't live here and if homes are filled with tourists and not locals business can't function.

Please **lower the current rate of 15% STR's in Leavenworth to 6%** and **enforce the regulations that you are making**. It is essential to the survival of the heart and soul of this community. You can always increase things later but now is the moment that you need to refrain from acquiescing to second home owners profiting off of our community.

Wendy Lane

From: Kathryn <ki5kat@aol.com>
Sent: Friday, July 2, 2021 5:36 AM
To: CD STRComment
Subject: Short term rentals

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

I am writing in favor of limiting short term rentals. I have lived 25 years on Lake Cortez. We have some short term rentals in the Three Lakes Community. There is an impact on quality of life for residents and wildlife. Long term residents tend to respect other residents and wildlife. I have observed short term renters disrupting nests, catching turtles, overfishing lake, interfering with breeding, invading privacy of permanent residents, urinating on private property, leaving garbage in and around lake and making loud noise. An example of their impact is that every year we have had a family of Canadian Geese raise their young. Since we have had more short term renters who disturb their nests, we no longer enjoy watching this yearly event. I worry about adjacent properties being turned into short term rentals. We are so close and the lots are small. I worry about safety and privacy. I bought property in a residential area and a short term rental is a commercial endeavor that does not belong in a residential community. I did not choose to build my house next to a hotel and I don't want to have a hotel next to me. Please protect homeowners and limit short term rentals in residential areas. If possible I would like to be contacted if there are any future meetings regarding these issues.
Thank you,
Kathy King

Wendy Lane

From: karen harrison <k.harrison.inc@gmail.com>
Sent: Friday, July 2, 2021 3:13 AM
To: CD STRComment
Subject: Good Stewarts

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

Commissioners:

I own a 3 bedroom home on the Chumstick outside of Leavenworth. The yard had been let go and the house needed a lot of work when I bought it.
I hired all local help including a gardener, tree removal and skirting, plumber, electrician, hot tub maintenance, well/pump service, contractor, neighbors that earn monthly for adjusting sprinklers, plowing and shoveling snow. I give local merchants my business for building and maintenance materials, propane, nurseries for trees, plants and seeds. Restaurants and grocery stores.
My plan is to retire there, but for now I must make it pay for its mortgage & repairs. The way to do that is by renting it out as a short term rental. That is my business plan for retirement in 5 years.
I take care of my property and vet anyone that visits it to make sure they do too. People love to visit for the same reason I want to live there: for the quiet, relaxing, beautiful nature.
Some residents, especially on Lake Wenatchee complain that STR's are noisy and problematic. In truth, they dont want to see anyone, they want the entire lake to themselves to gaze on uninterrrupted. Grouchy curmudgeons lash out at anything that intrudes on what they came to think of as 'their' territory. They dont want society to change or population to increase. Their hate of humanity reaches beyond the STR's of Leavenworth. They are blaming STR's for problems yet owners of rental properties do NOT welcome problems or wild party goers. Their home is an investment they want to take care of. We vet the guests and hold the credit card along with an advance deposit. I can tell you, guests behave well when you have their credit card in your hand. Much better than regular tenants who can violate lease rules and get protection from eviction or penalties from the landlord tenant association or the new Covid mandate.

Rental business is one of the few small businesses that is feasible for individuals. My life savings is poured into this business. All my time and energy goes towards improving and maintaining the property. It's downright insulting to hear the accusations of a few ill tempered residents. They can afford to sit idle on their Boeing pensions and complain and gossip about tourists and STR's. Plenty of noise and parties occur when families visit homes - how can they be certain it is a paying guest? They are screaming about their rights & want to claim rights as far as the eye can see and ear can hear!
Property owners of STR's also have rights. I am not doing anything offensive or illegal.
I bought my property, pay property taxes, stimulate the economy by paying for goods and services and provide a nice place to stay for tourists that bring revenue to Leavenworth. Levenworth thrives on tourism. What are the whiney minority doing for Leavenworth?

Never did I ever think that in USA, the country that grew from mom & pop stores and the family industry, would suffocate small businesses to death. Yet these few gossip mongers have bent the ears of county officials persuading them to stamp out STR's. The plan is first place them on a registar, then forbid those on the registar to get a permit to do any repairs and improvements. The overall plan is to take away our livelihood, the means to pay for and maintain our home and force us to sell and sell at a huge loss if it needs a repair that could not be done because of permits were withheld. The Nazis did something similar.

I do not want to be robbed of my right to enjoy my home, earn a living and be independent.
Department of Construction & Land Use should regulate construction and land use; not use its authority to punish and destroy all STR's just because of a few peoples vendettas against them.

thank you for your kind consideration,

Wendy Lane

From: Jessie Grandpre <jessie@jessiegrandpre.com>
Sent: Thursday, July 1, 2021 11:52 PM
To: CD STRComment
Subject: STR Public Comment

Importance: High

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

Hi Commissioners,

Thank you for your time, energy, effort and consideration on short-term rentals.

We have vacationed in Manson for 35 years and decided to plant permanent roots in the community. We bought a cabin in Manson in April 2020. We purchased this property with an investment loan, so we can utilize the cabin as much as possible and rent it. We will eventually spend most of our time in Manson. This cabin was a permitted STR. While we were under contract to purchase the cabin I checked with the property management company, Vacasa, and received the response, **"Good news I found out that we can use the old permit for the rest of this year and then at the end of the year will need to fill out a new permit with the new name for 2021 so we're good to go."** We proceeded to closing with this information. Our investment loan for this property came with a higher interest rate and down payment requirement than if we would have obtained a 2nd home loan. Shortly after our closing date short term rentals were shut down due to Covid, and then the moratorium (which we had no knowledge of) was imposed...

We worked all hours of the day for many years to save for the down payment for this purchase. The shutdown of short-term rentals and the moratorium were not on our radar when we were at the closing table. We want to move forward with our plan at time of purchase and hope you will support our investment in real estate in your county and our community. We too pay taxes and care very much about our neighbors and community. It would be devastating to us if ordinances that were not in place at our time of purchase prohibited us from implementing the plan we based our purchase upon. We hope you will make right the unfortunate situations the pandemic and count have put many of us in.

My assistant plans two annual trips to Chelan or Manson with family, parents, and her sibling's family. This has been a family tradition for many years. This family of 10 paid $8,000 to rent a home for 8 days last summer. They went to re-book the same home for the summer of 2021 and the price was $12,000. If the availability of rental properties is further reduced, with demand remaining high, what will that same property rent for moving forward? Will families still be able to vacation in the greater Chelan area? If they can afford to book accommodation, will they have money to spend in the community? Will the grandparents still be able to attend the family vacation if there is a restriction on number of people per home? Many homes are built to accommodate large groups and families should not be divided to comply with codes. Children less than 2 years of age should not be a factor in maximum occupancy for many reasons, mostly so the grandparents can continue to attend family vacations.

Clearly this is a very sensitive issue affecting homeowners, the economy, business owners, tourists, etc. I trust your consideration for the greater good for all parties involved will result in the best outcome possible.

Jessie Grandpre
157 Furey Ave, Manson
425.248.5000

Wendy Lane

From: Allen <adglasenapp@aol.com>
Sent: Thursday, July 1, 2021 10:33 PM
To: Kevin Overbay; Bob Bugert; Tiffany Gering
Cc: CD STRComment; info@straccwa.org
Subject: Final Comment STR Code

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

Dear Gentlemen and Lady,

This will be my final draft pertaining to your despotic handling of your proposed "regulations" regarding Short Term Rentals in Chelan County.

I've written to all of you previously and my observation is that my comments have essentially been read by blind eyes. Each of you, respectfully, have completely missed the mark on this exercise in what I would describe as a collective group of bureaucrats likely exercising their perceived authority far outside the scope of what it is you truly have authority over and to exacerbate that to an even further level, one might interpret your actions to be gross negligence and in complete disregard of Constitutional Law as it pertains to personal property rights. I don't even own a Short Term Rental property. My concern is all about out of control bureaucrats, such as yourselves, taking over every aspect of my life and property rights are the fundamental basis of Common Law. I'm not a legal resource nor do I even pretend to be and as such it is possible that my interpretation of your actions may be completely incorrect. What I am counting on is for you to move forward with your dictatorial conclusions, formally write your contrived Code proposal and implement it accordingly such that bona fide legal resources will be able to actually define what you've done and act accordingly in the filing of a lawsuit to invalidate your proposed STR Code.

It is quite obvious from the "Kangaroo Court" you have orchestrated in your hearings, zoom meetings, mandates and moratoriums that you were never interested in what the majority of the people you purport to represent had to say. Your actions thus far seem so egregious to those who have suffered potential damages that it seems reasonable that your decisions and resulting potentially illegal actions should result in holding all of you accountable should this come down to a decision by the Court system that you have acted in violation of the Law. Time will tell on that prognostication.

So it seems this is in fact likely what it will come down to because what you propose thus far is so blatantly outrageous that the odds this will end up in Court are seemingly quite high.

It will be a roll of the dice in this day and age of differing rules depending on whether the Court will follow the Letter of the Law or follow the opinion of the Judge. There was a day when Courts were ruled by the Law and case precedent but that seems to be waning and perhaps that's why you bureaucrats think you can write your own rules here. Guess it remains to be seen how this all plays out but here's hoping that Justice and rule of Law will actually prevail and that I am correct in my belief and opinion that you are acting way outside your scope of authority...

Respectfully yours,

Allen D. Glasenapp
Permanent resident of Plain, WA with neighboring STR that I've learned to live with in harmony, because I know and communicate with the owner...seems a fairly simple solution to issues when they arise from time to time...

Wendy Lane

From: Jeff OBrien <jhobrien79@yahoo.com>
Sent: Thursday, July 1, 2021 9:53 PM
To: CD STRComment
Subject: Short Term Rental
Attachments: thumbnail-1.jpeg

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

Hello,
I'm a retired resident in Leavenworth, we moved here for the PEACE and tranquility. The first 5 or so years were great, until a family build a huge home that they were planning to live in, are using it as a STR party house. After finding out that it is listed with Chelan County under a Corporation, that it was their intentions to use it as a STR home. It has totally disrupted our small residential neighborhood. We live on a gravel drive and the excessive traffic plays havoc on it, which we have to fix on a constant basis. The drinking and loud unpleasant language which happens with majority of the rentals, is very annoying and disrespectful. I sent you a very attractive photo of a snow sculpture that we had the pleasure to view for a few days, until I called the owner and said it had to go.
This neighborhood has young kids growing up here, and we don't need them to have this type of trashy mentality.
Thank you for listening.

Wendy Lane

From: Jeff or Heidi O'Brien <jhobrien79@gmail.com>
Sent: Thursday, July 1, 2021 9:37 PM
To: CD STRComment
Subject: Short term rentals

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

We live by several short term rentals. Here are some examples of how they are taking our peace away. How may you ask?
Drunk and loud
Invasion of our own and neighbors properties.
We had a lady come up to our house to sit on our rockery to read a book.
Had to buy a keep out sign
One drove through the field of our neighbor in front..
So many cars up and down our driveway causing damage left for us to repair.
Loud, bad language that surrounding neighbors and kids can hear.
Sometimes up to 6 to 8 cars full of people with only a 3 bedroom house.
Loud in the hot tub
One alcohol drinking contest outside that kids or adults got to hear.
Kids playing on our wood chip pile on our neighbors property.
Please, bring the peace back to our neighborhood. We are here to stay and they just play and ruin what we all had before.
Heidi

Wendy Lane

From: Sherrie Littlefield <badslittlefield@gmail.com>
Sent: Thursday, July 1, 2021 9:35 PM
To: CD STRComment
Subject: STR Task Force recommendations

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

Dear Commissioners,
Thank you for the opportunity to provide input into the STR regulations in the public hearing on June 29th. I would like to reiterate my recommendation for the commission to fully implement the recommendations made by the STR task force. These recommendations are a very well negotiated compromise in which both the STR owners and the residents of Chelan county have had to give great concessions. The task force has created a fine balance and the changes proposed to these recommendations undermine the spirit of consensus and will likely result in much distress for the residents of Chelan county, who live and work here. These are the people you represent, these are the people who have voted for you, and their voices in the Zoom hearing on June 29th were nearly drowned by the STR owners, the vast majority of whom do not live or work in Chelan county. Had these hearings taken place in person instead of via Zoom, the testimony you heard would have been much more balanced and representative.
With this in mind, I would like to clarify my testimony from that hearing. The home next to us was sold and the new owners decided to run it as an STR. They originally contracted with Vacasa as property managers. During this period of time, the STR nextdoor was very poorly run. There were huge parties, fires during the burn ban, drunken escapades, voluminous garbage piles, renters took our patio furniture and moved it over to the property, the guests trespassed onto our property to access the river and so much more. Vacasa's only response to these issues was to tell us to call the Sheriffs. To say this was a distressing situation is a vast understatement. Fortunately, we met and were able to discuss the issues with the owners. They fired Vacasa and have employed a new property management company, Comfy Cabins. Noise meters have been installed and since the new company has taken over we have had only one minor complaint that was addressed and resolved. We are fortunate that the owners of our STR nextdoor are conscientious, responsible and responsive owners. Other neighbors of STRs in this county have not been so lucky. My testimony on June 29th, sought to reflect the distressful situation that many Chelan county residents face living next to a poorly run STR. I sought to speak for those Chelan county neighbors whose voices I felt were not being adequately represented. I read into the record issues that we faced when the STR next door was being run by Vacasa. I did not express that our personal difficulties with the STR nextdoor have been resolved. I am writing this letter now in order to correct this omission and to make my testimony a more complete and fair picture, as a good neighbor should.
With that, I reiterate my plea that the commission protect the needs of the residents who live and work in Chelan county and protect the STR owners by fully adopting the recommendations of the task force.
Sincerely,
Sherrie Littlefield
12370 Meacham Rd
Leavenworth, WA. 98826

Wendy Lane

From: Keith Von Vreckin <vonvreckin@me.com>
Sent: Thursday, July 1, 2021 9:33 PM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

Dear STR Commissioners:

I am sure that you have been inundated with comments in Support or against Short Term Rentals in Chelan County.

While I do see both sides of the argument, I understand that many other communities in the United States have also dealt with the same issue.

However, Our situation is somewhat different. We simply do not have the Hotel room availability that other communities do.

By stopping or lessening of the rentals throughout Chelan County, there will be a significant Negative Financial impact. From restaurants, cleaners, maintenance, and tourist attractions. The list if extremely long.

I think that a requirement for all STR's to be Managed or Owner occupied is Fair and needed to prevent unruly guests.

In Short I ask you not impose a code that will eliminate any of them, but rather properly managed So our community can continue to be the great Place that it is.

Thank You

Keith Von Vreckin

Wendy Lane

From: mike worden <wordenrmike@outlook.com>
Sent: Thursday, July 1, 2021 9:23 PM
To: CD STRComment
Cc: wordenrmike@yahoo.com
Subject: Short Term Rental Ordinance
Attachments: letter on nightly rentals.docx

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

Dear County Commissioners,

Please read the attached from our neighborhood in Leavenworth. If you would like to discuss further, please call me at 509-470-4610.

Respectfully,

Mike Worden

Sent from Mail for Windows 10

1 July 2021

Dear Chelan County Commissioners.

I am writing you regarding the draft STR ordinance that is going to be finalized. I have been asked by many of my neighbors to write this personal story. My neighbors are full-time residents of Chelan County and have their own stories and are deeply concerned about STRs ruining our neighborhoods and have signed below in support and offered their phone numbers to discuss further.

First, I want to say that I appreciate your fair-minded and patient efforts and that of the task force to come up with a solution that preserves the integrity of our neighborhoods, while trying to accommodate fair regulation of the proliferating STRs.

My wife and I have operated a B&B out of our residence at 9675 Dye Road near Leavenworth since 2012. We offer a peaceful, adult only get-away for our guests.

We now have a Tier 2 STR across the street, a Tier 3 next door, a Tier 3 next to that STR, followed by a Tier 2 STR, all within shouting distance of our once peaceful residential B&B.

We have had trespassers routinely cross through our posted property. I have had to put up cameras to deter/show evidence of trespassing. We have had drones from renters hover and peer into our windows. We have been awakened after midnight with someone (drunk) ringing our doorbell and demanding we turn our Holiday decorations and outside lights back on. I can give other examples.

I don't mind the occasional trespassing (though I wish renters would be respectful of our properties), but the drunken, profane, noisy hot tub parties go well into the early morning hours are nearly a weekly occurrence in an area residents (and local B&Bs) have been accustomed to peace and quiet. We have witnessed Bachelor, Bachelorette, Sorority, Fraternity parties and even strippers with body guards in the STRs near us. We usually don't respond until the music, singing and noise goes well past 10PM. I have on numerous times gone over and politely asked them to take their party and noise inside. Sometimes it works; sometimes it doesn't. My own guests have often complained about the noise--which does not bode well for our rating or a return visit to our B&B. I have sat on telephone hold for over 40 minutes on several occasions after midnight trying to get hold of the property managers. I usually get an answering service, then a property manager who promises to call the culprits. Sometimes that doesn't work and I have had to call the Sheriff on several occasions, usually well after midnight. **I do not feel that a 60 minute "response" time (Line 543) is adequate.** If STR contact numbers are made visible, with today's smart phone, information age, it should take no more than 15 minutes for someone to receive the complaint. **Abating the complaint within 60 minutes (Line 549) also seems a low standard for a society as connected as we are**. We could use a more aggressive response operation efficiently integrating the new code enforcement patrols. I am sorry to say that we residents do not have confidence yet that you will make enforcement work—please prove us wrong.

Also **Line 470 on noise seems too general and difficult to enforce. We need something more specific for STRs that is clear and easy to enforce.** Why do we permit musical instruments, microphones, karaoke, boom (music) boxes, amplifiers, etc. to be used at all outside in a neighborhood, especially that is audible beyond the property line? We do not want to lose our neighborhood to noise.

Whenever there is a problem: septic alarm going off, horrible septic smells, smoke coming from an STR, water, gas leaks, etc (all of these have happened), the one locally owned Tier 2/3 next to me has responded immediately and I have helped him clear out the problem...neighborly thing to do. When his STR gets out of control, when I call, he immediately comes and fixes the problem. We have become "good neighbors."

But when the issue comes from any of the others (non-locals), there is always a delay in getting contact or a response. One recent example several weeks ago, I observed that my automatic sprinklers didn't come on in the morning. I found no irrigation water coming into my property. I went up to the canal and found my weir was cavitating. I traced the pipe (I laid) down the mountain and noticed that there was a five foot vertical water spout between two of the non-local STRs—both unoccupied at the time. They had tapped into the pipe for their sprinklers and it had ruptured a major pipe on their property (probably a frozen pipe not properly drained). I don't know how long that major rupture had been flooding, but the residential property downhill was getting flooded and no one was there. I called the closest STR twice and got a busy signal, so I trespassed and finally found and closed a shutoff valve.

For the good of the neighborhood, STRs must be compelled to be more responsive to neighbor's calls and neighborly, especially if they want neighbors to look out for their property. **STR owners should have to receive written permission first for shared irrigation systems, wells, septics, driveways, roads, etc...especially given that they are bringing a commercial operation into a residential neighborhood.** I did that when I first established our residence/B&B.

I heartily endorse the occupancy limits. This photo from last weekend from one of the non-local STRs showed more cars than authorized occupants. This happens often.



I also **do not understand the exemption for Planned Unit Developments (Line 203) from density caps,** if they have STRs and are going to be inserted into residential neighborhoods. Not consistent.

I understand that the resident representatives on the Task Force accepted grandfathering, so we are stuck with these STRs in our immediate neighborhood, legal zoning or not. Those representatives wanted to negotiate in good faith to assure preserving the integrity of our neighborhoods in return--the very reasons we moved here, often at great expense. My fellow neighbors below and I ask our local leadership (County Commissioners) to help preserve our neighborhoods as if they lived next door to us. We cannot compete with the money, lawyers and political influence of those representing wealthy non-local Tier 2 and 3 STR owners. But a clearly worded and strongly enforced ordinance that prioritizes neighborhood interests will attract future residents to continue to develop the attractiveness of our community that others will want to visit even more.

Respectfully,

Mike and Lori Worden (509.470.4610)

Supported by:

John Lorenz: 509.433.1376

Jan Uchytil: 509.548.4879

Rick Richard: 509.264.4819

Jon Stuck: 310.594.2096

Teara Dillon: 509.264.0611

Batsy Bartolomew: 509.548.2530

Mireya Bartolomew: 509.264.3749

Juliana Marquis: 509.881.8809

Maggie Plouff: 509.630.5764

Fern Arness: 509.670.8402

Ed Ferness: 509.670.1707

Rachve Mel: 509.630.5775

Roth Slear: 509.548.5968

Mark Pheen: 509.309.5473

David Larsen: 206.794.9041

Kim Larsen: 206.794.7681

Wendy Lane

From: Kelly Woznicki <kellywoz@gmail.com>
Sent: Thursday, July 1, 2021 8:36 PM
To: CD STRComment
Subject: Please reconsider grandfathering

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

Hi Commissioners,

Thank you for your diligent work on the short term rental regulations. I know this is a difficult issue with parties that are hard to appease. You have done a great job. I support the regulations, and I want to be able to operate within the law.

We bought land in June 2019 (land that was for sale for over a year), and because the costs to build were so high, we decided early on in our build to rent our home as an STR to offset the costs.

We do not see ourselves as absentee owners, especially if you consider that only 2 out of 40 lots in our area have full time residents. We care about our community. As you know, the Union Valley area is prone to fires. My husband spent 2 whole days last week cleaning up the firebreak road for half the lots in our community. We built a home in that community because we wanted our kids to learn how to work on the land, but we made our building decisions knowing we could rent it to offset the costs.

My ask is that you grandfather properties such as ours. I can prove our intent based on email conversations with property managers and an accountant, dating between mid 2019 - mid 2020, well before the moratorium.

I think you are opening yourself up to additional liabilities if you do not grandfather properties such as ours. I am not intending to threaten a lawsuit here. I just want to point out that Washington has a strong precedent for property rights, and it often doesn't work out very well when people try to take those rights away. I would hate to see these great improvements held up by an issue that you can avoid. There aren't very many of us caught up in this moratorium, especially if you consider how many duplicate listings are counted in the county totals. Please grandfather us.

Thanks for listening

Kelly Woznicki
1114 Blazing Star Lane

Wendy Lane

From: Susie Hepner <Shepner1@comcast.net>
Sent: Thursday, July 1, 2021 8:09 PM
To: CD STRComment
Subject: Public comment on STR codes

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

Dear Commissioners;
We appreciate the opportunity to provide my opinion on the STR codes for Chelan County.
We have read everything I could find, listened to your meetings and hearings and discussed with neighbors of varying opinions so feel qualified to share our options.

They are as follows;

1) Line 409. Occupancy Limits
Children under 2 must be included in the occupancy count. To do otherwise leads to confusion and uncertainty.

2) Line 470. Noise
This is probably the BIGGEST issue for residential neighbors yet requests for more protection seem to be falling on deaf ears! Following the country's noise ordinance is too general and too difficult to enforce. These codes need to b CRYSTAL CLEAR. We rented a home in Palm Springs two years ago, and while as a renter we found their noise ordinance a bit strict, it TOTALLY MADE SENSE for the full time occupants in the adjacent homes and in the neighborhood. It was VERY clear and should be required to be included in all advertisements (perhaps a link) so that renters know exactly what they can and cannot do in terms of noise generation. Our biggest issue was that when we rented in that area with a family party by the pool that would last until 10pm in mind, we learned upon check in that wouldn't be possible. Part of your oversight needs to include requiring notification of all codes to future renters.

3) Shared Infrastructure
All STR owners who share any infrastructure such as driveways, private roads, septic systems, water well, etc, MUST demonstrate in writing (and notarized) that they have reached agreement with their co-owners to convert a residential structure to commercial use. This is a SIGNIFICANT drain on current infrastructure and must be handled fairly to current residential owners who have invested in infrastructure that is now at risk of overuse and damage.

4) Line 203. Planned Unit Development Exemption from Density Cap
All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include STR's. Any STR's included in a PUD must count toward the 6% density cap in each zip code. The County must carefully manage PUD's to assure the right mix of workforce housing, long term rentals, STR's and long term residence ownership.

5) NO more Concessions
PLEASE do NOT GRANT any MORE concessions to the STR owners who have EVERYTHING to GAIN and NOTHING to LOSE! Their investments should be carefully considered and they should not be bullying or buying their way into our neighborhoods. Charge them more taxes and fees to support the enforcement team needed to assure their compliance. THEY CAN AFFORD IT! PLEASE ALIGN your duties with those of us who voted for you to do what is best for the majority of county residences. If the businesses say they need these extra tourist dollars, perhaps they need more relevant business models that don't put our infrastructures at risk. They are also severely impacted by the lack of affordable housing for employees so they really need to analyze the best way to run a consistent lucrative business in a seasonal county.

Thank you for the opportunity to be heard. We would appreciate confirmation of the receipt of this email.

Good luck. Your job isn't an easy one, but if you do what's best for the majority, you'll do the right thing.

Sincerely,

Dennis and Susie Hepner
1205 Santana Dr
Manson, WA
98831

(206) 719-4183

Wendy Lane

From: Ann Aslakson <ann.aslakson@gmail.com>
Sent: Thursday, July 1, 2021 8:08 PM
To: CD STRComment
Subject: STR Rules

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

Hi to All of our County Commissioners

My name is Ann Aslakson and I am a resident and a home owner in Leavenworth.
I have had the unfortunate opportunity to live next door to one of the many STR in Chelan county. This rental unit is owned by a couple of California residents. So not local not contributing to this community but making a lot of income off of this property. This community has been built on community.

Do any one of you live next to a STR?

Chelan county had rules that did not get enforced. The permanent local residents of this community are asking you to have rules that help this community not hurt it. You asked for a task force made up of both RUN and STR members. They made recommendations as a group. Why are some of these members now wanting you to not follow the recommendations? Hmm MONEY?!

We live here. You live here. Do what is best for our community. We need long term rentals for the people that live and work here.

If you want to throw out the recommendations then go back to the original rules and enforce them.

Best regards,

Ann Aslakson
9052 Icicle Rd
Leavenworth WA 98826

Wendy Lane

From: Mark Julian <mjulian25@msn.com>
Sent: Thursday, July 1, 2021 7:57 PM
To: CD STRComment
Subject: Short term rental ordinance

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

Dear Chelan County Commissioners,

I am writing regarding the Short Term Rental ordinance that is under consideration.

I feel that there are a couple of areas that still need to be addressed to protect homeowners form the encroachment of the commercial use of residential property. Our property is trespassed upon almost weekly by tenants of an adjacent absentee owner using a single family residence as a commercial facility.

We are quite tired of the intrusions and don't feel that our concerns have been addressed.

There needs to be some way to address noise issues, particularly loud music from STR properties.

There needs to be a strict limit as to number of occupants and vehicles, limiting the number of occupants to the number of bedrooms on the septic permit and building permit should be a minimum standard.

Limiting the number of vehicles to 50% of the number of bedrooms on the septic permit and building permit should be another minimum standard. These houses generate many trips per day when occupied, many more than a strictly residential use.

If the STR residence shares a well, septic or driveway/easement with a neighbor they must have the neighbors approval. Anything less is a complete misuse of joint use property.

The members of the STR Task Force representing homeowners agreed to accept grandfathering of most existing STR's even though they are in fact clearly illegal under the existing code. The concession was made to gain more protection for residential neighborhoods. It is completely unacceptable for any further concessions to be made to the STR owners. As has been pointed out repeatedly, 90% of the STR owners do not live in Chelan County, they are only using the properties as cash cows to the

detriment of our community. Witness many other communities where workers of all kinds can no longer find a place to live or afford one if they find it.

Your first priority should be to protect and strengthen our neighborhoods and communities.

Respectfully submitted,

Mark Julian
19739 Beaver Valley Rd
Leavenworth, WA

Wendy Lane

From: karenhaire@nwi.net
Sent: Thursday, July 1, 2021 7:50 PM
To: CD STRComment
Subject: comments on STRs

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Thank you for your continuous effort in drafting a code that is agreeable to all parties affected. I appreciate your efforts.

Business investments need to be protected, but so do neighborhoods. As a 40-year resident of the 98826 zip code, I would encourage the following:

IT SHOULD BE EASY FOR A RESIDENT TO CALL A RESPONSIBLE PERSON TO REPORT A PROBLEM. The proposed code states "Owners of short term rental properties notified of complaints are responsible to promptly abate public disturbance noise complaints on their property. If the owner fails to cause the noise to be abated within 60 minutes of notification of the complaint, he is subject to compliance with Chapter 7.35 and the enforcement penalties jointly and severally with the renter creating the public disturbance noise." This is encouraging, but only if the residents know how to contact the property owner. The properties that impact me the most are on the opposite side of the Wenatchee River. Guests at these properties gather in their backyards, playing loud music and screaming when they jump into the river in the middle of the night. I can hear them from inside my house with the windows closed. The proposed code states "The Director may allow annual mailings to adjacent properties and an interior posted notice for tenants in lieu of an exterior sign where a property's size and visibility make an exterior sign ineffective, or if improving security. The owner shall provide verification of mailings and a copy of the notice with the annual permit renewal." ADJACENT PROPERTIES NEED TO INCLUDE ALL PROPERTIES THAT ARE IMPACTED. A LIST OF STRs IN THE ZIPCODE SHOULD BE EASILY AVAILABLE FROM THE COUNTY, ALONG WITH CONTACT INFORMATION FOR EACH PROPERTY.

It's a good idea to limit STRs to 6% of the properties, but what about areas that have a much higher concentration? Looking at the map in the proposal, there is a very dense section of STRs in the Leavenworth area just south of Hwy 2, (and just across the river from my house.) Parts of East Leavenworth Road are almost all STRs. THESE HIGH DENSITY AREAS SHOULD HAVE DIFFERENT GOALS OF REDUCING THE NUMBER OF STRs THAN THE GOALS OF THE ZIPCODE IN GENERAL, SINCE THEY AFFECT THE NEIGHBORHOODS MUCH MORE.

I believe that most STR owners are trying to be good neighbors and we should have alternatives beyond calling the sheriff's office. We have the phone number of the manager of the largest nearby STR, and they have always responded quickly to our concerns. THESE KIND OF PROPERTY OWNERS/MANAGERS SHOULD NOT BE PENALIZED BECAUSE OF THE OTHER CARELESS STR PROPERTIES.

Karen Haire
1380 Commercial Street
Leavenworth, WA 98826

Wendy Lane

From: Joan Frazee <joanfrazee@icloud.com>
Sent: Thursday, July 1, 2021 7:49 PM
To: CD STRComment
Subject: short term rentals

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

Dear County Commissioners,

I would like to begin this comment letter, by reminding you that the residents who were appointed to serve on the County's Short Term Rental Task Force agreed to accept grandfathering of most existing short-term rentals despite the fact that they are all clearly illegal under the existing zoning code.

90% of STR owners do not live in Chelan County — it is unacceptable to grant more concessions!!

The current draft code still fails to include some important provisions:

1) Children under 2 must be included in the occupancy count.

2) Provisions to exceed daytime occupancy. Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger or is in commercial zoning.

3) Need more protection from noise!!

4) Shared infrastructure. Require STR owners to obtain permission from others who share water sources and access.

5) Any short term rentals included in a PUD must count toward the 6% density cap in each zip code.

6) NO more concessions to STR owners!! Both residents and local businesses are being severely impacted by the housing shortage.

Thanks for this opportunity to comment on an issue that impacts our local community is such a BIG way.

Joan Frazee
242 Park Ave
Leavenworth, WA 98826

Wendy Lane

From: Duane Goehner <duane@live.com>
Sent: Thursday, July 1, 2021 7:43 PM
To: CD STRComment
Subject: STR Enforcement

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

Commissioners,

My personal comments relate to the impacts of STRs on neighborhoods. My concerns are documented in previous comments to you over the many long years of this process. Most recently the housing availability for permanent residents has seemed to shockingly had an impact on house values and subsequent taxes. While tax increases are not solely from the STR inventory challenges, it obviously does have an impact when commercial use and commercial value of an STR property sits by a residential property. How will that be "fair" in determining tax values and comps?? Since this process began more than three years ago, I personally know more than a dozen families who have sold due to the negative impacts of nightly rentals. These people of our community were forced out due to STR problems. While I understand Commissioners are trying to balance the varying positions, it seems to me that the deference should always lean towards the residential community in these considerations.

Along with that is the essential element of enforcement. Without it, you have nothing. I see that the current code draft has detailed some more about enforcement. Thank you. Along with that code will be the need for both the County stomach and resources to do enforcement. For instance, if an officer must witness a violation for validation, then, 1) They need to be working when STRs are most active, weekends, evenings, etc., not M-F, 9-5 and, 2) They need to be where the action is. Having them sitting in an office in Wenatchee will not be helpful when the concentration of STRs are in Leavenworth and Chelan. As you enter this code, it is important to recognize you are entering into an agreement with residents of these areas to be fully engaged in enforcement.

Lastly, I saw that the County has recognized the importance of municipal agreements relating to the UGA. This is good. Do you feel your written code sufficiently delineates that under those City codes, there is no grandfathering, so as to not complicate those municipalities' future process of growth annexation, etc.? Unfortunately those STRs that have been operating in City UGAs have been violating the City codes and agreement from the day they started due to City regulations. Having lived near a bad-egg owner who abused the neighboring UGA properties with noise, firearms, septic problems, etc., it was not until Craig from the County sent the owner letters in 2018 stating that they were violating the UGA City's code, and were prohibited from operating in the UGA, that the STR owner finally sold and closed up, at last giving relief to our neighborhood thanks to that UGA municipality code agreement.

Thanks again for hearing the valid concerns from our community and incorporating them into better code for our residential community.

Duane Goehner
Leavenworth WA

Wendy Lane

From: David Morgan <davidmorgan29@hotmail.com>
Sent: Thursday, July 1, 2021 7:39 PM
To: CD STRComment
Subject: Comments on STR

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

Hi I'm gravely disappointed by what appears to be your inclination to compromise our neighborhoods and allow STRs, which are businesses, to operate with minimally effective regulations. One of many improvements you need to make is something very specific and enforceable regarding noise, which should be confined to the STR property. Thank you.
David Morgan
Leavenworth (and nowhere else)

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

Wendy Lane

From: Laura Souyoultzis <laura.souyoultzis@gmail.com>
Sent: Thursday, July 1, 2021 7:31 PM
To: CD STRComment
Subject: STR written comment

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

To Whom it May Concern,

It was Thanksgiving weekend 2015, our family celebrated staying at Sleeping Lady in Leavenworth and on Friday we went out with Randall Vickrey of Leavenworth Real Estate to look at properties.
Our first investment in Chelan County came in early 2016 of over $300k to purchase 10 acres off Hwy 207 from former Lake Wenatchee Fire District Commissioner Rolly Schmitten and partners.

Home occupancy was granted July 2019. With the help of East Wenatchee based contractor Clark Cooke and tradespeople from Plain and across the valley, we would invest an additional $1.2M within Chelan County as we built a 5 bedroom home designed for families and groups of friends to stay.

The time after July 2019 was used to furnish the house to make sure it had ample dishes, bedding, pillow choices, hot tub towels. Every detail is thought about. First-aid kits, books, games, DVDs. Not a small task for filling a home with the essentials.

And then the 2020 Pandemic began. Progress slowed. Bedrooms still needed window coverings but showrooms and manufacturers were closed.

So yes, we are late to the game for Short Term Rentals. But we have been working toward this for the last 5 years to find out the option is no longer available.
Our parking includes a 2 car garage and private driveway and road for 4+ additional cars. Each property in our neighborhood is on 5 acres and are at the very minimum hundreds of feet away from each other.

I am writing to you today to share our story. We may be just one family, but the moratorium and proposed code has affected us greatly. I'm not sure I'll ever see our area get down to the 6% STR to allow for additional permits. One neighbor is, in fact, moving full-time to their STR home and yet still plans to keep their grandfathered permit renewal so that they don't lose the opportunity.
I think homes that are not in a dense neighborhood should have a higher occupancy percentage.

Thank you for your time.
Laura and Paul Souyoultzis
206-851-5703

Wendy Lane

From: Thomas Chapman <thomaschapman94@gmail.com>
Sent: Thursday, July 1, 2021 7:31 PM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

As a long time citizen of Washington state, 30 plus years of visiting leavenworth and owner of property in Leavenworth area I strongly oppose crippling regulations for vacation rentals in the area.
The impacts to local businesses, travelers, property owners, property values and sales tax etc.. are all at stake. From my experience in other states that have been down this road with overreaching regulations on property owners rights has increased litigation, need for enforcement/ policing while reducing tax revenues and driving up the costs to travelers comming to support the local economies. Short of basic requirements for safety ie smoke detectors, portable fire extinguishers and a responsible party being available 24-7 to respond to the property for problems that may arise.

We have had no issues with over 75 stays at our cabin. Both of my neighbors have told me personally that they have had no problems. Pleae don't loose sight of the fact that the majority of homes in these areas have been historically weekend getaways.For decades primarily by people to come and spend time and money in chelan county. The town of Leavenworth was built for tourists and the properties near have always supported that tourism. In our neighborhood in chiwawa communities there's been more and more people making this thier primary home but that's a change from the what its always been over the years. Second homes and get away cabins. Not the other way around. The Supreme Court has already ruled that the use is allowed... I would hope the county takes that in to account while passing any news code.. make the code simple and easily enforceable. The affordable housing issue should be a separate issue to be addressed. Building affordable housing should be a priorty that's a fact but has little to do with short term rentals..

Thank you for taking the time to read this and all you hard work on this difficult task.

Sincerely,
Tom Chapman and family

Wendy Lane

From: Brian Patterson <bcpatters@yahoo.com>
Sent: Thursday, July 1, 2021 7:18 PM
To: CD STRComment
Subject: Comments on Draft STR Code
Attachments: BOCC General STR Comments (7_1_21).pdf

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Please accept the attached public comments on the draft STR code.

Thank you,

Brian Patterson
Manson, WA

July 1, 2021

RE: Short-Term Rental Regulation Comments – June 22, 2021, Draft Code

Dear Board of County Commissioners,

I have the following comments on the June 22, 2021, version of the draft code to regulate short-term rentals (STRs) as posted on the Chelan County website. I would note that the draft code specifies (at line 141) the objective of the code as determined by the Board of County Commissioners (BOCC), namely:

> *C) The provisions of this chapter are necessary to promote the public health and safety by protecting year-round residents' enjoyment of their homes and neighborhoods by minimizing the nuisance impact of short-term rentals on adjacent residences and by minimizing the detrimental impact of excessive short-term rentals on the affordable housing supply.*

During the Task Force process, residents gave up massive concessions that work against this stated objective, with the most significant being the "grandfathering" of all existing STRs if they had simply done the minimum of complying with state tax law. This will ensure that STRs will have a negative impact on residential neighborhoods in Chelan County for decades to come. The stated objective above, and the substantial concession associated with "grandfathering", should be kept in mind as other issues in the draft code are resolved.

Further, from all accounts, the Task Force process was fairly flawed, with concessions forced upon participants at the last hour. Regardless of this flawed process, I'm assuming that for consistency the BOCC will stick to the Task Force recommendations to the extent they were described in the final Task Force report. What would not be acceptable, however, is for the BOCC to rely on some perceived "intent" of the Task Force outside of what was explicitly stated in the final report. I am aware of opposing interpretations of "intent" on certain issues discussed by the Task Force. Unless a solution was specifically detailed in the final Task Force report, it should be assumed that there was no consensus agreement.

Six Percent Cap on Zip Codes

This is the biggest current issue in the STR code for me, and I have already submitted a detailed discussion of this issue to the BOCC dated June 20, 2021; I hope that you've had time to consider it. In my reading of the current draft code, it would appear that each individual zip code does have a six percent cap on STRs (i.e., the percent of the residential housing stock allowed to be STRs) as this seems clearly laid out in the table in 11.88.290(2)(B)(ii)(a) and very explicitly for the 98826 zip code in 11.88.290(2)(B)(ii)(f). The only reason I still bring it up is that Jim Brown previously expressed a different understanding of the code prior to the most recent revision, and he has declined to provide his interpretation of the current version. If you agree that the current version of the code puts a six percent cap on each individual zip code, then we are both reading it the same way.

The bottom line is that each individual zip code must have its own overall six percent cap. This is completely compatible with the Task Force final report, since no exceptions to zip code caps were specified, and is consistent with how BERK has evaluated the STR caps throughout the code development process. As I've suggested previously, this could be made crystal clear by simply adding a sentence at the end of 11.88.290(2)(B)(ii)(f) as follows (additional sentence in bold, red font):

e) Share calculation for Cities and Urban Growth Areas are calculated separate and independently from other areas within the same zip code or a designated subarea of a zip code, and one calculation does not affect the maximum allowed hare of short-term rentals for the other. ***However, in no case shall the percentage of STRs in any zip code exceed six percent as described in subsections (a) through (d) of this section.***

Enough said on that topic.

Definition of Bedroom

The proposed definition of "Bedroom" in 14.98.1632 of the draft code currently reads:

> *For the purposes of CCC 11.88, a "bedroom" means either enclosed or open areas within a structure being used as a Short Term Rental that provides sleeping accommodations such as mattresses, beds, sofa sleepers, roll away beds, day/trundle beds, bunkbeds, murphy beds, etc. Any space used as a short-term rental bedroom under this section shall have a door or window of egress to the outside meeting that meets the International Residential Code standard for a bedroom, and must be equipped with a working smoke alarm in the room.*

This definition is much too broad and does not even meet the requirements for a "bedroom" in the International Residential Code (IRC) that has been adopted by the state of Washington for the state building code (since the definition above only references two of the many requirements for a bedroom under the IRC). Among other things, this leaves open the possibility for unsafe "bedrooms" to be created, foregoing IRC requirements for dimensions, access (as opposed to egress), ventilation, lighting, and heating.

Further, this creates an unnecessary enforcement and inspection issue. Since STRs could potentially start using any spare room that meets this definition of a bedroom after they are inspected, how will the county know if new "bedrooms" are meeting even these meager requirements for egress and a smoke detector?

This loose definition will also obviously maximize the potential occupancy of every STR, which is in complete contravention of the BOCC's stated goal of "*...minimizing the nuisance impact of short-term rentals on adjacent residences...*" as noted at the beginning of this letter. Allowing rec rooms, offices, enclosed patios, etc. to be claimed as bedrooms will cause overcrowded STRs to become the norm throughout Chelan County, absolutely <u>maximizing</u> their impact on the surrounding residents.

<u>All</u> of the issues discussed above could be addressed by a much simpler and easy-to-enforce definition of "bedroom":

> *For purposes of CCC 11.88, a "bedroom" will be defined as those rooms in a dwelling unit that were defined as such in the building permit(s) associated with the dwelling unit or otherwise listed in county records.*

The number of bedrooms for each permitted structure is clearly listed in the public Geographic Information System map hosted by the county online,[1] so this is easy to track even if the original building permits are not available. I therefore request that this change be made.

Occupancy Limits

In all previous versions of the draft code, and in the Task Force report, there were no age restrictions on who qualified as a person or guest. In the most recent draft, the BOCC is proposing to exclude children under the

[1] https://maps.co.chelan.wa.us/GIS/,

age of two. If for no other reason than it is inconsistent with the Task Force report, I would request that the exclusion of children under the age of two be dropped when determining maximum occupancy.

In addition to this reason, I would again go back to the BOCC's stated goal of "*...minimizing the nuisance impact of short-term rentals on adjacent residences...*" By excluding children under the age of two, you would be necessarily increasing the number of adults and children over the age of two in STRs in residential neighborhoods throughout Chelan County. Three families with two adults and one infant each could now rent a three-bedroom STR with this exclusion; without the exclusion, only two such families could rent that same STR, reducing the number of adults from six to four.

During the public hearing held on June 29th, STR owners repeatedly stated that children under the age of two have minimal impacts; however, this misses the point, which is that by excluding children under two, more adults and children over two will be staying at a given STR. Their disingenuous comments that not having this exclusion would somehow discourage families from staying in STRs is preposterous, as children of all ages would still be allowed. If the STR owners are concerned about the cost to families with infant children, they could choose to base their nightly rate on the number of persons above the age of two staying there.

The effect of the exclusion of children less than two years old on Chelan County residents would increase nuisance impacts from STRs, not minimize them, and is inconsistent with the Task Force final report.

Noise

Enforcement of the noise ordinance in Chelan County has been a problem ever since I moved here, with no quantitative or well-defined threshold to evaluate. I've listened to specific instances of the County Sheriff Deputy being unable to help residents inundated with excessive noise late into the night. To not further address practical noise abatement approaches in the STR code would be to simply condemn residents to more endless nights of excessive noise.

Not to sound like a broken record, but the need to do better here goes back to the BOCC's stated goal of "*...minimizing the nuisance impact of short-term rentals on adjacent residences...*"

Residents United for Neighbors (RUN) has proposed additional language that would provide a set of well-defined prohibitions that would go a long way toward addressing STR noise issues. This language was taken from STR regulations in a number of different California jurisdictions:

> *In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.*

It is simple to understand and enforce. The county could even add that this only applies between certain hours. Please add this language to the Noise section (11.88.290(3)(E)) of the STR code.

Shared Infrastructure

Chelan County has the legal authority to dictate, within reason, how commercial properties are managed to address health and safety concerns. Restaurants needs to pass health inspections. Buildings need to pass safety inspections. To address shared infrastructure, the county does not need to enforce shared infrastructure agreements or other arrangements, it just needs to identify that they exist. Once this is established, the county has the tools to require that the commercial entity that is sharing infrastructure with private residents meet certain requirements.

All STR owners who share wells, septic systems, private driveways, and/or private roads should demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use, since the commercial enterprise is likely to have a greater impact on these resources.

When we built our house here in Manson, we had to obtain written approval from our neighbors to build less than 100 feet from the shared property line. This was required by Chelan County. Requiring written approval from neighbors to use a shared residential resource for commercial use is no different.

Please add language to the STR code to require STR owners who share wells, septic systems, private driveways, private roads, and/or other similar infrastructure to obtain written approval from all other parties to the shared resource. This should be part of the overall variance being granted by the county to allow commercial lodging to be located in residential zones.

Planned Unit Developments

I understand that the final Task Force report stated that Planned Unit Development (PUDs) that explicitly stated on the plat that STRs would be allowed are excluded from the six percent cap. However, if such PUDs are allowed going forward, a large portion of the impact of the new STR regulations to promote affordable housing will be negated. Developer and builder resources will be funneled to these more-lucrative STR developments as opposed to building new affordable housing. That's just how capitalism without regulation works and we're seen it before here in the Lake Chelan Vallely with the massive Lookout development which has done just that.

Some on the Task Force say that the exclusion for PUDs was supposed to apply only to existing, not future, developments. This would make sense, but I was not privy to those discussions. Representatives of the Manson Community Council have publicly stated that they told the Task Force that they wanted PUD housing to count toward the cap within the Manson UGA.

I do know that approval of PUDs allowing STRs would be unlikely to occur in any case. The use of the PUD process to add STRs would go against multiple aspects of the Growth Management Act, the county Comprehensive Plan, and the requirement in the county code that a PUD demonstrate a "public benefit". Given that one of the greatest public needs we have in Chelan County is for affordable housing, and PUDs built specifically to allow STRs would only detract from the ability to provide affordable housing, such a "public benefit" could not be attained. Increasing the tourist load, while simultaneously reducing housing opportunities for those who are needed to serve the tourists, would be counterproductive. I therefore suggest that adding this exclusion to the STR code is inconsistent with both the county Comprehensive Plan and the existing county code, something that the Task Force may have overlooked during their deliberations.

If, however, the BOCC plans to retain this exclusion in the final STR code, it should be made clear that any dwelling units with PUDs that indicate on the plat that STRs are allowed, should not be included in the denominator of the density calculations used for assessing the six percent caps. It would be doubly destructive to exclude PUDs from the density cap altogether, but consider them dwelling units in the cap calculations such that they allow even more STRs to be permitted in residential areas. Since this was not specifically addressed in the Task Force report, it should be no problem for the BOCC to make this clarification.

Grandfathering

During the June 29th hearing, several STR supporters asked that property owners who had contemplated or otherwise planned to use the property to build an STR, even if they had not indicated so on a building permit application, should be included in the class of property owners with "grandfathered" STRs. They indicated

that they had done their "due diligence" before recently purchasing their property and there were no apparent restrictions or permit requirements, so they feel entitled to be "grandfathered".

Chelan County started holding public meetings on the development of draft STR regulations in mid-2019 and most people paying attention knew that such regulations were likely to occur years prior to this. Anyone doing even a little bit of due diligence on the STR issue would have been able to discover this and reasonably suspect that the operation of STRs might be restricted in the future. This was obvious more than year prior to the August 25, 2020 STR moratorium.

STR supporters also asked that STR owners who had operated illegally without a permit in the Manson UGA be "grandfathered". The wording in the draft code already has allowances for inconsistent permitting, which is already too generous. Even prior to 2018, the permitting requirements for STRs in the Manson UGA were well-known to realtors, rental agencies (VACASA, etc.), and anyone with even a passing knowledge of the STR industry.

One prominent local realtor posted online concerning purchasing homes for use as vacation rentals in January 2017.[2] He notes in the post "*Homes within the Manson Urban Growth area can be rented with the purchase of a yearly permit. To date, these permits have been inexpensive and easy to acquire.*" He also noted (emphasis added):

> *"The areas outside of the City of Chelan and outside of the Manson Urban Growth area currently have no restrictions on vacation rentals. Some call it the 'wild west' and friction has been experienced between renting and non-renting properties.* ***More regulation will likely follow from the county*** *to aid in the resolution of this conflict."*

Again, this was in January of 2017! Anyone renting an STR in the Manson UGA in 2018 through 2020 without a permit was either doing so while willfully ignoring the requirement or was actively avoiding learning anything about the issue.

Please do not change any of the requirements related to the August 25, 2020 moratorium deadline or the requirement to have had, at least at some point in 2018-2020, a county STR permit if within the Manson UGA.

Verified Violations

The code needs to include additional language on what constitutes a "verified violation" since this is a critical component of the effectiveness of the code. Everything that we've heard suggests that code compliance officers will have a regular schedule of Monday through Friday, 9AM to 5PM. These are not the times when the majority of violations will occur, making it extra difficult for compliance officers to directly verify violations. Therefore, additional evidentiary mechanisms must be allowed, and examples provided in the code.

It would be appropriate to include a definition for Verified Violations in Chapter 14.98. For example:

> *Verified Violation – Violations of this code must be verified based on firsthand evidence and confirmation of the evidence by code enforcement representatives of the Sheriff's Department or the Chelan County Community Development Department. Evidence can include photographs, videos, signed witness affidavits, and direct observation by code enforcement representatives.*

[2] https://www.guyevansrealestate.com/blog/where-are-vacation-rentals-allowed-at-lake-chelan.

This is no different that when the county hands out traffic citations based on photo radar. Photographic evidence is provided, then confirmed by a law enforcement officer, even though the officer did not directly observe the infraction. Not defining what a "verified violation" is will significantly weaken the code.

June 29th Hearing General Comments

I listened to the entire public hearing for the draft STR code on June 29th. I came away with two consistent themes expressed by many of the STR owners:

First, although they performed their "due diligence", they were unaware of the implications of the impending STR code, the need to obtain permits within the Manson UGA, etc. It is amazing to me that anyone who made even half an effort to pay attention to what was going on in relation to STRs would not be aware of the fact that the county was working on STR code that might constrain STR operations (including the possibility of a moratorium after a lawsuit was filed) or that STRs in the Manson UGA required permits. As noted above in this comment letter, local realtors were broadcasting this information in early 2017. My guess is that they were aware of these issues, but chose to ignore them.

Second, STR owners complained over and over how they needed to be able to rent their STRs out so that they could continue to own a second home. Given that even recent purchasers of STR second homes could easily sell these properties at a significant profit in today's real estate market, it's hard to feel sorry for them. Further, what about all of the families out there that cannot even afford a first home, in some part due to the fact that STRs have reduced the availability, and driven up the price, of homes in Chelan County?

Being willing to destroy communities and residential neighborhoods of others in order to preserve their ability to have a second home speaks volumes to me of the character of these people. Sell the house at a huge profit and return it to the housing stock for people who actively want to be a part of the local community.

Summary

I realize that it is difficult politically to tell one group of people that they are not allowed to do what they desperately want to do. But there are two groups of such people in this case: those who want to rent out a second home to make money and those who want to live peacefully in their own homes. The first group consists primarily of people who do not live in Chelan County and the second group are all citizens and voters in Chelan County. You really do need to decide which group you are trying to protect, and I sincerely hope that you will choose to protect the residents of this county. Please do not forget your own stated objective for these STR regulations as reproduced at the beginning of this letter.

Thank you for your consideration of these comments.

Sincerely,

Brian Patterson

Brian Patterson, Ph.D.
150 Kestrel Ln
Manson, WA 98831
bcpatters@yahoo.com

Wendy Lane

From: Annette Brown <leavenworthsl@gmail.com>
Sent: Thursday, July 1, 2021 7:16 PM
To: CD STRComment
Subject: Grandfather Existing Tier 1 - Two STR's

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

To whom it may concern,

My husband and I own and occupy our home in Leavenworth as a married couple.

We have a five bedroom septic design.

We have operated two STRS from our home for the past two years -- this is our primary source of income.

Each has one bed and is limited to two persons occupancy. We strictly monitor this as we do not want to impact ourselves or our neighbors in any way!

Please do not limit our future ability to exist financially and pay our bills and taxes by elimination of our second unit. Please look at this as an additional exception to the grandfathering clause.

It has no greater impact than operating a single unit that has two beds.
We request that our second existing STR also be grandfathered not eliminated.

--
Shady Lady
Annette Brown
509 548 8005
leavenworthsl@gmail.com

Wendy Lane

From: David Odom <davidodom1@gmail.com>
Sent: Thursday, July 1, 2021 7:03 PM
To: CD STRComment
Subject: Thank you!

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

Jim and Commissioners,

Thank you for all your time, patience and concern in putting together a well written plan to establish rules and regulations for short-term rentals in our County.

I must say despite living in Manson the local Manson community council does not speak on behalf of all of us Manson citizens. Personal agendas are being presented as community input.

Please do not include PUD units in the cap since that falsely influences the cap.

We have lived next to an STR for 3 years and have no complaints. The owners have promptly addressed any issues.

We have owned an STR over this past year and likewise have had one noise complaint that we addressed timely. We are good neighbors to the STR and as an STR.

Thank you,

Dave and Carol Odom

Wendy Lane

From: Jonathan Gasbar <jgasbar7@gmail.com>
Sent: Thursday, July 1, 2021 6:37 PM
To: CD STRComment
Subject: STR code

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

Hi,

I currently reside at 219 cottage avenue in cashmere. Our family also owns a place near lake Wenatchee. This is where we have had negative experiences with short term rentals and we support stronger code.

1. The current draft code concedes quite a bit to the short term rental advocates. Since enforcement in these more rural areas is so challenging this will allow more lenient code to be taken advantage of.

2. It appears that the leniency on daytime use will be an easy loophole renters and str proponents.

3. The economic impact argument for strs is not viable. I have stayed in many short term rentals and me and my friends have contributed very little to the local economies. We bring our own supplies and end up staying at the place we rented. I am sure there are plenty of people that come here to do the same. If anything it drives up the price of homes in an area that is increasingly unaffordable for most.

4. These are businesses and should be treated as such and should be allowed (and regulated) in commercial zones only.

5. The cycle of non stop vacationers in neighborhoods is one that many people do not understand. Residents in these areas get no reprieve. Each day you have a new neighbor, new potential problems, and continuous lack of accountability for your neighbors actions weighs on peoples livelihood that are trying to better their own community.

6. Full time Chelan county residents are being negatively impacted and their considerations should be weighed more heavily than out of county 2nd home owners that run a business on personal property.

Thank you for all of the time and consideration you have put into this.

Jon

Sent from my iPhone

Wendy Lane

From: Courtney Bradburn <cbradburn85@gmail.com>
Sent: Thursday, July 1, 2021 6:36 PM
To: CD STRComment
Subject: No More Concessions

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

To whom may concern,

I have been a resident of Leavenworth since 2008. I live here and work here as an RN and am raising a family here. I have a lot of pride in this community. And while I know I choose to live in a tourist town, I believe there is a balance we must find.
I urge the County Commissioners to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County.
The primary responsibility for the Commissioners is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

Thank you for your time and consideration,

Courtney Bradburn

Wendy Lane

From: Mahala Murphy-Martin <mahalamartin@outlook.com>
Sent: Thursday, July 1, 2021 6:33 PM
To: CD STRComment
Subject: STR's in Chelan County

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

Dear Board of County Commissioners:

I am sending my comments regarding the future of STR's in Chelan County.
Before discussing my opposition, I must comment that it is my belief that Tiffany Gering should recuse herself from the proceedings as she is facing a "conflict of interest".
Her campaign was financed significantly by STR owners and property management companies. There is in no way a lack of bias towards STR's, thereby precluding her objectivity in this matter.
Chelan County is experiencing a housing shortage, which is felt very acutely in the Leavenworth area. STR's have usurped much of the inventory, and by owners who have no interest in being a contributing member of the communities as many of them live on the West side of the State.
As I have written in the past, STR's certainly do not belong in the rural neighborhoods. If they are allowed, they should be located in the commercial locales utilizing public water and sewer.
In our neighborhood, there is a West-side developer interested in building large, multiple houses (and additional structures), with the full intent of utilizing them as STR's. This would impact our area tremendously! The infrastructure was created with SFH's in a rural, agricultural setting.
The traffic alone could add easily, an additional 80 vehicles making multiple trips daily.
This area is rife with fauna (deer, bear, fox, cougar, and occasional moose), to name a few. In addition to the wildlife, there are young families who reside along the road. Strangers and non-residents do not abide by speed limits nor exercise caution, as has been noted by previous experiences with the STR's.
Allowing STR's in rural areas puts an additional strain on the well systems. During the latter part of the Summer, existing residents have on occasion, had issues with their water, and allowing STR's would only exacerbate the situation. Additionally, speaking from our area, there is a natural, water retention system that can be utilized in case of wild fires. This would obviously be affected, if the STR's were allowed to build in this locale.
Our neighborhoods deserve to be maintained as they were initiated; by continuing to provide a peaceful, community setting to those who purchased, built and settled in these neighborhoods of Chelan County .
You must Grandfather our Neighborhoods, and impose AND enforce significant restrictions on STRS!

Respectfully,
Mahala Murphy-Martin

Wendy Lane

From: Tracey Doherty <ttsvdoherty@gmail.com>
Sent: Thursday, July 1, 2021 6:32 PM
To: CD STRComment
Subject: Protect our neighborhoods and respect the agreements and consessions made by the task force!

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

Dear County Commissioners and Short Term Rental Task Force Members:

I am a full time resident of Chelan County residing in the Urban Growth Area of Leavenworth. We own a family residence at 10303 Ski HIll Drive. Since my family does not have the budget to buy a commissioner, as STRACC has clearly done, I would like to appeal to the remaining members of the commission to remind them of their commitment to serve the residents of Chelan County, and not to prioritize the interests of out-of-county businesses.

Per my many emails over the last two years, we were subject to an unregulated and illegal vacation rental. You can refer to those emails to understand what a profound impact having a "party house" next door to our home had on our family's day-to-day life. In the last year, and as a result of the changing short term rental codes, the house was put up for sale and purchased by a family who are now full time residents. I cannot tell you what a positive impact this has had on the social capital of our neighborhood. We are no longer kept up until 2 am. We no longer have to contend with profanity and public nudity in the middle of the day. The overflow of excessive garbage and the resulting pest infestations have all resolved.

I would also like to call out the timing of these public hearings. In addition to the items listed below that I would like the commission to consider, I would ask the commission to hold public comment hearings during hours in which the general public can attend. Many of the last few public hearings have fallen during business hours - when many of our full time residents work. Since the job of many of the short term rental owners is to run their rental business, attending these hearings is a part of their work day. If you work multiple service jobs, or at a bank, or are a civil servant, or virtually any other job, you do not have the ability to participate. Your voice is not heard. Making the participation of short term rental owners loud and lop-sided.

Lastly, the task force has worked hard to come to agreements and offer concessions on both sides of the issues. Please respect that hard work and uphold the following agreements:

1. Occupancy Limits

A. **Children under 2 must be included in the occupancy count (Line 409).** Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.

B. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. We urge the following language be added:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.

4. Planned Unit Development Exemption from Density Cap (line 203)

All future Planned Unit Developments (PUDs) must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short-term rentals included in a PUD must count toward the 6% density cap in each zip code.

5. No More Concessions!

We urge the County Commissioners to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. The primary responsibility for the Commissioners is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

Sincerely,

Tracey Doherty

Wendy Lane

From: atanius <atanius@gmail.com>
Sent: Thursday, July 1, 2021 6:26 PM
To: CD STRComment
Subject: Short Term Rentals - Opinion of property owner for 21621 Old camp 12 rd

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

Hi, I'm Antonio Galvan
I own the home in the ponderosa, specifically at 21621 Camp 12 Rd, Leavenworth, WA 98826

I'm pro short term rentals.
While my family lives outside Chelan, I hope to see my 2 children grow up in the ponderosa community and I would like to eventually retire there.
The surrounding neighbors and I have a good relationship and they know to reach out to me directly if a short-term renter is problematic. In a sense, I feel like I am part of the community and ensure we visit the property once a month.

I would like to echo how short term rentals inject vital funds into the community by hiring local professionals such as plumbers, electricians, general contractors, painters, etc. Additionally, the short term rental traffic injects into the tourism services such as restaurants and outdoor activities.

The code should allow owners of grandfathered STRs to make changes to their property without losing grandfathered status. Please remove restrictions on making changes requiring a permit. Owners should be able to make improvements to their property as long as they don't increase their non-conformity. This would be consistent with the existing Chelan County Code on non-conforming uses and structures.

Parking requirements should be one space per rented or occupied bedroom, period. If a house is being used as an STR, one parking space per bedroom is plenty. Draft code at line 442 appears to require one space per bedroom in addition to those already required for a single-family residence.

The commercial zoning argument makes sense for businesses with **high daily foot traffic**, but not for short-term term rentals. This is because short term rentals have a 2-night minimum and who's short term renters are frequently there to attend a wedding.

No one wants to live next to a party house. If someone staying temporarily on my property is causing problems, I want to fix it, permanently.
The majority of the Chelan resident concerns can be mitigated by noise detectors and local agents in the form of property managers.

Grandfathering should include those who can show that they initiated the creation of an STR and committed resources prior to the August 25 moratorium, but had not made it as far as hosting their first guest by that date.

Thanks,
Antonio

Wendy Lane

From: Dave Bartholomew <dnbart@gmail.com>
Sent: Thursday, July 1, 2021 6:21 PM
To: CD STRComment
Subject: STR

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

Dear Commissioners,

I write to you about the proposed Short Term Rental (STR) regulations.

Executive Summary

The draft STR regulations put the needs of non-residents above the needs of the residents and voters of Chelan County. The draft regulations overreach by trying to solve problems beyond the scope of the intent, and problems that do not seem to exist. The regulations as written dictate that all STR be urbanized with all the amenities. Rustic experiences are outlawed.

I respectfully offer the following comments:

1. The Commissioners would be wise to remember who their primary constituency is: the voters of Chelan County. Property owners that are non-residents fall well below this responsibility.
2. I urge the Commissioners to remember what problem(s) they are trying to solve in drafting this regulation in the first place. I have tried to find a clear statement about purpose in the documents, and nothing is very clear, but the problems include a). a large increase of single-family residences being used for STR, thus taking homes off of the market for families, and at the same time, increasing prices; b)an erosion of residential neighbors with more and more houses being used for STR rather than homes; and c) numerous infringements of people's rights such as short-term renters trespassing, littering, being loud, etc.

With these in mind, my concerns with the current draft are as follows:

The current draft seems to favor the STR industry over the rights and reasonable expectations of residents of Chelan County. For instance, the whole grandfathering concept is only necessary because the County failed to get a better handle on these problems earlier on. It is as if we are telling absentee STR owners, sorry, we goofed; we shouldn't have let you do this in the first place, but since you are already doing it, we will let you continue. That disregards the rights and reasonable expectations of the true citizenry of the County.

The current draft addresses issues that seem entirely unrelated to the problems targeted in the first place. For instance, there is considerable attention placed on safety. Is there a problem with safety needing to be solved? I have not heard any. We have plenty of real problems to be solved; let's not act on the suspicion of an emerging problem unless there is evidence to suggest it is real.

There is a value judgement made in this proposal that needs to be clearly understood and agreed to. That is, the only legal STR needs to be first class with all the amenities of an urban dwelling. Anyone wanting to experience anything more rustic, or more connected to nature, will be substantially robbed of this opportunity. If someone wants to rent a tent in a rural setting, well away from others and with no interference with the community, according to this draft, it is against the law. This is absurd.

Similarly, if someone wants to rent a rustic log cabin, they cannot. It is required that a rustic cabin needs to have all the conveniences of an urban condominium or else it is illegal. We are legislating homogeneity in our visitor experiences.

I appreciate your service and your sincere intent.

Kind regards,

Dave Bartholomew
dnbart@gmail.com

Wendy Lane

From: Susan Hufman <hufman@nwi.net>
Sent: Thursday, July 1, 2021 6:01 PM
To: CD STRComment
Subject: We need daytime occupancy limits.

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

Dear Commissioners:

Please! We NEED daytime occupancy limits so these STRs don't extend their vision into becoming daytime event centers - essentially commercial enterprises - in our neighborhoods! Do not allow events and weddings in our neighborhoods; they belong in commercial zoning run by commercial businesses.

And please NO MORE CONCESSIONS! We have conceded to much already.
I prefer that you grandfather our neighborhoods instead of these out of town owners.
Thank you.
Susan
Chelan County resident.

Wendy Lane

From: John Whisler <john.whisler@yahoo.com>
Sent: Thursday, July 1, 2021 5:50 PM
To: CD STRComment
Subject: Str's

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

Concerns About Current Draft Code

RUN has reviewed the final draft of the STR code and ***it still fails to include some important provisions*** to preserve our neighborhoods. Here are the main issues that RUN has identified with the final draft that you can mention in your email:

1. Occupancy Limits

A. **Children under 2 must be included in the occupancy count (Line 409)**. Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.

B. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. We urge the following language be added:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial

use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.

4. Planned Unit Development Exemption from Density Cap (line 203)

All future Planned Unit Developments (PUDs) must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short-term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

5. No More Concessions!

Finally, we urge the County Commissioners to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. The primary responsibility for the Commissioners is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

Thanks for your continued support to help preserve our neighborhoods!

Respectfully,

Board, Residents United for Neighbors

Jerry Jennings, Matthew Carlisle, Plain; George Wilson, Lake Wenatchee; Cherie Warren, Eagle Creek; Steve Stroud, Fox Rd; Kirvil Skinnarland, Bruce Williams, Pat Thirlby, Barbara Rossing, Mara Bohman, Leavenworth; Stan Winters, Peshastin; Mike Cochran, Chelan; Brian Patterson, Manson.



Residents United For Neighbors (Chelan County), P.O. Box 607, Leavenworth, WA 98826, United States
Unsubscribe

1

Wendy Lane

From: Andrew DeLorenzo <adelorenzo1985@gmail.com>
Sent: Thursday, July 1, 2021 5:37 PM
To: CD STRComment
Cc: STRACC Board; Amy Lambert; Maribeth Clark
Subject: Lake Wenatchee STR

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

Task Force,

In 2015 I purchased a burned down meth house with several drug-addicted vagrant thieves living off-grid on the property. After spending my life savings and the past 6 years purchasing, cleaning up, and working with neighbors and Chelan County to permit and build a 100% legal, compliant, safe and pleasant place for my family to vacation, retire, and generate a small amount of income from rental income, I've begun the process of listing our property for sale and cancelling all purchase attempts from my neighbors as well as told our groundskeeper he no longer has his home of 6 years. My neighbors are widows who will now not be able to clear their titles without my continued financial and legal support and will likely end up homeless directly because of your inhumane and cruel actions.

Unfortunately, no reasonable person could possibly operate with any sort of short term rental with your illegal, and un-American, retroactive anti-property rights diktats. Our attorney Robert Sargeant is creating a ledger of the damages and mental anguish caused upon our family and neighbors as you are forcing millions of dollars of losses upon us, but you aren't the ones who will be out of their homes or will end up paying the damages. It will be the same taxpayers you are currently trying to harm and my poor elderly groundskeeper and neighbors.

None of you are fit to serve as dog-catcher, much less as Chelan County officials claiming dictatorial powers over other people's homes. You're destroying the lives of not just law-abiding STR owners like myself, but all of our neighbors, guests, local business owners, and everyone else you don't care about in your pathetic attempt to make a dozen or so noisy-NIMBY's, who mostly don't work or pay much in taxes while sucking up every public resource they can, complain about something else for a little while. It's short-sighted, stupid, and evil.

See you in court, commies.

Best,
Andrew DeLorenzo
206-354-5560

Wendy Lane

From: Momi Palmieri <momihula@gmail.com>
Sent: Thursday, July 1, 2021 5:36 PM
To: CD STRComment
Subject: STR Code for Chelan County

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

Dear all,

I have lived in and raised my sons in tourist destinations for most of my adult life: Carlsbad, CA, Kailua, Oahu and now Leavenworth. I have also been a Realtor since 1977 in Hawai'i and Washington.

I have watched with anger and a breaking heart as the neighborhoods our kids grew up in have all been turned into commercial enterprises. Sweet, lovely residential homes and neighborhoods turned into expensive hotel rooms for spoiled travelers; many of whom show no regard for local homeowners and families. Places where our children played together, where we went to the beach together, shared meals together. Now both Carlsbad and Kailua neighborhoods have been overwhelmed by nightly rentals the main use for residential properties. Traffic, noise and trash are out of control.

I worked with a local group for 2 years to keep 'nightly rentals' out of our Leavenworth residential neighborhoods UNLESS they were registered B and Bs with owners living in the main home with all taxes paid to city and state.

We have a lack of available housing for those working in our upper valley. Affordable housing is a joke here! Not just for young shop workers, but also for nurses, doctors and teachers as our prices have risen to such extremely high sales prices due to their prices being driven by cash investors who have no interest in living here.

Home valuations for property taxes are now based upon the sale of commercial rentals which advertise their annual income from nightly rentals. Crazy spiral upwards hurts our residents. We need your help to keep our residential areas residential. Let commercial enterprises do their business in commercial zoning areas.

Please, please find a way to protect our neighborhoods and move commercial enterprises out of our family areas.

Paris, Berlin and Anaheim, CA all stopped the Air B and B craziness a few of years ago. You can look it up. They imposed huge costs for the first infraction of their new no nightly rentals in residential areas zoning laws.

You will need to impose rules and then enforce them consistently.

Thank you for hearing my plea. We need to protect our homes and homeowners. If we need more vacation rentals, let us build more hotels and motels.

With aloha,
Momi

Momi Palmieri
Managing Broker
Windermere RE/NCW
Leavenworth, WA 98826
509-433-2211
momip.com
www.leavenworth-homes.com
'O ka mea nui ke aloha.
The important thing is aloha.

Wendy Lane

From: Mike Smith <Mike@merithomesinc.com>
Sent: Thursday, July 1, 2021 5:21 PM
To: CD STRComment
Cc: NW Comfy Cabins; Lorraine; STRACC Board
Subject: STR Public Comment

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

Good day,

My name is Mike Smith, an STR owner. For almost 30 years, I've also been a land use practitioner in Washington State.

I've read the draft code. It will be extremely difficult to administer. It's too vague, too long, and appears to be a solution looking for a problem. The permitting regime would be highly contentious and waste countless Planning staff hours. I could go into great detail that I doubt anyone would read, but front-to-back, this code would immediately become a giant problem for Chelan County.

The only specific complaint I will register is requiring signs identifying a home as an STR. This would highlight our home for thieves and anyone opposed to rentals generally. We've never had a complaint at our home, yet this would disproportionally increase our exposure to all manner of malefactors.

I could see a sign requirement for homes that are repeat noise offenders, but that is not us. Any requirement should only be after 2 or 3 documented violations (or similar).

Please don't paint a target on our backs.

Mike Smith,
2220 Riffle Dr.

Wendy Lane

From: Adam G. Haynie <AdamH@JDSALaw.com>
Sent: Thursday, July 1, 2021 5:11 PM
To: CD STRComment
Subject: North Central Washington Association of Realtors written comments on Draft STR Code - 2014.0391*0001
Attachments: 4AW9787-NCWAR Comment on STR Regulations - July 2021.PDF

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

Greetings,

This firm represents the North Central Washington Association of Realtors® (NCWAR). Attached please find NCWAR's comments and questions regarding Chelan County's current version of the draft short-term rental code.

Thank you,
Adam Haynie

Adam G. Haynie
Attorney
Jeffers, Danielson, Sonn & Aylward, P.S.
Office: (509) 662-3685 | Direct: (509) 888-1014

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Introduction

The North Central Washington Association of Realtors® ("*NCWAR*") is the voice of real estate in North Central Washington, advocating for private property rights, professional real estate transactions and providing opportunities for education in the real estate industry. One of the organizational objectives of NCWAR is to further the interests of home and other real property ownership. We believe it is important to promote and protect home ownership and property investment.

As stated in NCWAR's previously submitted comments, NCWAR understands the County's goals in trying to regulate short-term rentals ("STRs"), supports the County's mission, and appreciates all the work that has gone into drafting the Chelan County Draft Short-term Rental Code (the "Draft Code"). At this stage, the Draft Code demonstrates the County's hard work to date to create a neutral, well-balanced code and NCWAR appreciates that the County has continued to incorporate comments and feedback from all sides, including the STR Task Force, to develop a code that everybody can live with. NCWAR is generally supportive of the current version of the Draft Code, however submits the following comments as to a handful of provisions that NCWAR believes could benefit from further clarity or from revisions to better accommodate vested property rights.

Section 2(E)(ii)(b) is Overly Restrictive

First, the County recently implemented Section 2(E)(ii)(b) into the Draft Code which implements a forfeiture of legally non-conforming status in the event a property is "changed, altered, extended, or enlarged in a manner requiring a permit issued under Chelan county codes" unless doing so is in order to come into "further conformance" with the Draft Code or to repair unexpected damage. Although NCWAR understands the County's purpose in a restriction that would prevent legally non-conforming STRs from expanding their operations and increasing the impact of the STR use of their property without surrendering their legally non-conforming status, as drafted, this provision overreaches and unduly restricts property owners from exercising their property rights.

Rather than a blanket restriction, NCWAR encourages the County to adopt a revised restriction that allows STR owners to complete remodels, make improvements, and otherwise do anything else that a property owner in Chelan County has the right to do, so long as doing so does not increase the impact of the STR use of that property. Whether it is replacing an old and inefficient (but still functioning) water heater, remodeling a kitchen, or updating plumbing fixtures, so long as doing so does not increase the size or impact of the STR use, the Draft Code should not restrict these STR owners from undertaking such actions that any other property owner in Chelan County has the right to do. Indeed, other provisions of the Draft Code already impose penalties and fines for failure to comply with operating standards, and legally non-conforming STRs should not be subject to additional restrictions that do not otherwise alter the STR impact of these properties.

NCWAR urges the County to revise this provision to limit the forfeiture of non-conforming status only for those alterations, changes, and modifications that would increase the impact of the STR, not those that are ordinary household improvements and projects that all other property owners in Chelan County are permitted to do.

Transferability

Second, NCWAR continues to urge the County to treat STR permits as permits that run with the land and are transferrable, consistent with other land use permits given throughout Chelan County. Given the Draft Code already imposes penalties, fines, and forfeitures for failure to adhere to the operating

standards within the Draft Code, doing so is in accord with the County's current and former practices and provides certainty for both buyers and sellers of real estate throughout the County.

Nevertheless, NCWAR recognizes that the Task Force recommended the transferability provisions as currently written in the Draft Code and that the County is giving due consideration to the Task Force's recommendations, however if the County continues to include restrictions on transferability, there are a number of items that should be addressed so as to increase consistency and certainty going forward:

- First, Section (I)(ii) should be clarified to confirm that the new owner will be permitted to operate under the existing permit as well as renew the permit under the new owner's name the following year. It is unclear as drafted whether the Draft Code would simply permit the new owner to operate for the remainder of the year and then be required to apply for a new permit (in which case there may be no available permits) or whether the new owner gets all of the benefits of renewal going forward, even if under a new name.

- Second, Section (I) presents numerous questions and ambiguities, and Section (i) should be revised to mirror Section (ii) and incorporate the exceptions contained in Section (iii), as there are a number of issues that arise as written. For example:
    - In the event of a death or divorce of an owner, so long as the other owner(s) of the property are still involved, the STR will continue to operate as historically allowed, so why should the permit be forfeited?
    - If an owner dies and there are reservations booked for the remainder of the year, will the personal representative or estate be liable for breach of contract because the permit is not transferrable? At minimum, the Draft Code should contemplate fulfillment of existing contract obligations as being permitted under the STR permit.
    - If an STR permit is forfeited as a result of the divorce, how will a court properly account for the value of that STR to distribute between the spouses? What if the loss of STR revenue stream would significantly impact one spouse's ability to pay child care to the other?

- Third, Section (I)(iii) presents more questions than it answers:
    - How will officers be changed if title is held in "survivorship" with a spouse? Aren't officers tied to companies, not survivorship interests between spouses?
    - Why does the removal/addition of officers constitute a "change"? For example, if an STR is owned by a family-owned company (meaning all owners are within one family), why should the change of one "officer" of the company from one family member to another constitute a transfer, even if they were all owners of the company already?
    - How can a spouse's name be removed from a corporation? What does that mean?
    - Why are transfers for the benefit of a spouse/children limited to a trust? What if the property is transferred to an LLC for the benefit of the spouse/children only, or if the title is transferred directly to their names? Why limit this only to a trust?
    - What if a property is already jointly owned, for example, parent/child, will the parent's death mean the child can no longer use the property as an STR? Even if the child was already the operator during the parent's life?

In light of the significant ambiguity and uncertainty in the Draft Code related to transferability, NCWAR urges the County to remove restrictions on transferability and allow all validly permitted STRs

(conforming or legally non-conforming) to be transferred to new owners, subject to compliance and potential forfeiture for failure to comply with the operating standards within the Draft Code. To the extent the County continues to restrict transferability, the items addressed above, although non-exhaustive, should be discussed and clarified.

General Questions/Comments

Finally, in addition to the points addressed above, NCWAR submits the following questions/comments:

- How does an "operator" who is not an "owner" obtain an STR permit? The Draft Code clearly requires both an "owner" and an "operator" to obtain a permit, but how does an operator obtain a permit if an owner does not? If both an "owner" and an "operator" obtain a permit for a particular property, are both subject to the same fees, or only one?

- If an STR owner already restricts guests' parking (for example, a maximum of 2 cars), why should the Draft Code require that owner add new parking spaces? Recommend revising the Draft Code to require parking spaces to the lesser of: (i) the number set forth in the plan submitted to the County (which number to include 1 space for the authorized representative) or (ii) 1 space per bedroom plus 1 for the authorized representative.

- Given the significant restrictions and permitting requirements that accompany Tier 3 STRs, Tier 3 STRs should be permissible in every zone Tier 1 and 2 STRs are.

- NCWAR is supportive of the first-come, first-served approach adopted in the Draft Code related to permit applications rather than a lottery system. The approach adopted provides certainty and uniformity for property owners rather than the arbitrary lottery system.

- NCWAR is supportive of the ability to designate designees of "qualified persons" – life is unpredictable, and the ability to designate alternate "qualified persons" or have someone else respond when the identified "qualified person" is unable to accommodate for unexpected circumstances.

NCWAR greatly appreciates all of the work the County has done on this issue and believes the County has done an excellent job in navigating this important task. In general, NCWAR believes the Draft Code represents a well-balanced and fair approach and commends the County, Community Development, and the Task Force for all of the hard work in getting the Draft Code to this stage. With clarification on the items listed above, NCWAR is supportive of the Draft Code and believes it to properly account for the respective comments from both pro-STR individuals and anti-STR individuals throughout the County.

We thank you for your further consideration of these issues.

Wendy Lane

From: Ryan Harmaning <ryan.harmaning@gmail.com>
Sent: Thursday, July 1, 2021 5:11 PM
To: CD STRComment
Subject: STR Draft Code Comments - AirDNA data inaccuracies

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

Commissioners,

Thank you again for the time and efforts spent in reviewing the submissions of the Task Force, and hearing from the public on this important matter.

Through the course of these deliberations, a foundational topic I'd like to address, but which has received very little attention, is the accuracy of the AirDNA data used by BERK to estimate the number of STRs in the County.

STRACC and others have repeatedly confirmed (as I did personally for our STR) that the AirDNA site shows a single property's listing for *each* of the platforms they are registered with. Meaning, if our property is listed on AirBNB and VRBO, we count as two *unique* Vacation Rentals. I have screenshots from AirDNAs site that show this. I fear that many assumptions around STR regulation have been made under potentially *greatly* exaggerated assumptions.

I'm happy to concede these concerns if we have assurances that the AirDNA data reported by BERK has been de-duplicated. However if not, this has far-reaching impacts to the Draft Code, public perception, and of course, how you determine when the already restrictive 6% Cap is reached if the numbers of existing STRs is far smaller than originally reported.

Thanks again for your time, consideration, and service.

Ryan and Ruth Harmaning
Kenmore, WA

Wendy Lane

From: Richard Tabbutt <richard.tabbutt@gmail.com>
Sent: Thursday, July 1, 2021 4:15 PM
To: CD STRComment
Subject: STR Comment

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

July 1, 2021

Dear Commissioners:

It is our opinion that the STR ordinance must not be passed as written. Following are our specific comments supporting this position:

STRs Do Not Belong in Lands Zoned for Residential Use
Modern architects of mixed-use zoning welcome communities combining cafes, offices, cottage shops and markets, owner-present bed-and-breakfasts, and residential development in a single area. A residential house being operated as an owner-absent motel housing transient occupants is completely and utterly inconsistent with modern models of residential community development. Therefore, the code should assign Tier 3 status to all owner-absent STRs, confining them to lands zoned for commercial use, and Tier 2 should be eliminated.

The Draft Code Does Not Adequately Address Fire Hazards
Chelan County has many rural neighborhoods that have worked extremely hard to reduce risks of wildfires, including the adoption of Fire-Wise practices, and neighbors look out after each other in this regard. Transient occupants of STRs in these neighborhoods represent a real and very dangerous threat with respect to fire safety. An STR on North Fork Road in our neighborhood was started up in January this year, and during a recent rental children were observed running around with lit sparklers. Therefore, the ordinance needs to contain far more explicit restrictions and requirements regarding fire safety, and further, the ordinance should prohibit the operation of an STR located outside of a fire district boundary.

On-Site STR Management is Needed
While the draft code requires that a responsible individual be able to respond to an STR location within one hour, that is not adequate. Behaviors of transient STR occupants that exhibit complete lack of self-restraint or respect for others must be dealt with immediately, and that requires on-site management. Motels have 24/7 on-site management, and STRs are one in the same as a motel.

No Grandfathering Beyond the 6% Limit
The recommendation of the task force to remove the grandfathering limits of the previous draft code appears to be a reaction to the lawsuit threats of the owner organization and its intimidating website. This "caving in" does not benefit the residents of Chelan County in any conceivable way, and leaves Leavenworth, for example, at 15% STR density for decades to come. The draft code must be changed back to the previous version that achieved the density limits within two years. If the owner

organization wants to sue, we are confident that a court would uphold the lawfully adopted codes of the county, especially since they are highly supported by its residents.

In conclusion, please remember that your responsibility is to the residents of Chelan County, and not to outsiders whose only interest is to cheaply operate a high-income motel here without needing to meet any of the commercial requirements of operating a motel here. The vast majority of Chelan County residents want no more of these STRs in our neighborhoods.

Sincerely,
Richard and Donna Tabbutt
9607 North Fork Rd
Cashmere, WA 98815

Wendy Lane

From: Tom Baranouskas <tomchiwa@nwi.net>
Sent: Thursday, July 1, 2021 4:06 PM
To: CD STRComment
Cc: Patricia Baranouskas
Subject: Draft STR Code

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

Commissioners--We have owned property in Chelan County since 1997 and have lived here full time since 2011. We have seen the negative impacts of the increase in Short Term Rentals, you know those negative impacts well.

Thank you for taking on this challenge to develop an appropriate code to manage STRs. YOUR FIRST PRIORITY AND BIAS SHOULD BE FOR CHELAN COUNTY RESIDENTS. The majority of STR owners do not reside in the county and regardless of the questionable economics they have presented, their contribution is not as significant as that of residents.

The increase in STRs and their negative impact has developed over time and now it is very difficult to recreate the kind of neighborhoods and housing availability that used to be. Your challenge is to put in place a code that clearly shows what that future should look like even if it takes little time to get there.

That said, the Short Term Rental Task Force made agreements based on that better future vision. The most significant of those concessions (which we disagree with since it illegal under existing code) was to accept grandfathering. While we understand negotiations are needed to get to a common agreement, such a major giveaway should be the end of any further concessions to STR owners. PLEASE DO NOT MAKE FURTHER CONCESSIONS TO STR OWNERS.

The current draft has, what we consider areas you should address as you develop a final code.

1. **Line 409:** All prior drafts included all children in the occupancy limits, even infants. Ignoring them will increase the number of older children and adults. PLEASE INCLUDE ALL CHILDREN IN OCCUPANCY LIMITS.
2. **Line 424:** No STRs should be allowed to exceed daytime occupancy limits to hold events attracting many people like weddings. Such events are not compatible with the smaller lots and residential neighborhoods. The only exception would be on a parcel of 5 acres or larger and is directly accessible by a highway. PLEASE DO NOT ALLOW STRS TO EXCEED DAYTIME OCCUPANCY LIMITS.
3. **Line 470:** The noise provisions (Chapter 11.96) that are now in the draft are much too general and difficult to enforce. More specificity will help tremendously in addressing this issue. PLEASE ADD, AS UNALLOWABLE, SPECIFIC NOISE DEVICES LIKE LOUD SPEAKERS, KARAOKE MACHINES, SOUND AMPLIFIERS, OR ANY MACHINE/NOISE THAT CAN BE HEARD BEYOND THE PROPERTY LINE OF THE STR.

4. **Shared Infrastructure** Many STR owners share infrastructure (i.e., septics. driveways, water sources, private roads etc). If they choose to convert to a commercial use, they must get concurrence from the co-owners of that infrastructure and understand that it not a given or automatic. PLEASE ADD LANGUAGE REQUIRING STR OWNERS TO GET OFFICIAL APPROVAL FROM ANY CO-OWNERS OF ANY INFRASTRUCTURE.
5. **Line 203**: We agree that Planned Unit Developments (PUDs) provide an opportunity to provide long term rentals and workforce housing. So we do support them in the proper setting. However, any attempt to include STRs in future PUDs must be required to meet all provisions of this ordinance, including being counted toward the 6% density cap in each zip code. PLEASE CLARIFY THAT FUTURE PLANNED UNIT DEVELOPMENTS MUST ADHERE TO THE NEW CODE IF THEY INCLUDE STRS.

In closing. please think about your county residents first and foremost and do not provide further concessions to STR owners. Thank you for taking on this significant task.

Tom & Patricia Baranouskas
2219 Riffle Dr
Leavenworth, WA 98826

Wendy Lane

From: Mike Waters <michael.waters@gmail.com>
Sent: Thursday, July 1, 2021 4:01 PM
To: CD STRComment
Subject: Regarding the STR Draft

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

Hi there--

I read the draft but it's unclear to me on one point.

I'm a Chelan County homeowner and looking for information on permitted STRs. It appears to me that you're not allowing them in RR5 when it's low density residential zoned which doesn't make any sense to me. You're well over the proposed 200ft limit, have RR5 neighbors plenty far away so it seems like it should be fine? We're owner occupied but wanted to look into dwelling unit use as STR.

Thanks,

Mike

Wendy Lane

From: CINDY MARTIN <fishbeadtwo@comcast.net>
Sent: Thursday, July 1, 2021 3:52 PM
To: CD STRComment
Subject: STR draft code comments

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

Hello and thank you for your time today,

As a property owner and resident of Chelan County, WA I wish to make our concerns heard regarding the proposed draft of the changes to the STR regulations.

Our community (Icicle Island Club) has multiple STR operations being operated in violation of current county code AND our icicle Island Club HOA regulations. As members in good standing of the Club and HOA, we hope you consider the current circumstances here in our community. The HOA prohibits "commercial uses and purposes" and the current iteration of the draft code as written will (if passed) be used by the currently illegal STR operators in the Club as "approval and permission" by Chelan County. If this occurs it will perpetuate the long standing violation of Chelan County code and our HOA bylaws. Can language possibly be added to clarify that the County isn't intending to supercede our HOA bylaws and CCR's?

As a property owner and resident I strongly oppose the grandfathering of illegal STR's especially on non conforming lot sizes (.37 acre average) in our community. I would also request that any STR's in our community, legal or not, be required to hole a CUP, a business license and any applicable insurance to protect our community. Icicle Island Club is a very small place. I have personally seen the negative effects imposed upon us by STR operators. It's not a good day to awaken at 5 AM to young adults wrapped in blankets hanging out on the neighbors vacant lot while smoking drugs and drinking alcohol. Having STR customers drive to fast on our private 1 lane roads with children and pets present in not what our community needs. "Lost" STR customers flipping you off and being obnoxious after being asked if they need help or directions makes it all that much worse. The only upside to STR operations in our community is the King County bank accounts of these club members, that's it.

To have the County grandfather in these operations that have brought nothing but negative effects to the community in addition to violating long standing Code and HOA bylaws and CCR's is akin to rewarding the fox after killing all the chickens in the hen house. Please understand our concerns and use code language that will protect the small residential communities for the code violators and nuisance commercial operations currently operating under your noses.

kind regards,
Charles and Cindy Martin
7055 Icicle Road
Leavenworth, WA 98826

Wendy Lane

From: Suzanne Stanton <stanton.sm@gmail.com>
Sent: Thursday, July 1, 2021 3:51 PM
To: CD STRComment
Subject: Neighbors NOT Strangers

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

Dear Chelan County Commissioners

You will most likely recall that we have written several times over the past twenty years, requesting support in preserving and maintaining residential neighborhoods as residential neighborhoods, in compliance with current Chelan County residential coding.

Since the commissioners and Chelan Co's Office of Community Development have finally decided to research and address the issue, my question is why are you protecting non-residential owner's invasion and commercialization of our neighborhoods? Why not "grandfather" in long-time neighborhoods where residents wish to remain a neighborhood?

After listening to many owners of short-term rentals, in residential neighborhoods. I find it interesting that many of these owners have only recently, (within the last five years or so) began buying property with the sole intention of renting it short-term. Two of the most recent rentals in the Dempsey Rd. neighborhood, began short-term rentals in August 2020! They rushed them to the market because they heard the county was finaling trying to address the issue.

Residents of our neighborhood cringe each and every time a full-time resident needs to sell their property and generally it is because they have aged and cannot deal with the snow and/or the fire season trauma that presents itself to us residents yearly. One recent sale displaced a great neighbor, who reached out to the owner of a house who lives in Virginia, and was quoted $7,000/month for rent! Now he and his partner are homeless!

Short-term rentals are destroying neighborhoods in Chelan County and all over the world!

Here in Leavenworth, residents pay some of the highest property taxes. Is that why the county and the commissioners, who are under the influence of the recent commissioner elected by STRACC members to destroy our neighborhoods for selfish profits, have agreed to STRACC pressure to change the committee's recommendations and compromises to address STR coding? For money? For Chelan County's coffers? It certainly appears that way.

Have any of you noticed the impact on the Leavenworth community? Try to park in the city's parking lot to visit the library, on any Saturday? Try to exercise via cycling, running or pushing a child under the age of two (but don't count them as an occupant), on E. Leavenworth Rd because Hwy. 2 is jam-packed with vehicles full of renters who don't like motels any more but would rather stay in our neighborhoods and jeopardize our safety and liability! What justification is there in doing this, is it to add more tax monies to the county and/or so the accessor can raise our property taxes because "she" has decided that our property now has "income potential!"

I ask each and everyone of you decision-makers to think about the future and the future of Chelan County. And ask yourself where are our residents who work here and vote going to live? You are increasing homelessness. You are destroying not only Leavenworth, but Manson and all other out-lying regions that have been overly promoted for tourism! When does it stop? When will you treasure what we have and "say enough!" We give the mayor of Leavenworth credit for saying stop, a change is needed. The city closed Front St. and it is staying closed.

Have the courage to do what is right for the constituents who live, work, vote and take care of their property. Don't be bribed by the newly-elected commissioner who has forgotten that Chelan County includes residents, not just STRACC

members who funded her election to the county commission with the sole purpose of destroying "our neighborhoods!" for profit.

Oh, and by the way, the census counts children who are two and younger as people. Airlines may give them a free ride on a jet, but they are still counted as passengers because of safety and liability issues. If the commissioners decide to NOT count them as transient renters would you not be creating a liability issue? Especially when safety should be a priority when any regulations are changed or updated. And please recognize the fact that children under two do impact a septic system! After all, everyone poops! What do renters do with their child's poop, take it home?

Please keep such codes consistent. Children are people, not lap dogs.

Realize too, that in the court system neighborhoods are beginning to win.

Thank you for listening, we hope that you will think before you decide to destroy "our neighborhoods".

Sincerely

Suzanne & Thomas Stanton
46 McMahon Rd. (adjacent to Dempsey Rd. where we have lived since 1985)
Leavenworth, WA 98826

Wendy Lane

From: Kari Sorensen <blueberrykari@gmail.com>
Sent: Thursday, July 1, 2021 3:41 PM
To: Tiffany Gering
Cc: Bob Bugert; Kevin Overbay; Jim Brown; Kathy Blum; Cindy Smith; Pat Hautenne; s lester; Kari Sorensen; Carl Blum; Kirvil Skinnarland; E John Agnew; Ken Longley
Subject: General housekeeping issues for latest proposed STR Codes

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

Tiffany:

The Manson Community Council would like to comment on some general housekeeping issues we believe should be addressed throughout the current "BOCC Hearing Draft June 2021" STR codes.

Lines 200-204: Tier 2 and Tier 3 short term rentals ARE subject to the maximum cap in Manson UGA. Only Tier 1 is not subject to the cap. (For clarification, it was also our intent that any STR's inside planned developments in Manson UGA ARE to be counted toward the cap.)

Lines 231-233 are identical to Line 212–21. Why is it repeated? In addition, what does it mean? It's confusing because it refers back to another code which references back to another code and so on.

Line 252 It states: "from all points of the existing short-term rental structureS – structure should be singular. There is only one STR allowed per property.

Lines 250-255: We believe that distances between STR's should be measured from the closest lot line. It would streamline things.

273-278: Inside Manson UGA the lot sizes are incredibly small and parking is one of the most volatile neighborhood issues we have. We want to make sure that when it states "*all health and safety provisions* consistent with Section 11.23.040..." inside Manson UGA that it includes that all parking be in compliance "...at the effective date of this ordinance." In addition, emergency vehicle access.

281-282: Liability insurance should be required immediately, per RCW 64.37, not within 90 days.

358-363: "(iii) Nonconforming Short-Term Rental Units in Manson UGA. Where a short-term rental located in the Manson UGA, only those rentals that were properly registered as a vacation rental and meet criteria in Subsection (2)(e)(i), shall be considered legal nonconforming according to Chapter 11.97 CCC, *provided the short-term rental is allowed a grace period of operation in which to fully attain compliance with all current rental standards as provided in Subsection (2)(E)(i) above."* They should already be complying in order to be grandfathered in inside Manson UGA. Manson Community Council consistently asked for "100% perfectly complying" throughout the Task Force process.

394-397: Owners should only be able to advertise and rent one SELECTED rental on a parcel. If the owners are allowed to switch back and forth, there will be two listings out there. It would allow the owner to believe that no one is watching and to take rentals in both dwellings and would also encourage renters to rent both together. The license application should be specific as to which building is being rented.

412-414, 147, 420, 422. Occupancy limits need to be set per bedroom including all occupants. All children, regardless of age, must be counted. The Task Force agreed across the board to this without objection. This agreement also dates all the way back to the Planning Commission and backdated proposed STR Codes from the County Commissioners. It should not be changed now.

432: "...greater than 2 years old...." needs to be removed.

479: "Two verified violations....". We are asking for a definition of "verified." Does this include proof by way of pictures or videos taken by neighbors?

518-521: "Annual mailings to adjacent properties and an interior posted notice for tenants in lieu of an exterior sign...". We strongly believe that a placard must be visible on the STR structure that clearly states number of tenants, license number, address, contact information of owner and property manager, etc. For neighbors to have to rely on finding a specific piece of paper is a burden. This information needs to be available at all times and to anyone. In addition, it identifies the structure as being an STR, which is only fair to neighborhoods. This will deter them from continuing operations under the table.

559-560: For the property management plan, we feel it is important to have them include a map of all onsite parking and make this available to the neighborhood.

590: We feel it's important that if they advertise (anywhere) occupancy limits above what is allowed that this is cause for immediate revocation of their license. This includes any additional violating issues as well. Advertising is proof.

782: Again, 3 years for transferability, instead of the 5 it was changed to.

812-815: We believe it should state "number of maximum occupants" in this area as well.

865-870: Because occupancy is based on number of "bedrooms" within a home, we disagree with the language "a 'bedroom' means either enclosed or open areas within a structure being used as a Short-Term Rental that provides sleeping accommodations such as mattresses, beds, sofa sleepers, roll away beds, day/trundle beds, bunkbeds, murphy beds, etc. ..." So, let's look at the code we are in the middle of creating. It's entirely based on number of bedrooms. This is why it doesn't read "2 per bedroom + 2." That "+2" would be for the hide-a-bed in the living room. As a task force we all agreed on the "per bedroom" to limit volume of people on a property. If you are going to allow "sleeping areas," what is there to limit the number of guests on a property? Nothing. As long is there is a bed available anywhere on the property, they can fill it. They could stuff every corner, living room, open pantry area, covered deck--all areas of the home with beds and then call it good? This encourages overuse and it's unfair to our residential neighborhoods. Please adjust this to read "per bedroom." Additionally, if the County's GIS system lists the home as a 4 bedroom and there are 12 people in the home, it's correct to assume they are over occupancy. HOWEVER, if "sleeping areas" are allowed.

We appreciate your time.

Manson Community Council
Kari Sorensen, Chair
Kathy Blum, Vice-Chair
Cindy Smith
Gordon Lester
Pat Hautenne

Wendy Lane

From: Sandra Butler <butler83cox@gmail.com>
Sent: Thursday, July 1, 2021 3:41 PM
To: CD STRComment
Subject: Comments on STR's

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

July 1, 2021

Dear County Commissioners,

I am a full-time resident of Chelan County. For 24 years I have resided at 16060 Cedar Brae Road Leavenworth, WA 98826. I oppose STR's because I believe they are illegal: commercial businesses are not allowed in residentially zoned areas. STR's are detrimental to our neighborhoods, our communities, and the residents of Chelan County.

I am aware of the County's Short Term Rental Task Force and their recommendations to the Board of Commissioners. Please do not grant any more concessions to STR owners—90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses.

I am asking that you do not undermine the STR Taskforce Consensus on Short-Term Rentals. Honor the official taskforce consensus. Specifically, that all children are people, regardless of age, and must count in the occupancy limits.

Please ensure code enforcement is robust and fully funded. Bad actions by STR owners should result in significant consequences.

Thank you for the opportunity to provide comments. Please protect the rights of residents!

Sincerely,

Sandra Butler

16060 Cedar Brae Road

Leavenworth, WA 98826

Wendy Lane

From: owl367cox@nwi.net
Sent: Thursday, July 1, 2021 3:25 PM
To: CD STRComment
Subject: STR Comments

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

July 1, 2021

Dear County Commissioners,

I have been a full-time resident of Chelan County for 24 years. For all those years I have lived full-time at my home on the south shore of Lake Wenatchee: 16060 Cedar Brae Road Leavenworth, WA 98826. The issue of short-term rentals is very personal to me because it affects where I live each and every day! I am asking you to protect my home, my right to a residential experience as outlined in the zoning code, and to put the well-being of residents and neighborhoods above STR owners' pursuit of money despite STR's detrimental impacts to our community.

I spoke at the STR public hearing on June 29. It was heartbreaking to hear the stories of several residents whose quality of life has been ruined by STR's in their neighborhoods! Some were forced to move and others described the daily hardships they face because of STR's. Something needs to be done immediately – can more code enforcement occur now? Do residents know how to report STR problems and will the County take action? This should be a top priority now and it should be clearly addressed in the new STR code so that problems can be addressed and resolved. Clearly, what is happening now is not working and the residents are suffering. Code enforcement is critical.

The residents who were appointed to serve on the County's Short Term Rental Task Force agreed to accept grandfathering of most existing short term rentals despite the fact that they are all clearly illegal under the existing zoning code. They made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is unacceptable for more concessions to be granted to STR owners—90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

I am asking that you do not undermine STR Taskforce Consensus on Short-Term Rentals. Honor the official taskforce consensus. **Specifically, that all children are people, regardless of age, and much count in the occupancy limits.**

In addition, please include the following provisions in the code to protect residents and neighbors of STR's:

- **Provisions to Exceed Daytime Occupancy (Line 424).**Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.
- **Noise (line 470)**

Please add more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. A specific standard for short term rentals is needed that is explicit and easy to enforce. Please add the following language:

"In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times."

- **Shared Infrastructure**

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.

Thank you for listening. Please adopt a code that protects my home and our neighborhoods!

Sincerely,

Mary Cox

16060 Cedar Brae Road

Leavenworth, WA 98826

Wendy Lane

From: Rick and Jacque Hyler <rjhyler@gmail.com>
Sent: Thursday, July 1, 2021 3:15 PM
To: CD STRComment
Subject: str comment

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

County Commissioners

My main concern is for accountability. There should be penalties for non compliance and an easy way for people
who live here full time or don't rent out their homes to notify someone to address the problem within a very short period of time.

I also believe that the maximum share of STR's in Manson should also be at 6%, like most every other location and that all occupants should be counted.

Thank You
Rick Hyler
801 Cloudless Dr
Manson, WA 98831

Wendy Lane

From: Russell Boggs <rlzboggs@aol.com>
Sent: Thursday, July 1, 2021 3:12 PM
To: CD STRComment
Subject: STR

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

I am writing to address the issue of the STR in Chelan county. I am asking you "grandfather our neighborhoods" and keep our neighborhoods for our neighbors and families.

Sent from my iPhone

Wendy Lane

From: royce.woody2@nwi.net
Sent: Thursday, July 1, 2021 2:40 PM
To: CD STRComment
Subject: rentals

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

Comments on nightly rentals.

My name is Roy Schiferl and my wife's name is Joyce. We live in Leavenworth and are very concerned about the Short Term Rentals. We have them on both sides of us and across the street. They take away any formation of a neighborhood. We used to have occasional neighborhood gathers , but not anymore. Now what we have is loud music, racing cars in and out and people that flat out don't care. In your proposal you suggest "grandfathering" the nightly rentals. How about "grandfathering in our neighborhoods instead. Let's face it, these are businesses being run in our residential neighborhoods. Suppose I wanted to do a truck repair, or run a bakery in the residential neighborhood, how long before I would here from the code enforcement people. The same needs to apply to these businesses.
We have called the law enforcement many times about noise, being threatened, and trespassing. How does this make our neighborhood better.
As far as I'm concerned short term rentals should happen in only commercial zones. Please don't destroy our neighborhoods any further.
STOP SHORT TERM RENTALS

Wendy Lane

From: Mimi Keller <mimikeller5@icloud.com>
Sent: Thursday, July 1, 2021 2:38 PM
To: CD STRComment
Subject: STR restrictions

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

I am a resident of Leavenworth - have been for 20 years - have lived in the valley for 42 years.
My husband and I had our old mill-town house torn down and built our new house on our existing lot - we did this because we love our neighborhood!
We have seen many changes in our community - some good - someone so good. The STR issue has the potential to cause great harm to our residential neighborhoods.
Please Grandfather our Neighborhoods and enforce significant restrictions on STRS.
Thank you!
Mimi Keller
135 West Street

Wendy Lane

From: Shannon Fallon <shaleefallon@gmail.com>
Sent: Thursday, July 1, 2021 2:11 PM
To: CD STRComment
Subject: Short Term Rentals

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

My name is Shannon Fallon and I work for Cascade School district and own two homes in Leavenworth. My primary home is on East Leavenworth Rd. I have large vacation rentals on the hill above me and a new one going in across the street (though not one of these is legal under current code).

My second, investment home, is in Leavenworth proper and because we were following code AND would like to contribute to the well-being of our town and provide housing for our neighbors, it is a long term rental. Yes, this decreases the amount of money we can make, but we are following the written and published code.

This is the second letter I have had to write. I am furious and honestly disgusted. I shouldn't even have to take time to write this as the code is already written. All you, the commissioners need to do is enforce the code that is already in place and published. If someone purchased a house but didn't look into the codes, I am sorry, but that is not a reason to not follow the law. If I am speeding, but didn't see the speed limit sign that doesn't mean I don't have to pay for the ticket. Why/ how is this different?

As a teacher, how am I supposed to address this with my students. Should I tell them that if you ignore the law, pay for the right lawyers and make enough money, you don't have to follow the law? This is a horrible lesson to teach my students, but yet our elected officials are currently the example for this horrible lesson. This makes me sad.

Our town does not have enough housing or affordable housing. We are hiring several new teachers to our district that aren't going to be able to live and work in our town because there are no houses available. Why is it that our elected officials are ignoring the code/laws that they have created and written? Why are you, the commissioners, allowing people that have broken the law to dictate or even have a say in this decision making?

Tier 2 and Tier 3 STR are COMMERCIAL. They should only operate within commercial zones or by gaining a special use permit that should be sparsely administered.

Please listen to your constituents, the people you are tasked to represent that live and work in the town you are representing. Overwhelmingly, the residents of Leavenworth and Chelan County want Tier 2 and Tier 3 to remain commercial and must only be functioning in those zones.

Respectfully,

Shannon Fallon
Nationally Board Certified Teacher
Cascade School District

Wendy Lane

From: fweiss-wa@nwi.net
Sent: Thursday, July 1, 2021 2:05 PM
To: CD STRComment
Cc: fweiss-wa@nwi.net; 'Catherine'
Subject: Updated Short Term Renters

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

Commissioner Tiffany Gering,

Because of the noise, drinking and abusive behavior by renters near our home we chose last year to move a quieter area in Manson. For many residents they have no choice but to put up with problems caused by short renters.

I trust you will support updated renter rules and regulations that address these issues. It is especially important that new regulations are enforceable. The citizens in Manson are counting on you.

Sincerely,

Fred Weiss
720 Loop Avenue
Manson, WA 98831

Wendy Lane

From: Michelle Snyder <michellesnyder01@hotmail.com>
Sent: Thursday, July 1, 2021 2:03 PM
To: CD STRComment
Subject: Future Permitting

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

Dear Commissioners

Please remove the verbiage regarding future permits for properties who are grandfathered. STRs take great pride in their property appearances and comforts and many of the repairs requiring permits are a benefit to not only their property, but those in the surrounding area. While I understand the intent is to curb STR owners from making larger septics or adding on additional bedrooms, as written it is encouraging properties to fall into disrepair and become not only an eyesore, but a safety liability.

Examples:
•adding on electrical for a generator for the times the power is down due to storms •installing a retaining wall for crumbling landscaping •adding an AC unit for these 100+ degree days •fixing a deck that is sagging and needing additional supports •installing a fence to keep deer & other wild life out, or keeping children & dogs in.
•just about *anything* with a manufactured home requires an L&I permit •changing roofing materials, ie composite to metal roof

...and the list goes on.

Thank you for reconsidering this section of the code.

Sincerely
Michelle Snyder

Wendy Lane

From: Kari Sorensen <blueberrykari@gmail.com>
Sent: Thursday, July 1, 2021 1:50 PM
To: Tiffany Gering; Bob Bugert; Kevin Overbay; Jim Brown
Cc: Kathy Blum; Cindy Smith; Kari Sorensen; Joan Lester; Pat Hautenne
Subject: Grandfathering issue

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

Thank you for taking the time to respond and your willingness to look closer at what was actually agreed to for Manson UGA during the Task Force meeting process.

Manson needs more STR's to support our businesses which are highly tourist supported, which is why it's so critical that we remain at the agreed upon 9% cap and 3-year transfer. In addition, this also supports the need to address other constituents' concerns about the overall volume of STR'S in Manson. We believe this combination will be a "win-win" for all parties. Please remember Manson also has an influx of an additional 1800 people per day from Memorial Day to Sept 15th who stay at Wapato Point, per Eric Featherstone, General Manager of Wapato Point.

Once transferring stops in 3 years residents of Manson will begin to feel like they won't be endlessly stuck living next to an STR. This will also allow other folks who desire to have an STR the opportunity to apply for one as well. We believe this gives the best to both groups of Manson residents.

In addition to the 9% cap and 3-year transfer, we like, and agreed during the Task Force process, to the current draft code language as it is written on lines 283-295 regarding grandfathering within Manson UGA. They MUST have held an STR license previously, as was our position throughout the entire Task Force process. We hope this will go unchanged.

Thank you.

The Manson Community Council,
Kari Sorensen, Chair
Kathy Blum, Vice-Chair
Cindy Smith
Gordon Lester
Pat Hautenne

Wendy Lane

From: Christopher E <epic1999@hotmail.com>
Sent: Thursday, July 1, 2021 1:17 PM
To: CD STRComment
Subject: STR Comment

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

The proposed STR code is onerous, cumbersome and costly to implement. It creates the need to hire a new crew at Community Development at taxpayer expense. All of these new proposed regulations should be thrown out and a new, simpler version implemented:

1. A CUP permit is ridiculous for a vacation rental requirement. The Planning Dept is down to 2 planners and is 2 – 3 months behind in approving CUP's for building requirements. They are already operating very inefficiently. Why pile more on a department that can't keep up?
2. Anyone who is currently operating a vacation rental should be grandfathered prior to implementation of any new code. Just make this simple for everyone.
3. **The excuse that vacation rentals adversely affect the housing stock is an emotional appeal, not a factual one**. I will not rent any part of my home to long term renters. **Long term renters do the most damage** and cause the most trouble for homeowners and neighbors. I own numerous rental properties in other areas of this State and I see the damage every day. One of my tenants just burned down a rental house recently. I won't be compensated fully for the cost to rebuild. **Why should a homeowner even rent to any long term tenant with an eviction moratorium in place? The State legislature has made it almost impossible for a tenant to be evicted with new anti-landlord regulations taking effect now. You can blame lack of affordable rental housing on these policies along with very high property taxes.**

   Additionally, expensive homes used as vacation rentals do not impact affordable housing. Affordable starter homes are not in the million dollar range. If you want to limit the number of rentals to 6% of the housing stock, **remove any homes valued above the median home price from the affordable stock**. The small homes and condos that are in the affordable range are in higher density areas with neighbors in close proximity. It would make sense to cap short term rentals at a low percentage in these areas and use the lottery method to award the permit.
4. My home in Chelan County is on large acreage. **Why even have these onerous rules for homes on 10 acres or more? This is ridiculous over reach by the County Code writers.**
5. It is a **violation of a homeowner's privacy to have to post their name and phone number on a streetside sign**. I would never do this. It is inviting problems from criminals, pestering from realtors and salespeople. It is also a violation of one's privacy to have the County send out flyers and letters to all your neighbors. I have a bad neighbor who has been very difficult with everyday matters. It is his personality type that he has to meddle in everyone's business and try to upset all the apple carts to deprive you in any way he can. I would consider it a threat if he were involved in any say over my property or my business.
6. The County's aversion to approving ADU's has contributed to the lack of affordable housing.
7. A $500 annual fee to operate a barely profitable vacation rental which doesn't even cover the property tax bill is outrageous and unnecessary.
8. **The prospect of not being able to improve one's own property if one has a non-conforming or unpermitted STR under these rules will be found unlawful in the Courts**. Construction permits to remodel and improve one's property provide high paying jobs in the community. When I read this code, I feel that STR owners are being treated like criminals. It is shameful.
9. I don't think the CD folks writing the Draft Code **understand the difficulty in obtaining an insurance policy protecting an STR home**. Currently, the Insurance Commissioner's office is failing to provide authorization for Insurance Companies to offer such coverage. There are only 2 large carriers in the State that offer STR riders. Even so, a homeowner must have all their home, auto, umbrella with these carriers to obtain this

coverage. Homeowner's policies are very difficult to get in Chelan County due to fire hazard areas. Regulations for Insurance Companies in the State are changing June 19, 2021. You can't even get a quote for insurance right now.

10. **Lastly, I don't feel the Codes being written by Community Development folks embody the intent of the team who put together the STR recommendations**. What that team wrote recognizes the important contribution of STR's to the local economy. The Draft Code by **CD treats STR owners like worthless criminals responsible for all the ills of society and lack of rental housing. It is punitive, onerous and difficult to understand.**

THROW OUT THESE DRAFT CODES AND START OVER WITH FAIRNESS AND RESPECT FOR PRIVATE PROPERTY, PRIVACY AND HOMEOWNERS WHO DO NO HARM WITH THEIR SHORT TERM RENTALS. FORGET THE PUNITIVE MORATORIUM AND MAKE ALL RENTALS ABLE TO APPLY FOR PERMIT AT THE DATE THE NEW CODE TAKES EFFECT. REMOVE EXPENSIVE HOMES FROM THE POOL OF AFFORDABLE HOUSING AND CAPS. REMOVE ALL STR RESTRICTIONS ON HOMES WITH 10 ACRES OF LAND. REMOVE UNLAWFUL LANGUAGE ON DENYING ONE'S ABILITY TO IMPROVE THEIR EXISTING PROPERTY.

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Thursday, July 1, 2021 1:05 PM
To: CD STRComment
Subject: Article: Second Homes Boost Chelan's Retail Sector

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

Commissioners,

Bringing to your attention this article in the Wenatchee Valley Business World today as it relates to the benefits of second homes and STRs in the county.

https://www.wenatcheeworld.com/wvbusiness/second-homers-boost-chelan-s-retail-sector-we-re-anticipating-the-busiest-summer-season-ever/article_7d98d36a-d142-11eb-a779-f3aebf0d4133.html?fbclid=IwAR3MmMd17dUbjbZIKu-UfMnNT3hHQ0-QjRVfHQfPS6ETEI5o3qenygScbvE

Wendy Lane

From: Stephen Hufman <stephen@nwi.net>
Sent: Thursday, July 1, 2021 1:05 PM
To: CD STRComment
Subject: STR

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

Dear Commissioners:

The STR situation has gotten out of hand. Please protect and 'Grandfather' our neighborhoods not the STRs. These large commercial overnight lodging establishments belong in commercial zoning, not in our neighborhoods.

Please: restrict the STRs.
Please: protect our neighborhoods.
Please: enact strict and enforceable regulations on the smaller STRs where the owner lives on site.

You are elected to protect us, the Chelan County residents.
Please do so, right now.

Sincerely,
Stephen Hufman
Long time Chelan County resident
Leavenworth

Wendy Lane

From: patti <patti@pattibosket.com>
Sent: Thursday, July 1, 2021 12:30 PM
To: CD STRComment
Subject: Str comment!

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

Long time resident at 11025 eagle creek road.
The vacation rental has been hard for us all of my family members.
Number one concern noise, I can't count the times we have been woken up by screaming, partying, loud, by vacation rental renters. We have tried to talk to owners and renters. They don't care and continue on.. I'm so sadden of the lack of infrastructure in our valley. We have to have regulations, or people will abuse and use no matter the costs. Number 2 the amount of speeding traffic. Number 3 amounts of trash, number 4 trespassing. I want to ask all commissioners how would they feel, if their next door neighbor was a vacation rental. And you had to deal with all the noise.
Number 5 no housing for rent, and unbelievable rise in housing costs.
Lived here 40 years our sons can't afford to buy a house..why let big outside investors who do not care about community, schools etc come in a suck all the joy for all who have worked so hard to make a life here.. please be the one to make a good change for all.
Thank you
Vince and patti Bosket

Sent from my iPad

Wendy Lane

From: Camp Fuller <campfuller@yahoo.com>
Sent: Thursday, July 1, 2021 12:27 PM
To: CD STRComment
Subject: Draft STR Code

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

Dear county commissioners,

I have many concerns with the current draft code. At the heart of it is the fact that short-term rentals are commercial in nature.

I would like to state that I'm not against a tourism industry or tourist and I'm a strong believer in private property rights. I don't believe though that a desire to have a strong tourism industry should trump the rights of residential citizens in our communities.
After all what good is it to live in a home in Chelan county if you cannot enjoy all of the aesthetics that you purchased it and chose this for. When I chose the location of my home I had the option of choosing to locate in a commercial area or abutt up next to a commercial area where I would understand the aesthetics that come with that.
Allowing short-term rentals to be inserted in the middle of well established residential neighborhoods is wrong. Allowing non-owner occupied short-term rentals in residential neighborhoods is probably as bad or worse than allowing a small hotel in the neighborhood, at least the hotel generally has a manager on site.
Grandfathering short-term rentals that were started illegally in these neighborhoods is wrong. If we take that approach each of us should be able to choose what rules we want to follow and what we don't want to follow, why should I respect any other rules. Those who invested in short-term rentals should have done their due diligence and gotten clarity on what they were investing in just like any other investment and commercial market. They took a risk on betting that doing something that was not legal in the county would pay off. They also did this without consideration of their neighbors.
I would like to see something that is adopted that would would allow only a limited number of owner occupied STRs in residential neighborhoods and would confine non-owner occupied STRs to areas that are commercial or could be clearly seen not to interfere with neighboring homes enjoyment of peace and safety.

It is clear that a lot of money is being inserted into this discussion by parties outside of our communities. They have purchased a county commissioner, they are spending a great deal of money to promote their commercial operations. It would be a sad day to see the commissioners bend to interest of a small well funded group of non resident business owners over the desire of the citizens of the county to enjoy commercial free residential areas.. We cannot stop change but we can certainly manage it in away that keeps our communities connected and safe.

Respectfully,

George Camp Fuller, Jr
12290 Village View Drive
Leavenworth, Washington

Sent from Yahoo Mail on Android

Wendy Lane

From: Don Eikenberry <doneikenberry@hotmail.com>
Sent: Thursday, July 1, 2021 12:03 PM
To: CD STRComment
Subject: Final comments on STR

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

Don Eikenberry here. Born, raised, and live in Chelan Co. Class of 79, WHS, primary residence in Chelan and own an STR on the Leavenworth golf course.

The smartest and fairest thing the BOCC did was form the task force. Both sides had an equal number members and I think it's fair to say they came up with balanced draft recommendations for the BOCC. You were never going to get a fair draft out of the PC due to most of their members being somewhat prejudiced against STR's (I watched all the meetings). Thankfully, the BOCC saw the PC's draft was not going to work and the best way to fairly amend it was with the task force. Job well done and I think we finally have a fair draft.

In case anyone was keeping score, the public hearing had about two thirds of the responders on the pro-STR side, and EVERYONE was given a chance to speak. Even the anti-STR side frequently supported the task force's recommendation and asked that they be followed.

While I support the task force's product, as a taxpayer in Chelan County, I do think the grandfathering issue needs to be addressed. There were a few STR's that were not able to be in operation prior to Aug 25, 2020. As you know, there is no STR permit required by the county (except the Manson UGA) and as of today, there is no STR code. People made plans to start STR's with the expectation that there would be no issues. Then, the covid slowed everything down. Many provisions and exceptions have been made in codes and laws due to the covid. It seems like it would be a good idea to allow those working towards an STR, at least in some capacity, to be allowed to be grandfathered. This was not in the task force recommendations but as a resident and taxpayer in the county I'm worried about the lawsuits that I will have to pay for that will challenge the fairness of the grandfathering issue. It would only effect a few STR's if you move the date of grandfathering up to the date the code becomes law or somehow make an accommodation for those who were shut out by the moratorium.

I think the main reason some residents hate vacation rentals is due to nuisance complaints. Noise, parking, garbage, and late night drunken behavior. Of course, all of this is equally a problem with locals, as well, but when the issue is a nightly rental, it seems to become a bigger complaint. So, code enforcement will be huge. BOTH sides want this. As a taxpayer in Chelan County, I'd love to see stronger code enforcement with more personnel involved. You don't need fully commissioned (and expensive) law enforcement, to do that job. I know the three commissioned code enforcement officers are worth more to the county as they can do other duties. But it would make more sense to back that up with lower paid staff with a marked vehicle, like a security guard, to be available to more quickly respond to complaints and increase the code enforcement bodies. Help project that code enforcement is important and that we take it seriously.

Anyhow, thank you for reading my musings, and considering the opinions of ALL in the construction of the STR code.

Don Eikenberry
Chelan, WA

Wendy Lane

From: Robert Johnson <rh1johnson4@hotmail.com>
Sent: Thursday, July 1, 2021 12:03 PM
To: CD STRComment
Subject: Resident comment on str

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

STRs are controversial because their existence creates so many conflicts with community values and the ability to live peacefully with others who generally respect their neighbors because they know them.
A homeowner is the only true stakeholder in this discussion. A homeowner contributes their life, their family , their very existence as well as sales taxes, gas taxes to the local communities. They give much to the local eco o my and community. Out of area Owners of strs are extractors. They take housing off the market creating shortages for full time residences. They extract profits and reinvest, spend and generate sales taxes elsewhere . While much is said about job creation of low paid service workers for cleaning is STRs nothing is said for jobs lost through their contribution to a tourist based economy that squeezes out higher paying jobs as they flee to lower cost communities.
The result of this relatively unrestrained growth has been a complete disruption of our local community . Young people who grew up here cannot afford to stay because the STRs have taken so many single family homes. Industries with viable careers for people have left.
STRs have helped creat a distorted leisure based economy that limits opportunity to live, work and own for regular citizens and enriches a fortunate few who have taken advantage of software, low interest rates and squeezed out those who actually make up our community.
As this continues it will hollow out leAvenworth until there are commercial building owners, retail owners, str owners and low wage service workers helping them get rich and ship their money out of town.
Robert Johnson
1253 Nighthawk Ridge Lane
98826

Wendy Lane

From: John Neff <johnneffnow@gmail.com>
Sent: Thursday, July 1, 2021 11:57 AM
To: CD STRComment
Cc: Friends of Leavenworth
Subject: Short Term Rental Code

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

Dear Board of County Commissioners,

As PRSA residents of Leavenworth for ten years, we are extremely concerned about the June 30 hearing on by the BoCC regarding STR code.

It is reported there was a 60/40 split with more STR owners testifying versus residents. It appeared ALL the majority of STR owners were westside owners of large houses. Those STR advocates were out of area business interests protecting their business interests, while residents were "just" protecting their homes and neighborhoods. Apparently not a single Tier 1 owner testified.

Concerns

- Allows tier 2 and 3 (absentee owner) in residential areas. STRS are a component of a tourism economy, but such businesses should be appropriately located in commercial, resort or widely spaced residential zones that separate these business away from residential areas.
-

  Current short term rentals would be grandfathered. Currently 15% of the housing stock in the 98826 zip code are short term rentals. Although a cap of 6% has been recommended, attrition could take decades.

Should the STR owners prevail, it would be a major degradation of quality of life for residents. Already in Leavenworth is inundated with the negative impact of over-tourism, traffic mania, disrupted neighborhoods, renters who care little about residents and more.

Why is there such an EXTREMELY short period of time for comments on this hearing?

Who's interest are being served? What are the bottom line values being served?

Our demand is that BoCC "Grandfather our Neighborhoods" and impose and enforce significant restrictions on STRS.

Thank you.

John Neff

Wendy Lane

From: JUDY CHAVEZ <judyr_20@msn.com>
Sent: Thursday, July 1, 2021 11:54 AM
To: CD STRComment
Subject: STR codes

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

It is time for our board reps to recognize and value this community and the residents that live here. More and more we see homes bought and turned into STR by non-residents from other areas. This has increased the negative impact on the community as a whole. It is time to impose and enforce significant restrictions on these rentals, especially those owned by non-residents. Please take our requests seriously. Our beautiful and peaceful region is at risk. Stand up for those who live and work here.
Thank you, Judy Chavez

Wendy Lane

From: Jordan Brown <goducks@me.com>
Sent: Thursday, July 1, 2021 11:42 AM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment Tier 1 W/Two existing STRs

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

To whom it may concern,
We are owner occupied married couple.
We have a five bedroom septic design.
We have operated two STRS from our home for the past two years.
Each has one bed and is limited to two persons occupancy.
Please do not limit our future by elimination of our second unit. It has no greater impact than operating a single unit that has two beds.
We request that our second existing STR also be grandfathered not eliminated.

Jordan Brown
509 679 1123

Jordan Brown
509 679 1123

Wendy Lane

From: Peter Dykes <dykespr@gmail.com>
Sent: Thursday, July 1, 2021 11:42 AM
To: CD STRComment
Subject: Please Grandfather our Neighborhoods

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

Please don't stand behind wealthy investment property owners before the members of the local community.

Please impose and enforce restrictions on short term rentals. The housing market is destroying local communities and with it taking away potential employees for the jobs this area supports. We need people living in our neighborhoods. People need to be able to afford living in their neighborhoods. Please stand up for the people of your community, they need your help right now.

Sincerely,
Peter Dykes

Wendy Lane

From: Karen Turner <karenandmonty@gmail.com>
Sent: Thursday, July 1, 2021 11:41 AM
To: CD STRComment
Subject: Protect our communities...

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

Good Day Commissioners,

My name is Karen Turner and I am a long term resident of Leavenworth. My address is 12640 Icicle Pl, Leavenworth WA 98826. I provide this information to assure you that this is my home and I am part of this community.
Today our community needs your protection.
Let me state this simply. Out of town investors do not have a commitment to the fabric of our community. The purpose for most is to realize a profit on their investment. This I can understand however when it is at the cost of quality of life for those of us who live here, work here and support our neighborhoods, it has gone too far.
I beseech you to uphold the protections proposed by spokespersons. This would be "Grandfather our Neighborhoods" and impose and enforce significant restrictions on STRS.
Do this as though you lived right next door to me and like me want to preserve what is left our little town.

KT
Sent from my iPad

Wendy Lane

From: dana@tlks.biz
Sent: Thursday, July 1, 2021 11:24 AM
To: CD STRComment
Subject: [Possible Spam] STR Comment

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

Hello,

I would like to weigh in on the great STR debate.

My situation is a bit different. I have a parent who is ill and in order to go help my mom long term I would need to be able to rent out my house for short periods of time. This would enable me to keep the business and my house I worked so hard to purchase and have a place to stay when I come back to check on my business which the manager would temporarily take over. This would be a temporary need and enables me to maintain my only real investments, my home and business. I would like to see temporary permitting available for unforeseen circumstances developed in the near future to protect peoples investments like mine.

I would also like to state that as I have followed this debate for the past few months as my parents issues have developed. I thought the hard won compromises reached by both sides were well thought out and negotiated. I believe if the rules are changed at this point due to the emotional response of the far leaning groups of both sides would be a major disservice to the people who put in hours of their time, away from their families and worked so hard to come up with the compromises.

The rules have been set and agreed upon. Implement them now. They can always be revisited and changed in the future if need be. But lets keep level heads now and let them play out for a while so the true issues have time to be discovered and not react to the what if's.

Thanks,

Dana Schafer

Wendy Lane

From: lnmusick@gmail.com
Sent: Thursday, July 1, 2021 11:09 AM
To: CD STRComment
Subject: Short Term Rentals

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

Dear Chelan County Board of Commisioners,

My name is Lauren Musick and I have been a Leavenworth resident since 2013 and a homeowner here since 2014. Since that time, I have seen drastic changes in this town with the influx of increased tourism and short term rentals. I work at the local hospital and many of the core staff we rely on care for our community have been unable to find housing due to the rapid growth of STRs. I rent out a room in my house to a forest service employee because I understand the housing crisis that is going on in chelan county and more specifically Leavenworth. I am constantly getting messages from friends seeing if I have an open room. It saddens me to to see local businesses close early or not open certain days of the week because they can't find workers. Our current STR situation is only making things worse. I encourage the commissioners to cap the current STR allowance at 5% which is the recommended amount to provide adequate housing for a local workforce. I also encourage you to only allow tier 2 and 3 STRs in commercial zones to protect the integrity of neighborhoods. This is a huge moment of our community and I encourage you to protect our neighborhoods. We have the opportunity to prevent this community from becoming another Telluride, Sun Valley, or Aspen, by limiting STRs and protecting housing for the local workforce. As a commissioner, you are elected to serve the residents of chelan county, not out of town STR owners. Please do what is right for this community and our valleys future.

Sincerely,
Lauren Musick
211 Cherry street
Leavenworth

Sent from my iPhone

Wendy Lane

From: Lei Warren <leimwarren@gmail.com>
Sent: Thursday, July 1, 2021 11:06 AM
To: CD STRComment
Subject: STR comment

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

Dear Commissioners,

As a follow up to the hearing that was earlier this week I wanted to provide an additional comment.

You are up to the difficult task of creating regulations that will affect residents and STR owners for years to come.

I empathize with all of you as there is no perfect way to handle it. As a STR owner, I want to share that not all STR owners are bad. In fact, we bought our property from an uninvolved owner and completely turned our property around.

My neighbor across the street has personally thanked me with the changes I've made to our neighborhood. She knows I'm an involved owner who truly cares about the community.

We can co-exist and should co-exist. Please allow all STR owners to be grandfathered, even those that got stuck with the unlucky date after the moratorium. Use the backpaid fees for Manson to hire additional enforcement officers, increase their hours in the evening when it's truly needed. This would benefit both sides and keep the economy in Chelan County growing.

Thank you for your hard work.
Lei Warren

Wendy Lane

From: Pam Nicklas <pnicklas@aol.com>
Sent: Thursday, July 1, 2021 10:21 AM
To: CD STRComment
Subject: str comments
Attachments: short term rentals june 30 2021.docx

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

June 30, 2021

Dear County Commissioners,

We would like to provide some comments on the June 2021 Short Term Rental Code Draft.

Line 48: Permit Process

As part of the certification process, it's essential that the property is equipped with an adequate and legal sewage disposal capability. For properties on septic systems, this means a drain field sized for the Tier level of the dwelling as approved by the Chelan Douglas County Health District. In short, a Tier one dwelling, which can be occupied by up to eight people needs a septic system approved for four bedrooms. A Tier Two, with a twelve person occupancy limit, needs a septic system approved for six bedrooms. In our neighborhood, we see frequent code violations of septic capacity by renters, and are concerned that this may lead to long term problems for the community, and the adjacent Wenatchee River.

Line 202: Planned Unit Developments

Waiving occupancy limits for PUD's is a bad idea, and totally contrary to the great rural environment that we enjoy in Chelan County. Let's leave the slums in the big cities.

Line 248: Lot Sizes and Locations

Tier 2 lot size should be no smaller than 2.5 acres in any zone. Allowing a rental with a capacity of 12 persons on a quarter acre lot belongs in cities, not in rural Chelan County. Please change the Tier 2 minimum lot size for zones RRR, RW, and RV to 2.5 acres.

Thanks for your continued efforts!

Very truly yours,

Richard and Pamela Nicklas

23111 Saddle St

Leavenworth, WA 98826

Wendy Lane

From: Shannon Tait <johannsmountainviewsuite@hotmail.com>
Sent: Thursday, July 1, 2021 9:37 AM
To: CD STRComment
Subject: Chelan County and STR's

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

Good morning,
Thank you for all of the work that has been done by the BOCC and the committee's.

My husband and I are owners of 2 STR's in Leavenworth and I am a co-host of 7 others.
Let me tell you about them.
We bought our condo in 2012 and it is in the commercial area of Leavenworth.
We built our cabin in 2016 and we live full time on the same property on Icicle road.
The other 7 STR's that I manage, are all owner occupied.
We have always paid lodging taxes, we have a great CPA that handles our taxes on a quarterly basis...we follow all of the rules.

Never in over 11 years of being an owner or managing other STR's, has there been any issues, never a noise complaint by neighbors, Rivercom has never been called etc.
I realize that owner occupied STR's are not an issue at this time.

I have many friends that own STR's and are at risk of not being able to continue.

I would love to see the STR's and owners that are the problems to not be able to continue running their business.
We all know that there are a few "bad seeds" and they are giving the good owners a bad name.
For example, if there is a kid on the playground that is being a bully to the kids...does the entire group of kids get in trouble or should it be the bully.
No one likes a bully.

Quite a few of the RUN group are our neighbors and we understand they are trying to make a better place for many.
But let me tell you a quick story.
Barbara Rossing is our neighbor and she has approached a few full time homeowners in our neighborhood, because they were sitting on their own deck laughing and playing board games with their friends.
Barbara likes to think that she can RUN the neighborhood.
There are other RUN members, but rather than approach neighbors, they are very vocal on Facebook and on their website.

Again, thank you for your time and we will all know soon how this will play out.
Shannon & Mike Tait
7986 Icicle Road
Leavenworth WA

Wendy Lane

From: Bridget Ryan <bridgeteoryan@gmail.com>
Sent: Thursday, July 1, 2021 9:21 AM
To: CD STRComment
Subject: STR in Leavenworth, WA

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

I have been a full-time Leavenworth resident since 2012 and own a small home within the city limits that I purchased in 2013. I am in my 30s and work full-time as a registered nurse in Wenatchee. Leavenworth is my home, my primary and only residence. I say this because I am a constituent that deserves to have a voice in the conversation about short-term rentals (STR).

As far as I understand it, STR have always been illegal in the residential neighborhoods of Leavenworth unless the lot is zoned commercial or has a bed-and-breakfast license. However, there has been little to no enforcement of this since I have lived in town. My neighbor directly across the street has illegally rented her home as a STR and countless others down the block do the same, to say nothing of the rest of town. Better enforcement of our existing laws has always been needed and I commend R.U.N. for the work they have done to represent and support residents. Thus it is very disappointing to hear that the changes R.U.N. has proposed (require all STRs to have an owner on site; phase out owner off-site STRs; only allow 6% of the housing in the county to be STRs) are being dropped in the face of a lawsuit threat by the STR proponents. Especially when documented evidence shows that 90% of the STR owners don't live in Chelan county (and presumably don't vote in Chelan county), and the County Commissioners sole obligation is to the people of their County. How is it that there were 59 STRs in 2014 and there were 868 in 2019?

As a full-time resident, I have seen the impact STRs have on neighborhoods. Long-term rental options have decreased, housing prices are inflated, cost of services (like water and sewer) have increased, and residents bear the brunt. I am asking that you be brave and do what is in the best interest of the residents of Leavenworth and Chelan County, rather than bending to the voices of those with money and power.

Thank you,

Bridget Ryan
509 Birch Street
Leavenworth, WA 98826

Wendy Lane

From: Brian Kramer <kramer_ae@hotmail.com>
Sent: Thursday, July 1, 2021 8:34 AM
To: CD STRComment
Subject: From Chiwawa Pines

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

Dear Chelan County stewards,

I'm Brian Kramer with a family of four, permanently residing in Bothell, with an STR at 2252 Riffle Drive.

It's been a tough road to this point and I thank Jim Brown, the Board of County Commisioners, and the task force for their parts in determining the best balance for Chelan county.

I have always wanted balance, and am willing to take on additional regulation that will work towards the goals that we all have: peaceful neighborhoods, a vibrant tourist economy, and protection of property rights.

Chiwawa Pines is designed for recreational and part-time use, and the reason I purchased a cabin there and not Leavenworth was because I believe vacation rentals do need to be further out. I recognized the restrictions in the Leavenworth area, and I also recognized the over-tourism and that full time use was getting crowded out. I believe that the caps being placed on rentals in general is a great step, and I appreciate your willingness to allow grandfathering to preserve property rights as the County tries to find that balance--one that makes this area both liveable for full time residents and their families, but continues to offer places for vacationers to enjoy Leavenworth, Chelan, and Lake Wenatchee.

I know that the compromises put forth by the task force remains to be unpalatable for some. I hope that we can go above and beyond in addressing some of the key complaints: nuisance and the escalating problems of home affordability.

From day one of owning my cabin, I have worked with my neighbors and my property manager, Love Leavenworth, on ensuring that our guests follow all rules and to let me know if anything isn't going well. While my quiet street hardly has anyone around, I do occasionally see my neighbors and ask them if there are any issues. It has been remarkably positive. Over 2 1/2 years, the only issue that came up was due to confusion on the guests' ability to walk to the Chiwawa River: there is a public access road, but unintentional trespassing was involved. We solved that issue right away with our management and updated communications. I hope that every STR in area takes neighborhood peace as seriously as my wife, Love Leavenworth, and I do. Let's keep the standards high on that end!

I do not believe that STRs are the cause of sharply rising housing prices--there simply is too much demand and too little supply. I support the County in continuing to find ways to make home ownership affordable for those who live here full time. I suspect revenues will increase signifcantly due to the new accessed prices in the area, and I hope that the County can make some radical changes in zoning and subsidized housing. I'm not an expert, but it does seem like there are opportunities.

Thank you,

Wendy Lane

From: Tracey Hepner <TraceyHepner@outlook.com>
Sent: Thursday, July 1, 2021 8:04 AM
To: CD STRComment
Subject: STR committee

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

This e-mail is being written by a very concerned resident of Chelan County and the Manson area. We have cherished and nurtured our community for years.
And just because people want to now profit off the land and homes here, many that do not even live or participate in any way in our area. The rest of us are at
Risk of losing our serene and safe way of life.
The current restrictions that are being written up DO NOT go far enough to keep all of us safe and sane.
No new STR should be allowed and the grand fathered ones should have strict rules on quantity of people, noise levels and times allowed, and of all things
Garbage, toilet issues and FIRE control must be stricter and enforceable with penalty's to the property owner.
NO open tents, yurts, tiny homes, camping , all of these can and will cause damage to our community and to us who pay taxes and live here year long.

Please do you job and protect the community. If you let the current verbiage stand, we will all pay the consequences for many years to come.

Tracey & Doug Hepner
Manson, Wa.

Wendy Lane

From: maureen <maureen@nwi.net>
Sent: Thursday, July 1, 2021 7:59 AM
To: CD STRComment
Subject: STR

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

Dear Commissioners,

Please read my December comments attached below.
Residents have been asking for your help for years and yet here we are.

Yesterday morning I happened to hear Commissioner Overbay and others on KOHO radio as the discussion turned to the housing shortage and lack of affordability in our area.

Then at the end of the interview, Commissioner Overbay mentioned that Chelan County is poised to adopt a STR Code.

The juxtaposition of these two topics and the knowledge that the watered down code will do nothing to lessen our housing shortage is maddening.

Please do the right thing for the residents and future of Chelan County.

Sincerely,

Maureen O'Dea-Mitchell
24201 Morgan St.
Leavenworth, WA 98826

-------- Original message --------
From: maureen@nwi.net
Date: 12/16/20 7:40 PM (GMT-08:00)
To: cd.strcomment@co.chelan.wa.us
Subject: Support for the draft STR code

Dear Commissioners:

I am writing to voice my support for the draft STR code with a recommendation that you change the grace period to two years.

My husband and I had a vacation home in Plain and the sense of community we experienced here led us to make this our permanent home in 2011. Back then, STR's made up a small % of the housing. Now, due to unregulated growth they make up over 15% of the housing in 98826.

They have lessened the sense of community and contributed to our housing shortage and lack of affordability on Eastern WA wages.

STR's are not neighbors. They are businesses that create some low paying service jobs by taking away housing which is not a winning combination.

I have lost neighbors, who were born and raised here. A young couple, who ended up moving in with family in another part of the county and changing jobs because when their rental sold they couldn't find any housing.

I have neighbors, who have owned their vacation homes for decades. Some have grown children who now work and volunteer in the community but can't buy their own homes because they keep getting outbid by investors. According to the Assessor's office 25% of Chelan County property is now owned by non-residents.

Leavenworth was a thriving tourist destination long before the explosion of STR's. The city doesn't believe it's economic success depends on STR's, they banned them.

I do not advocate banning STR's, but I do support restoring balance. This code will help to do that.

Your hard work on behalf of residents is much appreciated.

Maureen O'Dea-Mitchell 24201 Morgan St. Leavenworth, WA 98826

Wendy Lane

From: Michelle Gonya <mgonya@hotmail.com>
Sent: Friday, July 2, 2021 2:24 PM
To: CD STRComment
Subject: STR comment/ Icicle Island Leavenworth

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

Hello STR team,

I am writing you from Icicle Island in Leavenworth. This is a private HOA community, and I live here as a full time resident and this is my home.

I would like to make a number of points as input for the proposal that is on the table.

1. Our HOA rules actually prohibit STRs but there are a number of owners (River Haus and Treefort) that blatantly ignore using County current policy as rationale and no real enforcement mechanism.
2. For the 10 years that I have owned this property, the percentage of permanent residents has increased dramatically and now has more full time residents than ever before, changing the Island from a 2nd home Mecca to a Primary Residence community. This shift necessitates more serious consideration of the STR challenges as it is now a full time problem for considerably more people here.
3. STRs are one of the largest pain points for our neighborhood due to the nature of Icicle Island. We are part of a beautiful and pristine environment, that is sensitive due to fire danger, flood danger and wildlife that live in their native habitat. Those who live here full time appreciate, respect and understand how to co-habitate with the natural world which requires attention and respect to the natural ebb and flow. STRs and their owners do not demonstrate the required respect to live here. Over and over again, we have STRs burn fires in dangerous fire seasons, leave lights on for weeks on end which disturbs the salmon and trout habitats and affects our sleep quality and health, and pollute our waterways carelessly.
4. Noise and light pollution and "partying" turn our peaceful full time home into a less peaceful place.
5. Nationally reported Air BNB crime is up including murder, theft, drug and human trafficking, and rape.... this has been in the news nationally and is increasing in severity. Our communities that are now full time residences for so many are now subject to the same criminal risks, without any effort by STR owners to curb or protect our property while making wild profits. To address this risk, I would propose a STR tax and financial and legal sanctions on those owners that would be allocated to security services to protect our communities from physical harm and property damage- with full accountability , oversight and audits by a full time Resident panel.
6. Economic impact: while the STR owner And renters have no regard for our property and health, they take in profits, and increase property taxes unnaturally, making a small town unaffordable for the very people who built this community ... and now exploits its natural resources for Profits without any accountability.

Thank you for your consideration.

Michelle Gonya
7073 Icicle Rd, Leavenworth.

Wendy Lane

From: Kelsey Brown <brown158@gmail.com>
Sent: Friday, July 2, 2021 2:03 PM
To: CD STRComment
Subject: STR codes

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

Hello,

I am writing one last time to talk with your about the draft code. As I have talked about in my previous email and my testimony before the committee, I am one of the few owners caught in the moratorium. My parents and I saved for many years to buy a piece of land and build a cabin in leavenworth (42 Chelsie Ln). We finally got to the point of realizing this dream when we closed on our land in Jan 2020. We were unable to get the building process even started due to the pandemic.

Then in August the moratorium was handed down. This was a blow to us and we had no idea it was coming. All our budgeting and planning was based on the idea that we would rent out your cabin when we were not using it to defray the cost. We are not rich people. We don't have the luxury of having a vacation home sit empty like maybe some other people would. We aren't trying to make money, we are just trying to break even.

Then in Dec 2020, we lost my father due to COVID. This as been a deeply painful and emotional time for us and more so beacuse this was a dream we were building together. It has only been made worse with them uncertainty of if that dream is going to be taken away. Right now it is.

I know there is little interest in addressing the harm that being stuck in the moratorium is causing a small subset of owners. I get it. But I implore you to think about how to help us.

I have one solution that would at least help us. Allowing the Tier 1 STRs be defined as "owner or full time resident occupied". I know this was floated and rejected as an option in draft meetings due to langauge in ADU building codes. But I think there is a carve out here as ADU additions to existing structures are different than new builds. This would:
1. Address affordability issues as we could rent full time to someone at way below market rates. Literally nothing in the code is currently addressing afforability issues.
2. Help address concerns of noise, parking, trash and trespass as there would be a person on site to deal with these issues (and perhaps prevent them by virtue of just being there)
3. Provide full time neighbors and housing for workers in town
4. Would function no differently than a Tier 1 which has been deemed acceptable type of STR on all sides of this issue.

Would being grandfathered be preferable to us? Of course. The other option we are suggesting would cost us way more money. But are we willing to give a little here to keep my dad's dream alive? Absolutely. But I'm just looking for a way to make this work. Please please please think of us affected by the moratorium - those that have spend hundreds of thousands of dollars based on what the county was allowing at the time of investment, and give us some way to save our dream. In the alternative, is ask you allow us to grandfather in based on our closing on land prior to the moratorium. Thank you.

Kelsey Brown

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Friday, July 2, 2021 1:48 PM
To: CD STRComment
Subject: It appears the cynics were right

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

Dear Commissioners,

There is an older gentleman in my Leavenworth Rotary Club who has had a very obnoxious STR close to his house for many years. He and his neighbors tried for years to get the County to do something about this STR but he finally gave up. (Others had the same experience.) I learned not to ask him about the STR because it just brings back all his anger and frustration. I can visibly see his anguish if I bring it up.

A couple of years ago when I started getting involved in the STR issue, I told him about the efforts that residents were making to finally limit STR's, thinking he would be pleased. He just shook his head sadly. He explained to me that, if I thought Chelan County was actually going to do something to protect residents from people who want to make money, I was very naive.

I pointed out that in this case most of the STR owners don't even live in Chelan County. Surely the commissioners would value the concerns of residents over nonresident investors. He just shook his head.

I pointed out that we weren't trying to limit STR's in commercial areas, only in residential areas where current law tightly restricts commercial uses. He just shook his head.

I pointed out that the current commissioners weren't the ones he had been dealing with. He again just shook his head and said, "We'll see."

Now I understand what he meant. The task force is just the latest example in a long drawn out process that has consistently favored out of town investors over residents:

- Rather than having broad community representation for an issue that affects many, such as renters and employers, the task force was limited to just homeowners and STR owners.
- Although STR owners are a small percentage of the population, they were given half the seats.
- Apparently that wasn't enough, so three planning commissioners were added, two of whom favor the STR's. So a majority of the task force favored the interests of a small minority of the population.
- And now it appears that even that biased task force's work is being adjusted to be more pro-STR.

STR owners are getting a huge, immediate, and permanent benefit: legal status for their STR's. which should have been recognized as illegal years ago. Residents are getting only two promises that maybe someday things will be better:
1) the 6% cap which I doubt will ever actually get STR's down to 6% of the housing stock in zip code 98826; and
2) promises that, in the future, the county that hasn't enforced rules to protect residents is actually going to do this in the future. I could possibly imagine the county changing enough to enforce zoning laws, such as not allowing STR's at all in residential zones. I find it hard to believe the county will actually do a good job of enforcing behavior laws such as occupancy limits, owner occupancy rules, noise, etc.

And apparently that isn't enough. The STR owners are pushing for more and it appears that, for some reason, it is important to you to keep compromising the interests of residents in order to satisfy the STR owners.

I have spent two years on this issue and I have concluded that my Rotary friend was right: I have been wasting my time. You could have saved us a lot of time, effort and stress if you had just told us in the beginning that, for whatever reasons you have that you haven't explained to us, the code was going to be designed to satisfy STR investors, not to satisfy residents.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road

Wendy Lane

From: jodie henri <jodieleaf@yahoo.com>
Sent: Friday, July 2, 2021 1:37 PM
To: CD STRComment
Subject: In opposition to Short term rentals

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

Hello Commissioners,
I am writing out of concern for the loss and continued potential loss, of our neighborhoods. My husband and I are opposed to short term rentals especially in residential areas. Short term rentals should be only allowed in Commercially zoned areas since they are run as a commercial business. We have a housing shortage, particularly for our working families and short term rentals only add to this challenge. We need to build and support our local community and not allow out of Townes to buy up our houses and rent them out to visitors with little to no accountability. Our housing should be mostly occupied by community -minded families. We are already beyond our recommended 6% of housing for short term rentals and I believe instead pushing up to 15%. This should not go unchecked.
We currently live next door to an owner occupied short term rental and although we are opposed to it I would be appalled to live next to one that was not owner occupied.
The impact of short term rental is noticeable in our neighborhood. They have increased noise and light pollution and pedestrian and car traffic in areas that where historically occupied by locals. We have had many strangers enter local houses thinking they were their "rental house". This is absurd and should not be a common experience among locals. Please do save our neighborhoods and grandfather them in. If short term rentals are allowed impose and ENFORCE the restrictions. Our STR neighbors do not follow all the conditions of the CUP and yet no one is enforcing it. Do not make neighbors police each other. We should be building neighborhoods not fracturing them.
Thank you for your time.

Sincerely,
Jodie and Mike Tremberth
244 Benton St.
Leavenworth, WA 98826

Sent from Yahoo Mail for iPhone

Wendy Lane

From: shaunm48@gmail.com
Sent: Friday, July 2, 2021 1:37 PM
To: CD STRComment
Subject: Accept the STR ordinance agreement

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

I am writing to encourage the Chelan County Commission to accept the collaborative agreement worked out by the members of the community. There were concessions by all parties, but agreement was reached and the commissioner should honor that agreement.

It is likely the best we can expect and it starts the long process of helping the county align with its comprehensive plan, something that it currently does not.

Shaun

Shaun Seaman
10463 Titus Rd
Leavenworth
664-4934

Sent from Mail for Windows 10

Wendy Lane

From: Amber Tande <AMBERTANDE@msn.com>
Sent: Friday, July 2, 2021 1:29 PM
To: CD STRComment
Subject: STR's in Chelan County

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

Please impose restrictions on STR's for Chelan County. As a brick and mortar business owner in Leavenworth who benefits from tourists, my highest commitment is to this community. Without community we are nothing but a shell. Nothing special. Devoid of authenticity. Far too many businesses are unable to retain great staff because they are unable to 1) find and 2) afford housing here. Families are strapped to the max to make ends meet for their tiny little houses. Let's get on the side of the people. Businesses will continue to thrive. I trust ours will continue to grow beautifully with this restriction set in place.

Bring STR's down to 6% of the housing area from the 15% they currently have and please appropriately zone tier 2 and 3 STR's to stay out of our neighborhoods.

Also, the only reason I was even made aware of this being up for passing is by hearing from other concerned/working community members. I would kindly ask that a better job be done to notify the local community of such proceedings.

Many thanks,

Amber Tande

Wishing you peace and beauty for all your days.

Amber Tande

206-335-2324
https://MysticLiving.org
https://www.facebook.com/AmberTande
https://www.instagram.com/Mystic_Living
https://www.facebook.com/ManaMountain
https://www.instagram.com/ManaMountain

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:20 PM
To: CD STRComment
Subject: GRANDFATHER NEIGHBORHOODS!!!!!

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

Dear commissioners,
We live here, have kids that go to schools and donate to non profits and keep the town alive. Please don't toss us under the bus!
Grandfather or mother our neighborhoods to be free of nightly rentals whose owners aren't on site!
Thanks, Gro Buer

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>
Sent: Friday, July 2, 2021 1:12 PM
To: CD STRComment
Subject: Enforcement of STR Listings is Urgent; Naked Guy Exposes only one problem with STRs

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

Dear Commissioners
Please accept my My 12 letter to the editor in the "Leavenworth Echo" as a public comment letter. The Sheriff's statement to the Manson Community Council that enforcement would only be during weekday business hours continues to provoke my concern.:

Naked Guy' Exposes Only One Problem with Short Term Rentals

05/12/2021 - 9:40am

Thank you for the "Naked guy in yard is a short term renter" article, and thanks to Commissioner Tiffany Gering for that quote. However, lewd behavior, noise, drunkenness and nuisance issues expose only the tip of the iceberg of problems with short term rentals.

The primary problem is proliferation of too many absentee-owner "mini-hotels" in rural neighborhoods zoned residential, making housing unavailable for local workforce residents. More than 20 local businesses submitted a letter to the County Commissioners underscoring their urgent concern for hiring and keeping employees, due to the housing shortage. Employees cannot find housing.

Whole-house short term rentals increase housing prices and property taxes for everyone.

Studies show that in areas where short term rentals exceed 5% density of all housing, as is the case in rural Manson, Leavenworth, and Plain/Lake Wenatchee, the negative economic impacts from loss of full-time residents likely exceed any positive economic impacts.

The thriving tourist cities of Leavenworth and Chelan wisely segregate incompatible uses by zones. We hope the County will follow suit—encouraging more short term rentals in commercial or tourist zones, while imposing strict density caps and occupancy limits in residential zones.

In terms of property taxes, the assessor must not use sales of short term rentals as comparable sales to increase neighbors' taxes.

The article's claim of millions of dollars of economic benefits for county businesses is exaggerated. Most short term rental income does not stay in Chelan County-- according to the short term rental industry's own realtor-authored study, stating that 90% of owners do not live in Chelan County.

Enforcement will be key to new regulations, as the article points out. We support Sheriff Burnett in staffing weekends and evenings to respond to nuisance complaints. But nuisance enforcement is not enough. Enforcement of the new regulations must also include monitoring of advertisements on rental platforms such as AirBnB, Home Away, and Vacasa, in order to make sure owners adhere to occupancy limits, septic, parking, and safety requirements.

Fines must be high. Permits must be publicly available and transparent, so neighbors can monitor compliance. Permits must be revoked from owners who illegally advertise more bedrooms or occupants than permitted on the septic or building permit.

The safety and health of neighborhoods is at stake. No resident wants to raise their family next to a short term mini-hotel with **(or without)** a naked guy in the yard!

Barbara Rossing for the Board of Directors,

Residents United for Neighbors of Chelan County

Barbara Rossing

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:11 PM
To: CD STRComment
Subject: STR issues

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

MY CONCERNS...
with the report provided to the BOCC by the task force

- Allows tier 2 and 3 (absentee owner) in residential areas. STRS are a component of a tourism economy, but such businesses should be appropriately located in commercial, resort or widely spaced residential zones that separate these businesses away from residential areas.
- Current short term rentals would be grandfathered. Currently 15% of the housing stock in the 98826 zip code are short term rentals. Although a cap of 6% has been recommended, attrition could take decades.
- These are big issues, please do the right thing for those of us who live in and outside of Leavenworth and other high use areas by tourism in our neighborhoods.

Thank you, Gro Buer
8050 E Leavenworth Rd, Leavenworth, WA 98826

Wendy Lane

From: Mara Bohman <mbohman@aol.com>
Sent: Friday, July 2, 2021 1:09 PM
To: CD STRComment
Subject: Short Term Rental Code
Attachments: STR comments July 1.docx

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Please see attached letter.
Thank you

July 1, 2021

Dear Commissioners Overbay, Bugert and Gering,

As a resident of Chelan County for 8 years and a property owner for 12, I have seen the rapid proliferation of short term rental businesses right in my back yard-property purchased in a residential zone. Many of these business owners are understandably upset to learn that they had been misled by Chelan County about the existing code, others just did not care, but I urge you as you finalize this very important new permitting system, to prioritize the property rights of your residents.

It is frankly shocking to me that this draft code created by the Task Force will allow grandfathering of most existing short term rentals, which have been operating illegally in the county, some for years. Many more who expected to be grandfathered, complained at the recent hearing that they 'unfairly' got caught up in the moratorium. I have a hard time feeling sorry for them, as they had to have known that the county was in the process of writing a new code.

This new short term rental code, if adopted as written, will allow continued illegal property use by many business owners. You Commissioners must recognize that this major concession by the residents was ONLY allowed by balancing it out with a number of protections for residents. YOU MUST NOT CHIP AWAY AT THESE PROTECTIONS. To do this would undermine the hard work of the Task Force and frankly the entire process we all have been working hard on for years.
To help ensure the success of these new regulations, the must be clearly written and easy to enforce.

1. All people must be included in the occupancy limits. Children under 2 ARE PEOPLE
   To allow children under 2 to slip in is much harder to enforce.
   In addition, daytime limits must not exceed what is allowed. Any increase will lead to 'events' which are fundamentally incompatible with residential neighborhoods

2. There must be a minimum separation between short term rentals and residents, not just between short term rentals. If we are truly trying to separate incompatible uses this must be in the code.

3. Planned Unit Developments should NOT be exempt from the 6% density cap. These can be in existing commercial zones. If these are exempt will be popping up right and left and will destroy the goal of reducing the impact of commercial operations in residential zones.

4. All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written permission from their co-owners to convert a residential structure to a commercial use.

5. Again, the code needs to be clear and easy to enforce. The owner MUST be on site, as defined, for tier 1 short term rentals. To allow them 15 days per year to be absent will create a nightmare for the county to enforce-basically it won't be and tier 1s, not included in the 6% cap, will often essentially be tier 2s.

Thank you for all the time and effort that you all have put into this process. It is unfortunate that you three have been left to clean up the mess created by prior administrations who refused to enforce the zoning that is on the books.
You have an opportunity to get this train back on track for the residents of Chelan County.

Regards,
Mara Bohman
Leavenworth

Wendy Lane

From: Gro Buer <grobuer@gmail.com>
Sent: Friday, July 2, 2021 1:07 PM
To: CD STRComment
Subject: Fwd: FW: RUN 2nd comment letter

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

Dear Commissioners,

I want to address four issues that came up during the public hearing: exceeding occupancy limits, grandfathering historical occupancy levels, extending the cutoff date for eligibility for grandfathering, and whether PUDs should be included in the density cap.

All four of these issues were a part of the negotiation process of the Task Force.

Occupancy Caps: The STR group began the Task Force process with asking for the following occupancies: Tier 1:16, Tier 2:16, and Tier 3: no limit. They **did not** ask for exclusion of children under 2 at any time. The residents gave up significant protections for residential neighborhoods such as minimum lot sizes for RV and RW in order to gain the final occupancy limits of Tier 1:8, Tier 2:12, and Tier 3:16, with children under 2 included. Please respect the Task Force recommendations and remember that residents gave up a lot to gain these occupancy caps.

Grandfathering Historical Occupancy Levels: The issue of grandfathering historical occupancy levels of STRs was also discussed. Again, this was **not** part of the consensus agreement of the Task Force. If you grandfather occupancy, we will have STRs throughout the county in residential neighborhoods with occupancies greater than 16. It is fully within the legal discretion of the County to establish limits for STRs including restricting occupancy regardless of historical use. Cities and counties across the country have enacted regulations after STRs were already established that have limited occupancy, restricted locations to certain zones, and established caps on density.

End Date of August 25, 2020 for Grandfathering: Extending the eligibility of property owners to be grandfathered also was a significant issue during the Task Force negotiations. The STR side asked for the following two circumstances for STRs to be grandfathered: 1) property operated as an STR in 2019 and 2020, can provide proof of paying taxes, and had no more than one citation issued to rental guests at the property in 2020; and 2) owners trapped by the moratorium including those who purchased property between 2019 and code adoption date, and can provide evidence of intent to operate it as an STR such as communication with realtors, property managers, cleaners, architects, builders or country staff, etc.

This was hotly debated among the Task Force members and only a portion of the first part was agreed to. Residents again gave ground on other issues in order to gain a **firm cutoff date** at which grandfathering was closed. **This was the**

date of the first moratorium—August 25, 2020. Please do not open the door to owners who did not have operating STRs as of August 25, 2020. This is a very slippery slope.

Planned Unit Developments: The PUD language in the Task Force agreement states that the cap excludes "*Planned Unit Developments with notes on the face plat*". The residents assumed this meant already approved PUDs, not future PUDs. The Task Force didn't explicitly talk about this issue because of the time limits for their discussions. Please do the right thing and include PUDs in the 6% density cap. It is a huge loophole and is contrary to the policies and goals of the Comprehensive Plan. PUDs represent a unique opportunity for the County to increase its workforce housing supply.

We believe the County Prosecuting Attorney's office continues to give you advice that is overly cautious and doesn't reflect the scope of your authority to regulate land use.

Further, you as Commissioners are not bound to validate guidance or advice given by staff that is in violation of your zoning code. Section 11.02.040 Compliance (2) states: *No county official or employee shall issue a permit for a conditional use or variance, or* ***give other authorization for any use that would not be in full compliance with this title. Any permit or other authorization in violation of this title shall be void*** *without the necessity of any proceedings for revocation or nullification, and any work undertaken pursuant to such permit or other authorization shall be unlawful,* ***and no action taken by any elected or appointed official of the county shall validate any such work, permit, or other authorization****.*

We need you to implement the goals and policies of the Comprehensive Plan and to protect the residents who live here, work here, and make our communities strong.

Sincerely, Gro Buer

8050 E Leavenworth Rd

Leavenworth, WA 98826

Wendy Lane

From: Rachel Blyth <RBlyth@cascadesd.org>
Sent: Friday, July 2, 2021 1:05 PM
To: CD STRComment
Subject: Public comment on STR

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

Hello BoCC!

I appreciate your willingness to consider local concerns on the issue of Short Term Rentals! As a resident, STRs have a major impact on my daily life. In review of your current draft, I have serval concerns. I am concerned that Tier 2 and 3 (absentee owners) will be permitted to operate in residential areas. I am sensitive to the fact that STRs are an economic asset for many; however, allowing them to operate within our neighborhoods without the supervision of an owner significantly degrades the quality of life for those of us who have made the neighborhoods our year-round home. It is simply too high a price for the community to pay. I am also concerned that, under the proposed code, current STRs will be grandfathered into the limit. Currently, nearly 15% of the housing stock in our area operates as a STR, which has made it increasingly difficult for community members to secure affordable long-term rental housing. Local businesses are under significant strain to retain employees due to this lack, and the sense of community and cohesion in our neighborhoods is suffering. I hope that you will consider abiding by the recommended cap of 6%.

Thank you for hearing my concerns and advocating for families and community over profit and commodification!

Rachel Blyth
8th Grade Math
Icicle River Middle School

Wendy Lane

From: Amy Cox <ac7cedarbrae@gmail.com>
Sent: Friday, July 2, 2021 3:08 PM
To: CD STRComment
Cc: Amy Cox
Subject: Lot 51 Owner's Comments - STR - Lake Wenatchee

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

Dear County Commissioners,

I have owned lot 51 Cedar Brae Road on the south shore of Lake Wenatchee for over 20 years.

I oppose STRs because I believe they are illegal: commercial businesses are not allowed in residentially zoned areas. STRs are detrimental to our neighborhoods and our communities.

I am asking you to not undermine the STR Taskforce consensus on short-term rentals. Honor the official Taskforce consensus. Specifically, that all children are people, regardless of age, and must be included in the occupancy limits.

Please ensure the code enforcement is robust and fully funded. Bad actions by STR owners should result in significant consequences.

Thank you for the opportunity to provide comments. Please protect the rights of residents!

Sincerely,

Amy Cox

Owner Lot 51
Cedar Brae Road

P. O. Box 1049
25845 B. US Highway 97

Brewster, WA. 98812

Sent from my iPhone

Wendy Lane

From: Chris Roe <chris.a.roe@gmail.com>
Sent: Friday, July 2, 2021 3:05 PM
To: CD STRComment
Subject: STR Comments - Roe

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

Hello,

I am a Leavenworth resident and ask that you consider provisions in our county's short term rental policies that prioritize the best interest of full-time residents.

I oppose the allowance of short-term rentals that overtake the best interest and community feel of our neighborhoods.

I recommend the commissioners to adopt the proposals from Residents United for Neighbors as they best represent the interests of those of us who live here.

Thanks,
Chris Roe
11681 River Bend Drive, Leavenworth, 98826

Wendy Lane

From: Rhona Baron <rhonabaron@icloud.com>
Sent: Friday, July 2, 2021 3:24 PM
To: CD STRComment
Subject: Short Term Rental Comment
Attachments: STR COMMENTS June 2 2021.pdf; ATT00001.htm; STR COMMENTS June 2 2021.pdf; ATT00002.htm

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

Dear Community Development Folks,

Thank you for taking written submissions about Short Term Rentals in our neighborhoods and communities. Attached are my comments. Thank you for considering.

STR COMMENTS
June 2, 2021

My name is Rhona Baron. I've lived on Center St. in Leavenworth for the past 35 years. I understand that the City of Leavenworth does not allow STRs in residential neighborhoods; however, I'd like to share something that may surprise you while illustrating the position of thousands of homeowners throughout the county.

Five years ago, the neighbor across the street began advertising a room in her house on Air BnB. For two years she ran a "B and B" illegally, making money for herself at the expense of neighbors who dealt with increased traffic, unregulated dogs, noise and in one case, a transient visitor defecating in a nearby yard. After she "tried it out," (I quote her) she applied and was granted B and B status- without so much as an admonishment for previous non-compliance.

She went on to operate her one room B and B for 2 more years, and we continued dealing with non complaint parking, garbage spills, unusual amounts of traffic. When the family vacated for the winter, the house was rented as a duplex, completely against regulation. The dog issues continued, as did bright lights on motion sensors shining into neighbor's bedrooms, frolics in the hot tub and more.

Here's the point. Generating income was the motivator four the neighbor, who was always friendly in person. Building a neighborhood, on the other hand, motivated us. I can't tell you how uncomfortable it was to finally confront her when she expanded her house and petitioned for more rooms to rent out. This is the way it works. Of course those seeking money by having commercial ventures will be the most vocal. It's part of doing business! On the other hand, we neighbors train ourselves to get along, share fences, trade zucchini, and deal with noise issues calmly. We all have the same stake in making it work without assertive confrontation.

If you wonder why you don't hear from more of us, it's because we are stuck in neighbor mode. Not business mode, not political mode, not campaigning mode. We just want to come home, say hi and relax on our properties after a workday. I recently commented to a sales clerk in

Chelan that I was willing to fight on behalf of neighborhoods. She said "thank you," sounding relieved. "I'm glad you are," she told me. It was not a battle she'd be comfortable undertaking, although she completely agreed that commercial rentals do not below in community neighborhoods. You will find countless others like her.

In the case of our street, once I got mad enough (it took four years and a number of sleepless nights) to organize our neighborhood, every immediate neighbor on either side, front, back and beyond registered a formal complaint within the hearing process. The examiner from the county said he'd never seen resistance like ours. In the end, he granted the expanded B and B but called out a number of non-compliant issues for correction and placed other safeguards in place concerning neighbor impacts.

She now runs a quiet, less impactful commercial venture on our street. I still have strangers standing on a new deck gazing into my living room. So no, it's not wonderful. But it's tolerable.

Dealing with this B and B was a time consuming, upsetting, bitter battle that FINALLY achieved adherence to codes-- though complaints had been made all along. I don't have much to do with my B and B neighbor at this point, but it's worth it.

Our story is an excellent example of dealing with a commercial venture owned by a neighbor who actually might care about how her overnight business impacts our street. Pause for a moment to consider owners who are based out of town. Long pause. These short term owners are not in residence, they don't have to get along, they are not raising families, caring for aging elders, nurturing gardens or attempting to relax in the beauty of our region after a day of working within it.

These folks have NO STAKE WHATSOEVER beyond loading up their revenue stream while suffering none of the consequences of having to live next to the units they promote. So let's be completely realistic here. If our B and B owner operated as she did before most of the neighborhood invested in a concerted effort to control her, seriously, what do you believe occurs other STR's? I've heard many stories far

worse than ours, of grievances that never get resolved, causing residents to consider actually moving away!

If enforcement were stronger, some of the offensiveness might be curbed. If neighbors were willing to do battle on a monthly basis (as I now am) something might change. If elected representative (likely most of you) cared more about the residents who build and live in our communities than out of town folks looking to make our private streets, mountainsides or riverfront their commercial playgrounds, we residents could step back from suffering in silence, filing complaints and repeated requests for simple respect on our community streets.

The folks who live and work here deserve FIRST CONSIDERATION. Or I am missing something fundamental? To serve us, I am requesting that you:

1. Protect our peaceful residential zoning from commercial ventures!
2. Count children under two as human beings instead of wiggling a way to up transient visitor load.
3. Reconsider the grandfathered units if they have a historically negative impact on a neighborhood. Or do away with "grandfathering."
4. Make sure you can enforce neighborhood codes.

Most of all, I'd like you to understand that although you may not hear from us in force, don't assume we have a lesser investment in the outcome. We have trained ourselves to be neighbors, motivated by getting along and being gentler with each other. Meanwhile, those who don't live here and pump their income off our quiet streets and lovely natural settings are motivated by money. Who would you rather live next do to?

Rhona Baron
Executive Director, Cascade Farmlands
http://www.cascadefarmlands.com
Creative Director, Dangerous Women
https://www.dangerous-women.org
rhonabaron@icloud.com
Office: 509-548-5058

Wendy Lane

From: CRAIG JOHNSON <mr_craigj@comcast.net>
Sent: Friday, July 2, 2021 2:57 PM
To: CD STRComment
Subject: STRs in Chelan County

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

Thank you Chelan County commissioners for forming the STR citizen task force. You have shown residents a mature local government in action.

There are many major issues yet to be considered. I write this from a full-time owner perspective at Lake Wenatchee where I experience blatant trespassing all year. There is no commercial entity on the lake, no parking, and no public access other than Lake Wenatchee State Park and Glacier View Campground. Simply put, there is no infrastructure to allow STRs on the lake. Unscrupulous rental owners know the only lake access is by trespassing on private property and many tell their renters that all docks and shoreline are public. Clearly, the Lake Wenatchee area, specifically Northshore Dr. and Braeburn on the south shore should be off limits to STRs.

If asked, I would be glad to testify about these issues in a public forum.

Sincerely,
Leland Craig Johnson
17651 Northshore Dr.
Leavenworth, WA 98826
206.755.5067

Wendy Lane

From: Lynda Fischer <lyndaf55@hotmail.com>
Sent: Friday, July 2, 2021 2:53 PM
To: CD STRComment
Subject: Short Term Rentals

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

As homeowners in the Lake Wenatchee area, we are increasingly concerned about the negative impact of short-term rentals in our area. The increase noise, traffic, open fires and lack of respect for the community have noticeably increased over the 25 years that we have been homeowners in this area. We built our current home specifically to enjoy the quiet and beauty of the area, which is being negatively impacted by people who arrive to have a party.

We have been following the study process of the Short-Term Rental Task Force, and the fact that the residents who were appointed to serve have agreed to accept grandfathering of most existing short-term rentals, despite the fact that they are all clearly illegal under existing zoning code. As residents, we made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is completely unacceptable for more concessions to be granted to STR owners - 90% of whom do not live in Chelan County. It is unacceptable for non-resident homeowners' commercial gains in renting their homes, be a higher priority to the county than the quality of everyday life for residents and neighborhoods.

Please take actions to preserve the quality of life for residents of Chelan County by reducing the negative impacts of short-term rentals in our neighborhoods.

Sincerely,

Greg & Lynda Fischer
16145 Telemark Lane
Leavenworth, WA 98826

Wendy Lane

From: Drovdahl, Joy <jdrovdah@spu.edu>
Sent: Friday, July 2, 2021 2:46 PM
To: CD STRComment
Subject: Short Term Rental Code

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

Dear Chelan County Commissioners,

I co-own a home on Cedar Brae Rd in Chelan County. Having purchased the property in 2006, we completed construction of our home March of 2009. We have a shared driveway, well-water, and septic system with our three neighbors and our homes are close together. We have developed our own little community and look out for each other and each other's homes. None of the four homeowners are year-round residents; none of us rent our homes for income. Our four-home community would definitely be negatively affected if any of the owners basically converted the "home" into a "short term rental business." This is the fundamental issue of STRs on the Chelan County community. Absentee owners of STR houses are, in reality, operating a business in quiet residential neighborhoods.

In an ideal world, this would not be allowed. The reasons are many and obvious having been well stated during this process. In the real world we inhabit, the commissioners' goal should be to pass a code that restricts as much as possible how STR houses can be used. While not infringing on the rights of current homeowners (hence the "grandfathering" principle), the code going forward should benefit and support actual residents and the lake community, not commercial business owners.

Thank you very much,

Joy Drovdahl
15761 Cedar Brae
Lake Wenatchee

Wendy Lane

From: Lori Vandenbrink <pnwdreamer67@gmail.com>
Sent: Friday, July 2, 2021 2:45 PM
To: CD STRComment
Subject: Grandfather our Neighborhoods

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

Dear Commissioners Bob Buget, Kevin Overbay and Tiffany Gering and Community Planning Director Jim Brown,

As a resident of Chelan County for twenty+ years who has worked in the recreational and hospitality sector, I have felt the negative impacts of overtourism on our valley, caused in large part by the exponential growth of Short Term Rentals over the past five years.

It saddens me to say that when my family and I roadtrip for my son's mountain bike races that we now look at towns we visit through a different lens, sizing them up to determine if we could move there when Leavenworth no longer offers what it once did. Please, I implore you "Grandfather our Neighborhoods". Please don't succumb to the pressure from the business owners from the westside. We elected you, worked the jobs that kept this town growing, volunteered in the schools, on the trails and at festivals. You are not responsible for looking out for the financial interests of Short Term Rental owners, 90% of which live outside of the county.

I could go on and on, but honestly I've lost faith in the process. After hiring Berk, being so close to an ordinance in 2020, asking community member to come to a consensus and then tweaking what they agreed to I'm at a loss. It sort of explains to be why so many mountain towns in our shoes have hired Host Compliance to begin with.

I'll say it again, please Grandfather our Neighborhoods. We live here.

Kindly,

Lori Vandenbrink
12690 Ranger Road
Leavenworth, WA. 98826

Wendy Lane

From: Doug Klunder <klunder@comcast.net>
Sent: Friday, July 2, 2021 2:40 PM
To: CD STRComment
Subject: Comments on proposed STR code

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

Please accept the following comments on the proposed Short-Term Rental code:

Thank you for the opportunity to comment on the proposed regulations for short-term rentals (STRs).

I readily admit that I have a vested interest in these regulations. For over 6 years I have owned a vacation rental cabin in the Plain area. The cabin has been rented on a short-term basis ever since it was built in the 90s; it is managed by a local professional property management company. As far as we know, there have not been any complaints about our guests' behavior; our property manager ensures that. Instead, we have always been good neighbors, and have helped the local economy. Most obviously, we pay all taxes, create jobs for our property manager and various local companies used in the maintenance of the property--not to mention the money that our guests bring to local companies when they visit. Beyond that, I have invested significantly in renovations to make the cabin as current as possible, using local contractors and bringing further money into the local economy.

The proposed code, developed by the task force, is truly a compromise position. As the owner of a STR, there are a number of sections of the code that are far from ideal, especially the occupancy limits--but I recognize that this was agreed to as a compromise, and there are sections that STR opponents are also not happy with. As such, I urge the County to largely adopt the recommendations of the task force, satisfying neither STR proponents nor opponents fully, but creating a middle ground that is acceptable to both.

There is one area, however, that I believe merits amendment, simply because I cannot believe that the draft code intends the draconian result. Section 11.88.290(2)(E)(ii)(b) would effectively prohibit any changes whatsoever to an existing STR, since the STR would be force to surrender its STR permit in order to make the change (and then is unlikely to be able to obtain a new STR permit). I can understand a desire to prevent an existing STR from expanding in any way, but as drafted, the code goes far beyond that. It would also prohibit alterations that are beneficial to all concerned, with no possible detriment to the neighborhood. This includes safety upgrades, such as upgrading electrical systems, or replacing a wood-burning stove with a safer gas or propane stove. It also includes upgrades that are beneficial to the environment in accordance with good public policy, such as projects to improve energy efficiency (either by conservation or by improving heating/cooling systems), installation of a charging outlet or station for electric vehicles, or even the installation of solar panels.

The draft code could easily be amended to allow such changes. This could most easily be done by striking "changed, altered" so that it reads "may not be otherwise be extended or enlarged" without ceasing operation. Alternatively, you could add an explicit exception for permits related to enhancing safety, energy consumption, or other environmental improvement.

With that minor change, which I believe is in keeping with the task force's intentions, I urge you to adopt the draft code.

Thank you for your consideration.

Doug Klunder
Owner of vacation rental at 12344 Bretz Rd Managed by Natapoc Lodging https://www.natapoc.com

Wendy Lane

From: Tony Meier & Team <tony@windermere.com>
Sent: Friday, July 2, 2021 2:39 PM
To: CD STRComment
Cc: Wendi Meier
Subject: Comments on purposed STR code

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

Dear Chelan County Board of Commissioners,

We own two properties within the Manson UGA area. 2111 Lakeshore Drive, Manson 98831 and 2127 Lakeshore Drive, Manson 98831. Both properties are noted as UR2 in the Manson UGA code. We purchased these properties with the intent relocating our real estate business to Manson and eventual retirement in the area. Since taking ownership we have personally pumped well over $100,000 into the local economy through goods, services, and taxes. Not to mention, the value our guest have represented to the local businesses.

We object to the purposed code in 5 areas.

1. Reclassification of the Manson UGA. When we purchased our home at 2111 Lakeshore Drive in 2016, we paid a premium price for a fully legal and functioning vacation rental under the Manson UGA code. While we only rent for about 5 weeks a year, we have operated under the law and have obtained a permit each year since taking ownership. Any restrictions placed upon the Manson UGA code is going to cause my family undue hardship. Unlike many that this purposed code serves to target, we have been operating under the legal authority of the county. To then classify our home as non-confirming or put limitations on our future ability to sell it as an STR, will cause financial damage to our family and will force us to take legal action to recover these damages.

2. 200 foot limits within the Manson UGA. In Feb 2020, we purchased an adjacent parcel with the intent of building a second home that we would also rent for a few weeks a year. We paid a premium price for this lot because the Manson UGA notes vacation rentals are a permitted use. The inability to build a vacation rental here due to your purposed CAP and the new 200 foot limitation, will cause us to have to sell this property at a loss and will force us to take legal action to recover these losses.

3. Forfeiting an STR permit due to the need/desire to repair/remodel a home. We can understand and support the point that you do not want STR owners to increase occupancy. However, if we want to add a deck or increase the footprint of our house to enlarge the kitchen or living space in compliance with current code, we should be allowed to do so. This poorly written section is only going to promote slip shot construction as owners will be forced to make repairs or construct improvements without a permit. Please rethink this section.

4. Line 375 occupancy limits. Your daytime and overnight occupancy limits do not line up. Your overnight limits exempt children under 3 years old. However, your daytime limits do not provide this same exemption. This error needs to be corrected. BTW.. we are fine with keeping a Tier 2 at a maximum of 12 guest's total. Even though we own a 5 bedroom home, we do not see the need for more than 2 people per bedroom or a maximum of 12, regardless of age.

5. Signage. We see this section as very problematic. While the adjacent property owners all have our contact information, we do not have a sign on our home that screams this home is vacant and come steal from us. We believe this section of the code is going place the county liable for inviting criminals to the area and the resulting theft/damage to these homes. Please rethink this section.

Thank you for your time and consideration

It's a Good Life!

Tony Meier & Team
"... The Broker You Refer to Your Friends"
Serving Buyers and Sellers Since 1989
Windermere - 425-466-1000
www.EastsideHomes.com

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If we can help you or someone you know, please give us a call!





Wendy Lane

From: Michael Cleghorn <mikecathycleghorn@mac.com>
Sent: Friday, July 2, 2021 2:35 PM
To: CD STRComment
Subject: Impose AND enforce significant restrictions on Short-Term Rentals (STRS)

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

Hello

My wife and I live on River Bend Drive in Leavenworth. We have experienced first hand unruly, drunken/stoned, and obnoxious short terms renters in our neighborhood. The people that own the homes that do short term renters don't live in the neighborhood, and don't seem to care what their renters get up to. The Chelan County Sheriff has been called on these renters on a number of occasions. These STRs have urinated and throw up on our property, among other actions that cause us concern.

You can make sure that our neighborhoods are safe and peaceful for us, the residents.

Therefore, we demand that The Board of County Commissioners (BoCC) "Grandfather our Neighborhoods" and impose AND enforce significant restrictions on Short-Term Rentals (STRS).

If you have questions for me, do not hesitate to contact me.

Thank you, and I hope you decide in favor of residents, and not absent landlords whose only interest is to make money off of these rentals, with little or no concern for the residents that live here.

Sincerely,

Michael Cleghorn
11468 River Bend Dr.
Leavenworth, WA 98826

Wendy Lane

From: mikecochranjr@gmail.com
Sent: Friday, July 2, 2021 2:32 PM
To: CD STRComment
Cc: Gmail
Subject: STR Comment - "Chelan County Caves to Out-of-Town STR Owners"

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

Dear County Commissioners-

Hopefully, this is not a future headline in the Wenatchee World. I do want to thank you all (and Jim Brown and his staff) for the time and effort that has been put into the draft STR code. Without question, it's been quite the effort and you all should be commended.

I will try to keep this brief as I know you have lots of letters to read. My name is Mike Cochran and I'm a Chelan County resident. I've been coming to Chelan for over 40 years, and have owned my home on S. Lakeshore for 25 years. This does not give me privilege or priority – but it does give me perspective. And my perspective is this – out of town STR owners - 90% who do not live or vote in Chelan County - have more influence than those who do live in our precious community. In watching this whole process unfold over the last five years the only conclusion that I can come up with is this - the BoCC gives out-of- town STR owners more weight than those who live and vote in Chelan County.

1. **Out of town STR owners falsely claim that they contribute way more to the local economy than they actually do.** They do not contribute to the social fabric of the community. They do not volunteer at the local food bank, they rarely contribute to non-profits, they do not help the elderly lady next door with her groceries, they don't return the neighbors dog when she gets lost, and they don't volunteer to coach the local soccer team. What they do do is to create noise, garbage, parking issues, and generally make life unbearable for the residents of Chelan County.

2. When I purchased my home 25 years ago in Chelan County, I thought I was purchasing it in an residential neighborhood – not a commercial zone. In a recent email exchange with Deanna Walther, **she referenced STRs as commercial properties**. And by letting STRs proliferate and giving them the opportunity to change the zoning regulations, **the BoCC have legitimized an illegal activity**. I guess if enough people conduct an illegal activity and claim that it supports the local economy then it can become legal. Shameful.

3. **Please do not provide any more concessions to the STR faction, and honor the "consensus" Task Force recommendations – the recommendations that you all recently praised publicly.** STRACC and the STR industry have continued to chip away at the recommendations to their advantage (not to mention the defections of the STR Task Force to the advantage of the STR industry). Residents negotiated in good faith by conceding grandfathering. Count children in occupancy. **Residents of Chelan County have conceded enough over the last 5 years.** In this whole process the STR industry – and STRACC specifically - have not negotiated in good faith. When given an inch they have taken a mile. Do I need to remind the BoCC that STRACC encouraged out to town STR owners to (illegally) change their voter registration so they could vote in Chelan County? When we thought we were close to a new draft ordinance late last year, the STR faction created the "Christmas Eve Massacre" and decimated the hard work that had been put into the ordinance up to that point. Lastly, it would appear that even in Chelan County the well-funded can buy a politician, as the STR industry contributed heavily to Tiffany's campaign (nearly 70% of the $30K raised by my calculations). (Tiffany, you indicated to me that you "weren't beholden to your donors" to which I replied, "your actions will be the judge". Well, your actions have spoken volumes. Your comments during the recent workshops indicated for all where your interests lie. And

when you told me that "you believe in property rights", I guess you forgot to mention that you believe in the property rights of **out-of-town STR owners over Chelan County residents**).

4. For any of this hard work to manifest itself in something that benefits both the residents of Chelan County and to get rid of the "few bad apples" that STRACC supposedly supports, **there needs to be strong, timely, and appropriately funded enforcement.** Adequate STR registration fees and licenses should be established to fund enforcement. Additionally, a registry needs to be developed so you can manage legal STRs. Years in business taught me that you can't manage what you can't measure.

My request to the BoCC is this - **have the courage to make the right decision for the residents of Chelan County – not out-of-town STR owners.** The residents of Chelan County have suffered enough.

Sincerely,
Mike Cochran

Sent from Mail for Windows 10

Wendy Lane

From: Tracy Bowerman <tracybowerman@gmail.com>
Sent: Friday, July 2, 2021 2:29 PM
To: CD STRComment
Subject: Short Term Rentals need stricter regulations and NO grandfathering unless in compliance

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

Hello commissioners,

I am coming to the short term rental debate late and admit I was not aware that there were proposed changes in the existing regulations, which I looked into carefully when I purchased an investment property in Leavenworth in 2015. Had I known, I would have been involved in the process earlier and I'm now scrambling to fully understand your new proposed rules. However, what I see thus far does not make any sense to me.

I live and work in Leavenworth, where our local economy is getting crushed by current housing prices. I am on the lookout for a home for a new preschool director we hired (I'm on the board of a non-profit preschool, Mountain Sprouts) and called a realtor friend to inquire about a house that was recently listed for sale. Although the house had only been on the market for 6 days, it was already pending for sale by a buyer from California who had purchased it with cash for over asking price, sight unseen. The buyer planned to use it as a second home and a short term rental. "I thought that short term rentals were not allowed in the county unless the owner was on site?" I asked the agent. "Everybody does it anyways" was the real estate agent's reply. So much for the preschool director finding a place to LIVE. She will be renting a condo behind Safeway, even though she is in her 60s and has a PhD and will be an incredibly valuable asset to this community. She deserves to live in a house, not a massive condominium complex.

So what I'm asking is please don't place the desires of people from California and Seattle who want to visit here two weeks a year over those people who live here, pay taxes, PAY YOUR SALARY, and contribute to the economy and social fabric of this amazing place. You are doing yourselves a disservice, as we know the economic implications of lack of affordable housing. These story has been told over and over in tourist towns such as Aspen Colorado, Ketchum Idaho, Jackson Wyoming and Lake Tahoe California, where people who serve the tourists can't afford to live in the places they work and eventually local businesses struggle to find employees and either go out of business, move, or are forced to build their own infrastructure for housing and transportation. THIS IS ALREADY HAPPENING IN CHELAN COUNTY! You must do your job to build sustainable economies, and that includes affordable housing for people who live here and contribute to society. We must do our utmost to make sure there is housing available for people who want to LIVE here, not just vacation here, including both housing to purchase and to rent long term. I would argue that Leavenworth has reached its saturation point for visitors and what we need now is people who want to work here. Walk around downtown Leavenworth and look at the Help Wanted signs, read the For Hire section of Craigslist. Businesses cannot find employees right now. True, COVID fears play into this, but so does lack of affordable housing. I know people in their 20s who grew up here and returned here to work who are LIVING IN THEIR CARS because they cannot find a place to rent.

Specifically, why would you grandfather in short term rentals that are out of compliance? Being out of compliance means you are not abiding by existing rules that were in place for a reason! So why should we reward people for breaking the rules? I'll tell you what happens every time I let my 6 year old break the rules--she breaks them again! Everyone I know who lives here and owns a STR has worked hard and paid a lot of money to make sure they are in compliance with the STR regulations. By grandfathering in owners who have not gone through those steps, you are saying that those rules were meaningless in the first place. What you should be doing is making those regulations MORE stringent, not less so.

As for the 6% cap--this sounds reasonable AS LONG AS you include existing short term rentals in this number. In some areas it appears to me that the 6% cap has already been exceeded, so I'm not sure how you plan to implement this cap.

How do you plan to enforce these regulations in the future? I didn't see any answers addressing that in the Task Force report.

My biggest concern is that by not adequately regulating existing STRs you are a) setting a precedent that you won't be able to enforce in the future, and b) by grandfathering in people who are allowing STRs but are out of compliance with the existing regulations, you are telling everyone it's OK to just go ahead and break the rules now and beg for forgiveness later--and they will be forgiven. This may not sound like a big deal but the implications for our society are huge. Already people who SERVE ALL OF US cannot find housing in the places they work, in part because STRs are taking up limited housing supply. These people include the people who clean said rentals, dental hygienists, checkers at Safeway, teachers, people who work at small non-profits, bakers, cooks, and city maintenance employees.

Do your job: listen to your constituents, not people from out of town. Make the STR requirements more strict, don't grandfather in houses that are out of compliance, and figure out a way to enforce the restrictions that are already in place. Yes, tourists are the reason our town exists, but they also leave trash our streets, park on our lawns, pass out drunk on our porches, shit on the banks of our rivers, leave their beer bottles in our parks, and party until midnight in their short term rentals and keep our children up at midnight. Do you really want to pander to these people and reward them for their poor behavior? The people you should be listening to are those who have gone through the process of licensing their rentals, paying their dues, and working with the city and county to follow the rules that were set their for a reason (presumably), as well as those people who have to put up with living near and around those short term rentals and who feel the repercussions daily, as well as the people who work here but who are displaced by the conversion of residences to short term rentals.

Sincerely,
Tracy Bowerman
541-915-3910

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Wendy Lane

From: Susan Plummer <susancpg@yahoo.com>
Sent: Friday, July 2, 2021 3:37 PM
To: CD STRComment
Subject: Grandfather my neighborhood!

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

Dear Commissioners,

This letter is to inform you that I am opposed to STR's in neighborhoods. We moved here 9 years ago and love our friendly neighbors and we look out for each other, BUT that is being threatened by the increase of STR's.

Our neighbors sold their house a few years ago, and the new owners rent it out as a STR. Every couple of days, we have new people drive down our shared private driveway to stay in the STR. I don't know who they are, and don't care to know. I no longer am concerned about this house, because it is a business in our neighborhood - NOT our neighbor.

I am asking that you include children 2 and under in your occupancy count. All prior drafts of the ordinance included everyone.

In addition, please require the following:

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.

Please grandfather my "right" to live in a single family neighborhood without STR's!!!

Susan Plummer
12478 Shore St.
Leavenworth,WA 98826

Wendy Lane

From: Tina Rieman <tinarieman@tumwater.net>
Sent: Friday, July 2, 2021 3:36 PM
To: CD STRComment
Subject: STRs in Chelan County

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

Dear County Commissioners,

Dick and I strongly suggest that you, the County Commissioners, do not grant more concessions to the absentee STR owners, 90% of whom (I have heard) do not live in Chelan County. Their interest is financial and I don't believe they care about their impact on our community. In our area, Dempsey Hill, we have 4 Nightly Rentals within a couple hundred yards of our property. Two are absentee owners. With no resident owner on these premises there is no control over impacts (loud music played late, loud conversations (occasionally accompanied with foul language induce by heavy drinking), occasional trespassing onto our property, and traffic issues – especially in the winter.

Thanks for hearing our voice!

Tina and Dick Rieman

Sent from Mail for Windows 10

Wendy Lane

From: Candace Egner <candace@37cellars.com>
Sent: Friday, July 2, 2021 3:33 PM
To: CD STRComment
Subject: From Dempsey Road Owners and Residents
Attachments: Dempsey Road letter 7.2.2021.docx

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

Dear Commissioners,

This letter is from most of the owners and residents who live on Dempsey Road in Leavenworth. We have three large absentee owner rentals in our neighborhood and three Tier 1 type rentals. The three large STRs will not meet the draft code due to their small lot sizes but will be grandfathered so we will be living with them for a long time. We remind you that the grandfathering of existing STRs was a huge concession made by the resident members of the Task Force. Therefore, residents have the right to expect strong regulations to protect neighborhoods in exchange. Continual concessions to STR owners who do not live or work here in Chelan County are unacceptable. Specifically, please address the following issues:

1. **Occupancy (Line 409)** Please do not exclude children under 2. This has the effect of increasing occupancy because it allows for a greater number of adults and older children. Moreover, it is impossible to enforce. The STR representatives never asked for exclusion of children under 2 during the negotiations and residents gave up a lot to gain the occupancy caps of Tier 1 : 8, Tier 2 : 12 and Tier 3 : 16.
2. **Exceeding Daytime Occupancy (Line 424)**— Tier 3 should be eligible to obtain a CUP for a Place of Public and Private Assembly to exceed daytime occupancy. For Tier 1 and Tier 2, the property must be required to be 5 acres or larger with access from a major highway, not a functional highway. The Task Force did not have time to get into the details of this issue and it is obvious that events and weddings are not acceptable on smaller lots accessed through residential streets.
3. **Require Compliance with the Building Permit (Line 404)** – STRs must be in compliance with their building permits as well as the septic requirements spelled out in the code. Many STRs have added bedrooms and bathrooms illegally. While I understand that building permit records are not complete, they certainly should be applicable along with other county records such as the Assessor's records and the GIS.
4. **Noise (Line 470)**—We need specific enforceable language. At a minimum you should ban any outdoor amplified music.
5. **PUD Exemption from Density Cap (Line 203)** – The language in the Task Force agreement is ambiguous and was not discussed in detail. Future PUDs should not be exempt from the density cap because they provide one of the best opportunities for the County to make progress on affordable housing.
6. **Grandfathering Historical Occupancy Levels and Exemption from Occupancy Limits (Line 384)**—The STR proponents have asked for a change in the ordinance language that would allow existing STRs to continue with their historical occupancy levels. The Task Force did negotiate this specific issue and it was not agreed to in the consensus proposal. Please do not make this change or we will continue to have large STRs with occupancies over 12 people throughout residential neighborhoods. Some STR owners who have bigger septic systems have asked to change the "and" in line 384 to "or". This paragraph is obviously written to accommodate some specific STR owners which is troublesome in itself. The occupancy caps negotiated by the Task Force must be held up regardless of the septic capacity. No exceptions. Higher occupancies negatively impact neighbors.

7. **End Date for Grandfathering of August 25, 2020** – Again, this issue was specifically debated by the Task Force and the agreement sets a firm end date of August 25, 2020. There has to be a cut off point and if you open this door, it will be hard to close it.
8. **Shared Infrastructure** – All STR owners who share wells/springs, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change from existing code and it will have impacts on privately shared infrastructure. It is only fair that the County require STR owners to obtain permission from others who share water sources and access.

Most STR advocates are willing to destroy communities and the residential neighborhoods of others in order to preserve their desire to have a second home. Your obligation as elected officials is to protect the health and welfare of people who actually live and work here. While it is not easy to tell one group of people that they are not allowed to do what they desperately want to do, we ask you to act with integrity and do what is best for the majority of the residents and local businesses in Chelan County. And, we ask you to follow the mandatory goals and policies of the Comprehensive Plan which are listed at the beginning of the draft STR code. The welfare of neighborhoods and communities must be a higher priority than protecting the investments and rental income of a small group of people.

Sincerely,

Owners and Long Term Renters (see list below)
Dempsey Road
Leavenworth

OWNERS
John
Agnew
Patty Hebert
John Black
Marilyn Black
Von Bridges
Robert Bridges
Reed Carlson
Amy Carlson
Laurie Clayton
Gretchen Diaber
Mike Heath
Tarn Heath
David Dailey
John Deliduka
TJ Dreis
Carol Dreis
Joe Eckroth
Karen Eckroth
Ben Edwards
Jena Edwards
Chuck Egner
Candace Egner
Buford Howell
Valla Howell
Dean Johnson
Karl Krantz
Dawn Krantz
Bob Maher
Amy Maher

OWNERS
Greg Marbett
Phil Marbett
Cheri Sears
Robert Mattielli
Sandra Mattielli
Lynne Daugherty
Anna Milner
Pat Murphy
Heather Murphy
Tina Rieman
Dick Rieman
Piero Sandri
Angela Sandri
Juliana Weis
Dominic Sandri
Gina Tedeschi
Sloane Schubert
Kirvil Skinnarland
Alan Hunt
Tom Stanton
Suzanne Stanton
Dale Swanson
Patti Swanson
Pat Thirlby
Rick Thirlby
Mark Wall
Toni Riccelli
Steven White

LONG TERM RENTERS
Adrienne Dow
Erik Cannella
Mogens Bach
Mary Catherine Grienauer

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Sincerely,

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Dempsey Road
Leavenworth

OWNERS
John Agnew
Patty Hebert
John Black
Marilyn Black
Von Bridges
Robert Bridges
Reed Carlson
Amy Carlson
Laurie Clayton
Gretchen Diaber
Mike Heath
Tarn Heath
David Dailey
John Deliduka
TJ Dreis
Carol Dreis
Joe Eckroth
Karen Eckroth
Ben Edwards
Jena Edwards
Chuck Egner
Candace Egner
Buford Howell
Valla Howell
Dean Johnson
Karl Krantz
Dawn Krantz
Bob Maher
Amy Maher

OWNERS
Greg Marbett
Phil Marbett
Cheri Sears
Robert Mattielli
Sandra Mattielli
Lynne Daugherty
Anna Milner
Pat Murphy
Heather Murphy
Tina Rieman
Dick Rieman
Piero Sandri
Angela Sandri
Juliana Weis
Dominic Sandri
Gina Tedeschi
Sloane Schubert
Kirvil Skinnarland
Alan Hunt
Tom Stanton
Suzanne Stanton
Dale Swanson
Patti Swanson
Pat Thirlby
Rick Thirlby
Mark Wall
Toni Riccelli
Steven White

LONG TERM RENTERS
Adrienne Dow
Erik Cannella
Mogens Bach
Mary Catherine Grienauer

Wendy Lane

From: Kristen Ward <KWard@cascadesd.org>
Sent: Friday, July 2, 2021 3:28 PM
To: CD STRComment
Subject: Grandfather our neighborhoods

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

Hello,
I am writing you today to advocate for our neighborhoods. It is imperative that we keep our neighborhoods in tact. Please grandfather our neighborhoods and enforce the regulations. Without the two elements, our neighborhoods will be destroyed.
Thank you,
Kristen Ward
Leavenworth, WA.

Sent from my iPhone

Wendy Lane

From: STRACC Admin <info@straccwa.org>
Sent: Friday, July 2, 2021 3:27 PM
To: CD STRComment
Subject: Comments on Draft STR Code

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

Dear Commissioners:

The Short-Term Rental Alliance of Chelan County (STRACC) is a coalition of individual homeowners, property managers, and affiliated individuals and businesses. We are dedicated to maximizing the benefits of vacation rentals as a necessary, valuable and important part of Chelan County tourism. We seek collaborative solutions and encourage cooperation among our members, neighbors and communities, and believe that appropriate regulations can support these goals.

STRACC appreciates the opportunity for STR owner and operator involvement that was afforded by the task force. We respect the task force process and the consensus reached. The compromises are important, even though we may not like them all. We also understand that the task force was always intended to be advisory in nature, and that the final decisions would rest with the Commissioners.

STRACC furthermore appreciates evidence based decisions, like the Commissioners' choice to align occupancy counts with existing Health District practices for children under 2. Families with young children are among those who gain the most from staying in an STR, and cause the fewest issues for owners and neighbors.

The draft code is at a point that many owners and operators can live with. STRACC offers the following suggestions with the goal of improving clarity of the code, reducing administrative burden, respecting property rights, and minimizing the county's exposure to litigation from groups of property owners.

Clarify Parking Requirements

In the last workshop, it appeared that the Commissioners agreed that one parking space per occupied bedroom was a reasonable amount of parking to require. Table 11.90-3 in the hearing draft appears to reflect this. However, the language at line 442 appears to require a parking space for each STR bedroom, in addition to the two spaces already required for a single family home. STRACC recommends clarifying the language as follows:

(i) One off-street parking space for any onsite manager, plus one off-street parking space per rented bedroom, shall be provided, and shall not be located within a setback and not within any recorded access easement, consistent with the provisions of Chapter 11.90.

Prohibition on Changing Nonconforming Properties

This week's hearing demonstrated what an important issue this is to many property owners.

Existing Chelan County Code states that "Uses, lots, and structures rendered nonconforming by the adoption of this title may be continued and maintained in reasonable repair, " (11.97.010) and that "A pre-existing use which is nonconforming shall not be enlarged, or altered in any way which increases its nonconformity" (11.97.025). The draft STR code would depart from this established principle by forcing pre-existing STRs to shut down if they make any change requiring a permit. The list of work exempt from permits is quite short. An owner who wants to install an HVAC system in response to rising temperatures, or even replace an existing system, would require a permit. So would anything more than decking replacement on a deck more than 30" above grade. It is hard to see how these changes would "increase the nonconformity" of an existing STR. But, this provision will force owners to choose between maintaining their legal nonconforming status and completing work that is needed to protect the safety and health of residents and guests.

STRACC encourages the County to modify this provision so that legal nonconforming status is forfeited only when the owner makes a change that increases the nonconformity of the STR.

Manson Grandfathering Provisions

In the last code workshop, the BOCC changed the cap and transfer rules for Manson from 9% / 3 years to 6% / 5 years, in the name of consistency. If consistency is the goal, STRACC encourages the Commissions to better align Manson grandfathering criteria with the rest of the county: payment of taxes and operation between July 2019 and August 2020.

Existing county code (CCC 16.02.040) states that "It is the intent of Chelan County to proactively prevent code violations through education. Where violations have been documented, compliance with the code may be pursued through administrative remedies and voluntary compliance as a first step. When warnings and voluntary compliance efforts have been unsuccessful, compliance may be pursued with civil penalties to ensure uniform and efficient application of the code." The county's clearly preferred approach is to educate and warn, and STR regulation should follow the same path.

However, many Manson owners were never educated on permitting, and now face a harsh penalty. These owners should be able to continue if they pay double permit fees for prior unpermitted operation, whether they held a permit in the past or not.

In an email exchange with the Commissioners on June 30, Manson Community Council Chair Kari Sorensen shared a task force document. In one corner, she circled and annotated with "We agreed to all of this" the idea that Manson operators should be able to continue if they operated in 2019 or 2020 and pay double permit fees for each year of prior unpermitted operation, as we have proposed here.

Moratorium

STRACC urges the BOCC to provide a path to grandfathering for owners who committed significant resources toward creation of their STR prior to the moratorium date.

Data and Re-evaluation

STRACC believes that evidence-based policy is the best and fairest way to balance the interests of stakeholders. We encourage the county to ensure that data is collected and made available - not only to county staff but to stakeholders as well - on issues such as STR visits, revenue, tax collections, and the number, source, and resolution of neighbor complaints and citations for code violations.

STRACC further recommends that the code provide for a task force to evaluate the effects of the code after its adoption. This group should be charged with conducting (or overseeing a consultant to conduct) a rigorous review of the costs and benefits of STRs in Chelan County and how the code has affected STR owners and neighbors.

Clarify Meaning of "Verified" Violations and Path of Responsibility

One thing you heard from both sides in the hearing is that people on both sides would like more clarity on the meaning of "verified" violations. STRACC believes that a verified violation must be one for which there is clear and convincing evidence and for which the property owner has had a right of appeal. We encourage the county to clarify in this manner.

Additionally, STRACC believes that the responsible party should be the first point of contact when a complaint is lodged. Wallowa County, Oregon's STR code provides a good model for this:

A substantive complaint is one that: (1) Has first been attempted to be resolved by the owner/manager, (2) Is not anonymous, and (3) Is accompanied by corroborative evidence such as photographs or affidavits. Complaints which have been, in the opinion of the Director, resolved, shall not count as substantive complaints.

Required Property Rights Analysis

RCW 36.70A.370 and WAC 365-196-725 mandate that counties use a process to assure that proposed regulatory actions do not unconstitutionally infringe upon private property rights. There does not appear to be anything in the record suggesting that the County has followed such a process in developing the draft code. STRACC believes it will benefit both STR owners and the County if the County completes this process before adopting the code.

SEPA

While it appears that CUPs for Tier 3 STRs will be subject to SEPA, it is unclear whether the permits for Tier 1 and 2 STRs will be subject to SEPA. The code is not clear as to whether the administrative review is "limited" or "full." Since there is no specific exemption from SEPA for STR permits in Title 13, CCC or in WAC 197-11, the County should make it clear as to whether or not SEPA applies. The current code states that Manson STR permits shall be issued "under Title 14 limited administrative review." STRACC recommends that the County similarly specify that the newly established STR permits shall be issued under limited administrative review. This will help to reduce administrative burden and the need to involve multiple agencies in the permitting process for hundreds or thousands of STRs.

Conclusion

Short term rentals are a vital part of Chelan County's tourist economy and provide many jobs for residents. STRACC will continue to work hard to educate our members to be the best operators we can be and to abide by the final code.

Sincerely,
The STRACC Executive Board

Wendy Lane

From: carolyn@bjwhite.net
Sent: Friday, July 2, 2021 3:25 PM
To: CD STRComment
Subject: Short Term Rental

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

Chelan County Commissioners:

Please remember the residents of Chelan County who elected you to serve them.

Accept the work of the Short Term Rental Task Force and keep limits as agreed. A major concession was made by residents to gain more protection for now and for the long term. DO NOT give in to STR owners, most of whom do not live in Chelan County and have no vested interest in our neighborhoods.

Keep Leavenworth a great place to live and work.

Thank you,
Carolyn Phillips
7560 Icicle Road
Leavenworth, WA 98826

Wendy Lane

From: dgann7@gmail.com
Sent: Friday, July 2, 2021 3:24 PM
To: CD STRComment
Cc: dgann7@gmail.com; 'Susan Plummer'
Subject: Comment Regarding Proposed Chelan County STR Code

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

Chelan County Commissioners,

My name is Doug Gann and I reside at 12478 Shore St, Leavenworth. We have lived in Leavenworth for almost 10 years and moved from the "west side" to escape the crowds, seeking a more peaceful environment to enjoy our retirement years. We have witnessed the alarming growth of overnight rentals near our home and are alarmed at the impact it has on the availability of affordable housing. Turning a single family residential home into commercial STR properties has driven up home prices to unaffordable levels, driving out families of modest means. While I can understand the need to reach a compromise agreement on a set of STR policies and codes, there remain certain elements of the draft proposal that I strongly object to.

1) I am adamantly opposed to transferring or issuing new permits to the purchaser of a STR property, particularly in areas that exceed the prescribed density cap. Eliminating STR's through attrition is the only practical way to reduce the density of STR's down to the targeted levels, thus preserving the property rights and residential zoning characteristics for all home owners.
2) I support counting all visitors, regardless of age for determining occupancy limits.
3) I also support using the ratio of 2 visitors per approved/permitted bedrooms and/or approved septic system designs. This occupancy limit insures size of visiting families or groups don't exceed the normal capacity of the structure, including septic systems. Over taxing septic systems leads to serious health issues for surrounding home owners. Many of us in the county rely on single party wells for our drinking water so preserving the health of our soils and ground water is critical.
4) All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.
5) I believe there should be a process in place for a nearby homeowner to challenge the compliance (e.g. occupancy limits) of a STR property. The STR owner should be required to demonstrate they are meeting all STR regulations and the permit should be subject to termination for repeat offenders.
6) Lastly, I believe the county should increase STR taxes or fees to help cover the cost of compliance. It's clear this problem is out of control and it will take adequately funded enforcement to bring the problem under contract. Given the profitability of STR's, it's clear there is room for the compliance enforcement of a STR program to be self-funded.

Thank You,
Doug Gann
dgann7@gmail.com
(206) 419-8467

Wendy Lane

From: Sandsintahoe <sandsintahoe@aol.com>
Sent: Friday, July 2, 2021 3:22 PM
To: CD STRComment
Cc: lj2341@gmail.com
Subject: STR testimony

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

Hello,
My name is Susan Mitchell and this is my testimony regarding STRs in Chelan County.
I have been a full time Leavenworth resident for 17 years. In 2015 a STR "accessory dwelling" was built as close to our property line as legally allowed, so I've had to live next to a loud STR for 6 years, although it seems longer.

I would like to remain anonymous if this is to be submitted publicly if possible. We could not attend the public meeting on Tuesday June 29th because my husband works as a department director at our local hospital, and I have multiple sclerosis.

This is my experience living next to a vacation rental:

My husband and I are calm, friendly, polite people that tend to keep to ourselves, although when we tell our concerns the the STR owners we are treated as "complainers". My husband has communicated issues to the owners when incidents arise; sometimes we get a reply, and sometimes we do not. We have real concerns about our dealings with the vacation renters; not just trivial complaints.

The STR generally has a full parking lot, with loud guests, honking cars, car alarms going off, people slamming doors and breaking windows, bottles being broken, screaming children, etc. We can hear loud music booming through the walls of the rental. In the yard are often loud, drunken parties, people yelling and screaming, and Karaoke hot-tub parties. People shouting playing volleyball, Pickleball, and horseshoes until all hours. Balls hit and damage our fence over and over. We've witnessed children climbing and hanging from wooden fence, resulting in damage on at least 7 occasions. We repeatedly have trash thrown over the fence onto our property including Frisbees, tennis balls, volleyballs, whiffle balls, food wrappers, water bottles, beverage cans, water guns, used Kleenex, a croquet mallet, balloons, golf balls, croquet mallets and fireworks debris.

We've had their guests park in our driveway, ignoring the posted "Private Property" sign. They've knocked on the door during our meals requesting us to retrieve items thrown over the fence. We've caught them trespassing into our backyard and hiding in order to retrieve items.

We've been threatened by guests to have eggs thrown at us, and have narrowly missed being hit by balls thrown over the fence. We've been subjected to loud and aggressive shouting such as "Common dude just FUCKING PUKE MAN!!!" then see vomit spewing up against our fence.

The owners built their 2 story vacation rental right next to our property with large windows that look to our house and backyard. We have witnessed total strangers staring at us while we are doing chores or trying to relax in private. It's unnerving. The renters are complete strangers with unknown backgrounds and/or criminal histories, and since they aren't monitored, and we have no idea who they are, it feels as if they're not accountable. It's nothing like having a real neighbor whom you know, and has a vested interest in the neighborhood.

The owners of the STR generally leave on the weekends to a different address when guests arrive. Unfortunately we don't have that luxury, so WE are the ones who have to stay and endure the excessive loudness. We don't have another house to retreat to and we don't get any financial benefit, while the owners get to escape the mayhem and reap all the rewards....$800 - $1300 per night depending on the season. Often there are more guests than legally allowed, with tents set up in the backyard.

When we moved here in 2004, we carefully evaluated the neighborhood to see if we would be happy with noise level, surroundings, and neighborhood feel in general. We were thrilled with this area, and took comfort in the R2 zoning laws. But that was before the rules were bent, and we were forced to live next to a mini hotel. We used to think this was our "forever home", but now we're not so sure.

My husband and I are from working-class Southern California originally. We worked our own way through college, and paid our dues working long hours at hard jobs. We drove on packed freeways, and lived with high crime and polluted air. It was a dream come true when we moved to this lovely area and purchased a house and became part of the community. On the rare occasions when the STR is vacant, we sit in our yard and enjoy the quiet beauty and wildlife of this area, and remember how this area used to be, and how it was intended to stay with zoning regulations....a rural neighborhood with respectful neighbors.

In addition, we've had to purchase many No Trespassing signs, privacy tarps, ear-plugs, and white noise machines to keep our home livable. My health has been affected negatively by the noise and aggression and stress caused by the STR.

Besides the STR next door, we have additional STRs in the immediate area that resemble Frat Houses, with younger crowds who hang out on patios and balconies yelling and playing loud music till well past 1:00am.

It's concerning because this was once a beautiful, peaceful community that is becoming ugly and obnoxious. My husband and I have been watching it's decline due to the rapidly rising numbers of unmonitored vacation rentals nearby.

My testimony is truthful and heartfelt. Please take my testimony into consideration as a friendly long-term resident of Leavenworth. We need your help before it gets even more out of control.

PLEASE GRANDFATHER OUR NEIGHBORHOODS AND IMPOSE AND ENFORCE SIGNIFICANT RESTRICTIONS ON STRs

Thank you for your time and consideration,
Sincerely,
Susan Mitchell

Wendy Lane

From: Mike Redman <mcredman@msn.com>
Sent: Friday, July 2, 2021 3:16 PM
To: CD STRComment
Subject: STR Code Draft

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

As a Leavenworth homeowner and resident, I am writing to voice my objections to several items in the current STR Code Draft.

1. Tier 2 and tier 3 STRs should NOT be allowed in residential areas.
2. The "grandfathering" of existing STRs is not acceptable at the current level and would not be near 6%.

This committee should put the interests and values of actual residents of Leavenworth, not absentee owners with no vested interest in the quality of life in this community, first in this decision-making process.
I have directly experienced the impact of these unmanaged STRs and their negative impact on our community.

Michael Redman
1551 Alpensee Strasse
Leavenworth, WA 98826

Wendy Lane

From: Paul Rawlins <rawlinslp@msn.com>
Sent: Friday, July 2, 2021 3:15 PM
To: CD STRComment
Subject: Concerns About Current STR Draft Code

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

To: Chelan County Commissioners

My husband and I have been full-time residents in the Chiwawa River Pines development for over 20 years. We, as well as the other residents of our area, have worked very hard over the years to make this a desirable and safe neighborhood for our families to live. I am concerned about the significant negative impacts of commercial lodging in this area, which is not even supposed to be allowed per our Community By-Laws. I am requesting that the County Commissioners stop the granting of anymore concessions to the STR owners, the majority of whom do not live in Chelan County. I voted for Commissioners who I thought would support the residents and businesses in our county. Please stop any further concessions for STRs as they are severely impacting our housing shortage, our water supply usage, and privately shared infrastructure that all residents need.

Thank you.
Elizabeth Rawlins
2218 Riffle Drive
Leavenworth, WA 98826

Wendy Lane

From: Craig Johnson <mr_craigj@msn.com>
Sent: Friday, July 2, 2021 3:14 PM
To: CD STRComment
Subject: Chelan County STRs need stiffer regulation

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

Please include these provisions in draft of the STR code:

1. Occupancy limits including children under 2 day and night and no events or weddings

2. Specific noise ordinance language

The County's noise ordinance is too general and difficult to enforce. The following language should be added:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Infrastructure limits

STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate they have received written concurrence from co-owners to convert a residential structure to a commercial use.

4. Special areas off limits to STRs

Lake Wenatchee has no public access other than Lake Wenatchee State Park and Glacier View campground resulting in blatant and rampant trespassing. This area should be designated a non-STR area.

Sincerely,
Teresa Johnson
17651 Northshore Dr.
Leavenworth, WA 98826

Wendy Lane

From: Megan Collins <mbpiers1@gmail.com>
Sent: Friday, July 2, 2021 3:08 PM
To: CD STRComment
Subject: Short Term vs. Long Term rentals

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

There are not enough long term rentals!

My husband and I have two long term rentals in Leavenworth.
Both rentals were to become vacant July 1, yesterday.
We had them both filled within three days of hearing that our tenants were moving. We didn't even advertise the homes.
Both parties were so desperate for a place to live that we did not even have time to paint them before they moved in.
People are desperate to make Leavenworth their home and there is nowhere for them to live.

Please, please "Grandfather our Neighborhood" and impose/enforce restrictions on STRS.
If there are fewer short term rentals, there will be more homes available for long term rent.

Thank you,
Megan Collins
Brad Piers

Wendy Lane

From: jbwilson@nwi.net
Sent: Thursday, July 1, 2021 7:42 AM
To: CD STRComment
Subject: STR Comment

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

This constituent is extremely disappointed in the actions **not** taken by the commissioners involved since the whole STR issue started (not just the current commissioners). Repeatedly we hear "We must support tourism" especially in Leavenworth – Leavenworth does not allow STRs so they are all being pushed out into the unincorporated parts of Chelan County.

If STRs are created to promote tourism for Leavenworth, they MUST be allowed in the city's & county's COMMERCIAL areas. They are businesses! Businesses are started to make a profit for the business owner – why else would they start one if not to make money?

We live in a residential area. If we had wanted to live next to businesses, we would have purchased property in a commercial area.

We share our lives with our neighbors next door.
We like our neighbors!
We socialize with our neighbors.
We work together with our neighbors on neighborhood projects.
We watch out for our neighbor's property when they travel and they watch over ours when we travel.
We accept packages for each other.
We pick up each other's mail.
We take our neighbors to the doctor when needed.
We grocery shop for each other.
We share our beach area with our neighbors, their children and their grandchildren.

We've come to know our non-resident neighbors over the years. When they come to stay in their HOMES, they also help in the community with their time and their donations to local organizations and causes. They are PART of our COMMUNITY NEIGHBORHOODS.

We have met many STR visitors and most of them are very nice people.

HOWEVER – because the STR owners are not satisfied with renting long-term to people who **want** to be part of our community:

We endure excessive traffic on a residential area roads.
We endure being forced off the side of the road when walking.
We endure excessive speed on our roads (North Shore, River Road, Cedar Brae) – 25 mph but cars are traveling way over that, passing on blind curves or anywhere on a road that is entirely doubled yellow lines.
We endure trespassing on our driveways, docks, parking areas (often for by non-STR owners), beaches (where applicable) – not just in daytime but in the middle of the night.
We endure noisy parties late at night.
We endure cigar and cigarette butts thrown on the roadway. The trash along the roadways is double what it used to be.

Hopefully you understand the situation and why local residents are so frustrated and worried for our community's future. When the county becomes one big STR, there will be NO ONE to service all the tourists (firefighters, EMTs,

hospitality folks, nurses, home services etc.) because they will be taxed out or unable to find a place to live and the county will be only a desirable place to visit NOT to live.

Jimi Wilson
15440 Cedar Brae Rd

Wendy Lane

From: teri mcintyre <terimcintyre72@outlook.com>
Sent: Thursday, July 1, 2021 7:34 AM
To: CD STRComment
Subject: Keep Task Force recommendations (they don't go far enough anyway)

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

Dear Jim Brown and BOCC,

I live (RN at Confluence) and work in Chelan county since 1996. My husband is a pharmacist, who also works for Confluence. We have owned 3 homes in Leavenworth, and have lived in our current home, 10459 Titus Rd for 3 years. We earn our income the normal way, we work, save and invest in our home, invest in mutual funds and 401 retirement savings plan. Our once beautiful town is eroding rapidly due to overtourrism, this is due to the unregulated proliferation of illegal STR's in Leavenworth. We are rapidly losing community. We used to frequent downtown shops and restaurants, we do not do that anymore.

I strongly OBJECT to the decision not to include children of ALL ages as people.
Infants are people and by not counting them in the occupancy limits, you are creating a huge loophole in the new code.

For every child under 2 that is not counted, you are allowing another adult into the rental. They do not exclude children under 2 in the rules for a
septic permit. Occupancy is on 2.5 persons per bedroom period. There are no exceptions for age.

The Task Force agreed to the occupancy limits and Residents gave up a lot of "protection for neighborhoods to get these limits.

STR owners are continually pushing for exceptions to the Task Force recommendations and I am strongly urging you to stay with the proposed code. I understand they are pushing to change the date of "grandfathering", they want to make "improvements" to their existing "non-conforming" STR without jeopardizing their "grandfathered" status, they have conned you into raising the occupancy limits by excluding children under the age of 2 and they are pressing to grandfather "historical occupancy levels" so they don't lose income.

Do not increase the number of "Grandfathered" STR that were purchased during the Moratorium to protect illegal Investments.

Keep all existing recommendations and concessions had been made on both sides. If you begin to cave now, this will erode the entire task force recommendations, and the residents of Chelan county will lose (again).

Additionally, providing input at the this week hearing and threatening lawsuits (while living in Seattle/Mercer Island etc.) because they choose to purchase real estate for the sole purpose of investment) during a "World Wide Pandemic!" (How many times did they all say that?) As if a pandemic was a good time to travel about to an isolated area and buy homes and expose people. As a reminder it is not your concern that they purchased an STR illegally with the intent to make a residential house a commercial business. If they intend to bring a lawsuit against Chelan county d/t the moratorium, it should be against the person they received the bad advice from; the real estate agent, the local STR management company etc.
Further more many stated threateningly that their investment is now "worth nothing" and that they should also be grandfathered in, this is simply wrong. My real estate has gone up $200,000 this past 1.5. It is not your concern that they made a choice to invest poorly. It is not your concern at all to protect their commercial investment in a

residential area. They are threatening this to try and bend you to their will with the threat of litigation. If I lose money on a restaurant I purchased, do I sue my customers or the previous owner?

Further more, they all feel strongly that their illegal STR bring in so much to the service economy (aren't we all grateful?), and to the restaurants and shops? Again, see my point in the first paragraphs, we are suffering from overtourrism . The rivers are overrun, littering etc. These people greatly overestimate the financial benefit they bring. The only ones benefiting are themselves.

The absolute obnoxious Privilige the people showed calling in to the meeting was appalling and obnoxious. They do not live here, they do not live with the repercussions of decision made here. They only care about money, not community. Tourism, and over tourism is ruining towns in Chelan county. We are better than this. You are better than this, make the right decision, and support the people who you are sworn to serve.

Teri McIntyre

Sent from Mail for Windows 10

Wendy Lane

From: Mary Steeber <mary.steeber@gmail.com>
Sent: Thursday, July 1, 2021 5:04 AM
To: CD STRComment
Subject: STR Regulation code

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

Dear Jim Brown and BOCC

You were unsuccessful in bringing the people of Chelan County to common ground around issues involved with Short Term Rentals so you created a task force to work them through. You identified the participants. You asked them develop a plan both sides could accept. They were successful in developing a plan **both sides agreed to**. This is work you did not do. Exceptions you may want to make to their agreed upon plan is a clear sign of partisanship and shows lack of courage in demonstrating the kind of leadership the people of this county deserve. Giving in to powerful people with money does not serve the good of the whole.

I am a full-time, tax paying and voting resident of Chelan County and implore you to show trustworthy leadership and stand by the hard work of **your task force that has done your work**.

Thank you.

Mary Steeber

Wendy Lane

From: James Leifheit <jamesleifheit@yahoo.com>
Sent: Wednesday, June 30, 2021 11:00 PM
To: CD STRComment
Subject: Str regulations please

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

Dear Commissioners,

Please do the right thing and strongly regulate short term rentals in Chelan County. I have lived here for 25 years, essentially all of my adult life. I am clearly seeing the negative impact short term rentals are having on the community.

Tourism is of course an important part of the local economy, so I am not fully against having certain types and amounts of lodging available for short term rental. But the impacts it has on neighborhoods, housing costs, noise, infrastructure, etc. should not be ignored.

Additionally, having most of the short term rental financial gains go to people and entities based outside of Chelan County means that valuable tourism money is getting siphoned away. Help keep it local in the ways you can.

To people who try to make the argument that they should be grandfathered in because they made the investment based on those rules, I would say, too bad. There's no guarantee the stocks you buy will go up. Supply, demand, global and local politics, conditions and climates all change. Some investments pay out, others don't.

Chelan County is about as fantastic a place as one can imagine to live, grow, work, play, and raise a family. Please do your part to help keep it that way!

Thank you,

James Leifheit
Resident of Leavenworth

Wendy Lane

From: GregMary Steeber <gmsteeber@gmail.com>
Sent: Wednesday, June 30, 2021 9:43 PM
To: CD STRComment
Subject: STR Regulation code

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

Dear Jim Brown and BOCC

As a long term resident, tax payer and voter in Chelan County, I strongly encourage you to take the results from the Short Term Rental Task Force that you created to help solve the mess that Chelan County currently has and pass the recommended code that will try and solve this problem. There were already many compromises that were made by both sides to reach the agreement that was presented to you. Every time that you make an exception to this agreement, you weaken the regulations which will lead to no solution to the current problems and probably worsen them. This use of exceptions is simply a way for the STR owners (most of whom are not Chelan County residents) to try and get a watered down code which they were unable to get through a fair and agreed upon process through the Task Force. Show some spine and stand up for the residents of Chelan County.

Gregory Steeber

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>
Sent: Wednesday, June 30, 2021 9:31 PM
To: CD STRComment
Cc: Bob Bugert; Kevin Overbay; Tiffany Gering; Jim Brown
Subject: Please do not change line 384; keep the word "and" (instead of "or") in the STR Code

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

Dear commissioners and Jim Brown
I am concerned that in the public hearing we heard pleas from owners of one large lodge to make a crucial word change. They asked that the word "and" be changed to "or" in line 384, in order to accommodate 24 occupants at their lodge.
Please do not make this word change in line 384!
Please stand firm on occupancy limits as agreed by the Taskforce, including for all existing STRs.
We residents made a major sacrifice in agreeing to grandfather all these STRs. The agreement was that in return for grandfathering, many large STRs would have to reduce occupancy. We realize that is may be sacrifice; we all made difficult sacrifices.
The Taskforce-agreed occupancy limit is 16 for Tier 3, and 12 for Tier 2. That is a fair compromise.
Moreover, the board of STRACC agreed to support the occupancy limits. This owner is a STRACC officer.
Especially with this lodge where the owner and family live on the property, this already increases the occupancy by 3-4 people beyond the occupancy size, with potentially more than 20 people on a residential lot.
The specific Lodge owners who testified in favor of the word change are likely themselves stellar neighbors. But you can't write County Code to benefit just one family. This word change to benefit one family would create a huge loophole of cascading consequences for neighbors of many other large STR,s who have been harmed and will be harmed by higher occupancies.
Occupancy is the most crucial factor in noise. Large STRs are the ones that cause the most noise violations. (I acknowledge that is not the case for the Snowgrass Lodge, but it is the case for other large lodges.)
The proposed word change from "and" to "or" would have ramifications for neighbors who live next to all the other large lodges, who have had to put up with noise, trespassing and garbage violations for years—who trusted you to impose fair occupancy limits, as agreed by the Taskforce consensus.
For example, on East Leavenworth Rd, a lodge built in 2013 on a 1-acre lot as a "single family home," (but never used as a single family home), has had numerous noise complaints. It initially advertised 24 occupants in 8 bedrooms, but was required by County Code Enforcement in 2016 to reduce back from 8 bedrooms to 6 bedrooms. If you make the word change requested by Snowgrass Lodge, this lodge also would suddenly be allowed higher occupancy. Similarly, with other new large lodges, built as so-called "single famly homes" in residential zones, right next to longtime workforce neighbors--- is it fair to their neighbors to allow all these other commercial lodges to increase occupancy?
Occupancy must be tied to the number of bedrooms on the Chelan County building permit and septic permit, with a maximum of 6 bedrooms or 16 occupants, as agreed by the Taskforce.
The occupancy standards have already been eroded too far by the change to allow young children not to count. Lodges larger than 16 occupants are not allowed in residential neighborhoods, as agreed by the Taskforce consensus.
Please do not change line 384. Keep the word "and," as written, inline 384—in order to limit occupancy to 16 persons in all residential zones, including for grandfathered STRs.
thank you,
Barbara Rossing, 7785 E. Leavenworth Rd

Wendy Lane

From: Kathi Bonallo <kip.bonallo@gmail.com>
Sent: Wednesday, June 30, 2021 8:45 PM
To: CD STRComment
Subject: Honor the many hours, work and compromise of the STR Task Force!

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

Dear Mr. Brown and the BOCC

I would like to remind the Commissioners that the residents who were appointed to serve on the County's Short Term Rental Task Force, representing both sides of the issue committed many hours, difficult discussions, and ultimately came to consensus on the proposal put before the commissioners. A couple of those on the task force are friends (both sides of the issue, again).

Concessions were made by those desiring more control and enforcement. They agreed to accept grandfathering of most existing short term rentals despite the fact that they are all clearly illegal under the existing zoning code. They made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is unacceptable for more concessions to be granted to STR owners—90% of whom do not live in Chelan County.

The Commissioners are dishonoring those on the Task Force, whom they gave the task to, by throwing out their recommendations! Children under two should be counted in the occupancy count; these are not residences, but commercial enterprises and should be coded as such; registration and enforcement is needed.

It's unacceptable to jeopardize our precious communities so out-of-towners can make a profit! Neighborhoods & Communities, looking out for one another, are more important than what I see as mostly greed!

Kathi Bonallo
7 year full time resident in Plain
Registered Voter in Chelan County

Wendy Lane

From: rjjennings@nwi.net
Sent: Wednesday, June 30, 2021 8:41 PM
To: CD STRComment
Subject: Fwd: Line 384 of prosed STR Draft Ordinance

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

Dear Jim Brown and BOCC,

I was unable to attend to Public Hearing because of work and just found out about the testimony of the owner's of a large Lodge on Icicle Rd. They asked the commissioners to just change one word "and" to "or" in line 384 of the Draft Ordinance.
This is exactly what is going to cause all of the current efforts to regulate STRs to FAIL! Don't do it!

The code has to be black and white with NO EXCEPTIONS, period. NO GREY AREAS! Every time you make an exception for one person, you make it for everyone. This is why we are in the current mess. Get a backbone and stand up for our community!

Commissioners Overbay, Bugert and Gering, do what you were elected to do and protect the Residents of Chelan County! Grow the economy by putting commercial enterprises in Commercial Zoning and protect residents by keeping residential zoning for residents!

As it is, I fear enforcement will only be a dream. With Enforcement Officers working 9-5 on weekdays, how does the code get enforced?
Neighbor turning in neighbor? What is a verified offense? With
exceptions like children under 2 not being counted as people, grandfathering "historical occupant levels, allowing for home improvements, {like adding a pool}, etc. this proposed code is becoming a joke and will throw the County into further lawsuits.

I can hear it now. " Well, the County gave an exception to this guy so they should give me an exception". "I'm just a poor single mother who lives in Mercer Island and remodeled our family cabin from a 1 room shack to a $900,000 STR without a Building Permit, but if you shut me down, my children will starve." Don't LISTEN to this sob stories.

East Leavenworth Road, Icicle Road, Cedar Brae, North Road, River Rd.
etc. are not major highways. Cedar Brae and River Road are dead end roads! Get real. Tier 3 STRs have to connect to a major Highway, no a "functional highway". In a high risk Fire Area, you can not accommodate large STRs on dead end roads. Once again, common sense HAS to come into the equation. Protect the residents of Chelan County! PLEASE!

Jerry Jennings
Very tired and weary resident of Plain

Wendy Lane

From: George Wilson <gwwilson@nwi.net>
Sent: Wednesday, June 30, 2021 8:12 PM
To: CD STRComment; Kevin Overbay; Bob Bugert; Tiffany Gering; Jim Brown
Subject: A common theme.....

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

Commissioners and Director Brown:

This being my second comment submission I want to address one specific issue-

It was a recurring theme during the STR hearing yesterday that STR owners pleaded the case that they had purchased their dream home over here with the plan that they can rent it for ten years and then move into a paid-for home and live an idealic retirement. The problem with this is that during those ten years the several neighbors surrounding the STR live with the comings and goings of total strangers that too often are not considerate, not respectful of boundaries and often leave discontent behind them. At the same time the surrounding homes are deprived of true neighbors which to many of us is a big deal. We value our neighbors, they become friends and become involved members or our community. Neighborhood is a real, living thing to us, but to have that takes neighbors.

At the end of 10 years of renting then the owners move in to the STR never having to experience the pleasure of living next to a STR.

The idea of renting occurred to many of us here over the years but we were made aware that renting out as a vacation rental was not a use of the property permitted under code and we abided by that. We realized also that having that kind of transient activity ongoing for years would not be a pleasant condition for our neighbors.

Thus- we did what we felt we had to do to have this place we loved. We prioritized, we decided that this is what we wanted and sold boats, camper trailers and other toys to have it. We sacrificed- we didn't go to Hawaii on vacations, we bought used cars rather than new ones and even then infrequently. We didn't pay for our home here at the cost to our neighbors of being absentee rental owners.

It seems to me that the pleas of financial ruin if one cannot rent here now are pretty shallow. I think to make and prove such a claim in litigation they would have to show they have been harmed financially. You know as well as I do that there is not a home in Chelan County that couldn't be sold today for substantially more than it was worth last month at this time.

I really don't know how our county has lost it's way on this- the important things just don't seem to matter any more.

George Wilson, Lake Wenatchee

Wendy Lane

From: Jerry Becker <beckergl@comcast.net>
Sent: Wednesday, June 30, 2021 7:44 PM
To: CD STRComment
Subject: STR comment

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

Sirs:

We have been part-time residents and property owners/property tax payers in Chelan County for 19 years. We have a private residence (we do not rent to anyone) and enjoy our mountain community in which we have chosen to live. We pay $14,337 in property taxes this year for the privilege of experiencing our mountain environment.

The upcoming decision to allow short term rentals, even with qualifications, could in the future directly effect property owners like us since we will have no control in determining the adverse effects neighborhood rental tenants will have for us. Years ago our shared sewage system (tank is located on our property) overflowed when the neighbor entertained a large group of guests. Is it fair that I should be required to have this happening on my property because my neighbor is renting to large groups ongoingly without my having any "say" in their ability to do so? Parking is limited in front of their and our homes so any rental tenants would be parking on the street area. Our home is 20 feet away from our neighbor and noise from loud renters will be heard. We have no control over the peacefulness of our neighborhood if renters take over for days and weeks at a time. Bonfires have been lit recently, under trees and during burn bans, which we have asked renters to extinguish. Garbage cans are left out and debris strewn along the road, evidence of lack of knowledge of bear and racoon presence and general ecological hygiene. Drivers speed up and down our street ignoring the 25 mph speed limit, presenting a clear and present danger for our pets and small children. You have heard these and other horror stories we are sure. Please listen and respect your tax payers' challenges to some of your proposed regulations.

Our wish is to have the strictest criteria in place to prevent abuse of all residents like us, who appreciate the quiet and solitude of our mountain and rural environment. The above statements are not a result of "Not In My Back Yard" syndrome. There are many property owners whose investments will be threatened by the infusion of short-term renters who do not care at all about their incursion into the respectful atmosphere that exists in our mountains.

You have a fiduciary duty to respect the people that you represent, the locals. You do not have the ethical authority to treat special interest, outside rental property owners preferentially and allow them to abuse the local residents for the decades to come. Do the right thing.

Thank you for entering my comments into the record of these proceedings.

Gerald and Valaree Becker
17381 North Shore Drive
Lake Wenatchee, Leavenworth, WA
98826
2066183520
beckergl@comcast.net

Wendy Lane

From: Julie B <thebeebes@hotmail.com>
Sent: Wednesday, June 30, 2021 7:36 PM
To: CD STRComment
Subject: STR Comment
Attachments: STR Letter .docx

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

Thank you for reading my comment and taking my opinion and experiences into account.

Julie Beebe
48 Willow Point Rd
Manson, WA 98831
(Permanent address)

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To: Board of County Commissioners, Chelan County June 23, 2021

Re: Comments on Short Term Vacation Rental Code Development

Your efforts on the code development for this are greatly appreciated!

My husband and I live in a close and tight-knit community within the Manson UGA. He built our house in 1979 with the help of some of our current neighbors. We have lived here fulltime since 2017. We love our neighborhood and our neighbors!

In the past 6 years there has been so much growth regarding short term rental properties, as you have stated while doing your research. This does effect and negatively impact small neighborhoods like ours when too many exist in the same small area. This has been true for us mostly because of disrespectful attitudes and inappropriate noise, parking issues and traffic. That is why we support the proposed 6% cap of STR's in the final code. If Chelan County has a 6% cap on STR's then Manson should follow suit to be fair and consistent.

Also, I believe that steep fines should be imposed on renters for offences of code violations. If the renter is not held responsible, the property owner must pay the fine. Either way, this will keep the bad offenders out of the mix. This needs to be written out in bold red letters on the rental agreement so as not to be missed!!! The fines could help pay for enforcement mechanisms.

Thank you for listening to all our comments and weighing them equally.

Julie Beebe

48 Willow Point Road Manson, WA 98831

thebeebes@hotmail.com

Wendy Lane

From: Barb Kelly Ringel <barbkelly@live.com>
Sent: Wednesday, June 30, 2021 6:04 PM
To: CD STRComment
Subject: support our communities and businesses, No STRs in single family residential,
Attachments: NoSTRsinSFR_BKelly_June302021docx.docx

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

Please find my comments on the short-term rental debate. It seems those who zoned our county and our cities years ago already decided those areas should be used for single family, residential.
Please see the attached comments.
respectfully,
Barb Kelly Ringle

To: Chelan County Commissioners, June 30, 2021

RE: STRs – **Single Family Residential zoning should be for single families, who live in their homes.** There should be exceptions to allow to rent the home long term to a residential family, rent rooms in the house while the owner lives there – preferably long-term rentals, **No STRs should be allowed, but I agree that we can allow short term rentals within people's homes who are living in the home, and operate as a bed and breakfast.** This has been a long term exception, and while it should be regulated, seems to be something we will need to compromise on. If people do not live in their house, if it is a second house, they should be able to rent their house out long-term (monthly or longer) to single families. They should not be able to rent out their home short-term STR, as that is a commercial use of a home, similar to operating a hotel or motel and those should only operate in areas zoned commercial.

From: Barbara Kelly Ringel, resident of Leavenworth 98826, **since June 1993 and homeowner in Leavenworth in an area zoned single family residential since July 1996**. Employed by UFWS, with my work location up Icicle Road, Leavenworth. I moved here for my job. I have two children that I raised in Leavenworth, the youngest just graduated Cascade HS. I divorced in Jun 2020 and then had to buy my half of my house at today's home values from my ex-husband, and he had to find a home to buy.

Reasons for my position:

1. **Zoning: Chelan County and our cities have zoning so that those who purchase a home, business, or within other zoning, know what to expect.** The zones are also set up knowing the resources in place to serve those areas. How much groundwater is available and how many septic systems the area can hold, to determine lot size in areas not served by city water and sewer. I rented up Icicle Creek for a few years, lot size was 1.1 acres. Additional homes were not allowed on the 1.1 acres except if a caretaker or other exception was needed. This was to preserve the water resources in the valley. When we purchased a home we looked at homes in different zoning, and decided we wanted to be in city limits in single family residential zoning. This was the biggest factor for why we bought what we did, and I expect my neighbors to follow the zoning, including setbacks etc. **I expect the city and county to enforce the zoning as it is designated.**
   WA Growth Management Act – this was a big deal. The state wanted to ensure zoning and land use was sustainable for the areas. Here that meant the right mix of agricultural lands (Which are very important to our economy and the nation's food supply), single family residential, and commercial, with areas identified for growth in housing – residential housing. Also lot sizes were set based on considerable analysis.

2. **Commercial operations belong in areas zoned commercial and should follow regulations and taxes for those areas**. Hotels and overnight lodging belongs in areas zoned commercial. Commerical areas have the roads, the water and sewage systems to support overnight lodgin. We don't have enough water to run hotels off well water and shouldn't use septic systems for hotels. No Tier 2 and 3 sized STrs should be in areas

zoned residential, esp if using wells and septic. Hotels have a lot of regulations, including having someone available 24-7 to deal with issues and problem guests. I appreciate that the task group said any non-owner occupied STR should have 24/7 someone who can respond to issues. While that is helpful. As a mother, I would not want my children exposed to strangers in adjoining homes that are operated as STRs, they should not be allowed, only BnB with owner on site. It does not seem safe. Especially in this day and age. Also, **what happens when there is a wildfire**? We need owners on site only! What will these people in "strs" do, they don't know the area, more people on the roads to create a "Paradise" scenario. Also, the hotels in Leavenworth and the area are often not filled to capacity. These businesses should be able to compete fairly with anyone offering a similar product (overnight accomodations). Yet the STR business unfairly tips to their advantage, and those who have STR businesses have not taken the same type of risk as a hotel owner. As county commissioners you should **support our business people who are operating guest accommodation services in commercial zones!**

3. **We need more housing for residents**. We have a huge housing shortage, in the upper valley. We do not have much land available due to the mountains, federal lands, and really as a county **should not push more of our housing into fire prone areas**, as long term that can be hugely costly when those areas burn. In has gotten very expensive, in part because of values being driven up by the commercial use (STRs) of homes in residential areas. Recently in Leavenworth there is a shortage of workers. So those same hotels, unfairly being competed against, are having a hard time finding enough employees. I think I heard 40 or 60% of Leavenworth workers don't live here, most come from down valley. Even they create traffic congestion some mornings! While the downtown commercial area has grown, we have not kept up with residential housing. Several Leavenworth businesses are having to reduce hours or even close because they cannot find employees. Please County Commissioners, **support our businesses and help the cities in the county meet their needs for housing for employees of our businesses!**
4. **Economics:** The STR folks argue economics – for them, as they rake in $ taking in more than their house payment! For everyone else, home values and taxes go up. Even though we bought our house in 1996, with our divorce I had to buy this home at 2019 prices and my ex bought a new place in 2020 (he sadly could no longer afford to live in Lworth, despite having a good paying job). As a guess, the STR home price bump cost us each $60K and a year later may have been $90K EACH. As parents with jobs here, we spend most of our paycheck here, use local professional services (auto mechanics, hair, accountants, health care, physical therapy), and buy all our food in Lworth with other things bought from Wenatchee (I rarely buy online, never from Amazon), as I like to support local businesses and families. Cascade school received state money for our 2 children over the 13 years they each were in school, it may be $10k a year, I'm unsure. The U.S. Census is used to distribute federal funds. Of course the 4 of us have always been censused as living right here! How much $ is this, I heard residents may contribute $50-100K to the local economy each year. Oh also **volunteerism**, the value of that and what it creates. Some things for me – Leavenworth Community CoffeeHouse, UV Pre-

School, elementary school, coaching Nordic skiing for 15 years and volunteering for LWSC for many years, science education in the schools and in the public. Donate to local charities etc! I hope I can afford property tax and stay here as I have a lot of volunteering plans when/if I retire. **We need residents to make our communities communities! The economies of our communities will do better if we use our housing for residents! Prohibit STRs in residential zoned areas!**

5. **Grandfathering;** There is a concept to grandfather all existing STRs or with owner occupied (Tier 1) grandfather for STRs up to 6% of our housing stock. I put the onus on the county commissioners to prove that we can use 6% of our housing for any such use. I believe the **Tier 1 – bed and breakfast type lodging with owner occupied, should be limited to 6% and non owner occupied STRs should be banned**. Since non owner occupied is not congruent with single family residential zoning, and causes great harm to our local economies, communities, and to neighbors, they should never be grandfathered. There use should b prohited. I also don't understand **what happens to adjoining land/homeownerrs who bought their home/land in an area zoned single family residential. Where is the good faith to them on the zoning and enforcement**. Further if an STR is grandfathered, their home will lose value, and they will lose enjoyment of their house. Even their children won't be able to freely use their yard. The STR folks feel like their investment should be honored. I'm sorry I don't understand. They knew the zoning and choose to operate a commercial business. They should be happy for the money they make, on the backs of the rest of us, and sell their house as the single family residential home that it is. The concept of allowing them to sell within 5 years to someone else to operate as an STR is the worst idea, as certainly they will be bought by a profit driven business. Also, the number of nights should be limited.
6. **Others who want to profit off our single family residential homes.** We are fprtunate to live and work in such an amazing place. Many of us have made less money in order to live here. Now people who live in places where they can make more money want ot profit from what we've created. We also need to prohibit buying of homes by large groups for thei recreation – again what does single family residential mean. And how do we keep people and their children safe at their homes. We cannot have people coming and going that we do not know from our neighboring residential homes!
7. **Task Force –** I thought it was a novel approach worth trying. However I thought the makeup of the group was not representative of our county – should have been 1 STR, 2 people neighboring STRs, 1 hotel owner, and 2 living in single family residential. I was curious w 3 STRs if they would be asked how they would reduce the # of STRs to 5% or 6%. Which I don't think including Tier 1 it should be more than that. I would like our hotels and adjoining homes to have some compensation or plan to reduce to only owner occupied. I also am upset that Gering as a public official has met with the STR folks, during the campaign, and now wants to no include children under 2 in the counts of people occupying a home.

Please vote to honor the existing zoning and Growth Management Act work. **Vote to not allow STRs in single-family residential areas with the exception of owner occupied Tier 1**. I'd also be ok with some STRs on large pieces of land, without adjoinging neighbors. There are some

existing businesses that are similar – such as Mountain Spring Lodge, Mountain Home Lodge, and others. Use those to guide what is allowed and how much space to have.

Respectfully,

Barbara Kelly RIngel
200 Mine St
Leavenworth, WA 98826

Chelan County Commisioners – please do not let our residential homes by commodified , it will not end well!+

The Rent's Too Damned High. A human right, commodified and rendered... | by Cory Doctorow | Jun, 2021 | GEN (medium.com)

Wendy Lane

From: rjjennings@nwi.net
Sent: Wednesday, June 30, 2021 5:26 PM
To: CD STRComment
Subject: Planned Unit Development

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

Dear Jim Brown Brown and BOCC,

The exemption of Planned Unit Developments in the 6% density cap is an egregious loophole that is just plain wrong. Correct me if I am mistaken, but my understanding was that the Task Force assumed this meant already approved PUDs NOT future PUDs. This loophole allows for STRs that don't even meet the minimum lot size agreed upon by the Task Force.

Excluding Future Planned Unit Developments is not only a huge loophole that WILL be exploited but in my view goes against the Comprehensive Plan Chapter 5, H1.

So very many concessions have been made by residents due to the failure of Chelan County to enforce it's own zoning laws, please don't make the situation worse!

INCLUDE any future Planned Unit Development STRs in the 6% density cap!!

Jerry Jennings
Resident and Registered Voter

Wendy Lane

From: rjjennings@nwi.net
Sent: Wednesday, June 30, 2021 4:34 PM
To: CD STRComment
Subject: STR Occupancy

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

Dear Jim Brown and BOCC,

I strongly OBJECT to the decision not to include children of ALL ages as people.
Infants are people and by not counting them in the occupancy limits, you are creating a huge loophole in the new code.

For every child under 2 that is not counted, you are allowing another adult into the rental. I have talked to the Chelan-Douglas Health Dept.
on several occasions, the last time being this morning. They do not exclude children under 2 in the rules for a septic permit. Occupancy is on 2.5 persons per bedroom period. There are no exceptions for age.

The Task Force agreed to the occupancy limits and Residents gave up a lot of "protection for neighborhoods to get these limits.
Shame on you for abusing the good faith that we had in the process.
(Kevin, you are excluded in this)

STR owners are continually pushing for exceptions to the Task Force recommendations and I am begging you stay with the proposed code. I understand they are pushing to change the date of "grandfathering", they want to make "improvements" to their existing "non-conforming" STR without jeopardizing their "grandfathered" status, they have conned you into raising the occupancy limits by excluding children under the age of
2 and they are pressing to grandfather "historical occupancy levels" so they don't lose income.

PLEASE, stop this insanity! Stop listening to the sob stories of non-resident (or resident)investors who did not do their due diligence before making an investment.

Anyone who looked at the District Use Chart could see that any use not mentioned in the DUC was not allowed and that no permission given by an employee was considered legal license to an an incompatible use.

If I invest in the stock market and lose money, do you think I could get a refund if I sobbed that "I didn"t know there was a risk I could lose my investment"?

Jerry Jennings
87 Lois Lane
Plain, WA

Wendy Lane

From: George Wilson <gwwilson@nwi.net>
Sent: Wednesday, June 30, 2021 3:45 PM
To: CD STRComment
Subject: STR Draft Proposal comments

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

Commissioners and Director Brown-

It's been increasingly acknowledged in recent meetings and discussion that the current STR situation exists because the County has not enforced the land use/zoning laws in place. It appears now that as a body you see your duty to be to protect the County from legal or financial consequences arising from that failure to enforce code, the result being that the people that live next to or near these whole-house commercial rentals must bear the consequences in the County's stead, apparently not deserving of the protection the County is now trying very hard to give themselves or the STR owners.

In this contorted task-force process, what have the STR operators really given up? Not much- most of them will be legitimized and permitted to operate as they have been because of the grandfathering provision, and the density restrictions really work in their favor because it limits further competition. The conditions that have galvanized our thinking on the negative impact of STR's in our neighborhoods will be legitimized by the County.

Long-time homeowners here are being sold out, literally. Money is driving this thing-

The money you fear the County would spend defending lawsuits or paying off settlements or judgements.....

The money the STR owners are making charging $200, $300 $400 a night or more, giving truth to the title of STR owner Kelly Kortmans book "Vacation Rental Cash Flow Avalanche". Please note too the substantial STR $'s that funded Commissioner Gerings campaign.....

The money that STR operators are willing/able/prepared to cough up to protect their business.....

The money that residents do not have to cough up to defend/preserve their neighborhoods.....

When the task force formation came out of the blue in late December I felt then and still do that it was created very much to provide political cover for the commissioners. There is not an argument for or against STR's you had not heard before. Now we have this task force product

that is a result of horse-traded, arbitrary criteria the you feel compelled to honor. We elect people for their wisdom and judgement, not to have them abdicate on a serious issue and defer to an ad-hoc committee as the arbiter of county policy. I have from it's creation equated the task force with the non-elected Base Closing Commission established by Congress in the 1980's to study closing of military bases- it was structured so that members of Congress did not have to take responsibility for voting yes or no on closing a base in their district- they just pointed to the findings of the commission and said "we have to go along".

There is no protection whatsoever in this proposal for residents on small lots in RW. A 0.275 acre minimum is no protection at all. What is proposed will grandfather in or allow STR's within 25-30 feet of other residences that often share roads, parking space, water or septic systems. I reject the theory that this is a civil issue to be settled by the parties. When we entered into road and water sharing agreements years ago we could have protected ourselves but felt no need to do that- zoning laws did not allow commercial lodging facilities in residential zones. Now the county has taken away that assurance and we have no protection- the county telling us we're on our own. I really have no idea how it can be argued that the draft proposal complies in any way with the letter or the spirit of the current Comprehensive Plan that clearly identifies the incompatible mixture of residential, commercial and industrial uses as a result of haphazard planning.

The current land use chart has one line that clearly does not allow commercial lodging facilities in areas zoned residential. It is an across-the-board, non-arbitrary provision based on common sense wisdom that non-compatible uses of property should be separated. That is about to be replaced with 40 pages of totally arbitrary criteria in a mind-numbing albatross of a document. The county seems absolutely committed to trying to legitimize the imposition of incompatible uses into residential zones. This task force proposal will be an administrative and enforcement nightmare with all the documentation, certifications, inspections and other compliance-assurance provisions required and we're being assured that there will be strong enforcement of them. Be sure that we will be vigilant in monitoring that and I hope we're not then accused of hounding the county if we see failure, again, to enforce the code. I note in the draft that it often refers to "verified" complaints as being the trigger of enforcement actions. It takes a deputy to "verify" a complaint, not just the report by a neighbor. A non-response to a complaint will lay to waste all the messaging of strong enforcement. I believe that the proposal as drafted will fuel litigation for years with all it's arbitrary stipulations where the current zoning would be much more easily defended and has years of case law endorsing zoning laws and the reasonable separation of incompatible uses.

The stipulation that STR's must be separated by 200 feet is bizarre; protecting STR's from one another but providing absolutely no distance protection for a private home from an STR. This was done I understand to avoid STR's being bunched together when they SHOULD in fact be bunched together- in a commercial zone. Isn't that what commercial zones are for?

Please don't dismiss lightly the distress this issue has brought to our neighborhood. We see the neighborhood and sense of community we love going away. Being taken away is a better word. We've tried for many years to be a positive presence in our community; 44 years of building our home and lives here, 22 years volunteering with several fire department and Firewise entities, driving to Wenatchee for 8 years for 15 minute Civil Service Commission meetings, food bank or other charity involvement we felt benefited all. Now comes this challenge to our neighborhood, and the profit-takers are the ones being protected. People that have been here since the 1930's are fearful of losing their homes because of the taxes, recently driven per Assessor-provided information by properties we know to have been purchased with the anticipation of STR revenue. We played by the rules, we did what the County asked and expected of us. I guess we'll know better next time.....

George Wilson, Lake Wenatchee

Wendy Lane

From: rjjennings@nwi.net
Sent: Wednesday, June 30, 2021 3:29 PM
To: CD STRComment
Subject: Future Tax Assessments

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

Dear Jim Brown and BOCC,

After having a conversation with Deanna Walter, Chelan County Assessor, I have a suggestion for your consideration.

Property owners have seen their tax assessments rise to the breaking point for many of us.

In order for us to be reassessed after STRs are recognized as the commercial business that they are, the Assessor's office must be able to get financial information from the property/business owner. This information is necessary in order to use the income approach in taxing the commercial business. One of the benefits to tracking the STRs is that as commercial enterprises, they are supposed to be reporting and paying personal property tax on the fixtures and equipment within the rental unit.

The registration process which hopefully will be required by the new code will help in gathering this information. To this point, there has been no way of identifying all of the STRs because only a portion are listed for rent on the usual internet sites.

On any new registration form , please work with the Assessor's office to have a way of getting the necessary information for properly taxing these business's.

Then, hopefully, resident's can be reassessed in a fair and equitable manner.

Jerry Jennings
Resident of Plain

Wendy Lane

From: rjjennings@nwi.net
Sent: Wednesday, June 30, 2021 2:58 PM
To: CD STRComment
Subject: Fwd: Grandfather Neighborhoods

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

Dear Jim Brown, Commissioner Overbay, Commissioner Bugert and Commissioner Gering,

For years, Chelan County residents have built homes, volunteered and nurtured neighborhoods and communities, and created a County with community ties we can all be proud of.

Under the Code we all have followed, uses not explicitly listed in the District Use Chart were considered illegal or not allowed.
When we purchased our home, we specifically looked at the zoning for assurances that our area would stay residential.

In the Chelan County Comprehensive Plan, Chapter 5, Goal H1, the goal is to keep rural neighborhoods "rural.

Your predecessors ignored the District Use Chart and the Comprehensive Plan by allowing commercial businesses to invade residential neighborhoods up until 2020. By that time, a disaster had been created and now the same residents who have volunteered much of their lives to building the Chelan County Community are paying the price. Investors who are not Chelan County residents, who do not live here, do not vote here and do not volunteer large parts of their lives to this community are being rewarded for breaking the zoning laws. Nice job. Well done.

When we moved here back in 1994 to build a cabin at Lake Wenatchee and we followed every rule. We changed our house design 3 times in order to satisfy building requirements. We followed the law.

Residents did not create this mess. The County did. STR owners have out-numbered us and they out-finance us by ignoring the rules that we all try to live by. They have a financial interest in the new code and the time to write letters and attend meetings that many residents don't have, especially those who are busy working, cleaning up trails, volunteering at food banks, etc.

All it would take is one win in court. Why should residents pay for mistakes made by prior County Commissioners. By drafting a new code in favor of STRACC, I hope you don't think you will avoid lawsuits by STR owners. I will guarantee you, they are lined up to file lawsuits if they don't get their way.

Please, let common sense prevail. Enforce the existing Code and let them challenge you in Court. I bet a lot of residents would contribute, if necessary, to get this resolved. This new code is a quagmire of loopholes, future lawsuits, and years more of trying to enforce anything that is put in place.

Respectfully,

Jerry Jennings
Full time resident of Plain

Wendy Lane

From: jjanssen73@ymail.com
Sent: Wednesday, June 30, 2021 2:15 PM
To: CD STRComment
Subject: STR Code

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

My wife and I are long-time residents of Chelan County. We live on E. Leavenworth Rd in the UGA and have dealt with the effects of illegal STRs in residential areas for some time. We fully support enforcing the existing zoning that prohibits this illegal commercial activity in residential areas. In the absence of this, the following points are critical and necessary in regards to the current STR draft proposal.

Only tier 1 (owner living on-site) properties should be allowed in residential zones, absentee owner days should not be permitted. Owner must be present at all times.

Maximum occupancy of a STR must be limited to 2 persons per bedroom as specified in both the septic permit and the building permit. Children under the age of 2 should be included in the maximum occupancy of the STR. Excluding children under 2 is in **direct conflict** with the Task Force agreement and **should be rejected**. It also is in conflict with the Chelan Douglas Health District septic calculations, which do not exclude children but count everyone regardless of age. This change will make interpretation of the code confusing to everyone and enforcement difficult.

Amplified noise has to be addressed! The following language or that of similar spirit should be added:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

The few existing owner on-site STRs that have already legally completed the CUP process should be given priority in permitting going forward. The remaining tier 1 density limit should then be granted via lottery.

Short Term Rental (STR) permits should NOT be transferable upon sale or transfer of the home or LLC. Each new owner should be required to complete the permitting process.

The Board of County Commissioners should **not** grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses.

The majority of STR owners have been intentionally or ignorantly operating illegal transient lodging facilities within residentially zoned areas of Chelan County for years and should not be allowed to continue or rewarded with the act of grandfathering. These absentee owners have shown little regard

for the county or communities within. They make a quick and easy profit to subsidize their additional properties while burdening their neighbors with the actions and consequences of the revolving parade of transient guests.

The STR owners defend their illegal actions as an economic and tax benefit for everyone. They argue that no one has enforced the rules for years therefore they must be allowed to continue. Then they talk constitutional infringement of their property. You have received many letters, emails, reports and studies debunking these arguments and do not need me to repeat the fault of the owners positions. Cities, towns and counties all over the United States (and world) have banned STRs, requiring the property to be a primary residence or owner on site through the transient guests stay. Chelan County is well within their rights to do the same. Please do not be swayed by the STR syndicate's threat of litigation.

Please take these thoughts into consideration as you, the planning commission, shape our county for decades to come. Legal, responsible businesses are vital to any community but the unchecked proliferation of illegal STRs in residential areas must be reigned in.

Thank you for your time.

Regards,

Jeff Janssen

Wendy Lane

From: Linda Kyllo <lindakyllo@me.com>
Sent: Wednesday, June 30, 2021 1:47 PM
To: CD STRComment
Subject: Fwd: STR's

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

Sent from my iPad

Begin forwarded message:

From: Linda Kyllo <lindakyllo@me.com>
Date: June 15, 2021 at 10:29:42 AM PDT
To: CD.STRComment@co.chelan.wa.us
Subject: STR's

To Whom it May Concern,

I've written in the past but want to remind all who are in the position to make the decisions concerning the new rules permitting short term rentals in Chelan County of our point of view. We have owned a cabin on Fish Lake for 13 years. We purchased the cabin across the street from us last year. Mostly so we could control the property and avoid having a STR on our end of the street. We rent it full time to a young couple who were in need of a home to start their married life. They were raised in Leavenworth/Plain area and plan on staying. Keeping our neighborhood clean, quiet and respectful is our goal. The STR's down the street consistently have more guests then should be allowed, loud music, trash left out and pets not on leashes. We understand people have bought these places as income properties. What we'd like to see happen is strict permitting and efficient means for fines if rules are not followed. Which would include a help line that neighbors can call to notify authorities of misconduct. Charge enough for the permits to cover costs for a new department that is responsible for managing these permits and rules that should be adhered to and fine appropriately. Carelessness and disrespect could lead to disaster for homeowners who are diligent about caring for their community. We should come first before those who only want to own to make a profit.

We trust you will make the right decisions.

Sincerely,

Jeff & Linda Kyllo
14280 Idlewild Road
Leavenworth, Wa 98826

Sent from my iPad

Wendy Lane

From: Gary Schuster <garymschuster@yahoo.com>
Sent: Wednesday, June 30, 2021 12:31 PM
To: CD STRComment
Subject: STR Comment

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

Thank you for this opportunity to express myself

Gary Schuster

Residing full time at 16399 North Shore Dr. Leavenworth WA 98826

I have many thoughts concerning the Short term rental issue... but I am going to limit my message to one point.

Lake Wenatchee is somewhat insulated from the affordable housing issue....there is no such thing as affordable housing on Lake Wenatchee.

However we are part of the greater upper valley community where short term rentals greatly reduce the housing options for long term residents.....residents whose families are part of, work in, and contribute year after year to the community.

Cheers

Wendy Lane

From: Kirvil Skinnarland <runofchelancnty@gmail.com>
Sent: Wednesday, June 30, 2021 12:27 PM
To: CD STRComment
Subject: RUN 2nd comment letter

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

Dear Commissioners,

We wish to address four issues that came up during the public hearing: exceeding occupancy limits, grandfathering historical occupancy levels, extending the cutoff date for eligibility for grandfathering, and whether PUDs should be included in the density cap.

All four of these issues were a part of the negotiation process of the Task Force.

Occupancy Caps: The STR group began the Task Force process with asking for the following occupancies: Tier 1:16, Tier 2:16, and Tier 3: no limit. They **did not** ask for exclusion of children under 2 at any time. The residents gave up significant protections for residential neighborhoods such as minimum lot sizes for RV and RW in order to gain the final occupancy limits of Tier 1:8, Tier 2:12, and Tier 3:16, with children under 2 included. Please respect the Task Force recommendations and remember that residents gave up a lot to gain these occupancy caps.

Grandfathering Historical Occupancy Levels: The issue of grandfathering historical occupancy levels of STRs was also discussed. Again, this was **not** part of the consensus agreement of the Task Force. If you grandfather occupancy, we will have STRs throughout the county in residential neighborhoods with occupancies greater than 16. It is fully within the legal discretion of the County to establish limits for STRs including restricting occupancy regardless of historical use. Cities and counties across the country have enacted regulations after STRs were already established that have limited occupancy, restricted locations to certain zones, and established caps on overall numbers (density).

End Date of August 25, 2020 for Grandfathering: Extending the eligibility of property owners to be grandfathered also was a significant issue during the Task Force negotiations. The STR side asked for the following two circumstances for STRs to be grandfathered: 1) property operated as an STR in 2019 and 2020, can provide proof of paying taxes, and had no more than one citation issued to rental guests at the property in 2020; and 2) owners trapped by the moratorium including those who purchased property between 2019 and code adoption date, and can provide evidence of intent to operate it as an STR such as communication with realtors, property managers, cleaners, architects, builders or country staff, etc.

This was hotly debated among the Task Force members and only a portion of the first part was agreed to. Residents again gave ground on other issues in order to gain a **firm cutoff date** at which grandfathering was closed. This was the date of the first moratorium—August 25, 2020. Please do not open the door to owners who did not have operating STRs as of August 25, 2020. This is a very slippery slope.

Planned Unit Developments: The PUD language in the Task Force agreement states that the cap excludes "*Planned Unit Developments with notes on the face plat*". The residents assumed this meant already approved PUDs, not future PUDs. The Task Force didn't explicitly talk about this issue because of the time limits for their discussions. Please do the right thing and include PUDs in the 6% density cap. It is a huge loophole and is contrary to the policies and goals of the Comprehensive Plan. PUDs represent a unique opportunity for the County to increase its workforce housing supply.

We believe the County Prosecuting Attorney's office continues to give you advice that is overly cautious and doesn't reflect the scope of your authority to regulate land use.

Further, you as Commissioners are not bound to validate guidance or advice given by staff that is in violation of your zoning code. Section 11.02.040 Compliance (2) states: *No county official or employee shall issue a permit for a conditional use or variance, or* ***give other authorization for any use that would not be in full compliance with this title. Any permit or other authorization in violation of this title shall be void*** *without the necessity of any proceedings for revocation or nullification, and any work undertaken pursuant to such permit or other authorization shall be unlawful,* ***and no action taken by any elected or appointed official of the county shall validate any such work, permit, or other authorization.***

We need you to implement the goals and policies of the Comprehensive Plan and to protect the residents who live here, work here, and make our communities strong.

Sincerely,

Board, Residents United for Neighbors

Jerry Jennings, Matthew Carlisle, Plain; George Wilson, Lake Wenatchee; Cherie Warren, Eagle Creek; Steve Stroud, Fox Rd; Kirvil Skinnarland, Bruce Williams, Pat Thirlby, Barbara Rossing, Mara Bohman, Bob Fallon, Leavenworth; Stan Winters, Peshastin; Mike Cochran, Chelan; Brian Patterson, Manson

Wendy Lane

From: Kelly kraus <kellykraus21@gmail.com>
Sent: Wednesday, June 30, 2021 11:48 AM
To: CD STRComment; Leavenworth Great Escapes; Mark Kraus
Subject: Chelan county STR comments

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

Dear Commissioners,

Thank you for working through the community concerns regarding STR's and for taking the time to form the task force and listen to their recommendations. Hopefully a few more adjustments can be made per my comments below.

Our primary address is on Camano Island and we have a property at 9138 Icicle Rd. in Leavenworth that we have owned since 2007 that we consider our second home and also rent it out when we are not there. We are very good friends with our neighbors there and care very much about being good neighbors. We use a local property manager who is on call and available for any immediate needs or concerns. We use noise monitoring devices to ensure that there is no disturbance to our neighborhood. In other words, we do everything we can to maintain a quality property, add value to our neighborhood and to be good neighbors and property managers when we rent it out.

My first comment is that enforcement is key when there is a disturbance to ensure that a few bad apples don't disrupt the neighborhood. There should also be more clarity regarding what would lead to revocation of a permit. I hope this will be implemented and resourced in the future so that everyone is comfortable.

Here are my comments in regards to specifics in the BOCC draft:

1. Section 2 (E) (ii) (b) - We need to be allowed to change, alter, extend, or enlarge our rental property while still operating as a rental and we should not have to surrender our permit or our grandfather status. Changes will need to be made by some owners to be in compliance with the regulations. I agree that if the property is expanded it should then be re-permitted in it's new form. But we should be able to fix and update our property as needed otherwise.
2. Section 3 (A) (ii) - It should be allowed to operate more than one rental per parcel. If we had a main house and a legitimate separate dwelling and living space we should be able to rent those together or separately.
3. Section 3 (B) (ii) (a) - Children under 2 should not be counted in total guests. They most likely sleep in the same room with their parents.
4. Section 3 (B) (ii) (b) - Tier 2 should be allowed to have more guests if the house and septic accomodate a higher number. I say this as a family of 15 who has rented in the Leavenworth area and it's very difficult to find affordable housing for an entire extended family.
5. Section K (i) (e) - I don't believe that it makes sense for us to have to have a landline or VOIP. Most people have mobile phones and will be able to make emergency calls. If this is of concern we can ensure that renters have a cell phone.

Thank you for your consideration and hard work. We look forward to a positive outcome and being compliant with the new regulations, hopefully with the changes we pointed out!

Best regards,
Kelly Kraus

Wendy Lane

From: Bob Keller <bkeller_city@outlook.com>
Sent: Wednesday, June 30, 2021 7:07 AM
To: CD STRComment
Cc: Bob Keller
Subject: STR Public Comment
Attachments: STR Public Comment 063021.docx

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

Bob Keller
Eagle Place, Leavenworth

The current draft STR Policy being developed is abandoning an existing long-term affordable housing strategy. Creating a policy that converts ADU's to commercial businesses has many GMA complications with detrimental consequences.

Allowing an ADU in an area zoned for single family residences has been an affordable housing strategy for over two decades. The Counties Comprehensive Plan includes goals to achieve more affordable housing for new and old families, seniors and our much needed workforce. Allowing ADU's in single family residence homes is one of the strategies deployed.

The process to initially create policy to allow ADU's was as challenging as this STR policy. For families to accept multi-family use in the single family neighborhoods was difficult. In most cases, parents invested all their saving into properties they wanted to raise their families in.

Like the current STR policy there are specific requirements that were agreed to.

Here are two for discussion

1. The construction of an ADU requires a permit and that it be recorded on the deed. A notarized statement is included that informs an ADU cannot be sold separately from the home. It is not a subdivided parcel.

2. A second requirement, among others is that one of the units must be the primary residence of the owner.

Knowing just these two requirements,

No property owner with an ADU should be ignorant of the ADU's requirements. It is part of the permit process. Any STR permit request that includes the use of an ADU must be owner occupied. This is easily enforced by the Permit Department with deed or permit review.

Converting ADU's to a Commercial Business would require a County Comprehensive Plan review and update. The policy has wide comprehensive plan implications to the Housing Element, Transportation Element, Capital, Environment and more. This is what planning is about.

Recently the Growth Hearing Board has ruled against a new policy that had language inconsistencies throughout a Cities Comp Plan.

Conclusion

1. The Permit Department has a responsibility to enforce the Primary Residence of the Owner in an ADU now.

2. Since an ADU requires Owner Occupancy, any STR Permit request otherwise should be disallowed.

3. Before implementing any STR Policy the County should review and update their Comprehensive Plan to avoid non-compliance with GMA.

Bob Keller
Eagle Place, Leavenworth

ADU Policy is in conflict with this STR policy

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3. Before implementing any STR Policy the County should review and update their Comprehensive Plan to avoid non-compliance with GMA.

Wendy Lane

From: Neal's Email <neal@nwi.net>
Sent: Wednesday, June 30, 2021 11:48 AM
To: CD STRComment
Subject: STR

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

This is an unprecedented planning moment that has no comparison, utilizing a task force to do the dirty work for you. You have the planning and community documents in front of you. You should be doing the work in house to represent the residents of Chelan county, not-outside financial interests. I was looking for county property when this all started and at the end each of the 3 pieces I looked at had STR proximate, so I gave up in Chelan county and moved out of state to buy property. You should be ashamed of how you have handled this process, very unprofessional, especially the new commissioner that doesn't even try to hide that she is backed by the STR people. I'm sickened to have to keep writing in reminding you that you are here to protect the residents.

Neal Slatta

Wendy Lane

From: Michelle Fanton <mishnmash@gmail.com>
Sent: Wednesday, June 30, 2021 9:01 AM
To: CD STRComment
Subject: STR Comment

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

Dear Board Members,

I am writing to share my experiences as someone who lives and works in Chelan and is also responsible for managing a local business as well as a vacation rental.

As a resident I have experienced first hand the difficulties placed on residents by STRs. When living in Manson we watched as multiple vacation condos were built in front of our home and as every adjoining house to our rental was sold and replaced by a vacation rental. Because of housing shortages it took us 4 years to find a affordable rental that we could move to with our young family and that was only because we knew the owner. The home we moved out of was also turned into a vacation rental, despite incredible interest by possible year round renters.

Upon moving into the new rental we found we were bordered on one side by a large vacation rental managed by a rental company and soon after the home on the other side was split into a owner occupied rental listed through Airbnb. While the owner occupied rental has been meticulously managed by the on-site owners and had few issues, the other rental was far different. Almost daily for at least 6 months of the year we dealt with an over occupancy rental that frequently turned into a 30 plus person party. This included parking overflowing into our driveway, public drunkenness, overflowing trash, blasted music, nudity, people vomiting or urinating in the yard, and loud lewd shouted conversations. This would not only keep us awake when we often had work the next day, but would also wake our young children or expose them to inappropriate material.

After the first summer of politely asking guests to quiet down or move inside and attempting to contact offsite owners and property managers (who do not tend to answer their phones at 2am) we started simply calling the sheriff as I began to be concerned for my physical safety when approaching drunk, belligerent and often abrasive guests. On the occasions officers responded to the complaint, the issues would generally resume within 15 minutes of their departure and officers would not return for a second visit. We were fortunate that a little over a year ago the property sold to a local family and is no longer a rental.

At some point however it is certain that the owner of our current rental will sell and despite having two full time jobs and 2 children in this school district it is very likely we will have to move out of the area because we cannot find another rental. Despite being prequalified for a mortgage there is nothing we can afford to buy and would likely be outbid immediately by a cash offer above the asking price. We can't compete with out of area buyers who can justify higher prices because they can rent part year as a vacation rental and then if they wish "double dip" and rent the remaining 6-9 months to local workers who are desperate for housing.

At my job I not only manage a local business but manage a small short term rental on property and used to manage a large rental on the lake until it was recently sold. I can attest to the fact that good renters can exist but they have to be vigorously screened and managed, which is not the case by many offsite management companies and owners. In our case that means we have not only myself in contact with all renters but our owner physically checks on guests and can view our current rental from his home. Guests who exceed occupancy or who's behavior is unacceptable are immediately addressed and are not allowed to rent again.

From a business manager perspective, we have a huge housing issue in our area leading to a significant worker shortage. Like many businesses we are incredibly understaffed. Of my current staff the only employees who can afford to live in Chelan, live in homes owned by family members. Most of my employees commute from outer areas and in most cases have owned their own home for years. Even in outlying areas affording housing is getting difficult to find. It is getting almost impossible to find people to work in the service industry, even for higher wages. Many of the same renters who are causing disturbances in neighborhoods are customers whose behavior disrupts both the experiences of our regular customers and make our employees jobs difficult. While I fully understand that our area is heavily tourist based, when did we decide that we couldn't enforce a standard of behavior? I see it in our parks, STRs and it overflows into our local businesses.

I feel there is a place for STRs, just as we have a place for different business models and neighborhood structures. However, I feel a great number of STRs are under-managed and problematic. I feel we need a system that forces appropriate management and limits STRs in residential areas so those areas can be what they were intended to be, residences. This will support our year round residents and those businesses who depend on local workers and whose income and tax dollars actual stay in the county. I implore the board to protect our neighborhoods by limiting STRs in residential areas and encourage responsible STR management by creating more concrete occupancy limits (including all guests) and stricter noise restrictions.

Thank you,
Michelle Fanton

Sent from my iPhone

Wendy Lane

From: James F Frink <james_frink@msn.com>
Sent: Wednesday, June 30, 2021 8:45 AM
To: CD STRComment
Cc: friendsofleavenworth@outlook.com
Subject: Short Term Rentals
Attachments: STR letter to commisioners.pages

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

Please see the attached document with regards to the zoom meeting from 6/29/21 and the current status of this issue.

Thank you, Jim and Debbie Frink

Wendy Lane

From: katie holmes <mobileholmes@gmail.com>
Sent: Wednesday, June 30, 2021 8:12 AM
To: CD STRComment
Cc: ICE John Holmes Husband
Subject: Fwd: Please Listen to Your Constituents

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

Aloha!

My husband and I continue to be disappointed that after the last ZOOM meeting, that the BOCC continues to succumb to the pressure of STR owners(most who do not live in Chelan County) as well as the managers making money off said businesses.

The County failed to protect its residents when it allowed the STR's to be approved, regardless if the zoning was allowed or not.

We bought our first house in 2011 at 217 Cascade St. in Leavenworth in 2011, after a visit. It was a long term rental until Summer 2013, when we knew we would be using it ourselves. Fast forward to 2016, when we sold it to our tenants, at what we paid for it in 2011. They were a family with young kids that were self-employed. Well, that family now owns one of the largest management companies in Leavenworth, and in 2020, tore the old house down and build a McMansion. We tried to invest in our community....

We live at 12740 Cemetery Rd, Leavenworth, WA 98826. When we purchased our house in 2014, I looked at the zoning, and knew we could operate a B&B, or a guest house. We were not legally zoned to do anything else. The code is very simple to read, but obviously the county permitting office chose to look the other way, or the owners of said properties chose to ignore the law.

We are residents of Chelan County, and urge you to do right by your constituents, not the illegal businesses, property managers, and realtors who make money off their neighbor's misery.

Most STR owners are not your constiuents! They should have no say in any of this.

Respectfully,

John and Katie Holmes

Wendy Lane

From: paul zuleta <pzexperience@gmail.com>
Sent: Tuesday, June 29, 2021 9:51 PM
To: CD STRComment
Subject: SRT: My driveway easement!

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

Good Evening,

I have waterfront property on Cedar Brae. Our driveway is steep, narrow and has shared easements between 4 neighbors. One of my neighbors was renting their cabin and it has caused many disputes and access issues.

My driveway easement grants the owners of the properties and their guests access. However, I did not grant them permission to run a for profit hotel business thru my driveway. Their guest's regularly park on private property and have restricted access. This is a major safety hazard as it blocks neighbors from exiting the driveway or from emergency (fire) vehicles from entering.

Additionally, they have caused 2 sewer over flows near the shoreline in the past few years.

Our community needs action now! My driveway easement is not for commercial purposes.

Thank you for making this a priority,

Paul Zuleta
15858 Cedar Brae

Wendy Lane

From: Whitney Alexander <walex0724@gmail.com>
Sent: Tuesday, June 29, 2021 9:50 PM
To: CD STRComment
Subject: STR Regulation

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

To Whom it May Concern,

I am writing to urge you to help preserve this amazing community both for visitors and permanent community members alike.

As a property owner on Cedar Brae on Lake Wenatchee who shares a driveway with an STR property, I have seen first-hand the negative impact from unchecked short-term rentals. As someone who bought in a residential area, I never expected to have to deal with the problems brought about by frequent turn-over and strangers who have no investment in the community. Our residential driveway easement has now been burdened by this commercial use of property. I feel strongly that when sharing assets, whether it be a common driveway, sewer system, water system, etc. that STRs should obtain consent from the owner's of the properties that also share in those resources.

Additionally, the quiet of the lake is very often disrupted by noisy late-night parties. At this time, there is no enforcement of noise ordinances and it causes significant disruption to adjacent properties. These short-term visitors have no stake in the community and thus do not need to care about the relationship with the neighboring community or their overall impact. These noise violations, seen most often with STRs, need to be better regulated and enforced.

As someone who is deeply invested in the well-being of the Leavenworth/Lake Wenatchee community I ask that you make sure that the needs of the community come first, and not the needs of absentee owners with a primary goal of profiting off of a community to which they don't belong.

Thank you,
Whitney Alexander
15858 Cedar Brae

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>
Sent: Tuesday, June 29, 2021 8:56 PM
To: CD STRComment; Bob Bugert; Kevin Overbay; Tiffany Gering; Jim Brown
Subject: Don't exempt Planned Unit Developments from Density Cap (lines 36, 203)

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

Dear Commissioners
I request in Lines 36 and 203 that Planned Unit Developments NOT be exempt from the 6% density cap.
Please follow the Comprehensive Plan.

In the Comprehensive Plan The rationale for Planned Unit Developments is to "reduce the cost of housing" for County residents. The Comprehensive Plan makes clear that the people for whom PUD housing is to be provided are the "**population of the County**." Namely, "County residents" —not tourists.
Here is the quote from Goal H1:

> Goal H 1: Encourage the availability of affordable housing to **all economic segments of the population of the county**. (Chelan County Comprehensive Plan December 2017 Housing Element Page 3 of 23)

The "population of the County" does not include short term renters! Therefore STRs do not serve the purpose of Planned Unit Developments. The claim in Line 36 that PUDs -- like Master Planned Resorts-- can be "specifically designed for STRs" (Line 36) is inaccurate and must be deleted. Unlike Master Planned Resorts, PUDs were never designed for STRs-- in fact their purpose is the exact OPPOSITE, according to the Chelan County Comprehensive Plan.

Allowing PUDs to circumvent the density limits violates the Comp Plan, and also violates the limits agreed by the STR taskforce in at least two ways:

First of all, Minimum Lot size agreements: The Taskforce agreed on minimum lot sizes for future STRs that must be the actual zoning size (minimum lot size of 2.5 acres in RR2.5, for example). This was negotiated in return for unlmited grandfathering of current STRs that meet minimum standards. But if you allow the PUD loophole, then this lot-size agreement by the STR Taskforce for future STRs becomes meaningless. PUD's by definition create an "overlay" consisting of much smaller lots. PUDs permit construction of more than double the number of houses normally permitted in that zone.

Second, the 6% density Cap: The Taskforce agreed that NO new STRs can get permits in over-saturated zip codes and subareas of the County until STR density falls below 6%. But If you exempt PUDs in lines 36 and 203, then any developer would be free to immediately circumvent the 6% density cap simply by converting any empty land in the middle of our neighborhoods into a Planned Unit Development full of new STRs. This loophole effectively creates new commercial enclaves, right in the midst of RR neighborhoods-- without having to wait in line, as other owners do.

Such preferential treatment for developers of PUDs is not fair for individual owners who are not allowed to get permits for any new STRs until the number falls below the 6% cap. It is also not fair to residents.

I speak from experience with PUD proposals. Two years ago, a PUD behind my house proposed to build 12 houses on lots smaller than 1 acre, even though we are zoned RR2.5. More than 60 neighbors wrote public comments against the PUD development had But neighbors' objections carried no weight. The Hearing Examiner would have approved the Enchantment Meadows PUD subdivisions with its tiny lot sizes over neighbors' objections—as happened to residents in Eagle Creek-- had it not been for the US National Fish Hatchery raising concern about the effect of 12 new septic fields on their Hatchery's wells. We were fortunate.

My point is: It is not fair to allow STRs to circumvent the density limits by creating a PUD, with small lot sizes, for STR commercial uses.

Please close the loophole for PUDs. It may be fine to exempt Master Planned Resorts from the 6% cap, but not PUDs. The purpose of PUDs very clear in the Comprehensive Plan: to provide housing for the "population of the County," not for short term rental guests who reside elsewhere.

Please delete the PUD exemption on lines 36 and 203. Follow the Comprehensive Plan!

--Barbara Rossing, 7785 E. Leavenworth Rd.

Barbara Rossing
Professor of New Testament and Environmental Ministry Coordinator
Lutheran School of Theology at Chicago

Wendy Lane

From: Wolfgang Kaehler <wolfgang@phototours.us>
Sent: Tuesday, June 29, 2021 7:06 PM
To: CD STRComment
Subject: STR-RUN

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

Dear Commissioners
We would like to thank the Chelan County Council and the Task Force for their work in solving the STR issues. We have an STR near Lake Wenatchee on Nason Road. We are concerned about the proposed code for home improvement is not realistic and potentially hazardous. Homeowners need to be able to improve their properties. Maintenance is not only cosmetic, it is critical for maintaining the safety of a building, and energy improvements should be encouraged. Washington State even gives tax incentives for some of these upgrades.

Being responsible STR owners, we seek to discourage party groups at our cabin. We believe that code enforcement is important. We monitor our property and our property manager will take action if there are problems with noise, group size, or disruptive behavior. We also gave the phone number of our manager to all our neighbors, asking them to call her if there are any issues. Families with young children generally don't cause noise disturbance, so we feel that children 2 years or younger should not be counted in the guest count. If this code goes into effect, families will be disadvantaged.

It has been proven that STRs don't reduce the quantity of affordable housing. Housing prices are rising cities and counties wherever the economy is strong. For Chelan County, STRs are an important part of the economy, providing employment and sales for stores and restaurants.

Thank you.

Sincerely,

Wolfgang Kaehler
Photographer, Author, Consultant, and Lecturer
723 3rd Street South
Kirkland, WA 98033, USA
Phone 425-803-0652
E-mail: wolfgang@phototours.us
Blog: http://phototours.us/blog
Web: http://phototours.us
https://www.instagram.com/wolfgang_kaehler/
Facebook: wolfgang.kaehler
Twitter: @WolfgangKaehler
Like us on Facebook! http://www.facebook.com/RunWithTheWolfies

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Tuesday, June 29, 2021 2:13 PM
To: CD STRComment
Cc: Tim Sale; Colin Campbell; Nikki McCall; Scott Huson
Subject: Act now on the strong call at the hearing for Fairness In Grandfathering!
Attachments: FIG Ltr to Chelan County Commissioners w. Code Proposal 6.18.21 (04223102).PDF

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

Commissioners,

We are following up with written testimony after the powerful and united messages on fairness in grandfathering that you heard at the public hearing today (6/29/21).

It is difficult to discern who does and does not "reside" in the county by simply asking for a home address – especially during these times. It is important to understand that many of our members are registered Chelan County voters. Many more county voters support our cause and rely on STRs for their livelihoods.

Fairness in Grandfathering asks you again to consider the framework our legal council submitted (re-attached here). This provides a straightforward route to addressing the issue for those trapped in the confusing and ambiguous moratorium, having already taken steps to create their STRs.

The hearing demonstrated the strength of feeling as well as the legal risk to the county of not taking a proactive, open and collaborative approach to this issue now, before the code is passed.

The hearing did not demonstrate a strength of feeling for an opposing point of view regarding this specific issue. The RUN folks focused on nuisance issues. To reiterate: our members are all fully committed to abiding by the regulations that are adopted into code to address these nuisance issues and will be strong and vocal advocates within the STR owner community for this.

We acted in reliance on the county rules that were, and are still, in place. We will suffer significant harm if these issues are not addressed as the code is finalized.

We thank you for your continued efforts to represent all constituents in coming to a fair and equitable code.

Sincerely

FIG

Fairness In Grandfathering
Chelan County Vacation Rentals

CH& CAIRNCROSS&HEMPELMANN ATTORNEYS AT LAW
524 2nd Ave., Suite 500
Seattle, WA 98104
www.cairncross.com
office 206.587.0700
fax 206.587.2308

June 18, 2021

VIA EMAIL

Board of County Commissioners
County of Chelan
400 Douglas St., Ste. 201
Wenatchee, WA 98801
Email: : CD.STRComment@CO.CHELAN.WA.US

Re: Chelan County Short-Term Rental Draft Ordinance

Board of County Commissioners:

As you know, this law firm represents the group commonly referred to as Fairness in Grandfathering ("**FIG**"). FIG consists of a small group of homeowners who prior to the adoption of Resolution No. 2020-86 (the "**Moratorium**"), made meaningful steps to operate a short-term rental ("**STR**") based on the zoning and land use regulations then, and currently, in effect. As detailed below and in the numerous comments submitted by individual members of FIG, FIG consists of essentially three subsets of members who were differently positioned to operate an STR prior to the Moratorium. Although differently positioned, FIG collectively embodies a group of homeowners who, before being blindsided by the Moratorium without any notice, made significant financial and life decisions in reliance on the Chelan County Code (the "**Code**" or "**CCC**"). These individuals will be significantly harmed if the County chooses to disregard the faith these individuals had in the County's regulatory system as it applied to them while making these decisions. We therefore request the Commission address FIG's concerns and incorporate the enclosed revisions to the draft STR Ordinance, which set forth a reasonable framework to provide FIG members some relief.

FIG includes individuals who prior to the Moratorium owned an existing home and took meaningful steps toward operating the home as an STR prior to the Moratorium going into effect. For example, these individuals opened rental accounts and compiled marketing materials for rental listings with companies like VRBO and Airbnb. In some cases, individuals even took over active rental accounts of the prior owner who rented out the home as an STR. Unfortunately, however, these individuals were unable to secure a rental contract prior to the Moratorium and therefore are arguably not included in the current framework for existing STRs, which requires "actual" and "physical" use. See draft Ordinance 11.88.190(2)(E)(i)(a). In many cases, rental contracts were not pursued because of the onslaught and uncertainty surrounding COVID-19, which created very real and difficult decisions for the STR market with respect to public health and safety.

ndeleon@cairncross.com
direct (206) 254-4472

Adding to the unfairness of this situation, and as you know, nothing in the Code required these individuals to take any affirmative action to register, permit, license, etc. their home as an STR because the Code is utterly silent on the issue of STRs. Thus, a discrete act to establish or "create" an STR was not required. Furthermore, although the Moratorium precludes "creation" of a new STR, it does not provide any clear definition or explanation as to what constitutes creation. It therefore also does not explain how it applies to the situation at issue where meaningful acts were taken to operate an STR, but an actual, physical rental did not occur prior to August 25, 2020. Stated another way, arguably these individuals had already created an STR by taking the above-described steps to rent and any subsequent steps to further operate the STR subsequent to August 25, 2020 would not violate the Moratorium. The draft STR Ordinance appears to try to further narrow the door by limiting existing STRs to those that "actually, physically" were used as STRs prior to the Moratorium. Although this is certainly more clear than the ambiguous "creation" concept, it is a steeper thresholder and imposes extreme harm on those individuals who made significant life and financial decisions in reliance on the regulations then in effect, but because of pure bad luck with timing and a worldwide pandemic, they do not satisfy this threshold. This is one example of the type of unjust result we ask you to address by incorporating our suggested revisions to the draft STR Ordinance.

Another subgroup of FIG includes individuals who prior to the Moratorium were in the process of purchasing a home for the purpose of operating an STR, and they took other meaningful steps toward operating the home as an STR. Similar to the scenario above, these individuals confirmed with sellers and realtors that the property could be used as an STR, they established rental accounts and compiled rental information, and more fundamentally, they spent a significant amount of money to purchase land based on the fact that the Code allows STRs. Furthermore, these members very likely would have fallen into the above category of actually owning their property prior to the Moratorium if the onset of a literal world pandemic had not put business functions and closing operations into a tailspin. Although closings were delayed due to the very real impacts of COVID-19, the investment and reliance of these individuals was in full effect prior to the Moratorium. Therefore, these individuals should also be afforded relief and status as an allowed STR.

The third subgroup of FIG includes individuals who owned land and applied for a building permit prior to the Moratorium, with the intention of operating the home as an STR, but construction was not complete prior to the Moratorium, so they could not "actually, physically" use the home as an STR prior to August 25, 2020. Relevant to this circumstance is the infamous STR box on the County's Building Permit Application Form. This STR box is a red herring issue. The fundamental fact is STRs were, and still are, permitted outright and are unregulated under the Code such that there is no Code-basis for processing or rejecting a Building Permit Application based on whether the STR box was checked. Furthermore, the STR box is in fact just a simple statement asking, "Will this structure be used as a Vacation/Transient Rental for less than 30 days?" There is no additional explanation or guidance as to whether, for example, does the question refer to the sole or primary use of the structure? Along these

lines, a homeowner could very reasonably interpret this question to be an inquiry as to whether the structure will be operated solely as a vacation rental. Thus, if the homeowner intends to personally occupy the home for a period of time and then rent the home out for other periods of time, and with the baseline understanding that STRs are not regulated by the Code, the homeowner would very understandably not check the box.

This was the process some members of FIG followed. They relied on the Code that permits and does not even regulate STRs, they completed and applied for a Building Permit in good faith and to the best of their ability, which did not include an affirmatively checked STR box, and they were issued a Building Permit for a home they intend to occupy, but also occasionally rent out. As a result, these members of FIG acquired a vested right to complete construction of their homes and then use that home under the regulations in effect at the time they applied for their Building Permit, i.e., regulations that allow operation of an STR. Although it appears a prior version of the draft STR Ordinance attempted to address this vested rights scenario, those provisions were removed and regardless, they did not adequately address the above unique, but very reasonable circumstance. The law governing vested rights is clear on this front and the current draft STR Ordinance is inconsistent with this law. We therefore urge you to incorporate our suggested revisions to assure the vested rights of these individuals are honored and the harm they would otherwise experience is remedied.

To this end, enclosed are proposed revisions to the draft STR Ordinance that narrowly and adequately address the above. The proposed framework provides an alternative path in CCC 11.88.290(2)(E)(i)(a) to becoming an existing short-term rental that is not dependent on "actual" and "physical" use prior to the Moratorium. Instead, the framework offers a second path that requires submission of an application within 60 days of the adoption of the STR Ordinance. The application must be accompanied by a legal affidavit from the current property owner affirming under penalty of perjury that immediately prior to the Moratorium, the current owner had the intent and took steps to use the property as an STR by August 25, 2021. The owner is also limited to operating only one STR and payment of a $1,000 fee is required. Collectively, these requirements are sufficiently substantial to prevent a significant, unanticipated number of existing STRs. Looking ahead, this path also requires the STR to comply with other provisions of the Code section governing existing short-term rentals, e.g., occupancy limits. To further address the unique circumstances of FIG members, we also propose revisions to CCC 11.88.190(2)(E)(ii)(e) so that these individuals are not penalized for their good faith actions in the midst of regulatory ambiguity. These proposed revisions reflect the backbone of our proposed resolution, but we understand our proposed language may necessitate other revisions to assure consistency and we welcome the opportunity to work with the County on that effort.

FIG supports the enactment of a regulatory system that governs STRs and assures they are operated in a desirable and sustainable manner. FIG simply asks that their very unique circumstances be addressed so that the members of FIG do not experience significant harm when their only mistake was making decisions in reliance on the County regulations in effect at that time. We appreciate the

Commission and County Staff's exceptional efforts on this difficult topic and we hope to work together in a collaborative fashion that addresses all parties' needs and concerns. Thank you again for this opportunity to participate in the process and we look forward to working with you.

Very truly yours,

Nicole De Leon

NED/kgb

cc: kevin.overbay@co.chelan.wa.us
bob.bugert@co.chelan.wa.us
tiffany.gering@co.chelan.wa.us
jim.brown@co.chelan.wa.us

Proposed revision to CCC 11.88.190(2)(E)(i)(a):

(E) Existing Short-Term Rentals:

(i) A short term rental use shall be considered lawfully established and existing and allowed to continued to operate as a legally non-conforming use only if the owner proves each of ~~all~~ the following criteria are satisfied, as applicable:

(a) That a location was actually, physically used for short-term rental purposes during the periods specified in 2(E)(i)(b) and (f), which requires proof of rental listing, income generated and tax payment, or if the location was reasonably intended for use as a short-term rental immediately prior to August 25, 2020, which requires satisfaction of the following ~~.Proof of rental listing, income generated, and tax payment is also required; and~~:

(1) Within 60 days of adoption of this Ordinance, submission of an application to utilize this Section CCC 11.88.290(2)(E)(i)(a); and

(2) Accompanying the application to utilize this Section CCC 11.88.290(2)(E)(i)(a), submission of an affidavit affirming under penalty of perjury that immediately prior to August 25, 2020, the owner had the intent to use and took meaningful steps to use the location as a short-term rental by August 25, 2021; and

(3) The owner, including a spouse and/or entity affiliate, may only operate and obtain one short-term rental land use permit; and

(4) Payment of a $1,000 fee; and

(5) The short-term rental complies with the requirements of this CCC 11.88.290(2), to the extent they do not conflict with the right to operate as a legally non-conforming use as established in this CCC 11.88.290(2)(E)(i)(a); and

Proposed revision to CCC 11.88.190(2)(E)(ii)(e):

(e) Any short-term rental property that has an unresolved written notice of violation for short-term rental use, received on or before August 25, 2020, shall not be considered a legally non-conforming use. Additionally, any short-term rental property ~~or~~ that operated as a short term rental contrary to the August 25, 2020 Chelan County short-term rental moratorium Resolution 2020-86, or subsequent rental moratorium resolutions 2020-104 and 2021-20, except those short-term rental properties that satisfy the requirements of Section 11.88.190(2)(E)(i)(a), shall not be considered a legally nonconforming-use.

Wendy Lane

From: Matthew Carlisle <carlislematthew@hotmail.com>
Sent: Tuesday, June 29, 2021 4:56 PM
To: CD STRComment
Subject: Keep Occupancy Down and No Improvements

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

Dear Commissioners,

As was agreed in the Task Force, the STR owners were given the HUGE win of keeping their STRs, ostensibly forever. The residents, left to fend for themselves over the years, had to swallow this bitter pill because the county was not willing or able to defend its own lack of attention and regulation in the past. Now that the county is finally doing something, please consider the residents, the people who live here and vote here.

You are under no obligation, legally or otherwise, to bow to the pressure of the STR owners whose sole desire when asking for more occupancy is to keep revenues up. Note that the benefits accrue to the owners of those houses, and the costs accrue to the neighbors. This is so unfair. We live here!

No increase in occupancy during the day. Impossible to enforce (when does daytime end and overnight begin?), and makes no sense. Does the septic drain field increase in size during the day? Are people less noisy during the day?

No increase in occupancy due to water saving devices or otherwise. Tower Designs and the health department quote an INCREASED daily use of 20% for STRs. If we're going to go by the experts we should have 1.6 guests per bedroom! This is all impossible to measure and enforce.

Finally, please do not cave to the desires of the STR owners to be allowed to improve their non-conforming STRs. Remember that the aim is to reduce the number of STRs, and to minimize their impacts while they are here in higher numbers. Allowing improvements will predictably always be about increasing revenue (it always is, as these are commercial establishments). It's going to be new bedrooms, pools, etc. The only possible outcome is more negative impacts to the neighbors, and yet again the benefits accrue exclusively to the STR owners.

STR owners will be allowed to maintain their properties without pulling permits to improve them. They will be allowed to repaint, replace cabinets, fix septic drain fields. Please do not cave to their purely self-serving desire to maintain and then increase their revenue.

Remember that neighbors of STRs now have a DECREASE in property value (we can't make them STRs even if we wanted to, and nobody wants to live next to one of these awful places), while you are allowing STR owners to maintain their higher STR-based property value. Yet again, the STR owners win, and the neighbors lose.

Consider residents! Keep occupancy down, and do everything you can to make it less desirable to want to rent one of these things in our residential neighborhoods.

-Matthew Carlisle
16975 River Rd, Leavenworth WA 98826

Wendy Lane

From: Bob Maher <bob_maher@hotmail.com>
Sent: Tuesday, June 29, 2021 4:02 PM
To: cd.strcomment@co.chelan.wa.u
Subject: Feedback on STR Code

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

Dear County Commissioners,

I would like to share some feedback on the ordinance on the STR code that I would like to see addressed in the spirit of creating conditions that are best for residents of the County in the long term. My areas of feedback are:

1. Occupancy Limits

Children under 2 must be included in the occupancy count (Line 409). Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. This significant of a change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.
Provisions to Exceed Daytime Occupancy (Line 424) - Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. These are very reasonable requests that will make residential neighborhoods more livable for residents of the County.

2. Noise (line 470) – The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure – All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County require STR owners to obtain permission from others who share water sources and access.

4. Planned Unit Development Exemption from Density Cap (line 203) – All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. This is important in order to maintain opportunities for affordable housing.

Finally, I urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The negative impacts of commercial lodging in residential neighborhoods are significant to the residents of the County.

Sincerely,
Robert Maher
1484 Dempsey Road
Leavenworth, WA

Wendy Lane

From: Cindy Smith <cinnys46@hotmail.com>
Sent: Tuesday, June 29, 2021 3:44 PM
To: Kari Sorensen
Cc: CD STRComment; Carl Blum; Joan Lester; Kathy Blum; Pat Hautenne
Subject: Re: #4 Manson Community Council STR Proposal 4/16/21

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

Tiffany completely threw the Manson Community Council under the bus this morning in KOZI Second Cup. She basically said that we wanted the 9 percent in exchange for three year grandfathering. She said she had spoken to the Council. As Treasurer of the Manson Community Council,I have not ever spoken to Tiffany Gering.

It is my personal belief that the Commissioner's need to adopt the draft from the Task Force as written. If you can't be unanimous in your decision because of one dissenting vote, so be it. The Manson area is drowning in STR's, we need action NOW, not in three years, not in five years, NOW. We need regulations, and we need enforcement.

Sent from my iPad

On Jun 29, 2021, at 2:08 PM, Kari Sorensen <blueberrykari@gmail.com> wrote:

Commissioners, we have an issue. (Please open both attachments to this email.)

At the bottom of **page 25** of the latest "BOCC Hearing Draft June 2021" regarding new Short term Rental regulations being proposed for Chelan County, Chelan County made a statement the **Manson Community Council takes great exception to:**

"After the Task Force Process concluded the County received input that the Manson Community Council had been wishing to have a 3 year period for transfers as a tradeoff for going to 9% share of short term rentals in the UGA. As this post-dates the Task Force process and the County staff wish to have a more aligned process countywide we have noted 5 years universally here."

Attached to this you will find the original email sent on behalf of Manson Community Council dated **April 16, 2021** where it clearly shows what our position was going into the Task Force's final meeting with the entire STR Task Force. Also please notice that THIS WAS BEFORE our final meeting held with Mike Nash on the evening of Monday, April 19, 2021, from where he compiled his "Moderator's Final Version." You will also see in my notes taken during the meeting (also attached) showing that "Everyone including Mike, Jim, Randy nonconforming can transfer within 3 years") agreed to both the 3 year transfers (not 5) as well as the properties being in "100% PERFECTLY CONFORMING and COMPLYING" in order to be Grandfathered in trade for 9% instead of 5%. If we weren't going to get 3 year w/ 9% trade, we were prepared to go back to the 5%. In order to keep it at 9%, STRACC agreed to all the terms listed in this proposal. During that same meeting MCC backed off on requiring lot sizes in exchange for 200' separation from lot lines at that time as well. To be clear, Manson Community Council had several meetings with STRACC and negotiated our own terms with them as Leavenworth wouldn't present what we wanted as it "undercut their position and ability to negotiate a lower number." Leavenworth, where all 3 pro-neighborhood Task force representatives live, BTW, had no idea that Manson ***UGA*** existed or the fact that we already HAD code on the books for STRs since 2010. They could never get their heads

around it and they weren't interested in fighting the fight for our existing code.

For the county to take away this hard-fought agreement that *we negotiated in good faith* with STRACC by stating we put our input in "**after the Task Force Process concluded..**." is a downright ***lie***. We would like to again point out that the Manson community was ENTIRELY left out of this process by not having a standing on the Task Force. We appreciated the after the fact addition when one of the members was unable to serve, however as an an ``alternate" Manson still had no vote and was left as a silent witness to meetings until the meetings we started having with STRACC ourselves. When we spoke up very vocally about the non-representation we were left with, we were completely disregarded by Tiffany Gering as our representative for Chelan County's 3rd District. WE ARE HER DISTRICT. And it made absolutely no sense to not have a member of Manson Community Council on that task force representing Manson. As you know, Manson has the second highest volume of STR's in Chelan County -- as well as the only community in Chelan County with existing code already on the books.

Manson Community Council insists that the County respect this agreement that we came to with STRACC. This agreement that YOU tasked us to negotiate and we did so very successfully. Something that Chelan County was unable to do on its own after years of trying.

During the last ZOOM BOCC STR Workshop held on June 22, 2021 @ 10:15 am, Tiffany stopped the conversation and asked "Why is Peshastin only at 0%?" One of you simply stated "Because that's what they asked for." Her response was "Oh." It was left at that and the conversation went on from there. You have very clearly respected Peshashtin's desire to have 0% STRs without even batting an eye. Manson demands the same respect that you gave Peshastin. We demand the negotiated and agreed upon limit of 3 years (not 5) for potential transferability inside of our UGA where "100% PERFECTLY CONFORMING and COMPLYING" STR's are eligible, and a 9% cap inside the UGA, as shown in the attached documentation which was mutually agreed upon. In addition to that, this information was also sent to Mike Nash prior to the Task Force's final meeting on Monday, April 19th, **where he included it, and it was VOTED ON and won the popular vote by the Task Force and Planning Commissioners. So - please tell us where this "after the fact" came from?**

<IMG_4338.jpg>

Please restore our Manson UGA code to what we requested in Mike Nash's "Moderator's Final Version."

Sincerely -
Kari Sorensen
Manson Community Council

---------- Forwarded message ---------
From: **Kari Sorensen** <blueberrykari@gmail.com>
Date: Fri, Apr 16, 2021 at 1:39 PM
Subject: #4 Manson Proposal 4/16/21
To: Kirvil Skinnarland <kirvil213@outlook.com>, E John Agnew <ejohnagnew@gmail.com>, Ken Longley <kenlongley66@gmail.com>
Cc: Carl Blum <herkto747@gmail.com>

I am attaching #4 Manson Proposal to this email.

I'm having a payroll nightmare with a bad QB update so I'm under water. Please note that Carl Blum is standing by for a phone call if you would like him to temporarily step on with you guys so you can ask him any questions as to where Manson stands and why.

Carl Blum: (360) 620-7628

Kari Sorensen
Manson Community Council
--
Kari Sorensen
Blueberry Hills Farms
<#4 MANSON PROPOSAL.docx>

Wendy Lane

From: Kari Sorensen <blueberrykari@gmail.com>
Sent: Tuesday, June 29, 2021 2:08 PM
To: CD STRComment
Cc: Carl Blum; Cindy Smith; Joan Lester; Kathy Blum; Pat Hautenne
Subject: #4 Manson Community Council STR Proposal 4/16/21
Attachments: #4 MANSON PROPOSAL.docx

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MANSON PROPOSAL #4

April 16, 2021

MANSON: 9% ok

(9% terminated completely and we will go b
are asking for below.)

LEAVENWORTH ?

(It's Manson Community Council's opinion t

COUNTY WIDE: 5%

TRANSFERABILITY - INSIDE UGA

**Only 100% PERFECTLY CONFORMING and C
year period.** No transfers after that. That m
zoning, distance, lot size, septic, parking, etc
will cause Manson to go back to 5%.)

Comply w/

Please restore our Manson UGA code to what we requested in Mike Nash's "Moderator's Final Version."

Sincerely -
Kari Sorensen
Manson Community Council

---------- Forwarded message ---------
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Date: Fri, Apr 16, 2021 at 1:39 PM
Subject: #4 Manson Proposal 4/16/21
To: Kirvil Skinnarland <kirvil213@outlook.com>, E John Agnew <ejohnagnew@gmail.com>, Ken Longley <kenlongley66@gmail.com>
Cc: Carl Blum <herkto747@gmail.com>

I am attaching #4 Manson Proposal to this email.

I'm having a payroll nightmare with a bad QB update so I'm under water. Please note that Carl Blum is standing by for a phone call if you would like him to temporarily step on with you guys so you can ask him any questions as to where Manson stands and why.

Carl Blum: (360) 620-7628

Kari Sorensen
Manson Community Council
--
Kari Sorensen
Blueberry Hills Farms

Wendy Lane

From: BRIAN Shugrue <shugruebf@msn.com>
Sent: Tuesday, June 29, 2021 2:01 PM
To: CD STRComment
Subject: STR Regulations - Open Session Follow Up

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

Jim & Bob

It was quite obvious during the meeting this morning that the STR owners are flocking to these sessions to press for protection for their investments, and some of those who spoke were quite blunt and obvious in their disdain for these pending changes. Wealthy STR property owners from Mercer Island, Bellevue, Woodinville, Kirkland and Seattle were all there, basically saying the same thing: how can Chelan County impose regulations on us when we were already here and operating? Not surprising. I was rather amused to hear one crying about her potential losses. Perhaps I should have started crying when describing my horrible experiences with the STR adjacent to my place.....?! 😉

Regardless, once again you guys showed no bias, were receptive and ran a good meeting.

Those of us who spoke on behalf of the local residents may not have been as numerous as the STR caucus, but we represent a lot of friends and neighbors who feel the same as we do, but were unavailable to attend a meeting during that time of the day.

Key points from our (the local resident) side:

1. We raised the issue of not exempting children under the age of two, but in reality that is not a deal-breaker and we can easily concede that point. This shows our willingness to be reasonable and seek a compromise.
2. Caps on occupancy are much more critical, and we feel strongly about that.
3. Other than changing the "under age 2 exemption" we feel the Task Force recommendations should be closely adhered to. Doing so allows the County to show they listened to the community at large, and respected what was recommended. I also feel this gives you breathing room, and helps create distance from those complaining about the changes being proposed. Who can argue when the Commission says they are following the consensus decisions provided by a Task Force equally composed of members from both side of this issue?

Anyhow, thanks again, guys. Hang in there, the finish line is almost in site!

Best regards,

Brian Shugrue, Innkeeper

CASHMERE MOUNTAIN
BED & BREAKFAST

Mobile: 509-881-4647

E-Mail: shugruebf@msn.com
Website: www.cashmeremountainbandb.com
Facebook Page: https://www.facebook.com/pg/cashmeremtnbandb/posts

ASSOCIATION OF LODGING PROFESSIONALS
ADVOCACY - LEARNING - PARTNERSHIP

Wendy Lane

From: Richard Thirlby <thirlbyrc@gmail.com>
Sent: Tuesday, June 29, 2021 1:53 PM
To: CD STRComment
Subject: STR
Attachments: strs.docx

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

see attached
thanks

Rick Thirlby

Dear Commissioners: I have a few comments regarding the STR issue.

All of this important discussion should be framed by the fact that STR's are illegal. They are illegal because the citizens of Chelan County created a Code and Comprehensive Plan making them illegal. These elements were necessary in order to preserve their quality of life. In addition, it should be recognized that "Grandfathering" is illegal if the Grandfather is illegal.

I have 2 requests of the Commissioners. The firsts relates to what I believe is one of the most important documents written in the last several years relating to the STR problem. Early on, the request of the STR leaders was to "let us police ourselves " How would that work? In the spring of 2020, the governor of Washington instituted cessation of all activity in hotels and like businesses. This was in the context of a Pandemic that threatened the lives of every citizen in Chelan County. The actions of Olympia were evidence- based and clearly in the best interest of our citizens. How did STRACC respond? ***The leadership of STRACC sent a correspondence to all of their members reassuring them that they should ignore the actions of the governor's office. I would humbly request that the commissioners read this letter again and honestly contemplate the implications.*** When I read this letter last year, I was outraged. STRACC cannot be trusted to do anything beneficial for the citizens of Chelan County.

Second: The actions and words from the Sheriff's office to date indicate that the Sheriff's office has neither the time nor the desire to enforce the County Code. The responsibility of Sherriff is not to write the law; it is to enforce the law. ***The County will need to dedicate significant resources to make the code achieve its stated goals.***

Thank you for your tireless efforts to solve this problem.

Rick Thirlby

Wendy Lane

From: clint@nwi.net
Sent: Tuesday, June 29, 2021 1:25 PM
To: CD STRComment
Subject: Short term rentals

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

My name is Clint Lougheed and I live at 9260 East Leavenworth Rd., Leavenworth. My wife and I have lived full time at this location for more than 25 years. Prior to the proliferation of STR's in this area we had a quiet, stable and friendly neighborhood. Our residential neighborhood is now a neighborhood of strangers, traffic and noise.
Across the street at 9265 East Lv. Rd. is an STR that routinely exceeds occupancy limits with 3 to 5 cars in the driveway and 6-8 occupants. I have reported late night noise from this STR on multiple occasions.
STR's should not be allowed in residential neighborhoods and should not be grandfathered in to a new ordinance.
Chelan County needs to consider the needs of permanent county residences over the financial interests of out of town STR owners. The county also needs to enforce STR occupancy limits as well STR noise issues.

Clint Lougheed, Leavenworth

Wendy Lane

From: Jim Brown
Sent: Tuesday, June 29, 2021 1:13 PM
To: CD STRComment
Subject: Jill McCormick mailed comment
Attachments: Jill McCormick comment.pdf

Comment received by mail. Scanned and sent to STR comment box.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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June 26, 2021
Chelan County Commissioners:
I am a year around **full time resident** of Leavenworth. Thank you for addressing the issue of neighborhoods and affordable housing and how the short term rentals have impacted those of us who live in Chelan County.

I **support the task force consensus**, without modification to increase originally-agreed occupancy limits. The residents who were appointed *at your request* to serve on the County's Short Term Rental Task Force agreed to accept grandfathering of most existing short term rentals despite the fact that they are illegal under the existing zoning code. They made this major concession in order to gain more protection for residential neighborhoods.

Please: It is NOT acceptable for more concessions to be granted to STR owners, the vast majority of whom do not live in Chelan County. Those of us who call this County home deserve to have our neighborhoods and affordable housing protected.

Occupancy limits must be tied to the original septic permits and building permits. The County requires permits; we need to abide by those very permits.

New adjustments after the appointed task force agreement are not fair, but inappropriate and wrong. Major concessions were made to arrive at that task force agreement and it's not okay to add on new concessions which add more occupants by not counting children, or by changing the day time occupancy to allow commercial use for events during the day. **Children under 2 are occupants. Period.**

Commercial events should be in commercial zones, not residential neighborhoods. **Daytime occupancy limits must be enforced** in neighborhoods; those events should be in the commercial zoned STRs. We have lived with the noise and parking issues of daytime events at area STRs and that is not what our neighborhoods should be like. We live here! Please put this event-business inside the commercial zones.

Uncontrolled and unregulated noise/music should not be allowed at the STRs. Our neighborhoods are where we live, not commercial zones for constant amplified music.

Planned unit developments in the future must be counted in the density caps. We need to work toward and protect affordable housing and **any STRs in the future**, whether in a planned unit development or not, **must meet all of the requirements** and be a part of the density cap.

- We need and deserve effective enforcement of clear agreed upon regulations.
- We need to protect neighborhoods for people who live and work here, who support our schools and communities. So very few of the STR owners live in our County.

You should protect those of us who do - who live here, who work here, who send our children to school here, who volunteer here, who serve here. We are your constituents and our communities and neighborhoods must be protected now and in the future. Thank you for your efforts in this regard.

Jill McCormick
Full time Chelan County resident.

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Tuesday, June 29, 2021 1:08 PM
To: CD STRComment
Subject: Limiting STR's

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

If STR's are limited or stopped, where will the Hyatt, Hampton Inn or Hilton be allowed to build?

People will still want to come to the Chelan area for recreation.

Limiting STR's will not stop the desire to come to the Chelan, Leavenworth area. Once the big hotels see the opportunity....they will proceed to build the mega-hotels in the area. Is this the direction you want the "community" go ?

Affordable homes are not and will not be sold by STR's that are no longer allowed to operate. This "logic" is not even worth consideration.

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Tuesday, June 29, 2021 1:00 PM
To: CD STRComment
Subject: Federal Law requires like for like

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

When I purchased my STR, it was REQUIRED by federal law that the properties be like for like. A rental for a rental.

I researched and purchased a property in Manson strictly on this requirement. For tax implications....I have been required by law to rent my property.

If this is changed by the local zoning....what impact does it have on the federal laws? Is the county going to reimburse purchasers because of this change in local policy in the middle of a federal law requirement for like for like to be for a period not specified ?

Wendy Lane

From: Jennifer Moraski <jennmb@hotmail.com>
Sent: Tuesday, June 29, 2021 12:59 PM
To: CD STRComment
Subject: STR Public Comment

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

Dear Commissioners,
Thank you for your work in putting together this draft code. I own an STR in Leavenworth at 75 Bjork Creek Lane since 2017. It is managed by NW Comfy Cabins. I currently live in the Seattle area but have purchased a home in Wenatchee and will move there permanently in July. We use our cabin in Leavenworth as a vacation home and the income we receive allows us to pay for the cost of the house and improve it. We've made numerous improvements to the house and the yard because of the income from the STR. I get along very well with all our neighbors, have never had a complaint and have always strived to be great neighbors and hosts for both paying guests as well as my family and friends who stay at my cabin. We love Chelan county which is why we are moving there full time. We have invested here, we paying taxes here and we vote here. This is our home.

I agree with many comments to support the task force recommendations with a couple modifications. My home has 3 bedrooms and one bedroom has two full beds in it. Based on the proposed code, this puts my occupancy at 6. Those beds were there from the previous owner and I purchased them from her. Many other communities address occupancy limits based on 2 people per bedroom + 2 which would allow for some limited flexibility for children under 2, loft areas and situations like mine that clearly had higher occupancy than 2 per room prior to when I owned it. The second modification I support is allowing for additional flexibility to modify and improve my property that require building permits as long as it does not lead to non-conformance and changes to occupancy. I expect to continue to maintain and update my property and this would discourage that by risking my ability to continuing running it as an STR.

Thanks for your time,
Jennifer Moraski
75 Bjork Creek Lane, Leavenworth WA

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Tuesday, June 29, 2021 12:54 PM
To: CD STRComment
Subject: Neighborhoods??

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

I keep hearing that every STR's are harmful to neighborhoods. What is defined as a neighborhood? Can you name 10 neighborhoods that have NOT had new homes built within the last 5 years or had an STR start? What is defined as a neighborhood? The current neighborhoods are what they have evolved into for a reason.

What is the "nature" of a "neighborhood"? Do you think the "residential" part of "neighborhood" has changed in the last 10 or 15 years? Chelan and Manson do NOT have neighborhoods...and if they do what and where are they?

Wendy Lane

From: Angela Sucich <angelasucich@gmail.com>
Sent: Tuesday, June 29, 2021 12:03 PM
To: CD STRComment
Subject: STR public comment

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

Dear Board of Commissioners and Director Brown,

Thank you for your work on this process, and thank you for deciding to grandfather in the existing STRs that have been in operation (some for many years). I hope you will consider one issue that wasn't fully resolved by the task force but that impacts my family directly, and can be solved with a very small change to the code, which will not open the floodgates but will honor the spirit of grandfathering.

My husband and daughter (who is turning one year old this Friday) live in a cabin on Icicle Road in Leavenworth on the same property as our STR. We bought this property four years ago, primarily due to its capacity to accommodate extended families at a higher occupancy than the proposed Tier 3 cap of 16. It had been an STR for many years before we bought it, and its septic system is large enough for 24 people. However, it does not have 12 bedrooms, nor would that have made sense in its design. Large properties like ours were designed to accommodate different numbers of people at different times, and 12 bedrooms would have resulted in wasted space if you didn't have 24 guests staying all of the time. This is why large properties like ours, which is 7,000 square feet, have expansive rooms with multiple beds, and this ample space can easily and safely allow for numbers over 16. (This scenario, I hope you can agree, is vastly different than, say, a 2,000 or even a 3,000 sq ft house where people are being crammed into small bedrooms.)

I understand the rationale behind the proposed occupancy cap of 2 people per bedroom, which is to ensure that the property safely supports a given number of people. For most, but not all, properties, this language make sense, because most STRs are a smaller and more uniform size. However, I believe the code should also take into account larger properties like ours that were originally designed to accommodate many more people, and which were designed with a much larger septic system and parking capacity to support those people. In cases like our property, and the handful of others like it, it doesn't make sense for the occupancy cap to be tied to the number of bedrooms. What makes more sense is to tie it to the septic system, parking, and square footage of the house—because that's what the proposed bedroom cap is pointing to anyway: the capacity of the property to safely support a given number of people.

I am asking you to consider tying occupancy for large properties like ours to septic system and property size rather than to individual bedrooms. This would entail a very small change to the code.
The easiest solution would be a one-word change in Line 384 of the code from **"AND"** to **"OR"** so we could continue operating at existing occupancy with our sufficient septic system.

This very small change would allow families like mine who invested years ago to keep their dreams. The code already lists a process of enforcement for noise and nuisance concerns, and since we live on site, we can best address these issues. (We care about our neighbors, and we are in the same place of our neighbors—we have an almost 1-year-old who needs her sleep, too.)

This small change in the code would NOT open the floodgates for a ton of STRS, because there are only a handful of properties in this situation (and it won't increase going forward since new Tier 3 STRs will be subject to the cap). This small change would, however, make a BIG impact on my family. We want to raise our daughter here and to be caretakers of this beautiful corner of nature. We live on site and look after our property and our neighbors. This small change would also show that everyone involved in the code process is moving forward in good faith, honoring the spirit of grandfathering.

Please let us continue to operate as we have been, as conscientious STR owners. Thank you.

Angela Sucich
8787 Icicle Rd.
Leavenworth, WA 98826

Wendy Lane

From: Rob Jones <rob.1ontheroad@gmail.com>
Sent: Tuesday, June 29, 2021 11:17 AM
To: CD STRComment
Cc: Brittany Smothers
Subject: STR Task Force Feedback

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

Thank you for establishing the task force and for taking the time to allow so many citizens to be heard. This is a fundamental of democratic societies. That being said, I am troubled by how much in the code has been specifically written to appease the loud, small arm of RUN and those who wish to effectively shut down a county to one of its largest sectors of the economy—tourism.

My wife and I were fortunate enough to purchase our home in Ponderosa Pines in February 2020. I am a public school educator, and the first in my family to graduate college. I came from a working-poor family. My wife is a Nurse at one of the largest hospitals in the area and came from a lower-middle-class family. Neither one of us is wealthy or came from wealth. We have worked hard and took out equity on our primary home in Seattle to be able to purchase a vacation home in a place we absolutely love! We cannot afford to carry two mortgages, so I order for us to make it work, we rely on being able to rent out house when we are not in it. This allows us to share a beautiful place and location with many people who also might not otherwise be able to visit the Chelan County. Lucky for us, we got our home up and running before the moratorium; however, there are many people out there whose timing did not work out. I share my personal story because these types of induvial narratives get to an important point—STR owners are people and most of us are not (contrary to the RUN narrative) wealthy people. We love the area and want to be able to spend as much time there as is possible. We also want to share it with others.

I am advocating for extended grandfathering for anyone who can show that they were in the process of getting an STR up and running prior to the August deadline. I can only imagine all the fear that those folks have because of what they would stand to lose. I am also asking that those who are grandfathered in be able to make renovations so long as those changes do not increase the non-conformity. I grew up with a construction-worker dad who passed along some of his skills to me. I work on both our Seattle home and our Leavenworth home because I love improving the spaces for our enjoyment. As a tax-paying American, I find it insane that I would be told I cannot improve my own property. I urge you to reconsider this.

Additionally, I advocate that the exclusion of babies under 2 remain in place. Babies do not generate the waste-water that adults and older children do. Other counties in WA have exclusions on this and I encourage the board to follow suit.

Lastly, parking spots should be allocated per rented bedroom and not limited beyond that.

Thanks,

Rob Jones

25312 Saddle Street, Leavenworth

--
-Rob Jones

Wendy Lane

From: Clifton Burke <ckipburke@gmail.com>
Sent: Tuesday, June 29, 2021 11:02 AM
To: CD STRComment
Subject: Todays hearing and written input on STRs

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

To all commissioners of Chelan County,
I am writing a second response to the STR proposal that is going before a vote.
My major concerns regarding this vote is that Safety, Environmental impact, Traffic conjunction, Respect to speed limits and surrounding neighbors are all items that the commissioners may have looked at but regarded as of least importance compared to what the owners of the STRs feel is important and that being lost revenue .
Let me start with Safety.
This is an all encompassing umbrella. The safety of local homeowners who walk both the North shore service road and the South shore service road where there are no shoulders for the walkers to use as fast moving vehicles that are not following the speed limit drive past. I have experienced a vehicle pass me while I'm doing the speed limit and they are going well over it.
The Environmental impact.
After a long weekend or the rental period has come to an end, while driving on the south shore where my cabin is located, I found trash bags full of beer cans, bottles on the side of the road along with trash bags of food that animals have torn open. I now carry extra trash bags with me so I can pick up the trash that has been discarded.
Traffic Congestion.
This is a big item because of the possibility of wildfires and those of us that live here year around getting trapped as was experienced during the Paradise fire in California. Those of us that do live here year around know and respect that danger.
An example of this is in a posting on the "Nextdoor Lake Wenatchee" website mentioning a STR occupant having a large bond fie and not respecting the permanent homeowners request to put the fire out.
I feel strongly that if this proposal passing without further consideration and a first hand on site view during a rental period, that the commissioners devise some hard rules that the STR owners are required to follow or pay a large penalty for not following.
Clifton Burke @ 15700 Cedar Brae Rd.

Wendy Lane

From: Tom Arnold <tom@usplus.dog>
Sent: Tuesday, June 29, 2021 10:53 AM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

Dear Commissioners,

First and foremost, thank you for your hard work on this issue.

My name is Tom Arnold, permanent address is 2951 Mission Ridge Road, Wenatchee, WA 98801.

My wife and I are interested in renting out our home part time during prime times of the ski season as we are 5 minutes from the Mission Ridge ski area. Our home is on a 0.75 acre property, has its own septic, off street and garage parking big enough for 5 cars, garbage / recycle services, and so on. Our home is a 3 bed, 3 bath home, that we hope to have up for rent on a short-term basis for weekends (2-3 nights) for no more than 5 people. This is our retirement home and our fulltime address which is meant to be rented only 1/3 of the week and only at peak vacation periods. We took out a loan in the fall of 2019 for home improvements with the goal of moving to this STR plan only to be blocked and now have debt that we cannot pay with STR rent money as planned. This has and will continue to cause us financial harm as we were unable to move forward with our plans in the 4th quarter of 2020 after we learned of the moratorium. We have owned this home since 1998 – nearly 23 years now – and uncertain why we are precluded from taking advantage of using our property in the manner described and impacted by STR regulations that exist mainly because of challenges faced in Leavenworth and Lake Chelan. In short, we have no STR problem near Mission Ridge but are impacted simply because we're in the same county.

Thank you,
Tom

Wendy Lane

From: Steve marks <marksst4@gmail.com>
Sent: Tuesday, June 29, 2021 9:57 AM
To: CD STRComment; STRACC Admin
Subject: STR Public Comment

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

First I would like to say good work all!
Both sides have worked hard to arrive at what most people perceive as a fair and equitable solution to the problem.
Everyone has worked tirelessly to hammer this out and the vast majority feel that nothing more needs to be done.
LEAVE IT THE WAY IT IS AND NO MORE CHANGES FOR EITHER SIDE!! There will always be someone that will not be happy with the results and making last minute changes undermines the efforts that the task force worked so hard to agree to.
For example; SHARED INFRASTRUCTURE, the RUN people want to change this so that STRs in communities like Ponderosa and Chiwawa Pines will have to seek approval to operate,
This will completely go against what the task force wanted and result in long drawn out litigation that we have seen before. This totally defeats the purpose of the task force and why it was set up in the first place!

Thanks for your time,
full time residence in the Ponderosa,

Wendy Lane

From: Judy Van Eyk <jvaneyk59@gmail.com>
Sent: Tuesday, June 29, 2021 9:50 AM
To: CD STRComment
Subject: STR issues

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

Hello, we have been residents of Chiwawa River Pines, Leavenworth, since 1995.
We decided to build a house to retire in and were able to complete the building process and made the move May 1, 1995.
We planned a house we could afford and pay for it as we built so we would not have any debt when we retired.
Thanks to people we do not know buying homes in the area for the purpose of investment/ shot term rental business, the property values have soared! Our plans to be debt free have been blown out of the water by increasing property taxes!
The neighborhood exists no longer, there are constant strangers in our midst! Neither the owners or the STR have any appreciation of our loss of privacy, fear of fires, pets running free, loud music at all hours, garbage strewn about and a myriad of other trespasses on our lives! Apparently, neither does the County!
We strongly resent the opinions of long time tax payers are being ignored and rules are being made that completely over look the wishes and legitimate concerns of long time residents !
Who knew our long term residency and investment in a life style doesn't matter to the very people elected to protect us?
Sincerely,
John and Judith Van Eyk
2105 Chiwawa Ct.
Leavenworth, WA. 98826
Sent from my Judy. ?

iPad

Wendy Lane

From: Mike <bmpayne@nwi.net>
Sent: Tuesday, June 29, 2021 5:33 AM
To: CD STRComment
Subject: Short Term Rentals

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

Chelan County Commissioners

Subj: Short Term Rentals

Thanks for talking the time to develop a code on Short Term Rentals. Must be hard to shift thru the comments people made and create a policy that best serves the county residents.

I am STRONGLY against Short Term Rentals in residential neighborhoods. The rentals are commercial business and should be in areas with commercial zoning. It is very unlikely that the proposed code will resolve the issue without lawsuits.

The Plain area does not have the infrastructure to support the large influx of weekend renters.

- Fire and Rescue, Law Enforcement, and Medical Services are staffed and funded for a sparsely populated rural area. They are not sufficiently staffed or funded to handle the increased demand for emergency services caused by short term rentals.

- Roads in the area are two lane and not designed for heavy traffic.

- Law enforcement response to the Plain comes from Leavenworth or further down Valley. It is optimistically about thirty minutes away. Typically the Sheriff responds to Plain for more significant events like vehicle accidents or life threatening situations. It is nice to say you can call the sheriff to enforce codes, and that may work in Leavenworth, but it does not work in rural areas that are over 20 miles away.

- Short Term Rentals have caused dramatic increases in property taxes that will eventually force many residents to sell their property and move out of the county.

The explosion in short term rentals has truly changed the character of our neighborhood. We moved to Plain in 2004 to enjoy the solitude and quiet. As you go down river from our house there are 4 short term rentals among the next 4 properties. Two of them the owner lives on site and they have not been a problem. The other two are not owner occupied. Even with no trespassing signs, we frequently encounter people walking across our property or pulling their rafts up on our shoreline and urinating on our property. We have even had people knock on our front door at 9 pm asking for directions to the short term rental they booked for the weekend.

Many of the rental occupants seem to come to Plain to play. We locals often say it's like the visitors check their brains at the top of Stevens Pass. They tend to take more risks and use less common sense than our full

time residents. As a result they often consume far too much alcohol, get lost in the forest without proper equipment, capsize cheap rafts, crash motorbikes and snowmobiles into trees, cause brush fires, set off fireworks, etc. These behaviors increase the safety risks to the rest of us.

Sincerely,

Mike Payne
12369 S Shugart Flats Road

Wendy Lane

From: Snowgrass Lodge <snowgrasslodge@gmail.com>
Sent: Monday, June 28, 2021 11:00 PM
To: CD STRComment
Cc: Joshua Fletcher; ZayLy Lodge; Barb Knapp; Nathalie Kirshner; Adam G. Haynie
Subject: STR Public Comment

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

Dear Board of Commissioners and Director Brown,

Thank you for forming the task force and listening carefully to both sides of the STR issue. We know it has not been easy. Despite some concerns with the consensus recommendations, we support the package as a whole and appreciate the importance of compromise in completing this long process. However, we hope you will consider a couple of issues that weren't fully resolved by the task force.

Importantly, the Task Force recommended creating a reasonable path to grandfathering for ***all*** **existing STRs** who have been operating in good faith. Please respect this spirit in the final code. Specifically, make sure the following operators are eligible for grandfathering:

- **Manson STR owners**: If consistency and fairness are the goals, Manson owners should be eligible for grandfathering on the same terms as operators elsewhere in the county. Permit requirements in Manson were not well publicized or consistently enforced in recent years, so they should be allowed to back-pay permit fees.
- **Trapped by the Moratorium**: Grandfathering should also be extended to those who can show that they initiated the creation of an STR and committed resources prior to the August 25 moratorium, but had not made it as far as hosting their first guest by that date.
- **Larger rentals**: Larger established rentals should be allowed to continue hosting the same number of guests as in the past, if they meet parking and septic requirements. If they create nuisance issues or fail to follow other rules, the code enforcement process will shut them down.

As large rental owners, our family is personally impacted by this last bullet point. When we bought Snowgrass Lodge in 2017, we were intentionally investing in a property that was designed to host large family gatherings and retreats, offering over 7,000 sqft of space with more than sufficient parking and septic capacity for up to 24 guests. Unfortunately, the draft code's occupancy limit of 16 for Tier 3 STRs would hamstring our financial viability and effectively deny us a reasonable path to grandfathering.

Fortunately, there is an easy, targeted solution to grandfathering just a handful of large rentals like ours (and the co-signers below) without opening the flood gates. We urge you to consider a **simple one-word change** in the draft code, namely modifying the clause in **Line 384 from "AND" to "OR"** such that **either** a written communication **OR** a septic permit, but not both, would be required for grandfathering. For all intents and purposes, a septic permit is effectively a written communication from the county permitting the higher occupancy. How could we have known at the time that a separate approval when there were no STR-specific requirements at the time.

It's also been suggested that we could apply to be considered as "Lodging Facilities". Unfortunately, most of us don't qualify as such because we have 6 or fewer bedrooms. We are also not zoned rural commercial and are unlikely to be guaranteed such rezoning.

Ultimately, we believe it is unfair to retroactively limit the occupancy of established large rentals to 16 guests. In the spirit of the Task Force's recommendation to grandfather in all good faith operators, we should be allowed to continue hosting the same number of guests as in the past, as long as we've met parking and septic and other reasonable safety requirements. We trust the code enforcement process to shut down any operators who end up creating nuisance issues or fail to follow other rules.

Thanks,
Hernan Savastano

Snowgrass Lodge - 8787 Icicle Rd, Leavenworth

SNOWGRASS LODGE
ON THE RIVER

vacation rentals · weddings · corporate events · wellness retreats

ANGELA SUCICH & HERNAN SAVASTANO
8787 Icicle Rd, Leavenworth, WA 98826
206.852.7827

snowgrasslodge.com
snowgrasslodge@gmail.com
facebook.com/snowgrasslodge

& the Co Signers...

Na-Mu Lodge

Joshua Fletcher
Namu Lodge - 9630 Embroden Rd, Leavenworth

ZayLy Lodge

Taylor & Chad Baker
ZayLy Lodge - 9241 Lone Pine Orchard Rd, Leavenworth



Nathalie Kirshner
Moose River House - 9241 Lone Pine Orchard Rd, Leavenworth



Dennis & Barbara Knapp
Grand River Lodge - 9515 Lone Pine Orchards Road, Leavenworth

Wendy Lane

From: Dave and Arlene Lowrie <ogopogo22@gmail.com>
Sent: Monday, June 28, 2021 9:26 PM
To: Mike Stanford
Cc: Bob Bugert; CD STRComment; george wilson; Angela Loth; Art Alley; Bill Lockinger; Bob Barr; Chiwawa Communities Association; judy V; Roger Thomas; Ron Tilden
Subject: Re: Letter in support of Neighborhoods

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

Nice work, well said. I wrote another one today and among other things touched on the fact that our property taxes are increasing a bunch because STR's are businesses that are driving up housing values in our zip code. Taxation without representation. Also a tiny house was moved into 2519 Kinnikinnick today.

On Mon, Jun 28, 2021 at 2:39 PM Mike Stanford <stanford@nwi.net> wrote:

Hello,

Thank you in advance for reading my letter.

Joanne Stanford

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Wendy Lane

From: Ania <vienes001@gmail.com>
Sent: Monday, June 28, 2021 7:22 PM
To: CD STRComment
Subject: STR Public Comment

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

Dear Commissioners,

First, I would like to thank you for hard work trying to finalize the Short Term Rental Code. It has been a long time. I believe in regulations and being able to better control "bad guests" that visit vacation properties. This applies to those who are owner occupied and the ones that are not.

I am am owner of a property in Chelan County, and frankly I find myself in this very small group of people (maybe 15 of us) who have been forgotten, dismissed in your deliberation.

I have been searching for a house to buy in the area since 2019. Market is hot and it has been difficult to obtain a property. Nevertheless since the very start, my idea was to own a place for our family to visit and spend holidays and vacations at. However, cost of living in our state is expensive and I understood that I will have to rent my place out periodically to afford it.
I did all of the due diligence, checked about permitting process, checked about licensing etc. Made a point to do it in the spring of 2019 and same in the summer of 2020. As you can probably expect, the answer from the clerk was: "There is no permit required to rent out your place for short periods of time". By the time October came and we had our negotiations, inspections done and our offer was accepted. Both, seller's and my real estate agents did not disclose there was a moratorium in place. We are pretty sure our real estate agent had no idea, however the seller's agent is a long term Chelan County agent and possibly chose not to provide this information. We came across the moratorium in our own way, trying to learn about the area and the community as new owners. All of this happened after we closed on our house. We had our lawyer reach out to the county and still, answer was the same, there is no permit required to utilize your home as an STR.
We had our management and cleaning company secured and ready to go since mid summer, accounts for rental platforms as well so we had no way of knowing there are limiting factors.

I must say, wording for the initial moratorium was not very clear, and it literally required reading between the lines as well as guessing to what things meant.

Commissioners what I would like to ask you is to allow grandfathering for the owners that went into operation before the end of 2020. This will definitely not topple over the scale with just a few of us. But you could make a huge difference for individuals that tied their finances into a property in your County.

We are NOT law-breakers, we are the same community members like all of you, trying to make our lives a bit more joyful and less stressed, by having a place to escaper from the busy city life. We might have to live and rent in the big city, but we decided to put our money into your County where we can plan to retire one day.
Please understand, myself and people in my situation are not foolish to invest, money that we worked hard for into a property, which we could as part-time rental. If we were aware of the moratorium, which was written in a clear way, we would have not decide to look for a place in Chelan County. Even having long term plans to live here, we cannot afford owning a house without any cost offset from periodical rentals. We have big city expenses, since finding some specialized jobs in Chelan County is not always a possibility. In order to do my job, I have to be close to an international airport during the work week.

Lastly, our property would not be considered "affordable housing". In the situation where we were forced to sell, you would not get local family to move in. We are in a vacation community with a house that is strictly designed for seasonal use, and most definitely not a "family living" floor plan.

I hope you find my letter helpful and understand how very much power you have in deciding what is right and wrong, what is fair and what is not. Please remember, our well-being and livelihood is in your hands.

Sincerely,

Ania Mazewska | vienes001@gmail.com

Wendy Lane

From: Debra Patterson <dkpatters@gmail.com>
Sent: Monday, June 28, 2021 6:55 PM
To: CD STRComment
Subject: Re: Chelan County Short Term Rentals

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

On Mon, Jun 28, 2021 at 2:01 PM Debra Patterson <dkpatters@gmail.com> wrote:

Dear Chelan County Commissioners,

I am a Manson resident and I worry about the decline in the quality of life of the residents here due to the large numbers of STRs in residential neighborhoods and the various problems they create for locals residents. I have been following the workshops and discussions regarding creation of STR regulations and want to express a couple of my concerns regarding the latest draft.

1. Children under 2 are not included in the occupancy counts in the latest draft.

This is not consistent with the Taskforce's decision to include children in the occupancy count, which was agreed upon by both sides. One of the objectives of the task force was to limit the number of occupants in an STR, and this is not consistent with that objective or the task force's decision.

2. The code requirements are too relaxed for what is considered a bedroom (section 14.98.1632).

In many cases this would allow STR owners to turn just about any area into another "bedroom" and increase the occupancy exponentially. It also makes it nearly impossible to enforce
unless there are yearly inspections.

The code should limit what will be considered bedrooms to the number of bedrooms that were in the original house permit, thus (a) employing consistency among all STRs (wether they are on septic or on sewer), (b) making "bedroom" enforcement plausible, and (c) limiting the number of occupants. Again, one of the objectives of the task force was to limit occupancy for STRs.

Thanks for your thoughtful consideration and for carrying out your primary responsibility of doing what's best for the RESIDENTS of this county.

Debra Patterson
150 Kestrel Lane
Manson, WA 98831

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Monday, June 28, 2021 5:50 PM
To: CD STRComment
Subject: Huge, immediate and permanent win for STR owners. For residents, not much.

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

Dear Commissioners,

It's no surprise that a task force biased in favor of STR owners (with 2 out of the three appointed planning commissioners favoring STR owners) came up with a "compromise" that **has a huge, immediate and permanent win for STR owners and only a theoretical possibility of some future benefit to residents.**

For STR owners, the proposal gives them legal recognition of a use that wasn't legal in the first place but was allowed to exist only because Chelan County didn't enforce the law strictly limiting commercial uses in residential zones. **Getting legal status is a huge win for STR owners and they get it immediately and permanently.**

Residents get two limited benefits that, at best, may happen someday in the future but, more likely, never will happen

1. residents get a 6% cap but:
    1. this is a high "limit" compared to other jurisdictions and compared to what we know about the impact of STR's on housing affordability
    2. there is no commitment to actually get down to that limit. My prediction is that here in zip code 98826, we never will. I'd be happy to take a bet with any commissioner who thinks we will actually get to 6% in my lifetime.
2. residents get rules intended to limit the effects of STR's but:
    1. as currently drafted, these rules do not protect the right of residents to peace and quiet in residential neighborhoods;
    2. Chelan County has a well-established tradition of not enforcing rules like this. That's how we got into this mess. Residents are to believe that suddenly the county is going to change its spots and start effectively enforcing rules on STR owners. My prediction is this will not happen.

And apparently this lopsided result is not enough for STR owners as commissioners try to sweeten the deal for them.

What a disappointment. What a poor outcome for our communities.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road
Leavenworth WA 98826

Wendy Lane

From: Dorothy Johnston <dorothyjtn@gmail.com>
Sent: Monday, June 28, 2021 4:59 PM
To: CD STRComment
Subject: Short Term Rental Code Draft

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

Chelan County Commissioners and Community Development,

I would like to comment on the Short Term Rental code draft currently being considered for adoption.

First, let me state that I am a full time resident of the county. I live in an area near Leavenworth that has quite a number of STR's. Although none of them greatly impact me at this time, I worry that, without regulation, an STR could be established right next door. I feel very sorry for any permanent resident in this wonderful area we live in that must deal with the issues related to non-owner occupied STR's.

Social media sites in the area, such as NextDoor, frequently have postings related to issues caused by STR's in their neighborhood – trash, noise, inappropriate parking, the list goes on and on. Possibly the most concerning is the complete lack of caution some STR residents show with regard to the fire hazards we face in this area.

Having followed the STR code development process, I am very concerned that certain aspects of the draft code are not strong enough to protect residential neighborhoods. I understand that a huge concession has already been made to allow most existing STR's to continue operation. I strongly object to making any further concessions to the largely non-resident STR owners.

Noise is one issue not sufficiently addressed in the draft code. In my area, a normally quiet valley, noises carry for long distances. Voices can easily be heard from one property to the next, even though we're on multiple acre parcels. Enforcement of STR noise levels is critical to maintaining the quality of a neighborhood.

Occupancy limits were agreed to by the special taskforce that drafted the STR code and I ask that you support the taskforce consensus, without any modification to increase originally-agreed occupancy limits. This includes counting children under the age of 2.

Affordable housing is a major concern in my part of the County. Large numbers of workers who service Leavenworth and its tourist industry travel long distances to get to work, as they're not able to find and/or afford housing near their jobs. The impact of STR's on affordable housing is significant. As a county, we should be looking for solutions to the housing shortage, not making it worse. Any new development must be required to meet the provisions of the new code, including Planned Unit Developments.

Thank you for taking the time to consider my comments. I look forward to better regulation of STR's and enforcement of the new code, once finalized.

Regards,

Dorothy Johnston
10404 Eagle Creek Rd.
Leavenworth, WA 98826

Wendy Lane

From: James Haberberger <haberberger53@hotmail.com>
Sent: Monday, June 28, 2021 4:58 PM
To: CD STRComment
Subject: STR draft rental code

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

My name is Jim Haberberger. I have been a resident of Leavenworth since 1987.
I am writing in regards to the final draft of the the short term rental code. I feel it still fails to include some important provisions to protect neighborhoods.

First off, I would like to remind the County Commissioners that the residents who were appointed to serve on the County's Short Term Rental Task Force agreed to accept grandfathering of most existing short term rentals despite the fact that they are all clearly illegal under the existing zoning code. They made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is unacceptable for more concessions to be granted to STR owners—90% of whom do not live in Chelan County.

Several specific issues are important.

1. Occupancy Limits
2. 1. Children under 2 must be included in the occupancy count.
3. 2. Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise

Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.

4.Planned unit development exemptions from density cap

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals.

Thank You

James Haberberger

Wendy Lane

From: Margareta Dilley <margaretadl49@gmail.com>
Sent: Monday, June 28, 2021 4:15 PM
To: CD STRComment
Cc: info@chelancountyneighbors.org
Subject: STR

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

Commissioners,

Please represent the people who elected you to your positions, rather than making too many concessions to the STR owners of whom 90% do not live in Chelan county. Honor your commitment to abide by the recommendations hammered out by the county's STR Task force. Count all children, don't exceed daytime occupancy in residential areas.

We who live in residential neighborhoods (my husband and I live on Shore Street in Leavenworth) should not be exposed to the increasing noise, traffic etc along with the loss of a cohesive neighborhood by ever increasing STR properties.

Sincerely,
Margareta Dilley

Wendy Lane

From: STEVEN HAYS <sghays51@msn.com>
Sent: Monday, June 28, 2021 4:09 PM
To: CD STRComment
Subject: Short Term Rental Code

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

I do not currently have a "cabin in the woods" but have been considering building one. However, the proposed regulations constitute such an extreme over-reach that I may never be able to afford more than a tent or trailer. The county loves the revenue from property taxes, but by classifying practically any financial arrangement as a commercial use under these proposed regulations it pretty much precludes even renting a vacation cabin as infrequently as five or less times a year. The consequences of making every rental a "commercial use" with extensive requirements makes it unlikely that owners can use the occasional rental to defray the costs of ownership, thus limiting the accessibility of vacation home ownership to only those wealthy enough to own two or more homes for only occasional use. Forget about passing down the cherished family cabin to the kids and grandchildren unless they have money.

There are some holes in your draft policy:

Historically, weekend use of vacation homes have been hot items for charity auctions where the owner donates a weekend or more for the charity to auction off. Money changes hands, although the money goes to the charity rather than the owner. Is this now considered a short term rental under your policy?

What about trades or exchanges of vacation property use between owners, such as the vacation exchange network. There may not be any exchanges of money, but monetary value has been exchanged in some form of commodity. Do trades of property use for in kind or in exchange for timeshare reservations fall under your definition of short term rental?

Frankly, these regulations are so inclusive that traditional uses of vacation homes will be drastically reduced because of the overreach of the rules. There should be some defined de minimis exemptions to the regulations that allow a property owner to obtain some monetary reward for allowing limited use of the property without being treated like a full blown commercial operation

Respectfully,

Steven Hays
137 Morningwind Lane
Wenatchee, WA 98801

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 3:49 PM
To: Lauren and Judy Pflugrath
Cc: CD STRComment
Subject: RE: Lake Wenatchee area share driveways, wells, water systems, driveways, easements, parking and other shared resources

You comment was forwarded to the STR comment box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Lauren and Judy Pflugrath <pflugrath@me.com>
Sent: Monday, June 28, 2021 3:48 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Lake Wenatchee area share driveways, wells, water systems, driveways, easements, parking and other shared resources

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

Date: June 28, 2021

To: Jim Brown Director of Community Development

I agree with the Wenatchee World guest editorial by Barbara Rossing the proposed STR draft concerning lot size, maximum guests limits (include children under 2 in the guest limit), sewer systems, parking and to not include bedrooms or sleeping areas that were not included in the building permit.

Many of the properties in the Lake Wenatchee area share driveways, wells, water systems, driveways, easements, parking and other shared resources. Since most, if not all shared resource agreements in place, never contemplated the proposed commercial usage. Please include the following paragraphs added to the STR document:

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARD

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

Sincerely,

Lauren Pflugrath

17389 N Shore Dr.

Leavenworth, WA 98826

Lauren and Judy Pflugrath
pflugrath@me.com

Wendy Lane

From: Lauren and Judy Pflugrath <pflugrath@me.com>
Sent: Monday, June 28, 2021 3:47 PM
To: CD STRComment
Subject: Lake Wenatchee area share driveways, wells, water systems, driveways, easements, parking and other shared resources

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

Date: June 28, 2021

To: STR Comments email

I agree with the Wenatchee World guest editorial by Barbara Rossing the proposed STR draft concerning lot size, maximum guests limits (include children under 2 in the guest limit), sewer systems, parking and to not include bedrooms or sleeping areas that were not included in the building permit.

Many of the properties in the Lake Wenatchee area share driveways, wells, water systems, driveways, easements, parking and other shared resources. Since most, if not all shared resource agreements in place, never contemplated the proposed commercial usage. Please include the following paragraphs added to the STR document:

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARD

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

Sincerely,

Lauren Pflugrath

17389 N Shore Dr.

Leavenworth, WA 98826

Wendy Lane

From: Cherie' Warren <CheriePhi@msn.com>
Sent: Monday, June 28, 2021 2:59 PM
To: CD STRComment
Subject: Warren public comment on the draft regulation

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

Hello Commissioners,

Thank you for the opportunity to provide comment.

- Please include all STRs (tier 1-3 in all zones) in the density cap equation.
  - As written, you are using an unbalanced equation: you count
    - only tier 2-3 for the short-term rentals that are not Planned Unit Developments (PUD) or Master Planned Resorts and certain zones as the numerator
    - all housing units as the denominator
  - **This is faulty math.**
  - This means, for example, that adding a Planned Unit Development with all short-term rentals will actually increase the short-term rentals (STRs) permitted in non-PUD neighborhoods.

  For example, if Leavenworth has the following
    - Tier 1: 50
    - Tier 2: 740
    - Tier 3: 10
    - PUD (75 STR, 25 Non-STR)
    - Total Housing Units: 1,300

    You should count all 875 in the density cap: 875 / 1,300.
    At a minimum, if you exclude certain housing units from the STR count, you should exclude them from the total housing units: 750 / 1,150.

  - You may find the Census definition of housing unit helpful: https://www.census.gov/housing/hvs/definitions.pdf.
  - The list of qualifying zones differs within the regulation. Please ensure consistency. For example, lines 32-37 excludes Peshastin UGA, lines 200-204 excludes Manson and Peshastin UGA.

- Please define the distance requirement (lines 250-253) to be from a short-term rental to an adjacent property's structure, not another short-term rental's structure. The minimum distance as written is way too short and does not adequately protect residents.
- Please define occupancy without regard to age. 8 person for tier 1, 12 person for tier 2, 16 person for tier 3.
- Please require commercial easements for all shared infrastructure (driveways, septic, wells, etc.) for properties used as short-term rentals. Easements written against residential properties should not cover commercial use if it was later converted to an STR.
- Please direct the tax assessor to assess commercial use properties, such as STRs, differently from non-commercial use. Residents not using their homes commercially should not be penalized on their property taxes.

Thank you!

Cherié Warren
8815 Eagle Creek Rd
Leavenworth, WA 98826
My primary residence and voting address

Wendy Lane

From: Ken Longley <kenlongley66@gmail.com>
Sent: Monday, June 28, 2021 2:42 PM
To: CD STRComment
Subject: STR Ordinance

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

Commissioners: I was honored to have been chosen to work on the Citizen Task Force as a representative of the neighbors. Not only did we all work hard during the official sessions, there were also a lot of private conversations among members and with members of the STR owners' group. At the end of this process I felt that we were able to strike an excellent agreement that was certainly not perfect, but was a good starting point. While I have received criticism for giving away too much or not including important points, I have tried to explain the process and the long term goals that our group believed were achieved.

This being said, I am disturbed by the "chipping" away at some of the material terms of the agreement. First, we did not exempt children under 2 from the head count. This was not just a septic issue, but went to the overall approach of our group which was to reduce the numerosity of renters and therefore the impact. Similarly, the STR view that some sort of water or sewer metering would show less impact on the neighborhoods is facetious and misses the point....numbers of renters and impact on neighbors.

During the negotiations\, I had the opportunity to negotiate with STR representatives in small breakout groups. Two ideas stuck with me. At one point I was trying to understand why the pro STR folks were so adamant about a particular point, so I asked the question....."This is just about the money and has nothing to do with the problem these commercial businesses create for the neighbors, isn't it?" The answer was in the affirmative. At another time, one of the STR members was adamantly opposed to bringing down the occupancy numbers even after the effective date. This person stated that they intended to rent a property to up to 18 people (even though it was probably limited to 6 due to septic). when I pushed back, this person arrogantly stated " So, who is going to catch me?" Again, this was a member of the Task Force.

Even after all of the publicity and the work that we and you have done, the problems persist. Some owners continue their bad behavior and neighbors continue to be subjected to late night noise, parking issues and garbage. Nothing has changed and these "bad apples" continue to act without fear of sanction or impact to their businesses.

Our work is done, but now your work begins. It is essential that the County immediately send a very strong message that this ordinance will be enforced. This cannot be done by warning letters, but by aggressive enforcement and substantial fines and suspension of permits. The neighbors and the community have had enough of the problems and arrogant attitude of the bad owners, who are sadly not just absentee owners. I have no doubt that if this ordinance does not have teeth that bite, the problems will get worse and not better.

So please, move swiftly to enactment and give Jim Brown and the Sheriff's Department the funds and tools they need to re-take our neighborhoods.

Ken Longley
15880 Cedar Brae
Leavenworth

Wendy Lane

From: Mike Stanford <stanford@nwi.net>
Sent: Monday, June 28, 2021 2:39 PM
To: Bob Bugert; CD STRComment
Cc: george wilson; Angela Loth; Art Alley; Bill Lockinger; Bob Barr; Chiwawa Communities Association; Dave Lowrie; judy V ; Roger Thomas; Ron Tilden
Subject: Letter in support of Neighborhoods
Attachments: My name is Joanne Stanford.docx

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

Hello,
Thank you in advance for reading my letter.
Joanne Stanford

This email has been checked for viruses by Avast antivirus software.
www.avast.com

My name is Joanne Stanford. I have lived in Chiwawa River Pines at 2393 Kinnikinnick Dr. for 40 years.

These are my thoughts on STR's. I know there has been much discussion from both sides that it is sometimes hard to imagine what it actually is like. I have included photos taken off STR VRBO pages. Two photos were taken by me and one by a friend.

STR owners have stated they need to rent to pay for their vacation home but yet some own more than one rental in the area. They are strictly investments – not a second vacation home.

As the bookkeeper for Chiwawa Pines I have noticed that several of the checks for payment of the yearly assessment is from a "LLC"... A BUSINESS!

One particularly troublesome STR (the owners lived in Arkansas) finally sold to full time owners. The new owners had to pump their septic system 3 times their first year living in the home. They just recently put in a new drain field.

Today (6-27-21) I talked to a person that was running a commercial tubing trip from Lake Wenatchee to the Chiwawa Community River access. He has an AirBnb Adventure page and he has run several trips to the river access/takeout that is posted with signs below. How much clearer can they be?

"Each float includes:- 3 Beers/seltzers/juices/soda/water per person." Don't you have to have a liquor license to serve alcohol? Plus his guests – up to 16 - park their cars where our owners would normally park to use the access. The river is running so cold and high right now that even the professional raft/tube companies aren't tubing yet.



This is a STR in our neighborhood that advertises 1 bedroom but sleeps 8. They have beds up in the loft area. There are only two ways out if there is fire, over the balcony railing to the floor below or down the stairs by the wood stove. There is a small window upstairs circled below. How can that be up to fire code?



Here is another example. Steep ladder stairs going up to a space that has two single beds in what looks like a closet and a double bed at one end.



This STR page states 3 bedrooms, sleeps 6. They didn't count these bunks-just the 3 other beds in the actual bedrooms.



We live in high fire danger most of the summer. We have been surrounded by wildfires several different years. Yet the STR's advertise on their pages fire pits. Are these pits even legal per Chelan County Code? The guest expects to be able to have fires and when the fire department is called to put their fire out some aren't very cooperative.



Chiwawa Communities is a private water system. My husband and I own a hot tub. We change the water every few months. Most of the STR's in our neighborhood advertise hot tubs. A friend that cleans cabins told me about the hot tub that had beer bottles and vomit floating in it. I have no idea how often the water is changed but I'm sure it's more than once a month. The STR's are making a profit using the community water system.

I also wonder if the older decks that some of these tubs sit on are strong enough to hold the weight.



Last summer after someone posted this photo at a STR on social media it was finally cleaned up.



Last winter this garbage was left this way for over a month. I called Waste Mgt and left the owner a message. Each time the snowplow went by it took garbage down the road. When the owner finally had it picked up it was up to the rest of the neighborhood to pick up the remainder in the ditch and neighbors yards.



This would be an interesting guest to have next door.



And last the map of our community. This map does not show all of the 40+ STR's in our community of 310 owners. We are currently at 14.5% STR rate.



These are examples of STRs not following the rules/current codes. How can the County expect the same people to honestly "self-certify" that they are in compliance with any new codes?

Please do the right thing and protect our neighborhoods.

Thank you

Joanne Stanford

Wendy Lane

From: James McCormick <jmccormick@epic-law.com>
Sent: Monday, June 28, 2021 2:05 PM
To: CD STRComment
Subject: [Possible Spam] Support for STRs in Chelan County

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

Please accept this email as written support for continued STRs in Chelan County.

STRs provide a huge economic benefit to Chelan County. As small businesses, they create numerous jobs and generate revenue in visitor spending and tax revenue. STRs are enjoyed by thousands of visitors to the County each year. The economic benefits to the communities of Chelan County cannot be overstated.

Affordable housing is a problem in many places, especially many with economies based on tourism. STRs are often made a target by affordable housing advocates as a reason by a affordable housing is in short supply. However, STRs cannot be blamed for a short supply of affordable housing. Many of the STRs, if not used as an STR would simply be sitting vacant or empty for most of the year. The property would not be used for long term rentals or affordable housing. STRs and affordable housing are not mutually exclusive. The County should look to ways to use STRs as a reliable long term funding solution to help address affordable housing. Simply limiting STRs will not automatically create more affordable housing.

The often cited "nuisance" STRs are largely overblown by critics. The fact is that if the number of STR visitor nights are examined and compared to the number of actual documented "nuisance" complaints, the it would be apparent the "nuisance" property issue is grossly overblown. Instead most properties operate responsibly and respectfully by owners and guests.

We support continued operation of STRs in Chelan County.

Thank you for your consideration.

James McCormick

JAMES MCCORMICK
ATTORNEY | JMCCORMICK@EPIC-LAW.COM
100 S. 9TH STREET | TACOMA, WA 98402
253-472-6000 | WWW.EPIC-LAW.COM

EVERGREEN PERSONAL INJURY COUNSEL

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MOTORCYCLE EVERGREEN EST. 2015 ATTORNEYS

Wendy Lane

From: Debra Patterson <dkpatters@gmail.com>
Sent: Monday, June 28, 2021 2:02 PM
To: CD STRComment
Subject: Chelan County Short Term Rentals

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

Dear Chelan County Commissioners,

I am a Manson resident and I worry about the decline in the quality of life of the residents here due to the large numbers of STRs in residential neighborhoods and the various problems they create for locals residents. I have been following the workshops and discussions regarding creation of STR regulations and want to express a couple of my concerns regarding the latest draft.

1. Children under 2 are not included in the occupancy counts in the latest draft.

This is not consistent with the Taskforce's decision to include children in the occupancy count, which was agreed upon by both sides. One of the objectives of the task force was to limit the number of occupants in an STR, and this is not consistent with that objective or the task force's decision.

2. The code requirements are too relaxed for what is considered a bedroom (section 14.98.1632).

In many cases this would allow STR owners to turn just about any area into another "bedroom" and increase the

occupancy exponentially. It also makes it nearly impossible to enforce
unless there are yearly inspections.

The code should limit what will be considered bedrooms to the number of bedrooms that were in the original house permit, thus (a) employing consistency among all STRs (wether they are on septic or on sewer), (b) making "bedroom" enforcement plausible, and (c) limiting the number of occupants. Again, one of the objectives of the task force was to limit occupancy for STRs.

Thanks for your thoughtful consideration and for carrying out your primary responsibility of doing what's best for the RESIDENTS of this county.

Debra Patterson
150 Kestrel Lane
Manson, WA 98831

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 1:49 PM
To: CD STRComment
Subject: Mark and Nina Schulz comments
Attachments: Mark_Nina_Schulz STR comment scan 06282021.pdf

This comment document was hand-delivered to CD today.

I scanned it and sent it to the box for inclusion in the record and for all BOCC to read.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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Mark and Nina Schulz
3695 Ridgeview Pl
Wenatchee, WA 98801

June 28, 2021

Chelan County Community Development
ATTN: STR Comment
316 Washington Street
Wenatchee, WA 98801
CDPlanning@Chelan.County.WA.US

RE: Proposed Short-Term Rental Regulations

Dear Board of County Commissioners:

Thank you for providing this opportunity to comment on the draft short-term rental regulations. Please enter our comments into the record and put us on your mailing list for this proposal. We are permanent residents of Chelan County and have lived here since 1990.

Summary of our comments:

1. DO NOT permit STRs in residential zoning districts. Regardless of the number of occupants, STRs are lodging facilities and must be sited in zoning districts other than single-family residental zones.

2. STRs lodging facilities must be required to follow the same regulations as the hospitality industry to protect health, safety, and welfare.
3. The documented enormous backlog of unresolved code violations and neighbor complaints demonstrate the fact that that most absentee STR lodging facility owners are operating strictly as businesses that are

primarily interested in financial profit and not our underlying community and neighborhood values.

It also demonstrates that the County does not have, and will likely never have, sufficient code enforcement staff to effectively police STR regulations and violations. These additional financial burdens should not be put upon local taxpaying permanent residents.

In any case, there should be significant fees and penalties associated with STRs that are adequate to recover all costs of administration and enforcement. It would be best for our community and more cost effective to not permit STRs in residential areas in the first place.

4. The County has been working on STR regulations since 2018. We have been commenting on them since the start of this process. As long-term residents of this neighborhood, we believe that it is horribly unfair to us (and probably illegal) to permit or "grandfather" existing STRs as non-conforming uses in residential zoning districts, especially those established since 2018 when the county first started the regulatory review process.

5. In our case, we question the fairness (and legality) of allowing a STR lodging facility to exist in an area zoned for single family residential uses. Next door to us, a single-family dwelling unit was purchased by an absentee landowner in 2019 and immediately converted into an STR lodging facility for "large family gatherings, multiple families vacationing together, work or church retreats..." (See Attachment 1). We are permanent long-term residents and need our elected officials and staff to protect OUR private property rights.

6. There needs to be a "sunset clause" in the code that requires removal of existing non-conforming STR lodging facilities in residential areas within no less than 24 months after enactment of this ordinance.

7. Allowing STR lodging facility owners to "self-certify" compliance should not be allowed. This is a ludicrous proposal and will not work. It places an unfair burden on adjacent landowners to police and report STR violations to local code enforcement.

8. We have experienced several instances where transient renters have started open fires in the fire pit at the STR lodging facility being operated next door to us. Most of these renters are from out of town and they, and the absentee landowners, do not seem to recognize or care about the extreme fire danger that often exists in this area. If a fire pit is located at a STR lodging facility, there is no doubt that the renters will use it. How many more catastrophic, human-caused, fires do we need in our county? This presents a real threat to everyone in our neighborhood.

9. In no instance should the total number of STR lodging facility occupants (day use and overnight) be allowed to exceed the permitted number of overnight occupants (including children of any age). We further question the enforceability of the proposed code that allows children under the age of 2 to not be counted in the number regulated guests. <u>This provision also demonstrates why STR lodging facilities should not be allowed in residential zoning districts in the first place.</u>

10. Day-use activities at STRs are a huge issue. We have experienced many times when the number of day use guests greatly exceeds the number of overnight lodging occupants, creating conflicts with surrounding neighbors due to amplified music, traffic, garbage, litter, etc.

11. Many STRs lodging facilities are also being advertised and used for large weddings, church retreats, business (work) retreats, etc. These accessory STR uses should not be allowed.

12. In our case, the single-family residence next door to us that converted into an STR lodging facility in 2019 and is being managed by an absentee landowner. This STR lodging facility is being advertised (see Attachment 1)a 6 bedroom house for 16 guests, although we know from reading user comments on the VRBO website pages (and by our own visual counts) that this number is often exceeded by additional people to sleeping on couches, blow-up air mattresses, and by allowing additional guests to stay overnight in RVs parked in the driveway. <u>These types of STR lodging facilities should not and must not be allowed residential areas.</u>

13. **The STR lodging facility next door to us is being advertised (See Attachment 1) as having 6 bedrooms with an overnight capacity for up to 16 guests, yet the Assessor's own records (See Attachment 2) indicate that this property only has 4 bedrooms and is being taxed and permitted as such. We question if the extra bedrooms were added without benefit of permitting review and approval? This lodging facility is on a septic drain field and too many occupants could present a significant health (sanitary) issue.**

In closing, we thank you for this opportunity to again provide comments on short-term rental regulations. We urge you to exercise your police powers under the Zoning Enabling Act to protect our health, safety, and welfare by not permitting short-term rental lodging facilities in residential zoning districts. PLEASE PROTECT OUR NEIGHBORHOODS!

Sincerely,

Mark and Nina Schulz.

Know before you go COVID-19 travel restrictions, including testing and quarantine, are changing rapidly. **Check restrictions** (https://apply.joinsherpa.com/travel-restrictions?affiliateId=vrbo) ×

(https://www.vrbo.com/)

ATTACHMENT 1

Wenatchee, Washington, United States of America

Check-in | Check-out

Guests

Check Availability

< View all Wenatchee properties (/search/keywords:wenatchee-washington-u

Gorgeous Wenatchee home. 5 BR /4 bath + bunkhouse, heated pool/hot tub & game rm

Save

Share

$707 avg/night

49 Reviews

Exceptional! 5/5

Enter dates for accurate pricing

Check In | Check Out

Guests

Check Availability

Free cancellation up to 60 days before check-in

Contact host

Property # 7857970ha



Chelan County Assessor

ATTACHMENT 2

Property

Account

Property ID:	23712	Abbreviated Legal Description:	CASCADE CREST DIV 2 LOT 17 0.4600 ACRES
Geographic ID:	232016529170	Agent Code:	
Type:	Real		
Tax Area:	74 - 246 F1 CD3	Land Use Code	11
Open Space:	N	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	23N	Section:	16
Range:	20EWM	Legal Acres:	0.4600

Location

Address:	3642 RIDGEVIEW BLVD WENATCHEE, WA 98801	Mapsco:	
Neighborhood:	Cycle 2 Sunnyslope mid div 1 RES	Map ID:	2SSLM01R01
Neighborhood CD:	2SSLM01R01		

Owner

Name:	[redacted]	Owner ID:	110128
Mailing Address:	[redacted] LAKE STEVENS, WA 98258	% Ownership:	%
		Exemptions:	

Taxes and Assessment Details

Property Tax Information as of 06/24/2021

Amount Due if Paid on: 

NOTE: If you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▸ Statement Details							



About this rental

House
4200 sq. ft

6 bedrooms
11 beds · Sleeps 16

4 bathrooms
4 full baths

Spaces
Kitchen · Living Room · Deck/Patio

***A few things regarding Covid 19. We are still allowing parties to rent our beautiful home. If you need to cancel due to Covid 19, we are more than happy to do full reimbursement. We just ask that you please give as much notice as possible and we fully understand that this is a unique time. We

2021	12267	$3927.26	$3927.19	$0.00	$0.00	$3927.26	$3927.19
▸ Statement Details							
2020	12315	$3561.20	$3561.10	$0.00	$0.00	$7122.30	$0.00

Values

Taxing Jurisdiction

Improvement / Building

Improvement #1: RESIDENTIAL **State Code:** 11 4216.0 sqft **Value:** $609,149

Exterior Wall: Wood Siding Fireplace: Single 1 Story

Heating/Cooling: Heat Pump Number of Bathrooms: 4

Number of Bedrooms: 4

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	Main	GOOD	2 STY	2003	4216.0
GAR-ATT	Attached Garage	GOOD	2 STY	2003	948.0
PP-OPEN	Open Concrete Porch	GOOD	1 STY	2003	288.0
PP-OPEN	Open Concrete Porch	GOOD	*	2003	300.0
PP-ST	Open Concrete Slab W/Steps	GOOD	*	2003	800.0

Improvement #2: RESIDENTIAL **State Code:** 11 0.0 sqft **Value:** $10,506

Type	Description	Class CD	Sub Class CD	Year Built	Area
POOL	Swimming Pool	AVERAGE	*	2009	1.0

Improvement #3: RESIDENTIAL **State Code:** 11 0.0 sqft **Value:** $2,779

Type	Description	Class CD	Sub Class CD	Year Built	Area
GP-BLD	Pole Type Garage/Bldg	AVERAGE	1 STY	2016	132.0
CP-F	Carport/Patio Cover Flat Roof	AVERAGE	1 STY	2016	44.0

Sketch

Property Image

Land

Roll Value History

Deed and Sales History

always do a thorough clean/disinfecting after each guest. We want this to maintain being an oasis for people to come relax so please cancel if anyone in your party has tested positive or have similar symptoms to Covid 19. Thank you so much. We will all get through this...and some of us in the comfort of Sunnyslope Getaway :)***

This 4,200+ sq ft Sunnyslope Getaway in North Wenatchee has much to boast about. With sleeping 16 comfortably, it is excellent for large family gatherings, multiple families vacationing together, work or church retreats... This home has 6 bedrooms (2 masters w/ king beds, 2 other rooms w/ king beds, 1 room w/ queen and 1 bunkhouse room w/ 6 twins) & 4 bathrooms. The backyard is a stunning, summer oasis: heated pool, hot tub, covered patio area w/ dining, webber propane bbq, fire pit, 8 lounging-pool chairs and a plush yard for yards games!

Our family just purchased this home in April of 2019 (put our touch on it) and opened up for other families to make memories summer of 2019.

Bedrooms:

*Bedroom 1 (Master suite-main level): king bed, 40" tv, oversized soaking tub, double shower, double vanity, heated bathroom floor & walk in closet

*Bedroom 2 (2nd Master-upstairs): king bed, 55" tv, sitting area, walk in closet & bathroom

*Bedroom 3 (upstairs): king bed & walk in closet

*Bedroom 4 (upstairs): king bed & walk in closet

*Bedroom 5 (upstairs): queen bed

*Bedroom 6 (Bunkhouse-upstairs): 6 twin beds and 42" tv ready for your gaming console

*All 4 showers have shampoo, conditioner and separate guys/gals body wash

Entertainment:

•heated pool

•hot tub (6 comfortably)

•theatre room (82" flat screen tv w/ 1,000 + dvd's)

•65" tv in downstairs living room

•Webber BBQ

•in-house/patio sound system (bluetooth)

•wifi throughout house

•games/puzzles for all ages

•large yard

•yard games: croquet, spikeball, kanjam, kuub, rampshot, cornhole, pool basketball hoop & ladder ball

•Game room (carpeted double garage): ping pong, foosball, arcade console w/ 200+ games, pop a shot (2 hoops) & electronic dart board

•covered patio w/ custom lighting

Wendy Lane

From: Tiffany Gering
Sent: Monday, June 28, 2021 1:44 PM
To: CD STRComment
Subject: STR Comment
Attachments: 1 forwarded messages

Tiffany Gering
Commissioner - District 3
400 Douglas St, Suite 201
Wenatchee, WA 98801

OFFICE: 509-667-6217
CELL: 509-699-8949

June 28, 2021

Chelan County Commissioners,

We purchased our home in a residential area over 20 years ago. If we wanted to live in a transient community or resort we would have purchased in Wapato Point or The Look Out. We currently have 2 STRs in our neighborhood of about 20 homes. No one gave us the courtesy of telling us they were incorporating and would be running this business out of their residence. There were no signs posted, no grand opening, no letters of intent, no warning as to what was coming. One day we noticed people, lots of people we didn't know, coming and going from week to week.

Keep STRs where they belong, in designated STR locations alongside other STRs. We have already heard the arguments.
We have more than a financial interest here, we have community involvement and investment. We came to live here and bought in residential areas because that is what our Real Estate designated.

We shouldn't have to worry from week to week what kind of people will be caravanning into our neighborhood. What kind of dogs will they bring and unleash on our property. How long will we have to tolerate their loud music, foul language and disregard for those outside their circle of friends. The broken promises from these absentee owners to "manage" their property and guests are not fooling us. Their words are weak, the actions of their "guests" are what we hear.
Our recourse to complain after these guests leave is not an acceptable solution.
We live here, work here, and most importantly vote here. I implore our commissioners to listen to their voters and stop **and** eliminate the STRs in residential areas. Slow the growth until we can manage what we have. The STR owners will continue to push for more leniency in their favor. They have nothing to lose. We, the full time residence, are the losers.

Sincerely,

Debbie Conwell
440 Roses Ave
Manson, WA 98831

Wendy Lane

From: CLeuck@nwi.net
Sent: Monday, June 28, 2021 1:40 PM
To: kevin.overbay@co.chelan.wa; Bob Bugert; Tiffany Gering; cd.director@co.chelan.wa.us; CD STRComment; Jim Brown
Subject: STR Comment

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

Commissioners and Planning Dept.,
I live off Cedar Brae Road at 15890. I consider myself fortunate to call Chelan Co home and greatly value the sense of community in our neighborhood. My wife and I discovered this area 30 years ago and over time have ourselves rented cabins in the area. I understand the need for STRs in a recreational area and respect the rights of a property owner to use their property as they wish within the confines of the law. That said the density / qty of STRs in our area has started to diminish the quality of life and enjoyment of our neighborhood. We've had three out of six cabins in our neighborhood being ran as STRs at once. All with absentee property owners without local management.

While Im not completely opposed to nightly rentals in principle I strongly urge you to consider the impact STRs have on their neighbors who have been forced to share a driveway / access roads, septic tanks and or wells. Those of us that live here and those who choose not to rent out their weekend homes are forced to be un-consenting participants in the lodging business running next door or on the egress roads to our properties.

- Blocking egress has been our biggest problem. With multiple STRs we cannot always tell which cabin the offending vehicle is from. Twice the opportunity to have a potentially confrontational exchange with someone that I did not ask to be staying in my neighborhood nor am I profiting from due to their presence. It is not practical for us to contact the absently property owner every time someone blocks our egress which is fairly often. If an EMT or fire truck needed access a critical loss in response time could result from a blocking renter.
- Trespassing is more frequent with a share driveway system. Despite signage that clearly identifies private property lines people consistantly drive and walk onto posted private property. We have had complete strangers open our front door and start to enter without so much as a knock. This is a violation of privacy and personal property that would not have happened if we were not on a shared driveway / access road. The presence of a STRs down the drive is a liability we have no control over. Although most trespasses are harmless its not right that we are forced to live with and attempt to mitigate the liability from renters causing property damage, litigation from injury, or personal harm to us.
- Shared septic tanks are being over used. We are fortunate to share a tank with a non-rental cabin but we can testify to the stench from an over filled shared STR tank which we need to drive and walk through while accessing our property.

I believe the rights of the property owners are being dismissed or at best overlooked in regards to shared infrastructure with STRs. Running an un-permitted lodging business in a residential neighborhood has not been legal. If you make it legal I ask you do so in a way that conflicts the least with the rights of the neighbors in those neighborhoods. Allow them on private drives with private septic and wells but do not force those of us with shared infrastructure to endure the inconvenience, liability and frustration associated with an STR on your private easement.

Thank you,
Carl Leuck
15890 Cedar Brae Rd
Leavenworth WA 98826

509.888.7694

Wendy Lane

From: Dave and Arlene Lowrie <ogopogo22@gmail.com>
Sent: Monday, June 28, 2021 1:39 PM
To: CD STRComment
Subject: STR

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

I live at 2322 Kinnikinnick dr. in Plain. I have witnessed first hand the negative effects of STR's in my neighborhood. You have heard it all before so I don't need to elaborate. The most pressing is the continued increase in property taxes. The taxes are based on home comparable values derived from sales in the area. The STR owners drive the costs up because they turn them into a business to make money and get write off's from their properties. The permanent residents don't get to do this, it is extremely unfair, we pay taxes also. Why don't we have a "voice" with the County? Zoning laws have been in place for decades, but the county has turned a blind eye. Now our percentage of STR's in the neighborhood is above 16 percent and climbing. It will never get to the target 6% that you propose with the current thinking by the planning commission.

There should be no more concessions.
Children under two should be included in the occupancy count.
There should be more strict noise control rules.
STR owners that have shared utilities need to show proof that their neighbors are Ok with it.
There should be no grandfathering, because the STR owners violated the non commercial aspect of single family resident neighborhoods in the first place.

Thanks for your consideration. Dave and Arlene Lowrie

Wendy Lane

From: Jerry Mckellar <drsculptor1944@gmail.com>
Sent: Monday, June 28, 2021 1:32 PM
To: CD STRComment; info@chelancountyneighbors.org
Subject: STR comment

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

Dear Board of Commissioners,

My wife, Gayle, and I wish to add our comments on the final draft of the STR Code. I grew up in Chelan and was a graduate of Chelan high school in 1962 so I have seen the incredible changes and growth in the area.

We have been homeowners in Chelan since 2001 and have owned our current residence on Lakeshore Drive since 2004. Just during this period of time we have seen a huge increase in short term rentals in the area along Lakeshore Drive near our home. Even when the rental is not our immediate neighbor, the noise from parties or groups on docks nearby causes a disturbance some distance away.

I know that residents who are on the STR Task Force agreed to accept grandfathering of most existing short term rentals even though many are illegal under existing codes. Since we were not on the task force, we only hope that this concession will lead to more protections for neighborhoods going forward.

As I said above, noise is one of our major concerns since noise can travel great distances on the lake. We urge you to adopt the language recommended by the task force.

Parking and congestion are another of our concerns as many of the rentals seem to have multiple cars stacked in the parking areas or along the road. The Occupancy Limits must be enforced and as recommended, children under 2 must be counted in the occupancy limits.

In conclusion, we support the hard work of the Residents United for Neighbors and urge you to adopt their recommendations. Furthermore, we strongly urge you to not grant any more concessions to the STR owners. We value our neighborhoods and hope you will see the importance of supporting local homeowners versus absentee landlords.

Sincerely,
Dr. Jerry McKellar
Gayle McKellar

Wendy Lane

From: Marty Fallon <martyfallon@gmail.com>
Sent: Monday, June 28, 2021 1:31 PM
To: CD STRComment
Subject: STR Comments
Attachments: Count Estimate.pdf; Zoning map - LVW.pdf; Zoning map - Lk Wen.pdf

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

Chelan County Board of Commissioners:

You are facing a decision that will shape the residential areas of this County for years to come. Commercial activity in residential zoning is not compatible with the goals of those who bought property, zoned residential, expecting a neighborhood of residents with similar lifestyles and goals for the area. Non-owner occupied STR's belong in Commercial Zoning.

RV and RW zones
Allowing Tier 2 STR's, commercial businesses, in RV and RW zones is unacceptable. Count Estimates (Draft Nov. 10,2020) for Tier2/3 Entire Homes in these zones in zip code 98826 is listed as numbering 239 (see attached). This impacts a large portion of East Leavenworth Road, Icicle River Road and around Lake Wenatchee. Please look at attached zoning maps that show that the small lots and density argue against commercial use in these zones.
Please consider the impact on East Leavenworth Rd (zoned RV and RW), Icicle River Rd (partly zoned RW and RRR) and much of the area around Lake Wenatchee. By allowing Tier 2 STR's in these Zones, you have decided that Commercial enterprises are more important than the residents who have homes and live, work and support the community.

Occupancy limits should stay at:
Tier 1: 8 persons
Tier 2: 12 persons
Tier 3: 16 persons

These caps were agreed to and submitted by the Task Force as a result of negotiated compromises. Making exemptions for children under 2 years of age will make enforcement an issue that perhaps can only be solved by requiring Birth Certificates be submitted.

Daytime and nighttime occupancy should remain as listed above. Events and weddings are not compatible in residential neighborhoods and should be limited to Tier 3 STR's in Commercial Zones.

Limit operating days
Another way to decrease the impact on Residential Neighborhoods, which was discussed many months ago and is used in other stressed communities, is to limit the number of days a year a STR can operate. By decreasing days of operation the negative impact to a neighborhood would be lessened.

You have heard horror stories from neighbors of STR's that present problems. I want to share another story... about what neighbors contribute to one another... like weeks of delivered dinners after surgery, rides to doctor's appointments, watering the flowers when away for a week, fixing irrigation problems when the owners are away, alerting the sheriff if unexpected activity happens, letting others know when a large family gathering is to occur and even being invited to join the event. A STR Business offers none of this, only strangers on a regular basis.

Please do not give preferential treatment to those who have operated illegal businesses in residential zones... the County is at fault for not enforcing its own codes.

Marty Fallon

12275 Village View Dr.
Leavenworth, WA

3 Attachments:
Count Estimates - Nov.2020
Zoning map - LVW
Zoning map - Lake Wenatchee

Tier 2/3 Entire Home/Apts

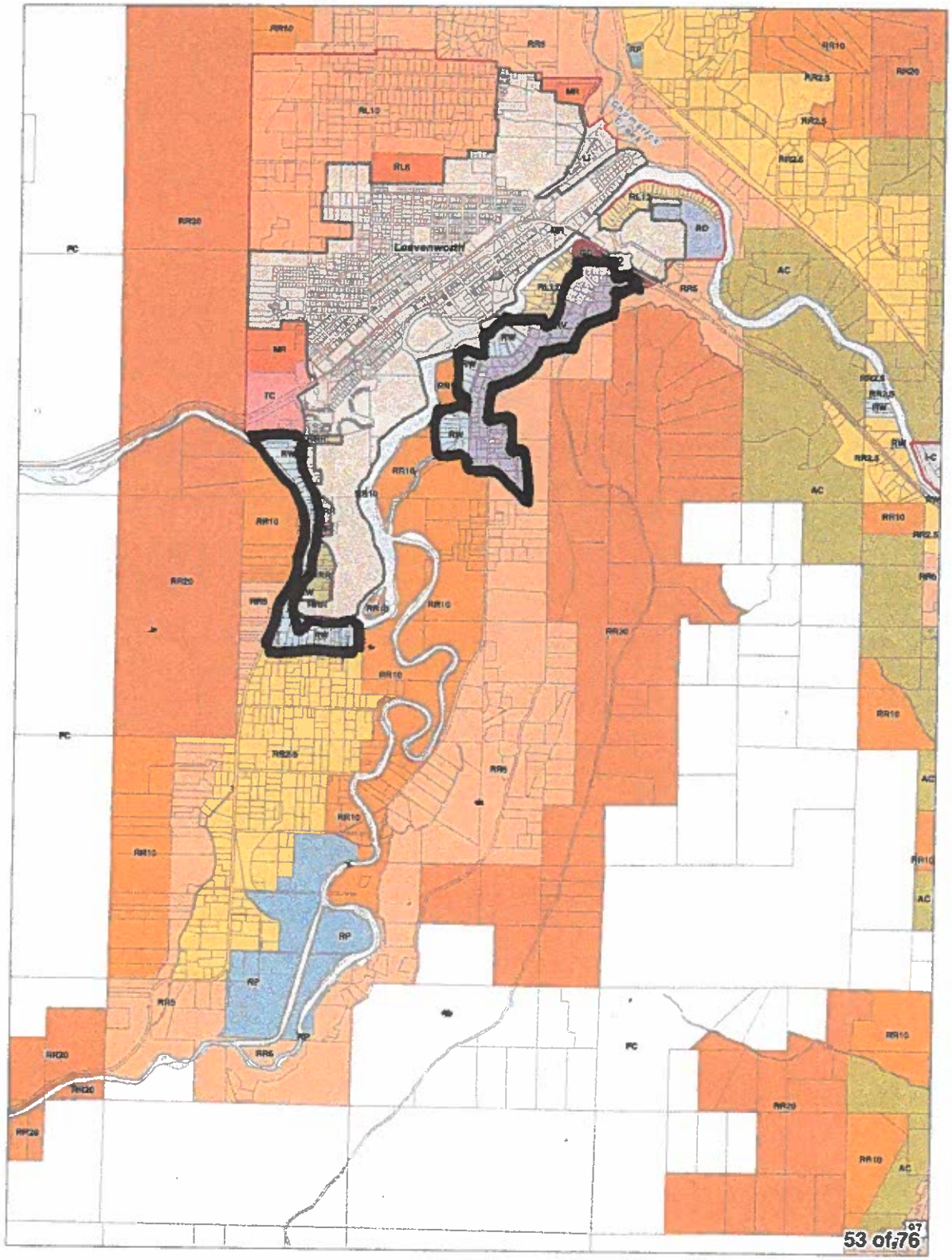
Zip Code/ Zone	Count
Cashmere	**28**
98815	**28**
AC	5
FC	1
RR10	4
RR2.5	3
RR20	2
RR5	8
RV	5
Chelan	**97**
98816	**97**
AC	2
RC	2
RP	1
RR10	6
RR2.5	6
RR20	6
RR5	8
RRR	10
RW	56
Entiat	**4**
98822	**4**
FC	3
RR10	1
Leavenworth	**749**
98826	**749**
AC	1
A-C	1
FC	11
RC	10
RP	3
RR10	66
RR2.5	139
RR20	46
RR5	131
RRR	102
RV	47
RW	192

Zip Code/ Zone	Count
Malaga	**5**
98828	**5**
AC	1
RR10	2
RR2.5	1
RRR	1
Manson	**281**
98831	**281**
AC	14
CD	22
RR10	1
RR2.5	13
RR20	1
RR5	8
RW	24
UR1	18
UR2	64
UR3	33
WAPATO	83
Peshastin	**53**
98847	**53**
A-C	3
CD	1
FC	4
I-C	1
P-U	2
R-1	3
RR10	1
RR2.5	5
RR20	4
RR5	21
RRR	8
Wenatchee	**30**
98801	**30**
RR10	2
RR2.5	11
RR20	2
RR5	7
RRR	5
RV	3

Zip Code/ Zone	Count
Grand Total	**1247**

AirDNA – Jan. 2020

Chelan County Zoning



City Boundaries
Urban Growth Areas
County Boundary
Highways
Railroads
Lakes
Rivers & Streams

Chelan County Official Zoning Map
Resolution 2017-119

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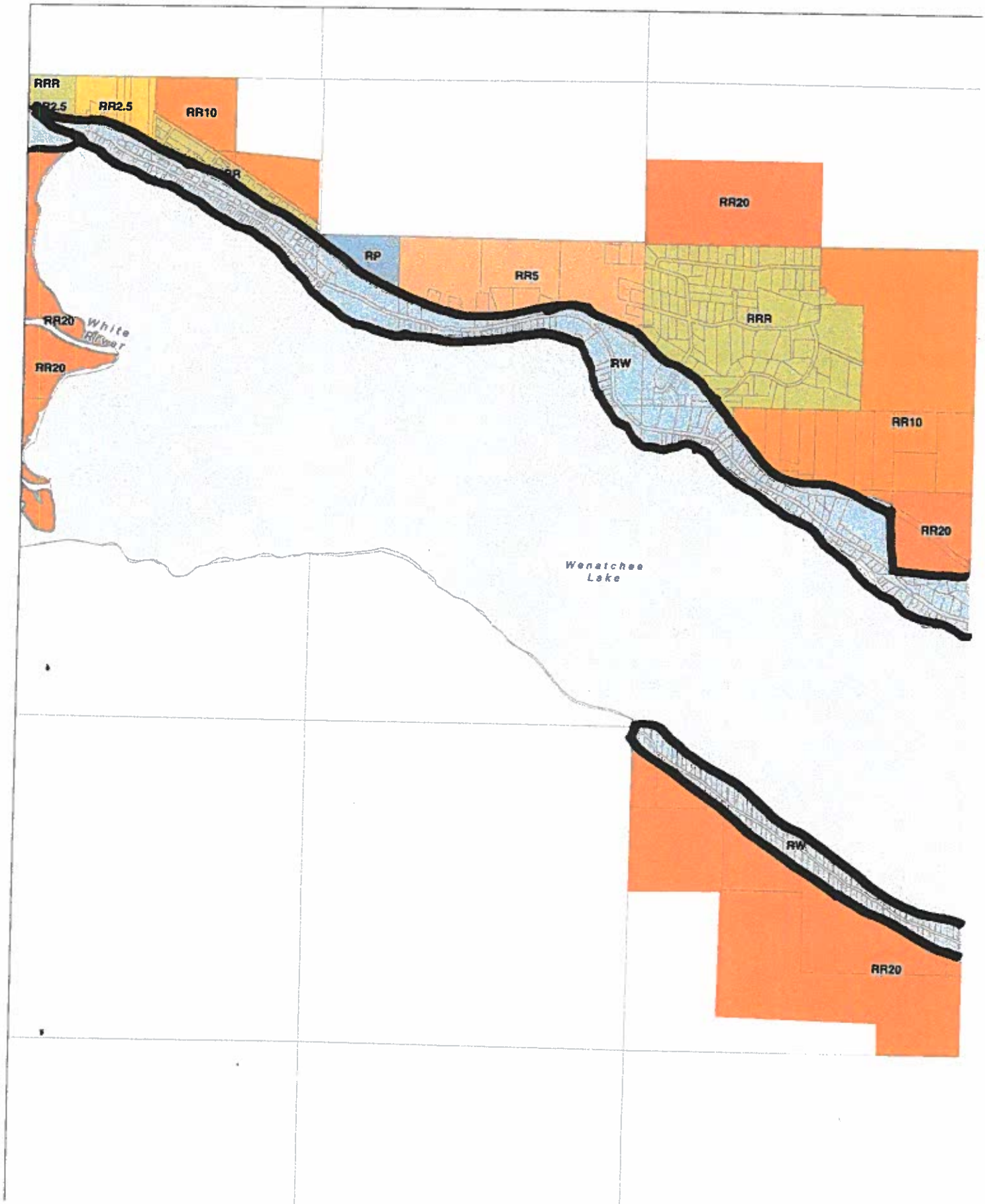
0 0.25 0.5
Miles
1 inch = 2,000 feet

December 15, 2017
Data: Chelan County, WSDOT



Area of Interest In Red

Chelan County Zoning



Wendy Lane

From: Cherie' Warren <CheriePhi@msn.com>
Sent: Monday, June 28, 2021 1:21 PM
To: CD STRComment
Cc: Kirvil Skinnarland (kirvil213@outlook.com)
Subject: Inconsistent definition of STRs in draft regulation (inclusive or exclusive of 30th day)

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

Hello Commissioners,

Thank you for the opportunity to provide comment.

Please make the definition of a short-term rental consistent in the regulations.

- Line 4: " less than 30 days"
- Line 224: "30 days or less"
- Line 859: "30 days or less "
- Lines 877-878: "fewer than thirty consecutive 877 nights"

Thank you!

Cherié Warren
8815 Eagle Creek Rd
Leavenworth, WA 98826

Wendy Lane

From: C Paul Johnson <cpj.audio@gmail.com>
Sent: Monday, June 28, 2021 1:18 PM
To: CD STRComment
Subject: STR Comment

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

Commissioners,

Thank you for the changes made last week to the signage provisions, and for exempting children under two from the occupancy requirements in the last workshop. These are changes we hope that you'll maintain.

We strongly encourage the commissioners to take another look at the language preventing changes to grandfathered properties. It is reasonable to disallow changes that that increase non-conformity or occupancy, but as currently written the code prevents modernization, and incentivizes deferred maintenance.

We have deck repairs and retaining wall repairs on our property that would best be done by altering the structure to prevent settling. Our understanding is that these are changes require a permit. There is no benefit to the community or the county in preventing this work. Please kindly reconsider this part of the code and allow changes that do not increase non-conformity.

Thank you,
C Paul and Laura Johnson
16940 Fir Dr.
Leavenworth

Wendy Lane

From: Kary Beckner <Kary_Beckner@hotmail.com>
Sent: Monday, June 28, 2021 1:07 PM
To: CD STRComment
Cc: Kary Beckner
Subject: PUBLIC COMMENT RE SHORT-TERM RENTAL CODES
Attachments: Beckner Letter re STRs (06-28-2021).pdf

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

Attached please find my public comment letter re short-term rentals.

Thank you for your time.

Kary Beckner
Fulltime Leavenworth Resident

You can also find the full text of the letter below:

Kary Beckner
10224 Titus RD
Leavenworth, WA 98826

June 28, 2021

Chelan County Community Development
ATTN: STR Comment
316 Washington Street, Suite 301
Wenatchee, WA 98801

VIA EMAIL ONLY:
CD.STRComment@co.chelan.wa.us

RE: SHORT-TERM RENTAL CODES

Dear Board of County Commissioners,

I would like to preface my letter by agreeing with Chelan County's Residents United for Neighbors' (RUN) statement that the residents who were appointed to serve on the County's Short-Term Rental Task Force agreed to accept grandfathering of most existing short-term rentals despite the fact that they are all clearly illegal under the existing zoning code. That they made this major concession to gain more protection for residential neighborhoods both now and for the long term. It is unacceptable for more concessions to be granted to STR owners—90% of whom do not live in Chelan County.

I am an eight-year, fulltime resident of Leavenworth and grew up in the Wenatchee Valley. We live just outside Leavenworth city limits, one mile from downtown. My concerns regarding the draft short-term rental codes are shared with the members of RUN in whole, but more specifically my concerns are as follows:

NOISE

From our deck, one mile from downtown Leavenworth, we hear all outdoor music, as well as music from Ski Hill. To us, that is not a problem, as those are areas where outdoor festivities are commercially allowed and we were fully aware of that when purchasing our home back in 2013. As STRs are allowed to sprawl outside of commercially zoned areas and into residential neighborhoods, and as most existing STRs are (sadly) allowed to be grandfathered in, noise will continue to be a huge concern to the neighboring residents having to put up with rude, loud, and most probably inebriated guests at all hours. I encourage the STR Task Force to consider the language as outlined in RUN's April 25, 2021 letter:

> *In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.*

OCCUPANCY

Please count ALL children in your occupancy limits. It should be obvious, but children contribute to noise pollution creating burdens on neighbors and wildlife.

WILDLIFE

In the same vein as the noise pollution problem, our home and acreage are also home to many wildlife species who drink water, eat, and sleep comfortably in the quiet until they are ready to move on voluntarily. Any noise pollution will only contribute to wildlife confusion and wasted calories as they are frightened away by noise.

Please understand that short-term guests (1) are most likely not aware of the wildlife component of their short vacation stay, (2) are most likely not even concerned with wildlife in their environment, and (3) are not invested in maintaining wildlife-friendly habitat even as the next-door neighbor could be heavily invested (as most fulltime residents are).

SHARED INFRASTRUCTURE

As a resident who shares a driveway with three other homes and a rental unit, I echo RUN's concerns over Shared Infrastructure:

> *All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.*

FIRE

We are fortunate to live in a heavily treed, beautifully verdant neighborhood, and we invest in the safety of that neighborhood. Last summer we hired a Firewise expert to take down hazardous trees/shrubs and worked with the Washington State Department of Natural Resources to help not only our home, but our neighbors' homes, to be safer from wildfire.

Again, these short-term guests are most likely not aware or care about the investments made to keep a safe, fire-free living environment. One drunken throw of a lit cigarette anywhere on the properties surrounding our home has the immediate potential to destroy numerous homes, if not lives. This should be a considerable reason for keeping STRs in commercially zoned areas.

PLANNED UNIT DEVELOPMENT EXEMPTION FROM DENSITY CAP (LINE 203)

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short-term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

This issue is of utmost importance to us: we Leavenworth residents rely on our workforce in our small town. How can you let them down by taking away available rental units? They need these units for long-term rent so they can live where we all depend on them to work!

Please keep these short-term renters out of our neighborhoods.

Thank you for your time.

Sincerely,
Kary J. Beckner

Kary Beckner
10224 Titus RD
Leavenworth, WA 98826

June 28, 2021

Chelan County Community Development
ATTN: STR Comment
316 Washington Street, Suite 301
Wenatchee, WA 98801

VIA EMAIL ONLY: CD.STRComment@co.chelan.wa.us

RE: SHORT-TERM RENTAL CODES

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Kary Beckner
10224 Titus RD
Leavenworth, WA 98826

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WILDLIFE

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Please understand that short-term guests (1) are most likely not aware of the wildlife component of their short vacation stay, (2) are most likely not even concerned with wildlife in their environment, and (3) are not invested in maintaining wildlife-friendly habitat even as the next-door neighbor could be heavily invested (as most fulltime residents are).

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FIRE

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Again, these short-term guests are most likely not aware or care about the investments made to keep a safe, fire-free living environment. One drunken throw of a lit cigarette anywhere on the properties surrounding our home has the immediate potential to destroy numerous homes, if not lives. This should be a considerable reason for keeping STRs in commercially zoned areas.

Kary Beckner
10224 Titus RD
Leavenworth, WA 98826

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All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short-term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

This issue is of utmost importance to us: we Leavenworth residents rely on our workforce in our small town. How can you let them down by taking away available rental units? They need these units for long-term rent so they can live where we all depend on them to work!

Please keep these short-term renters out of our neighborhoods.

Thank you for your time.

Sincerely,

Kary J. Beckner
Fulltime Leavenworth Resident

Wendy Lane

From: Zelda Holgate <zeldascott123@gmail.com>
Sent: Monday, June 28, 2021 12:48 PM
To: CD STRComment
Subject: STR Code

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

BOCC and Jim Brown,

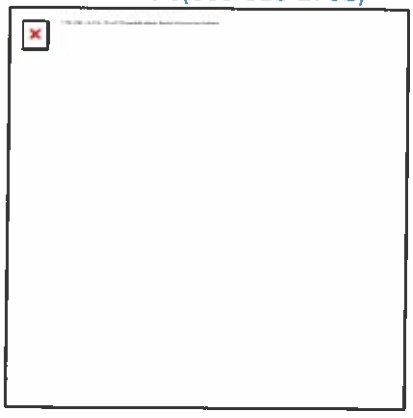
Thank you for putting the task force together. As a participant it was a very painful process but I believe we did some good work. I still think we have more to do. These comments are from me as a business owner, not as chairwoman of STRACC.

I am encouraged to see you exclude children under two in the occupancy numbers. I know that RUN is upset by this but the impact of this change is only positive Families are what we want to attract to Chelan County and they are more likely to use STRs. I also like that it goes along with the health department's septic code.

I am concerned with the grandfathering in the Manson UGA. I would like to see the requirements there be aligned with the rest of the county. It is also consistent within the county to charge the double fees for missed permit filings.

Overall this code really hurts my business and denys people to gather as they have for the last 30 years at Natapoc Lodging.(Mind you with out one complaint). I wish we could have addressed enforcement when we first came to you in 2017. Then we would have data to back up whether there is a need for this over reaching, onerous code. I do hope that if this code proves to be unmanageable, that the cap is to low, that the lower occupancy is hurting the economy, that changes can be made in the future.

Zelda Holgate
Natapoc Lodging
www.natapoc.com
info@natapoc.com
509-763-3313
888-NATAPOC(888-628-2762)



Wendy Lane

From: Tony and Bonnie Flock <tonyandbonnieflock@gmail.com>
Sent: Monday, June 28, 2021 12:21 PM
To: CD STRComment
Subject: Vote to keep STR use in Chelan County

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

Dear Commissioners,

We established our STR in April of 2017. Since 2017 there have been no rules enacted to govern this use. To go from allowed use to an outright ban is a hardship for area businesses and homeowners. We have a very good property manager with NW Comfy Cabins who does an excellent job in monitoring and servicing our guests. Our neighbors have our contact information for any complaints. Proactive owners, clear county rules and good management are key to keeping the desired STR use a successful part of the recreational communities we all love to visit.

Please vote to keep Short Term Rental use in Chelan County with common sense rules that can be enforced.

Thank you,
Tony and Bonnie Flock
2526 Kinnikinnick Dr
Leavenworth, WA. 98826

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 12:15 PM
To: Hernan Savastano; Joshua Fletcher; ZayLy Lodge; Nathalie Kirshner; Barb Knapp; Tiffany Gering
Cc: Snowgrass Lodge; Adam G. Haynie; CD STRComment
Subject: RE: STR Comment on Tier 3 Grandfathering

Hello Hernan-

Your comment was also forwarded to the STR commenting box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Hernan Savastano <hernans@gmail.com>
Sent: Monday, June 28, 2021 11:59 AM
To: Joshua Fletcher <fletchermail@gmail.com>; ZayLy Lodge <zaylylodge@outlook.com>; Nathalie Kirshner <pineriverlodge2020@gmail.com>; Barb Knapp <dknapp3140@aol.com>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>
Cc: Snowgrass Lodge <snowgrasslodge@gmail.com>; Adam G. Haynie <adamh@jdsalaw.com>; Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: STR Comment on Tier 3 Grandfathering

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

Hi All,

Unfortunately, the Commissioners have thus far decided not to waive the occupancy limit of 16 for large established rentals like ours. **However**, the draft code says that if you have **(a)** prior written communication from the County expressly permitting higher occupancy, **AND (b)** a septic permit showing sufficiently capacity, "the property shall not be subject to the new occupancy limit." Unfortunately, I suspect most of us may have the latter but not the former. Here's the key section of the code.

(vi) The Director may permit a property to operate as an existing non-conforming short-term rental where the applicant possesses and provides the department written communication, originating from authorized Chelan County Community Development personnel and written prior to August 25, 2020, that expressly states the short-term rental use of this specific property is an allowed use, and that the current use is in-fact operating and conforming within any parameters or limits expressly stated within that written communication, provided,

(a) If any provision applicable to existing non-conforming short-term rentals within this chapter is not expressly exempted by the written communication referenced herein, the short term rental is subject to all requirements for existing non-conforming short-term rentals as provided in 11.88.290, except as stated in (2)(E)(vi)(b) below.

(b) If the written communication referenced herein expressly permits and is authorized by septic permitting at the time of that written communication regarding limit on overnight and daytime occupancy, the property shall not be subject to the occupancy limits found within 11.88.290(3)(B)(ii) and (3)(B)(iii).

(c) Provision (2)(E)(vi) sunsets on December 31, 2022.

As you know, **Tomorrow (Tuesday 6/29) at 10:20am is the final public hearing** about the STR code. My spoken and written public comments will focus on this issue. My specific request to the board will be a simple one-word change of clause from **"AND"** to **"OR"** in **line 384** so that **either** a written communication **OR** a septic permit would be required, but not both. I suspect most of us existing operators don't have both and there's no way we could've known beforehand to get a separate written approval if we already a septic permit with sufficient capacity. **Tiffany**, we hope you can help advocate for this code change tomorrow.

I think this would be cleanest and fairest way to grandfather in large established rentals like ours. We should be allowed to continue hosting the same number of guests as in the past, as long as we meet parking and septic requirements. I hope to see you all on the Public Hearing tomorrow. This is our last chance to be heard, so please **'raise your hand'** on the call and speak up on this issue or submit written comments to CD.STRComment@co.chelan.wa.us if you can. Here's the Zoom link and some helpful talking points from STRACC.

Thanks,
Hernan

Begin forwarded message:

From: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: RE: STR Comment on Tier 3 Grandfathering
Date: June 28, 2021 at 10:17:07 AM PDT
To: Hernan Savastano <hernans@gmail.com>

Understood. Take care.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Hernan Savastano <hernans@gmail.com>
Sent: Monday, June 28, 2021 9:47 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: STR Comment on Tier 3 Grandfathering

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

Yes, I recall. Just wish they had discussed that decision a bit more. I guess I know what I'll be commenting on tomorrow :)

On Jun 28, 2021, at 8:40 AM, Jim Brown <Jim.Brown@CO.CHELAN.WA.US> wrote:

They specifically chose to remove OR, and replace with AND. That was a BOCC call. They meant it to only apply to those per the requirement above that.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us
<image001.png>
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From: Hernan Savastano <hernans@gmail.com>
Sent: Monday, June 28, 2021 8:34 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: STR Comment on Tier 3 Grandfathering

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

I sure wish that had been defined with an OR clause, as discussed at the workshop. Seems to me the septic permit itself is a form of communication from the County about occupancy and capacity. It also seems like the cleanest and fairest way to grandfather in existing uses.

thanks
Hernan

On Jun 28, 2021, at 8:27 AM, Jim Brown <Jim.Brown@CO.CHELAN.WA.US> wrote:

No. It says that if you had correspondence referenced above that AND the septic approval, then you can. If you don't have the aforementioned correspondence about your operation, then that does not apply.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us
<image001.png>
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From: Hernan Savastano <hernans@gmail.com>
Sent: Thursday, June 24, 2021 8:09 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: STR Comment on Tier 3 Grandfathering

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

Hi Jim,

I'm reading the latest draft code and wondering whether lines 384-387 say that Tier 3 occupancy limit of 16 could we waived if we provide septic permits showing additional capacity.

<image002.png>

Thanks,
Hernan

On Jun 21, 2021, at 10:20 PM, Hernan Savastano <hernans@gmail.com> wrote:

HI Jim,

Snowgrass was actually built and used as a SFR (albeit a large one) by the Crowlston family who lived there for many years but also envisioned it as a for retreat for larger family gatherings. Hence the outsized parking and septic capacities...

It's not clear how we would qualify as a "lodging facility" since we don't have more than 6 bedrooms, we only rent to one group at a time, and we're not zoned RC. It would be great if we could be assured of getting a lodging facility permit, but otherwise it feels like we're getting left out to dry...

Thanks,
Hernan

On Jun 21, 2021, at 2:04 PM, Jim Brown <Jim.Brown@CO.CHELAN.WA.US> wrote:

Thanks for comments.

The challenge for the county in these cases is that this was not built as a single family residence. That is really what an STR code is about, a "house" being used as an STR. This property really exists, as you present it, as falling under a *lodging facility* in the existing code. We aren't talking a "normal" bedroom scenario for a house. And so being a lodging facility seems to better fit what it is.

Grandfathering these as an existing STR will be a policy call of the board.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us
<image001.png>
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From: Hernan Savastano <hernans@gmail.com>
Sent: Monday, June 21, 2021 12:16 PM
To: Joshua Fletcher <fletchermail@gmail.com>; Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; ZayLy Lodge <zaylylodge@outlook.com>; Nathalie Kirshner <pineriverlodge2020@gmail.com>; Barb Knapp <dknapp3140@aol.com>; Adam G. Haynie <adamh@jdsalaw.com>
Subject: Re: STR Comment on Tier 3 Grandfathering

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

Thanks Josh. We're in a similar boat. Our lodge technically only has 5 bedrooms but over 7,000 sqft of space with large family and bunk rooms to accommodate several more beds. Snowgrass was designed for large group gatherings and retreats with enough parking and septic for 12 bedrooms (24 guests). (See attached permit.)

Like Josh, we made significant investments with this capacity in mind. We believe it's only be fair that our historical use be grandfathered in, regardless of the 2 per bedroom limit in the new code, as long as we have sufficient parking and septic capacity for safe operation.

Thanks,
Hernan

Wendy Lane

From: Donald Cullison <phatberryfarm@gmail.com>
Sent: Monday, June 28, 2021 12:07 PM
To: CD STRComment
Subject: STR Comments

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

Chelan County Community Development,

The negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country. I urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of permanent county residents.

In order to do what is best for the majority of permanent county residents, STR owners who share private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use.

Any short-term rentals included in a Planned Unit Development must count toward the 6% density cap in each zip code.

The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

Thank you,

Donald Cullison

134 Borealis Lane

Manson, WA 98831

509-415-9462

Wendy Lane

From: Leslie Savina <lesliesavina@comcast.net>
Sent: Monday, June 28, 2021 12:01 PM
To: CD STRComment; Jim Brown; Kevin Overbay; Bob Bugert; Tiffany Gering
Subject: Please regulate STRs to protect neighborhoods

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Dear Commissioners Overbay, Bugert and Gering and Director Brown,

The draft short-term rental regulations are comprehensive, carefully crafted but -- and I'm so sorry -- essentially worthless. *Where is the enforcement mechanism?* A rule without enforcement is ineffective: people speed until they see a patrol car.

I've read the proposed regulations, twice, and still don't know what to do when there is 1:00am beer-pong on the STR deck next door or a dozen cars parked in the driveway. Or what to do when I'm coming back hot and tired from a hike, have to pee, and can't get to my place because a STR renter is parked in the middle of the road. Do I call the owner to make a complaint? Do I talk to the renter? (Which feels risky depending upon time of day and liquor consumption.) Or do I call the sheriff? Is there someone else? To whom, by whom, is a complaint made?

Then, after two "verified complaints," the STR owner may be subject to further penalties. What is a "verified complaint"? Verified how? Am I to become the defacto enforcer of bad behavior? **The who/what/when/where of enforcement must be clearly set forth in the regulations.** Please do not pass this off to be done later. This process has already taken several years. If takes several more years to create meaningful enforcement provisions, the "bad actor" STR owners will be that much more empowered to continue to flaunt the regulations.

Kids! Why wouldn't a two year old be counted? The only possible reason is to increase STR occupancy. Kids under two make noise, generate a lot of garbage (yes, I've picked up the dirty diapers the bear scattered over the hillside because the renters left the garbage outside), and travel with a heap of gear. They are people. Count them!

In closing, I want you to know that I am a Wenatchee native. My family has owned a cabin at Lake Wenatchee for over 50 years. Please understand that homeowners like me hire plumbers and electricians and housecleaners; we buy gas and groceries, go to the hardware store and eat at restaurants, just like STR businesses. BUT we also we support the food bank and the volunteer fire department and the land trust; we make friends, help our neighbors and invest in the community. Please don't buy into the specious argument that the Chelan County economy will be decimated if STRs are regulated. Please pass strong STR regulations. It's now or never.

Thank you,

Leslie Savina
15461 Cedar Brae Road
Lake Wenatchee

Wendy Lane

From: Steve Clark <aandsclark@comcast.net>
Sent: Monday, June 28, 2021 9:44 AM
To: CD STRComment
Subject: Chelan County STR Ordinance

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Dear Chelan County Commissioners;

This will be my 4th personal communication to you on this subject, and our concern and passion on this subject has not diminished one bit over the many months of this process. Please, take into account the lives and property rights of STR neighbors like ourselves! We are your constituents, we are the citizens of Chelan County you were elected to represent and protect.

My wife and I live in a residential neighborhood near Chelan, but in unincorporated Chelan County. We have a total of five STRs which literally surround our residence, a property that we have worked our entire professional lives to afford and retire to. We did not expect to end up in a commercial zone, nor should we have to tolerate that result. Make no mistake, STRs are a commercial enterprise, and these properties are rented by visitors to Chelan County who, almost without exception, expect all the benefits of a commercial, resort-like, atmosphere.

Acknowledging that we have no alternative but to make the best of this situation, we implore you to adopt guidelines for STRs that, at a minimum, consider the property rights of neighbors equally with those of STR owners who are almost always non-residents, and NOT your constituents.

Of particular emphasis for this input, please adopt rules that limit occupancy, and count EVERY guest, including all children. Please provide that guest limits are applicable 24 hours a day. Please adopt noise rules that protect us from all forms of amplification that even guests would not find acceptable were they back in their own home neighborhoods. Please make it clear that privately-owned homes include boundaries, and violating those boundaries and a neighbors private property is trespassing.

You are our only means to reestablish behavior that is acceptable, and protect our rights against short-term guests who constantly violate our enjoyment of our property and right to privacy. I wish you had the opportunity to spend time with us, and observe behaviors that we do. Since that is not possible, please accept the frustration that has prompted this and my other letters, and help build a set of guidelines that guests, property managers and property owners are motivated to adhere to.

Thank you for your time, and your representation of our interests.

Best regards,

Steve and Anne Clark
1388 S Lakeshore Rd., Chelan WA 98816

Wendy Lane

From: Susan Hufman <hufman@nwi.net>
Sent: Monday, June 28, 2021 9:27 AM
To: CD STRComment
Subject: Support for the Task Force consensus and reasonable regulation of STRs.

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Chelan County Commissioners.

I am a long time, full time resident who raised my children right here in Leavenworth.
I support the task force consensus.

Occupancy limits should be tied to the original septic permits and building permits. The County requires permits; we need to abide by those very permits. Children under 2 are occupants.

Commercial events should be in commercial zones, not residential neighborhoods. Daytime occupancy limits must be enforced in neighborhoods. Unfortunately we have endured too many STR daytime gatherings in this area and they do NOT belong in our residentially zoned neighborhoods! Please keep the events in the commercially zoned areas and support our local businesses in those very zones.

Uncontrolled and unregulated noise/music should not be allowed at the STRs. This is a basic common sense issue. Please regulate it so we can live in our homes without undue blasting of amplified music from STR locations.

Planned unit developments in the future must be counted in the density caps. We need to work toward and protect affordable housing and any STRs in the future, whether in a planned unit development or not, must meet all of the requirements and be a part of the density cap.

Please protect those of us who live here, who work here, who send our children to school here, who volunteer here, who serve here, who retire in the very homes where we raised our children. We are your constituents and our communities and neighborhoods must be protected now and in the future.

Thank you for your work on this all important issue.
I hope you will protect our neighborhoods and affordable housing well in to the future.
Sincerely,
Susan Hufman
Leavenworth

Wendy Lane

From: E John Agnew <ejohnagnew@gmail.com>
Sent: Monday, June 28, 2021 9:57 AM
To: CD STRComment
Subject: Testimony re: STR code
Attachments: STR Letter 6_27_21.docx

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Attached please find my comments regarding the pending STR code action by the commissioners.

Thanks.

John Agnew, STR Citizen Task Force
542 Dempsey Road
Leavenworth, WA 98826

To the Commissioners:

I served on the STR task force. Our group worked for many weeks, volunteering many hours, to try to resolve major issues regarding the STR code you are now contemplating and which is way overdue.

- The explosion of STR's, particularly whole-house, non-owner occupied, throughout the county was allowed to happen even though the code very clearly did not permit commercial lodges such as these in residential zones.
- There was never any concrete evidence that STR's fulfilled any short or long term housing or economic priority needs in Chelan County.
- The vast majority are owned by non-residents. Therefore most of the economic benefits of this, arguably, illegal way to subsidize vacation properties for non-residents do not even stay in the county. The meager economic benefits that do stay (low wage service jobs and a cottage industry for property managers) are hugely overwhelmed by the costs born to residential neighborhoods, law enforcement, and public facilities (roads, water, sewer, etc.).
- The thousands of single family residences that have been removed from the housing stock in the county has made the already well documented housing crisis even worse.

Even given the overwhelming evidence of the damage being done by this unregulated industry, it has taken years to come close to addressing the problem. In fact, you found it impossible to do the job yourselves – thus the STR task force.

Well, citizens from both sides of this issue gathered, discussed, struggled and delivered to you a consensus decision as you requested. A lot of our sessions were tense, full of conflict, and not very much fun. How on earth are you coming to the conclusion that you should be taking substantial liberties in implementing these consensus recommendations? If you want the credibility of citizen task forces on tricky issues to have any integrity going forward, you need to honor the recommendations of the task force, at minimum.

Beyond the task force, however, it is time that you take a stand on who counts when it comes to residential neighborhoods in Chelan county. The people that live, work, and vote here, or outside investors and their real estate and development allies here?

The recent letter from the RUN Board outlines a number of issues. Some of them, like not counting children in occupancy which is tantamount to raising the adult occupancy of all STR's, are direct changes to the task force recommendations. But all of the issues outlined in the RUN letter share one thing in common, they have a bias towards protecting the integrity and primacy of residential zoning. We have plenty of code directed to the preservation and enhancement of our healthy and growing tourist industry. Now is the time to have a bias towards protecting our neighborhoods.

Finally, recognize that there is little to no doubt the real crisis in the county is housing, both availability and price, and there are very few tools you have in front of you to make an impact quickly. By passing this code, and ensuring that it has teeth, and the bias is protecting housing stock and neighborhoods, you have the opportunity to go into the next election cycle with two substantial wins: you protected neighborhoods and residents, and we all will see single family homes return to the housing stock.

In contrast, if you cave to the interests of outside investors, weaken the code with sneaky back doors and exceptions to health and safety, you will send a very different message. Please get the job done for those of us who live here.

Regards,

John Agnew, Upper Valley Resident
542 Dempsey Road, Leavenworth, WA 98826
Member of STR Task Force.

Wendy Lane

From: Lei Warren <leimwarren@gmail.com>
Sent: Monday, June 28, 2021 11:11 AM
To: CD STRComment
Subject: STR Comment

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

Dear Commissioners,

Thank you for all of your hard work and efforts thus far.

In the Manson community tensions have fun high. As a STR owner I feel as though the Manson Community Council has publicly used their position to feed the fire. There has been comments by the sheriff to video our guests for proof. I feel as though this type of encouragement could escalate very quickly.

The enforcement officers should be the one to respond to any complaints and provide proof of complaints. We need to expand their hours to do so. Enforcement officers should be able to respond to any complaint whether that's against guests or residents.

Any regulations adapted need to be applied to guests of STR's as well as residents alike. It is wrong to discriminate. It is important that wording in the regulations reflect this to avoid further disputes.

Thank you very much for taking the time to read my comment.

Lei Warren
STR owner
Manson UGA

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 11:06 AM
To: Sarah Cushing
Cc: CD STRComment
Subject: RE: Public Comment STR

Your comment has been forwarded to the STR comment box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Sarah Cushing <SLCushing@msn.com>
Sent: Monday, June 28, 2021 10:59 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: FW: Public Comment STR

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From: Sarah Cushing <SLCushing@msn.com>
Sent: Monday, June 28, 2021 10:51 AM
To: kevin.overbay@co.chelan.wa.us; bob.bugert@co.chelan.wa.us; Tiffany Gering <tiffany@lakechelan.com>
Cc: Sarah Cushing <slcushing@msn.com>
Subject: Public Comment STR

Please advise how the scheduled "public comment" is equitable for all residents? During a work day, 10:15am to possibly 1pm. How are local residents, who work and support the county, able to attend during the middle of a work day? It appears this will be an automatic reason to support legal action against the county.

In the past these public comment periods have always been held in the evening, allowing for participation by all.

I can't figure out what the Commissioners or Community Development is trying to do, but "equitable" is not it.

There have been delays for years now, and this alleged final step is a huge miss-step.

Please do the right thing...

Sarah Cushing

Sarah Cushing

slcushing@msn.com

Wendy Lane

From: Tim Shoultz <timsh@thesmartcapgroup.com>
Sent: Monday, June 28, 2021 10:14 AM
To: CD STRComment
Subject: Short Term Rentals

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

Hello,

We are a local resident in Manson and built our home a few years ago. We are currently grandfathered in for the short-term rental, but I want to send this mail to show my support for STR in our market. It draws economic benefits to our cities and allows us to help offset the cost of our very high mortgage. Building cost are very high today and without the ability to rent our homes, it makes it very difficult for people to buy and build in our community.

Thank you for your consideration.

Sincerely,

Tim Shoultz
CEO | SMARTCAP
Smart, Transparent, Professional, Real Estate Investments
8201 164th AVE NE, STE 105 Redmond, WA 98052
timsh@thesmartcapgroup.com |O (425) 898-4222 | C. (425) 417-2228
www.smartcapgroup.com | Book a Meeting

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:55 AM
To: CD STRComment
Subject: FW: editorial comments on the June draft code

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kirvil Skinnarland <kirvil213@outlook.com>
Sent: Sunday, June 27, 2021 1:42 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; Lisa Grueter <Lisa@berkconsulting.com>
Subject: editorial comments on the June draft code

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Hi Jim,

Ken and I have gone over the code and we both feel the following sections need some changes. We believe these are code writing oversights and not policy issues. (RUN has not addressed them in their official comments.) If you are unable to make these corrections, please let me know.

Section 2E starting at line 264. This section is somewhat confusing and may not be consistent with the rest of the code. Specifically, please look at :

Line 315: This is confusing as all existing nonconforming or potentially conforming STRs must come into compliance with the operational standards (Section 3).

Line 319: Shouldn't a statement be added that all STRs that are allowed to continue to operate must meet the standards in Section 3?

Line 432: This seems to allow Tier 1 and Tier 2 to go up to 16 persons overnight? 432 definitely needs to be changed. The code doesn't allow 16 in Tier 1 or 2.

Thanks.
Kirvil

Wendy Lane

From: Tiffany Gering
Sent: Monday, June 28, 2021 8:45 AM
To: Debbie Conwell
Cc: CD STRComment
Subject: RE: STRs

Hi Debbie,

Thank you for your comment! I have cc'd this so the Chelan County Community Development Director and my fellow Commissioners are able to read as well.

Tiffany Gering
Commissioner - District 3
400 Douglas St, Suite 201
Wenatchee, WA 98801

OFFICE: 509-667-6217
CELL: 509-699-8949

From: Debbie Conwell <debbie@debbieconwell.com>
Sent: Monday, June 28, 2021 8:07 AM
To: Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>
Subject: STRs

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Tiffany are you the one we address our STR letters of concern to or is there a board designated for this? I can't believe you haven't heard it all, but it is still important to push back. Ughh!! Summer= love/hate relationship.

Best regards,

Debbie Conwell

Wendy Lane

From: maureen@nwi.net
Sent: Monday, June 28, 2021 8:45 AM
To: CD STRComment
Subject: Draft Code

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Dear Commissioners,

To be clear and consistent about STR's in Planned Unit Developments, please add the language in lines 202,203 "expressly permitting short-term rentals" to lines 36,37.

Thank You,

Maureen O'Dea-Mitchell
24201 Morgan St.
Leavenworth, WA 98826

Wendy Lane

From: maureen@nwi.net
Sent: Monday, June 28, 2021 8:39 AM
To: CD STRComment
Subject: Draft Code

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Dear Commissioners,

Please do not chip away at the Task Force's recommendations.
Please re read the Purpose Statement before you make any final decisions.
Questions I continue to ask myself:
How will this code ever get RW from 22% to 6%?
How many STR owners live in Chelan County?
Who were you elected to serve?

I have often shared my concerns as a resident of the Ponderosa, a RW community on the Wenatchee River, since the County began grappling with the explosion of STR's. We are on a community well system and during the past three years, as STR's continued to multiply, our water usage increased 64%. I appreciate the effort you and the task force have made to create standards for STR's but your choice to grandfather existing STR's means the negative impact of unregulated growth in my community will be felt for many years into the future.

Respectfully,

Maureen O'Dea-Mitchell
24201 Morgan St.
Leavenworth, WA 98826

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:34 AM
To: gbelldabfo@aol.com
Cc: CD STRComment
Subject: RE: STRs

Your comment was forwarded to the commenting box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: gbelldabfo@aol.com <gbelldabfo@aol.com>
Sent: Saturday, June 26, 2021 4:37 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: STRs

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Mr. Brown,

I am a full time resident on the South Shore of Lake Wenatchee and have recently been able to review some information that should be added to any final document regarding the STRs in our area. In case you have not already received a copy of these recommended additions I have included them in this email. Thank you for your consideration of these recommendations. They seem very fair to both those that own property here and those that rent their properties.

Gary L. Bell

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of

said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:32 AM
To: Jennifer Burke
Cc: CD STRComment
Subject: RE: STR Provision additions

Your comment was forwarded to the commenting box. Thanks

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Jennifer Burke <jenniferkburke@gmail.com>
Sent: Friday, June 25, 2021 1:33 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: STR Provision additions

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

As resident and property owner on Cedar Brae, Leavenworth, Wa, I would like to add my support to the addition of the following provisions to the STR proposal. It is vitally important that these be included for property owners with shared septic systems, water systems and especially driveways. If a shared driveway is blocked by a STR and there were an emergency, it could lead to dire outcomes. I would also like to add my support to STRs require the owner of the property to be on promise when the STR is rented.
Thank you,
Jennifer Burke
15700 Cedar Brae
Leavenworth, WA

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3
P: Shared private roads,

i. Where an STR utilizes an access road or driveway from a pub
said access road or driveway. This agreement shall be dated a
connection with their commercial operation of a nightly rental. T
agreement shall be in addition to any other pre-existing easeme
application. Failure to provide such an agreement shall be the b
cease operation and notify DCD. Failure to do so will result in ir

driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

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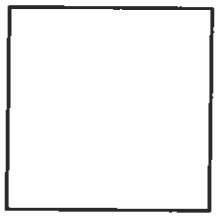

ReplyForward



jim.brown@co.chelan.wa.us
[ ]

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iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement

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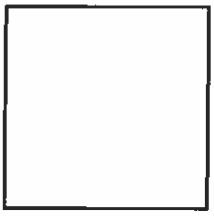

ReplyForward

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:31 AM
To: Brian Patterson
Cc: CD STRComment
Subject: RE: Draft STR Regulation Language Question

Your comment was forwarded to the commenting box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Brian Patterson <bcpatters@yahoo.com>
Sent: Friday, June 25, 2021 9:46 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: Draft STR Regulation Language Question

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

Hi Jim,

In looking at the new version of the draft code, it seems like it is getting clearer that the 6% cap applies to entire zip codes as well as sub-areas and UGAs. The statement "This is the maximum share of short-term rentals in residential zones within zip codes, zip code subareas, or within urban growth areas where the use is expressly allowed" seems to make this pretty clear and there is no subsequent language that negates this. The draft code makes this very clear for Leavenworth 98826 with a specific subpart dedicated to that issue.

So I just wanted to double-check to see if you agree that the current draft code requires that STRs cannot be added within a zip code unless the density of STRs within that zip code is less than 6%, regardless of the densities within other areas such as UGAs, areas outside of UGAs, etc. within that same zip code. Everyone that I've talked to who has read it believes it reads that way, but based on our previous correspondence, I wanted to double-check.

So again for Manson 98831, the new draft code would imply a 6% cap on the Manson UGA, a 6% cap on the area outside the UGA (but inside 98831), and a 6% cap on the entire 98831 zip code.

I submitted a comment letter on Sunday suggesting that this could be made clear by including something like " *However, in no case shall the percentage of STRs in any zip code exceed six percent as described in subsections (a) through (c) of this section.*" The draft code is now very clear for Leavenworth 98826, but a sentence like this would make it equally clear for the other zip codes.

Then I just had one grammatical item. In the section on densities, there is a subpart that reads (emphasis added):

*(d) Tier 2 and Tier 3 short-term rentals in the following zones are not subject to the maximum cap in (a): Rural Commercial zoned districts, **Manson and Peshastin Urban Growth Areas**, Commercially zoned districts, Planned Unit Development Overlay Districts expressly permitting short-term rentals, or Master Planned Resorts Overlay Districts.*

Since this is just a list of zones separated by commas, it implies that the caps in the table in subpart (a) do not apply in the Manson and Peshastin Urban Growth Areas, which would not make sense. I assume that this and the subsequently-named zone were supposed to be combined into something with the meaning "Commercially zoned districts within the Manson and Peshastin Urban Growth Areas". Anyway, thought I would point it out.

Thanks,
Brian

On Friday, June 18, 2021, 8:37:30 AM PDT, Jim Brown <jim.brown@co.chelan.wa.us> wrote:

Hi Brian-

Maybe I too, am not doing a good job explaining what I have been saying. I see what you are asking, but I am not sure you are reading what is intended. In the TF report, nor in the code.

Let me reverse things. There is no need for a subarea, or even a reference to caps in a UGA if it is ALL always about the zip code. If the highest of either then controls the limit for the neighboring area in the zip. The intent is best illustrated in this example:

The numbers in the 98826 zip are around 12%. The plain area is about 4%. As a subarea there has not been created, Plain is subject to the 98826 cap.

But IF in the code, the board creates a subarea at Plain, even though it is in the same zip, it is no longer "capped" by that zip code. It can add STRs up to its own 6% cap. That's the reason for breaking it out to a subarea. To allow more, up to a limit, where they can occur. Otherwise you don't need a subarea. That's the reason for a subarea, and the Task Force knew this.

Thanks-

Jim Brown

Director

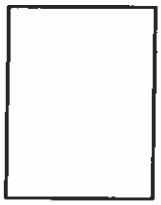
Chelan County Community Development

316 Washington Street, Suite 301

Wenatchee, WA 98801

Phone: Direct (509) 667-6228 Main office (509) 667-6225

Jim.Brown@co.chelan.wa.us



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From: Brian Patterson <bcpatters@yahoo.com>
Sent: Friday, June 18, 2021 7:56 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: Draft STR Regulation Language Question

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

Hi Jim,

Sorry to revisit this, but as I re-read this email chain and looking at the current version of the draft code, I have to wonder if I haven't done a good job of expressing my primary point.

I believe the current draft code, and my understanding of the Task Force Report, supports the following example:

For a given location, a new STR can be added if, and only if, the calculation of the percentage of STRs relative to the existing housing stock is below each applicable cap in the table in 11.88.290(2)(B)(II)(a). This is the straightforward reading of this subsection.

So if I'm evaluating the possibility of adding a new STR within the "Plain Subarea 2", I have to evaluate two applicable caps:

The 6% cap for the 98826 zip code (first row in the table).

The 6% cap for the Plain Subarea 2 (second row in the table).

The calculation for the 98826 zip code would look at all STRs and dwelling units within the residentially-zoned areas in the 98826 zip code, excluding those inside the Leavenworth city limits. I see no possible definition for "zip code" other than the entirety of the area within the zip code, consistent with how this term has been treated throughout the development of the code. The calculation for the Plain Subarea 2 would look at all STRs and dwelling units in residentially-zoned areas within that subarea as shown on the map.

If, for example, existing STRs within each area represented the following percentages of the housing stock (fictitious numbers),

98826 Zip Code: 8.6%

Plain Subarea 2: 5.6%

a new STR could not be added, because the percentage within the zip code is above the cap and the location being evaluated is within the zip code. Subsection (d) in this section simply says that these calculations are made and evaluated separate from each other and one calculation does not affect the other.

Is this consistent with how you would make the evaluation under the current draft code?

Thanks,

Brian

Sent from my iPad

> On Jun 14, 2021, at 3:17 PM, Jim Brown <Jim.Brown@co.chelan.wa.us> wrote:
>
> Thanks for the clarification.
>
> **Jim Brown**
>
> Director
>
> Chelan County Community Development
>
> *316 Washington Street, Suite 301*
>
> *Wenatchee, WA 98801*
>
> *Phone: Direct (509) 667-6228 Main office (509) 667-6225*
>
> *Jim.Brown@co.chelan.wa.us*
>
> <image001.png>
>
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From: Brian Patterson <bcpatters@yahoo.com>
Sent: Monday, June 14, 2021 3:16 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Re: Draft STR Regulation Language Question

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

Hi Jim,

Yes, I believe I understand how the "grandfathering" would work. What I'm saying is that outside the Manson UGA, but inside 98831, new STRs will immediately be allowed to be permitted in addition to all of the "grandfathered" STRs. This is because outside the UGA, but inside 98831, STRs are currently about 5% of the housing stock, whereas the cap would be 6%. This is despite the fact that STRs make up 11.2% of the housing stock in the entire 98831 zip code. Since the "Manson housing market" is all of 98831, this means new STRs will be allowed to be added to a market that is already constrained for residential housing.

This will not be true within the Manson UGA or within the Leavenworth area code (i.e., these areas will not see new STRs for a very long time).

Let me know if that does not make sense. Happy to chat anytime: 503-998-4265.

Thanks,

Brian

Sent from my iPad

> On Jun 14, 2021, at 1:36 PM, Jim Brown <Jim.Brown@co.chelan.wa.us> wrote:
>
> Hi Brian-
>
> I was re-reading your attachment again.
>
> You are aware that the caps do not apply to existing grandfathered STRs, right? It does not matter if the proposed calculation would create 7.6 % of housing as STRs in the non-

UGA portion. It simply means there can be no new until the cap is reached (through attrition and housing inventory growth). The caps are about managing an area to become cap compliant, no that they will all start at that point.

The current numbers, whatever they are, if compliant with the relevant sections of the code, are allowed to exist. The caps come in later as their number drop.

Jim Brown

Director

Chelan County Community Development

316 Washington Street, Suite 301

Wenatchee, WA 98801

Phone: Direct (509) 667-6228 Main office (509) 667-6225

Jim.Brown@co.chelan.wa.us

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From: Brian Patterson <bcpatters@yahoo.com>
Sent: Wednesday, June 9, 2021 10:29 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Subject: Re: Draft STR Regulation Language Question

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

Hi Jim,

If this is your intention, then I will start by suggesting the following language:

(d) Share calculations for assessing the 98831 (Manson) and 98847 (Peshastin) maximum share of short-term rentals for zip codes in (B)(2)(a) of this section will be based on the areas outside the Manson or Peshastin Urban Growth Areas, but within those respective zip codes. These share calculations are independent of those made to assess the Urban Growth Area maximum share of short-term rentals.

However, I will also express my opinion that this approach is both inconsistent with what is in the Task Force final report as well as being counterproductive to the goal of reducing the density of STRs in the Manson housing market, as it will allow new STRs to be added to that market as soon as the regulations become effective. Adding STRs to an area where they already account for 11.2% of the housing stock does not seem to fit with the goals of these regulations.

Please see the attached document for a summary of what my opinion is based upon.

Since I'm getting into my opinion, I'm cc:'ing the STR comment email address as well.

Thanks for your quick response and taking the time to consider these comments,

Brian

On Wednesday, June 9, 2021, 9:39:38 AM PDT, Jim Brown <jim.brown@co.chelan.wa.us> wrote:

HI Brian-

It is so the county UGAs and county "other" areas do not affect each other's individual caps (share). So if The Manson Zip code is at the 3%, but the Manson UGA is at the full 9%, that 9% is not charged against the remaining open cap to get up to 6% in the surrounding zip code. They are calculated separately.

Does that help? Do you have a suggestion on how to say it in the code better? I am open to ideas, just not changing the intent.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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-----Original Message-----
From: Brian Patterson <bcpatters@yahoo.com>
Sent: Tuesday, June 8, 2021 4:12 PM

To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Draft STR Regulation Language Question

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

Hi Jim,

In the latest version of the STR regulation, you added subsection (d) circled below. I have to admit that I'm having a difficult time interpreting what it means, so I was hoping you could provide an explanation, using the Manson zip code (98831) as an example.

Thanks,
Brian

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:29 AM
To: Kip Burke
Cc: CD STRComment
Subject: RE: STR Proposal

I have forwarded your comment to the commenting box. Thanks.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225 Jim.Brown@co.chelan.wa.us

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-----Original Message-----
From: Kip Burke <ckipburke@gmail.com>
Sent: Thursday, June 24, 2021 9:48 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: STR Proposal

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

Jim,
I have responded before regarding this proposal and I feel strongly that all commissioners visit both the north and south shore neighborhoods because as stated previously by others, the folks that rent the STRs do not respect the posted speed limit of 25 mph on both roads and the issue of ingress and egress that is part of shared driveways. I own a cabin that has a shard driveway access however like other shared driveways there is limited parking. If a rental group rents a STR and there are several cars there could potentially be a parking problem and the overflow could end up on the roads which could create a traffic issue.
Please don't let the proposal go further until this concern is reviewed.
Thank you. Clifton Burke, 15700 Cedar Brae Rd.

Sent from my iPhone

Wendy Lane

From: Jim Brown
Sent: Monday, June 28, 2021 8:25 AM
To: CD STRComment
Subject: FW: short term rental rules

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Dick Knight <DKNIGHT@PROClub.com>
Sent: Friday, June 25, 2021 7:32 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: short term rental rules

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

My wife and I are residents of the north shore of Lake Wenatchee. 16349 Northshore Drive. We request that additional protections be included in proposed rules:

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate

revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

Dick Knight
President

PRO
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Wendy Lane

From: Mary MORGAN <jmje3@msn.com>
Sent: Monday, June 28, 2021 8:22 AM
To: CD STRComment
Subject: Short term rentals

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

Sent from Mail for Windows 10
Hello,
I am a full time resident with a rental next door. It has three bedrooms. This weekend there were 5 cars, one weekend 8. It is very rare that only 6 people are in this cabin, usually more.
My biggest concern is fire. The owner does not supply a means to put fires out. We have written to him with our concerns and he has done nothing. We now greet the renters (to protect our home) and remind them we have a lot of wind and or a red flag. During a complete no burn last summer, a renter showed up and was unloading a huge pile of firewood. He did keep it in his car after I spoke with them If they do have a fire we supply buckets for them. Smokers drop their cigarettes on pine needles. I just bought an ashtray for them. Some have just started a campfire any where.

All renters should be made to follow the safety campfire rules, and burning and it should be posted and a means to put fires out and cigarettes.

We feel we have to stay home to monitor the fire danger from renters

Yes, I have had to go out at 1:30 and tell a large group to be quiet

Please children under 2 must be included in the occupancy count and only 2 per bedroom, lofts and rec rooms do not count for bedrooms

Please do not allow weddings on under 5 acres of land or large groups or events. I live here and need my sleep
Please give us noise limits so we can enjoy living here

Please all present and future people should follow the rules

Please we live here and vote, help us, we are the people that make this a wonderful place. Think of us . We need long term rentals to be available for people that work here

Many thanks

Mary Morgan
16301 River Road
Leavenworth, Wa 98826

Wendy Lane

From: James F Frink <james_frink@msn.com>
Sent: Monday, June 28, 2021 8:21 AM
To: CD STRComment
Subject: STR information
Attachments: STR Complaint Log.pages

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

Here attached is a log of our neighborhood STR problem that has plagued us since 2018.
We would like to be informed of any changes to the current laws that effect this issue.
We live @ 10492 Ski Hill Dr. in Chelan County. If you would like to contact us about the info provided please email at this address or phone our cell 425-359-6696.

Thank you,
Jim Frink

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Monday, June 28, 2021 8:06 AM
To: CD STRComment
Subject: Re: Why I (and others) won't testify at the hearing on June 29th- Part 2

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

PS. Here's a quote from another resident who would like to, but can't, testify:

"Like every other opportunity, I will be at work. Like most residents."

Bruce Williams
bwseattle@gmail.com
509.888.1935

On Sun, Jun 27, 2021 at 6:37 PM Bruce Williams <bwseattle@gmail.com> wrote:
Dear Commissioners,

Over the last 2 years I have testified multiple times at BOCC or Planning Commission hearings. I won't be there on Tuesday. I have a board meeting from 9am-1pm that day.

I also heard two other reasons from someone else who won't be testifying. They said,
1) "I have already testified and I have already written comment letters about STR's. I don't have unlimited free time to keep doing this over and over.
2) If the Commissioners are paying attention, they already know that many more Chelan County residents - people who actually make their home here - want STR's either prohibited in residential areas or very limited in number and tightly regulated. But it doesn't appear that they are paying attention to this. I don't think my commenting one more time will make a difference."

My reason for not being there and the other person's first reason illustrate one of the many frustrating things about this process - having a long, drawn out process with multiple hearings favors special interests such as STR owners. They have a significant financial stake in the issue so they will put in endless hours. Citizens who are just trying to make a better community, the kind of people you ought to value, tend to have other things to do and can't repeatedly find time to testify. If there were just one hearing in this process, the attendees would be overwhelmingly pro-neighborhood. But now that it has become a marathon, my guess is the percentage of STR owners will be higher, and many of them are not even Chelan County residents.

If that turns out to be the case, it is a reflection of your process, not a reflection of how the people who actually live here feel about this issue.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road
Leavenworth WA 98826

Wendy Lane

From: Ron Tilden <tilden.home@gmail.com>
Sent: Sunday, June 27, 2021 9:18 PM
To: Dave and Arlene Lowrie
Cc: Mike Stanford; Bob Bugert; CDPlanning@co.chelan.wa.us; CD STRComment; george wilson; Angela Loth; Art Alley; Bill Lockinger; Bob Barr; Chiwawa Communities Association; judy V; Roger Thomas
Subject: Re: STR comment

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

Great letter Mike

Sent from my iPhone

On Jun 27, 2021, at 7:44 PM, Dave and Arlene Lowrie <ogopogo22@gmail.com> wrote:

Well said! I will again write a letter, shall also mention the ridiculous property increase, due in a large part to STR owners who can afford to pay more for a home. Dave

On Sun, Jun 27, 2021 at 7:30 PM Mike Stanford <stanford@nwi.net> wrote:

Hello:

My name is Mike Stanford. I live at 2393 Kinnikinnick DR Leavenworth WA 98826. Chiwawa River Pines. I have lived, worked, raised a family, paid taxes, supported local businesses during good and bad times and volunteered thousands of hours to help make my neighborhood a neighborhood for 40+ years.

I settled in an RW zoned area specifically because it was an RW (Rural Waterfront) area where no commercial businesses would be operated and where families would settle and grow with my young family.

As I write this comment this hot Sunday afternoon, we are dealing with an STR owner not only running a rental, but also now running a tubing service on the Wenatchee river from community owned property within our association. Not only not allowed, but a huge liability that one STR owner has no right to impose on the other 300 owners.

https://www.airbnb.com/experiences/1964051

We currently have 40+ STR operations in Chiwawa River Pines. That puts us at 14.5 %. A far cry from the 6% goal of the code. With most of these being grandfathered in and being able to transfer for five years, the issues, of which you have heard before, will not soon be diminished. I actually do not see our "neighborhood" ever reaching the 6% goal of the code. One reason being the section that allows the director, at his discretion to allow the STR owners "self-certify" that they are meeting the necessary requirements. With the new occupancy limits for tier 2, we now have STRs adding on to their small rentals so they can accommodate more guests. Can you honestly believe that allowing them to self-certify is going to work. What do think would happen if I tried to self-certify that my new shop was up to code in every way.?

As the Current President of the Board of Trustees of the Chiwawa Community HOA, I have been following this process from the beginning. At this point, my frustration and disbelief of where we are is not palatable. I feel the Communities

in Chelan County that keep this County alive as I said above, in good and bad times, have been thrown under the bus more than once in this process. It was not the STRs that kept a lot of the small business alive during this past year and half and it will not be the STRs that will keep it alive the next time. STRs are good for revenue, I understand that, they also bring us overcrowding, traffic, noise, garbage, trespass, increased liability, illegal fires and all of the other issues that you have heard over and over. They are all true and it is not "Just the bad ones" I challenge you to show me a list of five Chelan County residents who live next door to an STR who do not have any issues. Yes, permanent residents can cause issues also, but at least they are not new residents two or three times a week, and the odds of working out the issues are far better.

At this point I feel for the most part, my concerns and comments fall on deaf ears. I do support the RUN talking points below and in our case number 3 rings home. We live in community with a long established HOA. Our common areas, water, system, fire protection, Firewiseing, has been enabled and built over the years by all of the 300+ owners. I do not feel ,and our HOA documents do not allow one owner to benefit from what all have built. This section should be in the code.

Please do the right thing for the residents of Chelan County.

Thanks you

Mike Stanford

1. Occupancy Limits

1. **Children under 2 must be included in the occupancy count (Line 409).** Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.
2. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.

4. Planned Unit Development Exemption from Density Cap (line 203)

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

5. No More Concessions!

Finally, we urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

1. Occupancy Limits

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Wendy Lane

From: Art Alley <aalley54@ymail.com>
Sent: Sunday, June 27, 2021 9:10 PM
To: Judy Van Eyk
Cc: Dave and Arlene Lowrie; Angela Loth; Bill Lockinger; Bob Barr; CD STRComment; CDPlanning@co.chelan.wa.us; Chiwawa Communities Association; Mike Stanford; Roger Thomas; Ron Tilden; Bob Bugert; george wilson
Subject: Re: STR comment

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Wendy Lane

From: E John Agnew <ejohnagnew@gmail.com>
Sent: Sunday, June 27, 2021 8:29 PM
To: CD STRComment
Subject: STR Task Force and moving forward with code.
Attachments: STR Task Force and moving forward with code.

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

To the Commissioners:

I served on the STR task force. Our group worked for many weeks, volunteering many hours, to try to resolve major issues regarding the STR code you are now contemplating and which is way overdue.

- The explosion of STR's, particularly whole-house, non-owner occupied, throughout the county was allowed to happen even though the code very clearly did not permit commercial lodges such as these in residential zones.
- There was never any concrete evidence that STR's fulfilled any short or long term housing or economic priority needs in Chelan County.
- The vast majority are owned by non-residents. Therefore most of the economic benefits of this, arguably, illegal way to subsidize vacation properties for non-residents do not even stay in the county. The meager economic benefits that do stay (low wage service jobs and a cottage industry for property managers) are hugely overwhelmed by the costs born to residential neighborhoods, law enforcement, and public facilities (roads, water, sewer, etc.).
- The thousands of single family residences that have been removed from the housing stock in the county has made the already well documented housing crisis even worse.

Even given the overwhelming evidence of the damage being done by this unregulated industry, it has taken years to come close to addressing the problem. In fact, you found it impossible to do the job yourselves – thus the STR task force.

Well, citizens from both sides of this issue gathered, discussed, struggled and delivered to you a consensus decision as you requested. A lot of our sessions were tense, full of conflict, and not very much fun. How on earth are you coming to the conclusion that you should be taking substantial liberties in implementing these consensus recommendations? If you want the credibility of citizen task forces on tricky issues to have any integrity going forward, you need to honor the recommendations of the task force, at minimum.

Beyond the task force, however, it is time that you take a stand on who counts when it comes to residential neighborhoods in Chelan county. The people that live, work, and vote here, or outside investors and their real estate and development allies here?

The recent letter from the RUN Board outlines a number of issues. Some of them, like not counting children in occupancy which is tantamount to raising the adult occupancy of all STR's, are direct changes to the task force recommendations. But all of the issues outlined in the RUN letter share one thing in common, they have a bias towards protecting the integrity and primacy of residential zoning. We have plenty of code directed to the preservation and enhancement of our healthy and growing tourist industry. Now is the time to have a bias towards protecting our neighborhoods.

Finally, recognize that there is little to no doubt the real crisis in the county is housing, both availability and price, and there are very few tools you have in front of you to make an impact quickly. By passing this code, and ensuring that it has teeth, and the bias is protecting housing stock and neighborhoods, you have the opportunity to go into the next election cycle with two substantial wins: you protected neighborhoods and residents, and we all will see single family homes return to the housing stock.

In contrast, if you cave to the interests of outside investors, weaken the code with sneaky back doors and exceptions to health and safety, you will send a very different message. Please get the job done for those of us who live here.

Regards,

John Agnew, Upper Valley Resident
542 Dempsey Road, Leavenworth, WA 98826
Member of STR Task Force.

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Sent: Sunday, June 27, 2021 8:16 PM
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All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

5. No More Concessions!

Finally, we urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

1. Occupancy Limits

3. **Children under 2 must be included in the occupancy count (Line 409)**. Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.
4. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

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www.avast.com

Wendy Lane

From: Mike Stanford <stanford@nwi.net>

Sent: Sunday, June 27, 2021 7:31 PM
To: Bob Bugert; CDPlanning@co. chelan. wa. us; CD STRComment
Cc: george wilson; Angela Loth; Art Alley; Bill Lockinger; Bob Barr; Chiwawa Communities Association; Dave Lowrie; judy V ; Roger Thomas; Ron Tilden
Subject: [CD Planning]STR comment

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

Hello:

My name is Mike Stanford. I live at 2393 Kinnikinnick DR Leavenworth WA 98826. Chiwawa River Pines. I have lived, worked, raised a family, paid taxes, supported local businesses during good and bad times and volunteered thousands of hours to help make my neighborhood a neighborhood for 40+ years.

I settled in an RW zoned area specifically because it was an RW (Rural Waterfront) area where no commercial businesses would be operated and where families would settle and grow with my young family.

As I write this comment this hot Sunday afternoon, we are dealing with an STR owner not only running a rental, but also now running a tubing service on the Wenatchee river from community owned property within our association. Not only not allowed, but a huge liability that one STR owner has no right to impose on the other 300 owners.

https://www.airbnb.com/experiences/1964051

We currently have 40+ STR operations in Chiwawa River Pines. That puts us at 14.5 %. A far cry from the 6% goal of the code. With most of these being grandfathered in and being able to transfer for five years, the issues, of which you have heard before, will not soon be diminished. I actually do not see our "neighborhood" ever reaching the 6% goal of the code. One reason being the section that allows the director, at his discretion to allow the STR

owners "self-certify" that they are meeting the necessary requirements. With the new occupancy limits for tier 2, we now have STRs adding on to their small rentals so they can accommodate more guests. Can you honestly believe that allowing them to self-certify is going to work. What do think would happen if I tried to self-certify that my new shop was up to code in every way.?

As the Current President of the Board of Trustees of the Chiwawa Community HOA, I have been following this process from the beginning. At this point, my frustration and disbelief of where we are is not palatable. I feel the Communities in Chelan County that keep this County alive as I said above, in good and bad times, have been thrown under the bus more than once in this process. It was not the STRs that kept a lot of the small business alive during this past year and half and it will not be the STRs that will keep it alive the next time. STRs are good for revenue, I understand that, they also bring us overcrowding, traffic, noise, garbage, trespass, increased liability, illegal fires and all of the other issues that you have heard over and over. They are all true and it is not "Just the bad ones" I challenge you to show me a list of five Chelan County residents who live next door to an STR who do not have any issues. Yes, permanent residents can cause issues also, but at least they are not new residents two or three times a week, and the odds of working out the issues are far better.

At this point I feel for the most part, my concerns and comments fall on deaf ears. I do support the RUN talking points below and in our case number 3 rings home. We live in community with a long established HOA. Our common areas, water, system, fire protection, Firewiseing, has been enabled and built over the years by all of the 300+ owners. I do not feel ,and our HOA documents do not allow one owner to benefit from what all have built. This section should be in the code.

Please do the right thing for the residents of Chelan County.

Thanks you

Mike Stanford

1. Occupancy Limits

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Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Sunday, June 27, 2021 6:37 PM
To: CD STRComment
Subject: Why I (and others) won't testify at the hearing on June 29th

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

Dear Commissioners,

Over the last 2 years I have testified multiple times at BOCC or Planning Commission hearings. I won't be there on Tuesday. I have a board meeting from 9am-1pm that day.

I also heard two other reasons from someone else who won't be testifying. They said,
1) "I have already testified and I have already written comment letters about STR's. I don't have unlimited free time to keep doing this over and over.
2) If the Commissioners are paying attention, they already know that many more Chelan County residents - people who actually make their home here - want STR's either prohibited in residential areas or very limited in number and tightly regulated. But it doesn't appear that they are paying attention to this. I don't think my commenting one more time will make a difference."

My reason for not being there and the other person's first reason illustrate one of the many frustrating things about this process - having a long, drawn out process with multiple hearings favors special interests such as STR owners. They have a significant financial stake in the issue so they will put in endless hours. Citizens who are just trying to make a better community, the kind of people you ought to value, tend to have other things to do and can't repeatedly find time to testify. If there were just one hearing in this process, the attendees would be overwhelmingly pro-neighborhood. But now that it has become a marathon, my guess is the percentage of STR owners will be higher, and many of them are not even Chelan County residents.

If that turns out to be the case, it is a reflection of your process, not a reflection of how the people who actually live here feel about this issue.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road
Leavenworth WA 98826

Wendy Lane

From: Sandy <sjd2944@comcast.net>
Sent: Sunday, June 27, 2021 6:06 PM
To: CD STRComment
Subject: Short Term Rentals

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

Commissioners:
It is becoming apparent that none of you have ever lived next to or near a short-term rental and felt the impact of its presence on your neighborhood, home and personal privacy. If you had, you would understand the stance many of us have taken against such rentals within our neighborhoods and communities.

Statistics clearly show that most of these homes are owned by individuals not living in Chelan County. Hence there is NO personal attachment to their STR home or the neighbors who live nearby. It's all about the mighty buck—that's all.

Many a time my husband and I have endured noise until 10:30pm or beyond. The cursing and loud music is over the top. Often times the "renters" are inebriated. Some have taken their clothes off. It is not uncommon to have 15 people in one house! Not to mention the pets that come and are off-leash, running into your yard and relieving themselves.

It does no good to contact owners or rental management companies. They apologize and say they will "try to handle it." This may or may not happen. Rest assured, the next group of renters doesn't care nor do the owners. All that matters is making money.

My community is a single-family home development—not ommercial property designation.
The issues brought forth by RUN are important—support our neighborhoods by keeping them out of commercial real estate STR.

Sandy Duvall
Roses Lake Estates
140 Roses Lake Lane
Manson, WA

Sent from my iPhone

Wendy Lane

From: Nicole & Greg Underwood <cautorwa@gmail.com>
Sent: Sunday, June 27, 2021 4:47 PM
To: CD STRComment
Subject: STR - Grandfathering Concerns

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

To whom it may concern,

We are writing to you for your consideration of our situation about Short Term Rental (STR) grandfathering. We hope you will listen to our story and consider incorporating us into the updated grandfathering clause of the STR codes currently under consideration. We are part of the group known as "FIG" (fairness in grandfathering). We joined this group as an opportunity for our story to be heard.

In July 2020, we began looking for a property to own and use for our family while also renting out as a STR. We found a great local realtor and walked him through our desire to find a second home that we could use and STR. He recommended several local property management firms, whom we contacted and discussed pricing and options even before we found a home. On August 10, 2020, we offered on a beautiful cabin in Plain and we had a purchase and sale agreement with the sellers on August 15, 2020 (dated August 14, 2020). However due to Covid we weren't able to formally take possession of the home until October. This was due to delays in home inspection process and the appraisal. Despite paying for expedited service it took more than a month to get an appraisal completed on the property. During this time, the moratorium was enacted. We believed at the time that if we were able to show previous STR history on the property we might be able to eventually rent the cabin out. We worked with the sellers, incorporating into the final agreement they transfer the previous account history to us when we took possession of the home. However, we were disappointed to learn from the current versions of the code our previous rental history will not help us gain grandfathering.

Our family loves the cabin and the location. We have become friends with our next door neighbors and love the community. People in the Leavenworth and Wenatchee areas are friendly and we love talking to them and discovering new things in the community. We spend at least a week every month since purchasing (several weeks in some months) at the cabin. We have spent $10s of thousands of dollars with local handymen, furniture dealers, hardware stores (Plain & Marson & Marson), and custom shed builders. We are proud of our contributions to the Chelan County area. Unfortunately, our family cannot live here fulltime and we hate to have this amazing location not utilized 75% of the year. Not being able to STR out the home for a few weekends a month puts our ability to continue to have this home in jeopardy.

If we end up selling, we will be selling at a loss. This is unfortunate, as we made decisions and offered prior to the moratorium. If this information was available to us prior to the offer, we would not have moved forward. We implore you to take our situation, along with other FIG owners into consideration.

Respectfully,

Greg & Nicole Underwood

21515 Camp 12 Rd, Leavenworth WA

Wendy Lane

From: Gloria Brady <gbrady6448@aol.com>
Sent: Sunday, June 27, 2021 3:24 PM
To: CD STRComment
Subject: Short Term Rentals

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

To the Chelan County Commissioners and Board:

How many of you live in a neighborhood with Short Term Rentals as neighbors? I think you should make that information public before giving your decision allowing Short Term Rentals in Rural Residential, Residential, and those Neighborhoods out of the city limits. I am sure if you had to deal with their impact on your everyday life you would not be so willing to capitulate to their every demand or suggestion.

I have listened to the Workshop Meetings and do not believe that you have given much consideration for the full time residents of these areas. We do not live in Commercial areas for a reason. We wanted a peaceful and safe environment to reside in. Children should not be exempt from the occupancy count, they are people too. If you have an infant they need to be with their family, but that does not mean you can exempt older children. They are still bodies and will be occupants of the Short Term Rentals. Occupancy should be strictly enforced to protect the Residents from the traffic and noise of too many people in one Short Term Rental. What if others set up tents and/or RV's on the property? Shouldn't they be counted as occupying the Short Term Rental also?

The amount of noise the renters can produce is amazing. Sometimes it can be heard as far away as half a mile. This is not acceptable and needs stronger controls.

Some of the Short Term Rentals share wells, and septic systems with others, or they bought a residence and then turned it into an Short Term Rental and do not have the well or septic capacity to meet code. Who is gong to protect the neighbors of those not in compliance. Most do not supply garbage disposal and that means that people take advantage of the bins that residents pay for.

Stop making concessions for the Short Term Rental owners. Their existence the past few years have affected the lives, damage to property and property taxes of residents adversely while they live out of the area and bank their profits. Short Term Rental owners do not have live in Chelan County and therefore are not the voters who put you in office. Remember that because most if not all of you vowed to protect, serve and represent the best interests of the residents. You can be voted out of office just as easily for not protecting and serving the people who voted you in.

When this problem was first under discussion you, the Commissioners said you would represent the residents of your counties. I feel that you have defrauded your voters. You have spent over a year capitulating to every suggestion or demand made by the Short Term Rental owners or their representatives. Put yourselves in the shoes of Full time Residents they will be the ones having to live with your decisions. Serve and represent the Best Interests of your County neighbors as you swore to do when running for the office. As a 72 year old widow I am hopeful you will do the right thing for those of us who can't pay for representation and must depend on are elected officials.

Sincerely,

Gloria J. Brady
15885 River Road
Leavenworth, WA 98826
(509) 433-1903

Wendy Lane

From: dk_chapman@hotmail.com
Sent: Sunday, June 27, 2021 3:05 PM
To: CD STRComment
Subject: Short Term Rental Code

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

Dear Chelan County Commissioners,

I am a Manson resident and am concerned about the decline in the quality of life of the residents here due to the huge numbers of STRs in residential neighborhoods and the problems they create for locals. I have been following the workshops and discussions regarding creation of STR regulations and want to express some concerns regarding the latest draft.

Sent from my iPhone

Wendy Lane

From: khalupka@frontier.com
Sent: Sunday, June 27, 2021 2:21 PM
To: CD STRComment
Cc: khalupka
Subject: STR comments from Chelan County resident - July 2021

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

Dear Chelan County Commissioners,

Please consider these STR comments from a long term Chelan County home owner:

1. Occupancy Limits

1. **Children under 2 must be included in the occupancy count (Line 409).** Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.
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5. No More Concessions Please:

Finally, we urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

Thank-you for all of your hard work on this issue and for considering my comments.

Jackie Dawson
8856 Eagle Creek Rd
Leavenworth, WA 98826
548-5006

Wendy Lane

From: DAVE SATERFIELD <davesfield@comcast.net>
Sent: Sunday, June 27, 2021 1:10 PM
To: CD STRComment
Subject: STR comments

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

Hello,

We have been long term residents on Lake Wenacthee for many years and our lives have been disrupted buy the noise and trespassing of STR occupants recently.

We would like to remind the county commissioners that they were voted in by local residents and not by out of county STR owners. It is your responsibility to do what is best for the majority of county residents. Local residents voices should be given higher consideration than commercial lodging owners.

Line 409- Children under two years of age are people too, so should not be exempt from STR occupancy counts.

Line 424- STR's should not be allowed to exceed daytime occupancy unless the unit has direct access to a highway and is on a parcel 5 acres or larger.

Line 470- Amplified music or any loudspeaker device should not be allowed outside of an STR. The neighbors should not have to tolerate the disruption of peace and quiet while trying to enjoy their property.

Shared driveways, water systems, and septic systems. STR's need to be required to get written permission from residents with whom they share these resources.

Thank you for your consideration and please do the right thing for local residents who have endured enough disruption from commercial lodging businesses in their neighborhood.

Sincerely,

David and Molly Satterfield
15956 Cedar Brae

Wendy Lane

From: innkeeper@cashmeremountainbandb.com
Sent: Sunday, June 27, 2021 11:51 AM
To: CD STRComment
Subject: STR Code

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

Dear County Commissioners,

I am in receipt of the latest short term rental draft code.

My first question is why would you appoint a Short Term Rental Task Force that came up with an agreed code then rehash it all trying to grant more concessions than what was agreed upon by both parties?!

My husband and I own Cashmere Mountain Bed & Breakfast on Suncrest Drive off North Rd. We have owned the property since 2003 and built the B & B in 2007. We are on 2.5 acres. It was such a dream to move from Mill Creek WA to a place where we could go outside and listen all sorts of wildlife, have views of the mountains and beautiful pear orchards below advertising to quests we were at the end of the road and it was peaceful and quiet here.

The property next door to us on 2.5 acres sold 6 years ago and was immediately turned into an absentee owner vacation rental with an owner (Jill Rockwell) that could care less about the community and her neighbors. She also owns Red Roof Lodge. We endured day and night parties that completely turned what we had here upside down. Our own guests talked about the noise often. For six years, we couldn't go out on our own deck and enjoy an evening meal. Even though we were both on 2.5 acres, she created a patio only 100 feet away. We had to wait until 10:00 p.m. to make calls to RiverCom. Fortunately, she sold to a normal family last October and we still can't believe our great fortune. It is back to being quiet and our guests can once again enjoy the peace and quiet we advertised.

There should be no exception to exceeding daytime limits period.

Chapter 7.35 noise control ordinance is too general. We called RiverCom numerous times over a 6 year period. They would come to the end of Suncrest Drive and listen to see if the noise was loud enough. Well, the party house was hundreds of yards up the hillside and the noise was on the backside of the house, not on the frontside where the officers were listening all the way downhill. We had weddings, karaoke parties, etc. You name it!

We have a shared well with the property next door. Because of the occupancy limits, the well was run down to only 5 gallons per minute for two homes on of which permitted up to 21 people to stay and of course at times that wasn't enough, so people would pitch tents in the backyard. We anticipated this, so we put in our own well.

We need to get this cap to 6%, so we do not agree with current STR's being able to sell their property for STR use one more time until the density cap is at 6%.

Rochelle Shugrue
Innkeeper, Cashmere Mountain Bed & Breakfast

10300 Suncrest Drive
Leavenworth, WA 09926
509-548-2382
http://www.cashmeremountainbandb.com
https://www.facebook.com/pages/Cashmere-Mountain-Bed-Breakfast/160423974019515

Wendy Lane

From: Kirvil Skinnarland <runofchelancnty@gmail.com>
Sent: Sunday, June 27, 2021 11:43 AM
To: CD STRComment
Cc: Jim Brown; Lisa Grueter
Subject: RUN--Residents United for Neighbors comment letter

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

Dear Commissioners,

As you will undoubtedly hear in the upcoming public hearing, residents are weary, angry, and frustrated over the length of time it has taken to get to the point of adopting a STR code. We are worn out with submitting comment after comment asking that people who live and work here be given priority over the interests of mostly out-of-county investors exploiting an opportunity that has been created by inaction of the County Commissioners for close to a decade. The bottom line is that commercial lodging facilities are not currently allowed in residential zones except in Manson. We now have close to 2000 of these STRs, with the vast majority of them being illegal.

RUN has provided you with evidence from credible studies done throughout the United States on the negative impacts of short term rentals in residential zones. And we have provided you with specific data documenting the negative impacts in Chelan County.

The goals and policies of the Comprehensive Plan, which this ordinance is required to implement, are clear about the requirement to protect housing availability for all economic sectors and to protect neighborhoods from incompatible uses. Yet, discussion of these policies and goals has been absent from the debate.

Here are the changes we are requesting on the behalf of residents and businesses throughout the county:

1. Occupancy Limits

A. **Children under 2** must be included in the occupancy count (Line 409). Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in all STRs. This significant of a change should not be made at this late stage after all prior December BOCC drafts of the ordinance counted everyone, including children.

The STR representatives did not ask for children under 2 to be exempted during the Task Force negotiations. The resident members of the Task Force gave up protections for RV, RRR, and RW in order to gain lower occupancies. It is simply unfair for the BOCC not to abide by the Task Force agreement on occupancy.

B. **Provisions to Exceed Daytime Occupancy (Line 424)** - It is not clear if this text would allow nighttime occupancy limits to exceed those provided in (3)(B)(ii)(a) if a CUP for a Place of Public and Private Assembly is obtained. This section should just reiterate that the nighttime occupancy limits in (3)(B)(ii)(a) cannot in any circumstance be exceeded.

Section 11.93.315 (see Line 830) needs to be amended to state that "Existing nonconforming and new STRs should not be allowed to exceed specified daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning." Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

Requirement for Highway Access (line 435): The language needs to be modified to require highway access for nonconforming as well as new STRs.

C. **Requirement to be in Compliance with Building Permit (Line 404):** Please add the requirement that the number of bedrooms must not exceed the number in the approved building permit as well as the septic permit. This needs to be spelled out because many STRs have added bedrooms illegally (without permits).

2. Noise (line 470) – We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Other communities have done this. Please add the following language either to the STR Code or to the Noise Section (7.35) of the County Code:

In addition to the noise standards identified in chapter 7.35 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure – All STR owners who share wells/springs, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County require STR owners to obtain permission from others who share water sources and access. We have given you specific language to be added to Section 3 of the STR Ordinance. This language was drafted by an attorney.

4. Planned Unit Development Exemption from Density Cap (line 203) – All **future** Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rental included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative for developers but the County must not throw away the opportunity to gain needed affordable housing. Only STRs in the Master Planned Resorts Overlay District should be excluded from the density cap of 6%.

The need for housing is not just an issue for residents. You have received two letters (one in 2019 and one in 2020) signed by approximately 30 local businesses in 98826 (including the hospital and the school district) asking you to address the housing crisis. Local employers (including tourist oriented businesses) cannot find and keep employees due to the lack of affordable housing.

PUDs are not required to have any minimum lot size so we may see many such proposals in the coming years. Finally, excluding PUDs from the density standard is in direct conflict with Housing Element policy 2.4.

5. Timeline to Meet Occupancy Standards (see line 407 subsection a): This sentence-- "All short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period. "—needs to be moved so it is clear that all occupancy standards including 2 per bedroom as well as the caps for each Tier need to be

met immediately. The current placement of this sentence leads to confusion. For example, a 3 bedroom STR (by septic system requirements) could host 24 guests at 8 guests per bedroom for a year following the passing of the code. This renders pointless the septic bedroom limit provision and caps on occupancy for each Tier to the detriment of the health and safety of neighbors and the environment.

6. Calculation of Density Caps (Line 205): The following sentence needs to be added to part e: "*However, in no case shall the percentage of STRs in any zip code exceed six percent as described in subsections (a) through (d) of this section.*"

It needs to be clear that the zip code cap of 6% is applicable at all locations. For example, if a UGA in a given zip code is below 6%, it cannot add new STRs if the entire zip code is still over 6%. This is described explicitly for the subareas within the 98826 zip code, but is equally applicable in all zip codes. Zip codes constitute entire housing markets; subareas and UGAs do not.

7. Health and Safety Standards (Line 275 Subsection Ei(c)): "All health and safety standards" need to be specifically listed or there will be ambiguity. We suggest Occupancy (Section 3 B), Garbage (Section 3D), Noise (Section 3E), Consumer Safety (Section 3H), Fire Safety and Outdoor Burning (Section 3I), and Property Management Plan (Section 3K). It should also be clarified that the provision to allow one year to come into compliance with the other standards, including parking, does not entitle an owner to violate any provision of existing zoning code. The requirements for a Qualified Person and Signage should be in effect within 6 months of the adoption of the ordinance.

Finally, we urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. From our extensive reading, analysis, and documentation, it's clear that conversion of homes in residential neighborhoods to commercial lodging causes harm to communities. The negatives range from inflated housing prices, increased property taxes, nuisance issues, lack of workers for local businesses, and a general decline in the social fabric of our community. And, the economic benefits of STRs are limited as has been documented repeatedly by credible studies which RUN has shared with you. Please protect residential neighborhoods and communities and follow the goals and policies of the Comprehensive Plan.

Sincerely,

Board, Residents United for Neighbors

Jerry Jennings, Matthew Carlisle, Plain; George Wilson, Lake Wenatchee; Cherie Warren, Eagle Creek; Steve Stroud, Fox Rd; Kirvil Skinnarland, Bruce Williams, Pat Thirlby, Barbara Rossing, Mara Bohman, Bob Fallon, Leavenworth; Stan Winters, Peshastin; Mike Cochran, Chelan; Brian Patterson, Manson

Wendy Lane

From: Sarah Cushing <slcushing@msn.com>
Sent: Sunday, June 27, 2021 11:34 AM
To: CD STRComment
Subject: FW: STR Code

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

From: Sarah Cushing
Sent: Sunday, June 27, 2021 11:28 AM
To: kevin.overbay@co.chelan.wa.us; bob.bugert@co.chelan.wa.us; tiffany.gering@co.chelan.wa.us
Cc: cd.strcomment@co.chelan.wa.us.; jim.brown@co.chelan.wa.us
Subject: STR Code

Commissioner Bugert, Commissioner Overbay, Commissioner Gering
Jim Brown

What more can I add? It's been said eloquently by so many of the "residents of Chelan County"; the voters, the supporters of the communities, the volunteers, the supporters and voters of the levy's for the schools, fire, and hospitals. Yet those elected show a bias favoring owners of "short term rentals", people who for the most part don't live in the county, people who are eroding our neighborhoods. Do these out of towners have more money and the Commissioners fear legal action? Gering has a strong bias favoring "tourists" with her "other job" the Chelan Chamber of Commerce. She was elected with the dollars from the Vacation Rental companies. She has a HUGE conflict of interest and should not be partaking in these decisions.

The residents who were appointed to serve on the County's Short Term Rental Task Force agreed to accept grandfathering of most existing short term rentals despite the fact that they are all clearly illegal under the existing zoning code. They made this major concession in order to gain more protection for residential neighborhoods both now and for the long term. It is unacceptable for more concessions to be granted to STR owners—90% of whom do not live in Chelan County.

I am asking and hope that our Commissioners will do the right thing. No one is going to be a winner after all these years of trying to get the Commissioners to support and protect the residents of the county.

STR White Paper: https://residentsunitedforneighbors.com/uncovering-the-negative-effects-of-strs-on-communities/

ONE VOTER RESIDENT OF CHELAN COUNTY: "Despite the fact that both R.U.N. and STRACC have pledged to support their hard work in which both sides made significant concessions. The County Commissioners showed excellent judgment in selecting a quality task force. Now, **one** Commissioner appears to be sabotaging the task force at every turn. I would guess she is playing on the desires of the other two commissioners to have a unanimous vote. However, Commissioner Gering is showing her cards as being in the pocket of STRACC. It is clear Commissioner Gering is functioning as a **representative** of STRACC so that STRACC can appear to support the work of the task force. She is not function in good faith. Commissioners Bugert and Overbay, I hope you

recognize your good intentions are being played by Gering. In essence, she is saying, 'You want a unanimous vote? This is my price. Rewrite the task force's report.' "

ONE VOTER RESIDENT OF CHELAN COUNTY: I am outraged that you are unilaterally increasing STR occupancy limits to exclude children, throwing the entire Taskforce consensus in jeopardy. Please go back to the Taskforce-agreed occupancy limits. Children are people, and they must count as people-- as agreed by both sides on the Taskforce.

Each side had to make painful compromises in order to forge the delicate taskforce compromise. Each side voted to support the final outcome. Most remarkably, the boards of the Short Term Rental Alliance of Chelan County (STRACC) and Residents United for Neighbors (RUN) both voted to support the taskforce outcome. Perhaps you do not realize how remarkable and fragile this level of agreement is?

Yet Commissioner Tiffany Gering is now throwing the Taskforce's hard-fought consensus under the bus, undermining occupancy limits and more. We residents are very distressed at the ways you are eroding the Code in favor of the STR industry, betraying residents.

Gering needs to honor the County's official taskforce consensus. So do Commissioners Bugert and Overbay. Residents and neighbors compromised in agreeing to allow all existing absentee-owner STRs to be "grandfathered" to continue to operate in rural residential zones. This was a difficult concession, especially in Rural Waterfront zones where a 30-foot lot separation may mean living right next door to a large STR with up to 12 new occupants each week, in perpetuity. Long-time residents on Lake Wenatchee are understandably heart-broken at the increase in noise, traffic, garbage, trespassing, and loss of peaceful enjoyment of their property.

In return, the STR industry representatives had to agree to minimum standards for all STRs in residential zones regarding occupancy limits, parking, and safety. No more than 2 guests are permitted per bedroom, and the number of bedrooms advertised must not exceed what is permitted on the Health District's septic permit. The maximum occupancy they all agreed is 12 persons for absentee-owner STRs in residential zones; children are included in the count. For STRs on major highways occupancy limits are 16.

This is a fair compromise. Commissioner Gering should not undermine it.

In places where there is a sewage system rather than septic system, such as Lake Wenatchee, where there are not septic permits, then the number of legal bedrooms needs to be that specified on the building permit issued by Chelan County. Garages and other spaces illegally converted into "bedrooms"-- but not designated as bedrooms on the building permit-- must not be allowed to be advertised as bedrooms.

Please honor the taskforce consensus, without any modification to originally-agreed occupancy limits."

A STR COURT DECISION ON THE DEFINITION OF STR: "The Court rejected the argument that short-term rentals were a permissible primary use as a "one-family detached house," calling it "fundamentally flawed" for failing to **"recognize that the short-term rental use of a home is inconsistent with the zoning purpose of the single-residence zoning district in which it is situated, i.e., to preserve the residential character of the neighborhood."**

Here are the main flaws that have been identified with this final draft of the ordinance:

1. Occupancy Limits

1. **Children under 2 must be included in the occupancy count (Line 409).** Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and

adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.

2. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and it will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.

4. Planned Unit Development Exemption from Density Cap (line 203)

All **future** Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

5. No More Concessions!

Finally, we urge the Board of County Commissioners to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

After years of delays, lawsuits, and an expensive taskforce, agreement was finally forged between the short-term rental industry and residents of rural neighborhoods on what should be in a new county regulation. Each side had to make painful compromises. Each side agreed to support the final outcome, as did the boards of the Short Term Rental Alliance of Chelan County (STRACC) and Residents United for Neighbors (RUN).

Yet, Commissioner Tiffany **Gering is now throwing their hard-fought consensus under the bus, undermining occupancy limits and more**.

Gering needs to honor the County's official taskforce consensus. So do Commissioners Bob Bugert and Kevin Overbay.

Children are people. As agreed by the taskforce consensus, all children must count in occupancy limits.

Residents and neighbors compromised in agreeing to allow all existing absentee-owner short term rentals (STRs) to be grandfathered and continue to operate in rural residential zones. This was a difficult concession, especially in Rural Waterfront zones where a 30-foot lot separation may mean living right next door to a large STR with up to 12 new occupants each week, in perpetuity. Long-time residents on Lake Wenatchee are understandably heart-broken at the increase in noise, traffic, garbage, trespassing, and loss of peaceful enjoyment of their property.

In return, the STR industry representatives had to agree to minimum standards for all STRs in residential zones regarding occupancy limits, parking and safety. A maximum of two guests are permitted per bedroom, and the number of bedrooms advertised must not exceed what is permitted on the Health District's septic permit and building permit. The agreed maximum occupancy is 12 persons for absentee-owner STRs in residential zones; children are included in the count. For STRs on major highways, occupancy limits are 16.

This is a fair compromise. Commissioner Gering should not undermine it.

Her proposal to raise occupancy limits by not counting young children conflicts not only with the taskforce consensus, it is also conflicts with the Chelan-Douglas Health District septic calculations, which count every person regardless of age. In places where there is a sewer system rather than septic system such as Lake Wenatchee, the number of bedrooms must be limited to bedrooms specified on the building permit. Many STRs have added bedrooms illegally. Garages, nooks, and other spaces illegally converted into so-called bedrooms must not be allowed to be advertised as STR bedrooms.

Enforcement will be key to the new code — with strict penalties for owners who violate the terms of their permit. Effective enforcement necessitates occupancy limits that can be verified against official septic permits and building permits.

Sarah Cushing
Manson WA

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Sunday, June 27, 2021 8:01 AM
To: CD STRComment
Subject: STR policy

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

With the policies being discussed and the threat of limiting STR's I can't help but wonder who the policy makers are trying to please.

If you look at the big picture....first of all....is anyone on the board currently or ever been a landlord....either STR or long term...ever?

I have been a land lord for over 40 years, not in this area but I do have some experience. As the "rules" get laid out with little regard for the "common" people in mind I have to shine a light on the big picture since no one else seems to get it.

When you limit STR's you are essentially saying, " we want only rich people living here that have the means to pay whatever taxes and fees we dream up". With these types of policy....you are cutting out the "common" blue collar worker. The $40K a year school teacher or the normal office worker. You are saying that if you can't afford it with the taxes then sell it because we only want someone that can pay big bucks to live there. You are denying a huge portion of the working population an opportunity to enjoy the area and the lake.

With these policies, your unintended consequences are driving the modest means out and pandering for the rich. Many people have purchased their property with the understanding or express right to rent it. In many cases with the need to do this in order to make ends meet. When an owner is not living in their house....who do you think is staying there? In most cases it is NOT the guy making over $300K a year!! It is the person of modest means enjoying a get away and the area.

When this opportunity goes away because of "policy" many may have to sell. Now who do you think will have to purchase these homes? It will not be someone who can't afford a million dollar home with $9 -12K per year taxes!

You are actually progressing towards the exact thing that you are trying to avoid!! A rich only area with no access to the water or area except those that have well above average means. You are driving the area to another Tahoe California....high prices, taxes and no help can afford to live in the area.

STR's provide the opportunity for moderate income families to enjoy a few days away and enjoy life that they may only dream of! How many times has anyone on the board rented a STR anywhere in the country? But yet....they are making the policies?? What's wrong with this picture?? STR's provide many services to the Eco structure of society and community living including money for the economy in the area.

When I hear the terms that we need to "save our neighborhoods"....what does that even mean?? Save them from what? and WHY? The "neighborhoods" with the STR's IS the neighborhood!! It is the ever evolving way of life. The views or access to the lake should NEVER be out of reach for everyone....but policy would tell you a very different story.

I also have to say.....look at the facts! When a home is rented...what are the average number of days a year? I know of one that was 111 days. It had 4 complaints of which 2 were legitimate. If this home were not rented...what are the chances of a neighbor complaining on a bad neighbor anyway? Do you think the chances of someone doing something to irritate a neighbor would happen 2 or 3 times a year anyway?

And even if we look at the number of complaints....how many did the owner or property manager get called first? How many were from people not knowing one of the numerous "rules"? I would bet that suddenly that number drops way down. You have to look at the metrics and not just the "number" of issues. These knee jerk reactions and overly oppressive "rules" need to be analyzed for enforcement, legality and intended outcome before jumping off the bridge.

Let's work together on this subject and not let a panel with no experience guide the long term direction to a community that no one likes or wants.
Phil Tracey

Wendy Lane

From: Mary Pat Barton <marypat.barton@gmail.com>
Sent: Sunday, June 27, 2021 6:58 AM
To: CD STRComment
Subject: STR CODES - Chelan county resident

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

Dear Chelan County Personnel and Commissioners - Thank You so much for working tirelessly on this Short Term Rental Code in our Residential Zones! I I have been listening to both sides of residential and business needs ! I have been doing investigated research thru both county and state codes for Business licenses and citizen safety protections that are guaranteed. I have been attending meetings , and participating in this updating County code writing process since the beginning and also very involved when the city of Leavenworth was updating their codes too!
The STR task force seemed to work as it was intended - meeting each groups fundamental needs but also having some give and take over the hot points!
So now while I was listening in to the dialogue between the 3 commissioners and the development team = for BETTER clarity of different lines - IT SEEMS THAT one commissioner = (Gering)is purposely trying to rewrite the code against the STR TASK FORCE recommendations?
OCCUPANCY- every human being counts! No exceptions should be considered!
When saying children under 2 should not be counted! It is going against many Fire codes and health codes that were established to protect every living being - Transient Renters are not familiar with the properties, or the communities that they are visiting and that alone brings confusion and dangers when a crisis presents itself suddenly !!! That little person needs to be protected and valued!
When I was a Licensed Washington state and Chelan County - Family Daycare Provider - the health and safety codes - every BODY- counted!
SIGNAGE - Every Commercial Business needs to Have Their Visible name sign and their numbered address CLEARLY VISIBLE from the road that they are on !
Sorry that some STR owners feel that this says "come rob me"= that is not a concern of the residential neighbors or should the private protection that they want be a concern of the county .
I can give you A great example of how Necessary it is to have their Clear Addresses and their business Name Signage Visible from the roadways! It just so happened to myself and my neighbor on a Friday night of mid June 2021. My neighbor's intruder alarms went off @ 10:45 pm as she was crawling off to sleep- she flies down her stairs with her personnel protection (loaded handgun) to check her cameras and see a strange young man moving about on her front porch with his cell phone flash light looking all around - moving her potted plants , etc... so she puts down the protection device - opens the door and startles the Intruder - starts screaming at him As he runs off saying @ " I was looking for 517 ,,,,?"
She messaged me the next morning to see if I knew anything ? At that time I did not but after checking my cameras- low and behold that same young TRANSIENT Man was in my yard and all over my front porch LOOKING FOR SOMETHING not 3 minutes before he went onto her porch - also my cameras picked up the headlights of a running parked car in the middle of our street at the same time! Totally freaked out my family now! Who and what was this Intruder doing on our properties?
So a couple of days ago I happened to be calling our City of Leavenworth's STR enforcement hotline to turn in a suspected violation and the address turned out to be a residential home at. 517 BURKE Ave = just around the corner! No business signage visible and the Airbnb doesn't give the address either until you pay- so this commercial business owner doesn't care about her clients safety or the residential neighbors safety either! HER BUSINESS Totally compromised my family's safety and her clients' as well?
Visible signage is so so Important for firefighters, emergency personnel and even Sheriffs for the Critical time saving component of the needed response !
Thanks again for all this attention to details and through checking of building codes that so many STR owners have been ignoring for Years! And or purposely disregarded for their own commercial gains.

I probably won't be able to give verbal testimony this 6/29 since a family emergency has taken me out of state = so that is why I felt that this long letter was needed.
Thanks again for using the WA State's Dept of Revenue code for determining businesses licenses!
Mary Pat Barton.
611 Cedar St.
Leavenworth, Wa. 98826
509-590-6300
Sent from my iPad

Wendy Lane

From: David Chalmers <davidbchalmers@gmail.com>
Sent: Sunday, June 27, 2021 2:41 AM
To: CD STRComment
Subject: Please enact flexible and job-creating STR regulations for the ultimate benefit of all Chelan County residents

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

Dear Chelan County Commissioners,

Thank you for soliciting input from Chelan County residents before promulgating consequential short-term rental (STR) regulations.

I write to encourage you to enact flexible regulations that create ample space for existing and new STRs to continue to contribute to Chelan County's economy and create jobs, especially within rural and recreational areas.

Many families - mine included - bought our homes in Chelan County with the expectation that we could rent our houses on a short-term basis when we are away. In my family's case, we recently bought a home in Ponderosa Pines, shortly after the current moratorium went into effect. My wife and I are Foreign Service Officers. Our jobs serving our country require us to be abroad for much of the year. Our financial calculus rested heavily on the expectation that we would be able to rent our residence when we are away, to the extent that we very nearly backed away from buying when the moratorium went into effect shortly before we were due to close. In the end, we went ahead with the purchase based on the hope and expectation that the County would in the end adopt a pragmatic, balanced approach to rental regulations - one that is flexible enough to accomodate the STR interests and plans of the many Chelan County families in a similar position to us.

We intend to retire to Ponderosa Pines full-time as soon as we can. For the time being, however, renting the house as an STR is the only viable way for us to make the math work while maintaining our ability to live in the residence, and contribute to the local economy, whenever we are in the U.S. There are surely many other part-time county residents in broadly similar situations.

Ponderosa Pines is a welcoming community with a mix of full time residents and, especially in the summer, vacationers. From what we've seen, these vacationers generally are thrilled to be in such a beautiful place. With very few exceptions, they treat the area with the respect it deserves. They bring excitement, energy and a significant economic contribution to the region via touristic activities and the property services that go along with STRs. Flexible STR regulations would maintain this vibrant mix.

In addition, flexible and balanced regulations would be aligned to the spirits of freedom and entrepreneurism that have fueled tremendous growth and opportunity in Chelan County in recent decades, despite the consequences of a declining logging industry and reduced rail traffic. By any measure, the County's growth and job creation in recent years has been fueled in significant part by tourism - and the STR industry has played an important role in that growth. The obvious entrepreneurial energy in Chelan county, fueled by private enterprises of many sorts, was a big part of what attracted us to this area in the first place.

Even more fundamentally, property ownership ought to in my view carry with it certain fundamental freedoms, including the right to rent one's property if one so desires, so long as critical health and safety precautions are met.

I would like to emphasize that I am in no way opposed to common-sense regulations per se. An overall housing shortage, increasing property prices and rising property taxes are real challenges for many families. A few rentals are poorly managed, at times leading to unacceptable noise or occupancy violations. These problems must be addressed.

I strongly believe, however, that the solution ought not to be a county-wide, one-size-fits-few set of regulations that would inevitably stifle free enterprise, reduce needed economic growth and trample on property rights in legally questionable ways.

Instead, I strongly encourage the County to consider a more carefully tailored, balanced and pragmatic set of regulations that address the real problem at hand: a few bad apples in the rental market that create nuisances for neighbors and the communities in which they reside. This problem can be addressed through tailored regulations that impose real consequences for derelict STR owners. The overall affordable housing crisis in my view best be addressed through density reforms and urban-oriented affordable housing policies that create appropriate housing solutions for the county's exceptionally hard-working work force. Fundamentally what's needed is more housing overall, a challenge that STR regulations would at best only partially address, at great ancillary cost.

More specifically, I encourage the Commission to please consider a high cap or no cap at all on existing and new STRs in rural recreational areas such as Ponderosa Pines, that rely significantly on the income, second-order economic benefits and jobs that flow from a robust STR market. In these areas, I implore the Commission to please consider not adopting any space requirement between rentals. Given the relatively high housing density of Ponderosa Pines and other rural/recreational areas, such limits could well prove onerous and counter productive.

For the ultimate benefit of all County residents, I strongly encourage the County to consider enacting regulations that are carefully tailored to address the real problems at hand while avoiding unintended consequences or avoidable economic impacts. In my own family's case, what's at stake is whether we'll be able to continue to call Chelan County home or be forced to sell our house.

Thank you very much for considering my views.

Respectfully,

David Chalmers
22715 Saddle St.
Leavenworth, WA 98826

Wendy Lane

From: Kim Clarke <kclarkeuchicago@gmail.com>
Sent: Saturday, June 26, 2021 10:14 PM
To: CD STRComment
Subject: STR Comment

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

Dear Commissioner;

My name is Kim Clarke and I own a home on North Shore Drive. In March of 2020 I sold my home in Seattle with the intent of relocating full time to Leavenworth. I have yet to complete that move because of safety concerns related to the two STR rentals within 200 yards of my home including one that is adjacent to my property.

Within just a few weeks of coming to the lake I was threatened, yelled at and harassed by individuals who had trespassed onto my property from the nearby STRs. Over the past year plus I've cleaned up beer cans and cigarettes and human feces. I dealt with overflow guests sleeping in tents and campers while tolerating the extra noise and I've watched as seemingly drunk occupants have built fires in the outdoor firepit and then promptly retired inside without extinguishing the flame.

I have observed 8 to 10 or more people crowd into a rental whose advertised capacity is 6. Where is all that extra sewage going? Beautiful, once pristine Lake Wenatchee is mere feet away and is the source of my and many of my neighbors drinking water not to mention a habitat for fish and other wildlife. The positive economic impact of Lake Wenatchee State Park is substantial. Will people still come if it is polluted?

In theory I am not opposed to short term rentals but the absolute lack of both oversight or meaningful consequences for wrong doers negatively impacts those that live near them and could and eventually will lead to headlines that no one wants to see on the news. I assume that your aim in drafting Chelan counties STR code is to address those concerns but after viewing your draft proposal through the eyes of someone impacted daily by these rentals there are still many issues that the current draft will not eliminate.

The overwhelming number of encounters that I have had with transient short term rental occupants have at some point included the renter uttering the phrase "I did not know." "I didn't know that I couldn't use your beach... cross your beach, park in the easement, invite my friends to pitch a tent. I didn't know that embers from our campfire could get blown out of the pit in the sudden winds of Lake Wenatchee and start a fire, I didn't know that a burn ban just went into effect. I just didn't know."

When you call the property manager about these issues, they will tell you that they did in fact tell their occupants the rules. THAT LEAVES ME IN THE MIDDLE WITH NO RECOURSE TO KNOW WHO IS TELLING THE TRUTH WHEN THEY BLAME EACH OTHER AND THE PROBLEM IS IN MANY WAYS YOUR CODE DOES NOT FIX THAT.

As a person who is impacted by these rentals on a daily basis (the rental adjacent to my property is rented more than 90 percent of nights) with all due respect I request that you consider the following:

Occupancy
1. Much like in other commercial lodging the maximum number of occupants must be included in signage attached to the residence and nearby property owners must be proactively informed of that # either by including it in the signage outside the home or in written information mailed to all adjacent property owners ideally both. If all parties know that all parties know how many total people are supposed to be in residence, fewer people will break the rules and if they do still break them neighbors will be better equipped to accurately report violations.

2. In addition to not allowing owners to provide tents/RVs etc as a means of increasing occupancy, renters should be prohibited from bringing and using their own tents/campers etc while they are renting the property. (this happens a lot)
3. I honestly don't care if children under 2 count but all children 2 and older do need to count since they are likely contributing to the amount of waste water generated. (Renters I spoke with almost universally think only adult occupancy is counted)

Trespassing
1. It should be the expense of the rental owner to clearly and accurately mark the boundaries of the rental property and to post within the residence notice that use of any other private property is prohibited and subject to all Trespass laws. Currently I have at my expense posted 5 signs, delineating the property boundary, specifying that the property is not an access point for the lake or beach, defining it as private property and warning people that I have dogs that may be present. I have already spent way more on this than I ever should have as have my neighbors including one neighbor who has multiple signs per tree and still has issues. Pretty sure that none of us want our street littered with these signs and those benefiting from the rental income should be both paying this bill and placing the signage on their property not ours.

Parking
1. Parking spaces should have signs designating them as parking and as the only place to park. Parking along the roadway or in any easement should result in vehicles being towed. Cars that do not fit in the designated parking spaces should not be allowed. Much like the occupancy signage using signs to indicate where parking is allowed eliminates any questions regarding what is ok.

FIREPITS
GIVEN THE EVER INCREASING RISK OF DEVASTATING WILDFIRES OUTDOOR WOOD BURNING FIRES SHOULD NEVER BE ALLOWED IN A RENTAL WHERE THE OWNER(OR THEIR AGENT) IS NOT ON SITE (Tier 2 and Tier 3 rentals) IN PARTICULAR THEY SHOULD BE BANNED ON ALL LOTS THAT DO NOT CONFORM TO THE MINIMUM LOT STANDARDS SET IN YOUR CODE 365 DAYS A YEAR. Our neighborhoods are protected by amazing volunteer firefighters who are willing to sacrifice their time and put themselves in harm's way to protect their neighbors. Is it fair to ask them to take on the additional risk caused by transient renters who neither understand the danger or have ties to the community that would cause them to take care? Why not change the code to disallow all wood burning outdoor fires. You could allow the use of much safer propane fueled fire pits or fire tables and the rental experience would not be that different. Please don't wait until a renter inadvertently starts a catastrophic wildfire to see that unsupervised outdoor fires are just not worth the risk.

One last point of consideration: Non Conforming units should not be allowed to be transferred even 1 time within the 5 year period in areas where the % of STR exceeds the specified allowable percentage or where something that cannot be brought up to current code, such as lot size, would prevent it from ever being conforming. I get that you want to act in good faith and allow people who have been profiting from their operation to continue making money but once that person is no longer benefiting that unit should be removed from service to either bring down the % to the allowable limit or to allow the addition of rental properties that meet ALL criteria.

As I said at the beginning of this statement I truly do want to make Chelan county my home. I happily support many local organizations including the Chelan Douglas Land Trust and Lake Wenatchee Fire and Rescue. I would love to continue to improve my home, frequent local businesses and utilize Chelan county services on a daily basis, thus adding to the local economy for years to come. Please help me to be able to do so by enacting a STR code that, that is specific, actionable, fair and above all considers the safety and wellbeing of people above the profit of a few distance rental owners.

Thank you for your time and consideration.

Kim Clarke

Wendy Lane

From: Carrie Wright <carriewrightagain@gmail.com>
Sent: Saturday, June 26, 2021 7:17 PM
To: CD STRComment
Subject: STR Restrictions Please

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

Dear Commissioners,

I have lived and voted in Chelan County for the past 12 years.

Let me be blunt.

You need to protect the neighborhoods, residents, and workers of Chelan County.

Here is how you can do that:

Adopt the agreed upon Task Force Consensus.

Though it barely goes far enough many of us have waited years (decades) for the county to finally address the pervasive destruction of our neighborhoods by STR's.

Also,

Please ensure:

Occupancy limits of 2 persons per bedroom – regardless of age

No events or weddings for tier one and two in residential zones

Strict noise enforcement – no outdoor amplified sound/music

Any change from residential use to commercial use (STR) in circumstances where there are shared roads and wells must require permission from all those who share these facilities.

You have heard all the stories and seen all the documentation. It's a clear conclusion – non owner occupied STR's in residential zones cause more harm than good, by far.

Preserve our right to peaceful enjoyment of our homes and neighborhoods.

Adopting the Task Force Consensus is a good start.

Sincerely,

Carrie Wright

10587 fox rd

Leavenworth, WA 98826

509-293-1256

Wendy Lane

From: Anne Cole <kailuacole@gmail.com>
Sent: Saturday, June 26, 2021 3:23 PM
To: CD STRComment
Subject: STVR's

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

Hello Commissioners,

Please listen to the will of the RESIDENTS of Chelan County, not the people who live elsewhere. 90% of the rentals are owned by people who don't even live here. Also, why aren't you charging an 8-10% Tax to guests who rent properties in Chelan County? It's a no brainer to do this! It would help offset the need to keep raising our TAXES!!!!! Below are my thoughts:

Occupancy Limits

1. **Children under 2 must be included in the occupancy count (Line 409).** Exempting children under 2 will be impossible to enforce and it creates a conflict with the ordinance's limit of 2 people per bedroom. It will have the direct consequence of increasing the number of older children and adults in a STR. This significant change should not be made at this late stage after all prior drafts of the ordinance counted everyone, including all children.
2. **Provisions to Exceed Daytime Occupancy (Line 424).** Existing nonconforming or new STRs should not be allowed to exceed daytime occupancy unless the unit is directly accessed by a highway and is on a parcel of 5 acres or larger, or is in commercial zoning. Events and weddings are not compatible in residential neighborhoods due to noise and traffic impacts.

2. Noise (line 470)

We fail to understand why our repeated requests for more protection from noise are being ignored. The County's noise ordinance is too general and difficult to enforce. We need a specific standard for short term rentals that is explicit and easy to enforce. Please add the following language:

In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.

3. Shared Infrastructure

All STR owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. This is not just a civil matter. The County is now going to allow commercial lodging in residential zones with this ordinance and this means more intense use of residential homes. This is a significant change and will have impacts on privately shared infrastructure. It is only fair that the County requires STR owners to obtain permission from others who share water sources and access.

4. Planned Unit Development Exemption from Density Cap (line 203)

All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals. Any short term rentals included in a PUD must count toward the 6% density cap in each zip code. PUDs provide an opportunity to provide a mix of housing including long term rentals and workforce housing. STRs are obviously more lucrative to developers but the County must not throw away the opportunity to gain needed affordable housing.

5. No More Concessions!

Finally, we urge you to not grant any more concessions to the STR owners, 90% of whom do not live in Chelan County. Your primary responsibility is to do what is best for the majority of county residents and businesses. Both residents and local businesses are being severely impacted by the housing shortage. The economic benefits of STRs are limited as has been documented repeatedly by credible studies. And, the negative impacts of commercial lodging in residential neighborhoods are significant and well documented here and across the country.

Sincerely,
John & Anne Cole
Leavenworth, Wa

Wendy Lane

From: Jane Graham <jh_graham@hotmail.com>
Sent: Saturday, June 26, 2021 3:28 PM
To: CD STRComment
Subject: Draft STR regulations

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

Dear Commissioners:

I'm the owner of a single family home on North Shore Drive at Lake Wenatchee. Although my primary residence is Seattle, my family and friends and I spend about 60 days a year at the house. I'm concerned about recent proposed changes to the compromise STR regulations that were worked out by the task force.

The residents appointed to the task force made a major concession by agreeing to grandfather in existing STRs in residential neighborhoods. In exchange for that the STR owners (most of whom are not Chelan County residents) made some concessions to help protect the quality of life for the full time residents and owners of single family homes. The latest draft undoes some of those agreed compromises to the detriment of residents. Specifically, not counting children under 2 in the numbers allowed could effectively double the number of people allowed in a house and be a strain on the garbage and sewer system and increase noise. Allowing an STR to exceed occupancy limits during the day is also unacceptable. It encourages owners of STRs to market their places for events, and renters to use them for that purpose whether permitted or not. The Omnia Lodge is the best example of why this is a bad idea. it's also the best example of why the noise protections need to be strengthened to preclude amplified music and the like.

There also needs to be protection for residents whose facilities such as sewer, well or septic are shared with a STR. The proposed consent provisions should be included in the regulations.

Please consider these comments and act in the best interests of the Residents of Chelan County, and those of us who enjoy the peace and quiet, not the folks just in it to make money.

Sincerely,

Jane H. Graham
18085 North Shore Drive.

Wendy Lane

From: Jennifer Burke <jenniferkburke@gmail.com>
Sent: Friday, June 25, 2021 1:53 PM
To: CD STRComment
Subject: Addition to STR Provisions

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

I forgot to include the provisions in my previous email. I ppologize.

As resident and property owner on Cedar Brae, Leavenworth, Wa, I would like to add my suppor property owners with shared septic systems, water systems and especially driveways. If a share support to STRs require the owner of the property to be on promise when the STR is rented.
Thank you,
Jennifer Burke
15700 Cedar Brae
Leavenworth, WA

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS SECTION 3: STANDARDS	i. Where an STR utilizes an access road or driveway from a pul said access road or driveway. This agreement shall be dated a connection with their commercial operation of a nightly rental. agreement shall be in addition to any other pre-existing easeme application. Failure to provide such an agreement shall be the cease operation and notify DCD. Failure to do so will result in i
NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems	ii. Where an STR utilizes a well or other common water source permit to operate, secure an agreement in writing from all other other parties that the STR owners may use this water source in and any conditions which would cause it to be voided. This agı permit application. Failure to provide such an agreement shall immediately cease operation and notify DCD. Failure to do so
i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be	iii. Where an STR utilizes septic system infrastructure, whether the owners of the STR shall, prior to receiving a permit to opera by all parties and contain an acknowledgement from all other p. rental. The agreement shall also clearly state the term of said p agreement. The agreement shall be provided to the Administra the permit. Further, if the agreement is later revoked, the STR



ReplyForward

dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

jim.brown@co.chelan.wa.us
[ ]

ii. Where an STR utilizes a well or other common water source for potable

water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify

DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be

provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit


ReplyForward


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Wendy Lane

From: Herk to747 <herkto747@gmail.com>
Sent: Friday, June 25, 2021 1:35 PM
To: CD STRComment
Subject: STR Draft Code Comment

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

Commissioners

We provide the following comments to the draft STR code dated 6/22/2021.

Line 212 seems to say existing aren't included in the overall cap. This should be clearly addressed - all STR's, legally non-conforming or otherwise, must be included in the overall numbers for determining percentages.

Line 250. The distance requirement was always proposed as lot line to lot line. That is to say, the minimum distance between new STR's is 200 feet between the parcel lot line on which they are located. It was never intended to be between structures, as this will make a lot of extra unnecessary work. It also insures a greater distance between STR's.

Line 281 is incorrect. In accordance with RCW 64.37, liability insurance is already required. The county can't give them 90 days to obtain. Proof of liability insurance should be provided at the time of permit application.

Line 283. This is exactly what the Manson Community Council (MCC) wanted and is the Manson input to the STR Task Force, as well as what Mr. Nash included in his report. Is it necessary? YES! The Manson UGA is the only sub-area of Chelan County that has ANY code regulating STR's. The MCC and residents of Manson want to, and the county needs to address those STR's that willfully completely ignored the current code. Because there is an existing requirement for a permit, those that completely ignored this requirement (never had a permit) can and should be excluded from any maneuver to "grandfather". Please keep it as worded. If you insist on making a change, then only grandfather those STR's that had a permit in 2019 and 2020 and meet all other requirements.

Line 398. This section seems to provide owners a way to have more than one structure as an STR on any given parcel. There should be NO way for an owner to have more than one structure rented per parcel, period. Please delete this section.

Line 409. **Children must be counted.** Commissioner Overbay was exactly correct - the Task Force **agreed to include children**. This was proposed by the Planning Commission from the very beginning and no process has ever proposed deviating from counting ALL people. Additionally, there were **NO**, and we want to emphasis this, **NO** public comments we read or heard that asked for the draft code to be changed to exclude children of any age. Why deviate from your Task Force recommendations? Why make this difficult for Code Enforcement or concerned neighbors in trying to sort out children's ages? Finally, septic systems don't operate differently depending on user's age, despite what Commissioner Bugert may think. You are making a change that was never proposed, never discussed as a problem, and goes against the group YOU created to determine the recommendation for occupancy.

Line 518. Identical to the discussion of counting children. Required signs have been a part of the proposed code since inception at the Planning Commission level. This was drafted by Berk because it is an integral part of the current code for the Manson UGA. We believe the STR community may want to be relieved of the requirements because they don't want people in the neighborhood to know they are renting their home. Some points:

- Signs are required in the Manson UGA. According to the Chelan County Sheriff, there is no higher burglary numbers for the Manson UGA. Any suggestion a sign will advertise an "empty house, please rob me" is without merit.

- By making an allowance for an owner to send out "mailings" to their neighbors increases the workload of Community Development and increases the likelihood the notification won't actually happen.

- Residents have been complaining, literally for years, of STR's in residential areas. If you are going to allow STR's in residential zones, why give the STR community any opportunity to camouflage their operation? Please, make signs mandatory as they have been in the draft code since inception.

Line 569. A landline (or VOIP telephone) that is registered in the Rivercom database is the ONLY guaranteed way to insure all of our visitors to Chelan County that utilize an STR are able to communicate an emergency. Why is it necessary to give the Director any discretion? Imagine the scenario, "Daddy has fallen down and isn't moving and I don't know what to do!" We suggest that nearly all children know how to pick up a phone and dial 911. There should be no opportunity for an owner to figure a way NOT to have an emergency line that is in the Rivercom database. We can tell you from personal experience that other methods of communicating an emergency and a location simply DO NOT work.

Please strongly consider the lottery.

- We have heard the Commissioners and others involved in the latest process suggest a lottery is somehow unfair. What part of a lottery is unfair? You might as well say Powerball Tickets are unfair!

- We have heard people suggest a lottery creates "uncertainty". How is any other process, especially "first come, first served" creating more certainty? We suppose if an owner camps out the night before at Community Development, he/she might get in first... but wait, others are doing the same! So let's camp out two days before... but wait, others are doing the same! You see where this is going.

- A "first come, first served" option will create a tremendous hardship on Community Development staff. It may lead to demanding, unhappy, and argumentative customers when making applications. It may even encourage attempts to offer something "under the table" to staff. Why put this burden on them?

- Lastly, the state is well versed in conducting lotteries for permits and licenses. There are plenty of best practices available to Chelan County to operate a simple and easy to understand lottery when the time comes.

Line 781. It saddens and angers the constituents of Commissioner Gering to hear her position on the cap vs. years to transfer. As previously mentioned and as stated by the Director in your workshop, this was **AGREED** to in the Task Force by **ALL PARTIES**! We are confused when you suggest it creates more work for staff. First, this didn't stop you when you changed the ages of people that count (creates more work for code enforcement), added that the Director could waive the signs in limited circumstances (more work for staff), or went from a lottery to "first come, first served".

The 9% for a 3 year time to transfer was part of the task force report. What was in the consultant's report was agreed to by all parties. The Manson Community Council stated they believe they should have a greater percentage than six to support their businesses but at the same time should limit the time to transfer to help with overall housing costs.

Commissioner Gering asked why Peshastin cap was zero percent, and was told that was the desire of the Peshastin Community Council. This seemed to satisfy her. Shouldn't her constituents in the Manson UGA (represented by the MCC) get the same consideration?

Lastly, do not forget, all the numbers in the Manson UGA DO NOT include the rentals at Wapato Point. The latter are also not governed by your proposed code. The Manson area has far more impact from vacationers and rentals than this code will control.

The nine percent and three years to transfer were well thought out by the MCC, discussed with those representing the STR community, and were part of and included in the final Task Force report. Please strongly consider the request from the MCC and the agreed position of your Task Force.

Finally, we also heard the Director suggest the initial application would be prorated regarding costs. It is our understanding that the county could only charge what it cost to process the paperwork and create the permit. Does a permit that runs for less than a year cost the county less to process? Please, no proration.

We support the position of the Manson Community Council. We hope the Board of Commissioners feel the same.

Respectfully,

Carl and Kathy Blum
15 Helios Hills Ln
Manson WA 98831

Wendy Lane

From: Jennifer Burke <jenniferkburke@gmail.com>
Sent: Friday, June 25, 2021 1:29 PM
To: CD STRComment
Subject: Provision for STR Rentals

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

As resident and property owner on Cedar Brae, Leavenworth, Wa, I would like to add my support to the addition of the following provisions to the STR proposal. It is vitally important that these be included for property owners with shared septic systems, water systems and especially driveways. If a shared driveway is blocked by a STR and there were an emergency, it could lead to dire outcomes. I would also like to add my support to STRs require the owner of the property to be on promise when the STR is rented.
Thank you,
Jennifer Burke
15700 Cedar Brae
Leavenworth, WA

Wendy Lane

From: Barb Knapp <dknapp3140@aol.com>
Sent: Friday, June 25, 2021 11:47 AM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

To the Board of Commissioners,

We are the owners of The Grand River Lodge in Leavenworth. We would ask that we join the other other larger capacity home owners in their already submitted statement.

Hernan Savastano & Angela Sucich
Snowgrass Lodge - 8787 Icicle Rd, Leavenworth, WA 98826
Airbnb: https://airbnb.com/h/snowgrass

Joshua Fletcher
Namu Lodge - 9630 Embroden Rd, Leavenworth, WA 98826
Airbnb: https://www.airbnb.com/rooms/9131225

Taylor & Chad Baker
ZayLy Lodge - 9241 Lone Pine Orchard Rd, Leavenworth
VRBO: https://www.vrbo.com/994140

Nathalie Kirshner
Moose River House - 9241 Lone Pine Orchard Rd, Leavenworth
VRBO: https://www.vrbo.com/1159541

Dennis & Barbara Knapp
The Grand River Lodge - 9515 Lone Pine Orchards Road, Leavenworth
VRBO: https://www.vrbo.com/994140

Some further input we would ask that you consider that we are able to operate at our 9 bedroom septic capacity of 18 people. We would also like to ask to allow all current reservations booked to be grandfathered in post code change to prevent us loosing all current bookings with 21 or less folks attending. We appreciate your consideration in this matter. All reservations are date documented via our VRBO website so confirming these were actually booked prior to your code change action is possible for your review.

Respectfully submitted,
Dennis & Barbara Knapp

Wendy Lane

From: Shannon Rome <rome.s.3@icloud.com>
Sent: Friday, June 25, 2021 11:26 AM
To: CD STRComment
Subject: Short term rental planning comments

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

Thank you for taking the time to review comments and concerns in relation to the proposed short term rental regulations. Please enter my comments into the public record.

As a family who has for over 18 years shared our treasured family vacation home with other families as a short term vacation rental we are very concerned about some elements of the proposed regulations.

First and foremost the fact that the proposed cap on number of vacation rentals to 6% in the Plain area where we are located is less than a third the current number of vacation rentals listed. This means we would have to follow all the steps and expenses to apply for the new permit, only to have a less than 50/50 chance of being able to continue renting. It seems that a grandfathering system for those who have been renting and paying taxes to the county for years would be appropriate.

Our family uses the home ourselves as it is our family vacation property which we have owned since the mid 1980's, however we are not able to come stay every weekend. Renting the home allows us to have the comfort of knowing the house is not sitting vacant. Vacant homes are more likely to be robbed or have other negative events happen. Renting short term also defrays the cost of maintaining the home in excellent condition- both for us and our guests. Short term renting also brings people to the area who support the local businesses as they enjoy the area.
The 6% cap will cut the tax revenues from Plain rentals by more than half, and also will reduce all the customers to local businesses in our area similarly.

Our vacation home is on a large multi acre parcel of land, we have plenty of parking for all those staying within our property without impacting any neighbor at any time.
We have a large bear proof dumpster and large recycling bin located on our property, picked up by Waste Management weekly so garbage does not impact neighbors in any way.
My point with this is that it seems some of the concerns that are very valid in a more urban setting closer to a town truly are not valid in more rural locations such as ours, and it would be nice if those who have taken steps to be responsible saw some sort of recognition in this process.
I hope you will consider that different areas that are not smaller lots do not have the same issues as small lots in or near towns.

We are in favor of regulations to weed out those who may not be respectful of neighbors or working in good faith to share their home in a safe and responsible way. We do hope that there will be a process to not only protect the neighbors of an STR but also the STR operator from a potential single person who could have the ability to make repeated reports which as drafted in the proposed regulations could quickly result in an STR being shut down with very little due process.

Additionally the rural setting we have means the home is not something that would be part of a housing solution even if we were not short term renting the home. If we are not able to short term rent the home it will not be long term rented, it will just be vacant 3/4 of the time. (Should we rent "long term" then we would lose our vacation home that my parents worked so hard for our extended family to be able to enjoy.)

Thank you for taking the time to consider these items mentioned above. We hope to be able to work with the county and reach a compromise that is beneficial for homeowners / STR owners and the county.

Sincerely;
Shannon M Rome
Heaven Can Wait LLC
Heaven Can Wait Lodge

Ph 425-985-6455

Wendy Lane

From: Stuart Simkins <stu@stupendousproduce.com>
Sent: Friday, June 25, 2021 10:52 AM
To: CD STRComment
Subject: Supporting Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering.

These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium. While I'm not a resident of Chelan, I do frequent the City and County of Chelan and Wenatchee often as I own and operate my own produce delivery service. I source fresh fruits and vegetables directly from the agricultural goldmine that is Chelan and want to support other locals.
I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely

- STU!
Founder of Stupendous Produce
(206) 888-3952
Stu@StupendousProduce.com

Wendy Lane

From: Laila Sharpe <laila.sharpe@gmail.com>
Sent: Friday, June 25, 2021 9:56 AM
To: CD STRComment
Subject: STR issues next door

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

Good Morning,

We have a STR next door to us that has become a party place in a residential neighborhood. The pot smoking and loud music can be so bad that we can't even enjoy being in our own yard. We've also had trespassing issues.The owner does not live here and though we've written to VRBO and even talked to the owner...nothing seems to change. Are there any other suggestions you might have? Someone mentioned to me that with new regulations the owners now need to live nearby. Is that the case?

Thanks,
Laila Sharpe
E Leavenworth Rd

Sent from my iPhone

Wendy Lane

From: Bob Bugert
Sent: Friday, June 25, 2021 9:32 AM
To: Michael Patterson
Cc: Jimi Wilson; CD STRComment
Subject: RE: 11.88.290 Short Term Rentals - Section 3: Standards - New Section 3P: Shared Private Roads, etc...

Michael,
Thank you for your comment. We will include this in our deliberations.
Best regards,

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

From: Michael Patterson <michaelpatterson7@me.com>
Sent: Thursday, June 24, 2021 5:46 PM
To: Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>
Cc: Jimi Wilson <gwwilson@nwi.net>
Subject: 11.88.290 Short Term Rentals - Section 3: Standards - New Section 3P: Shared Private Roads, etc...

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Bob,
After reading the New Section 3P of the STR's I would like to convey my approval of said New Section. As a property owner that shares a private easement with 5 other homes (3 of which are weekend cabins and all of us without the protection of a road maintenance agreement due to the age of the development) I'm adamant that the STR's include the protection spelled out in the New Section 3P.
Thank you for your consideration, Michael

Michael Patterson Retired Architect
22910 Lake Wenatchee Highway
Leavenworth, WA 98826
(509) 387-1818

Wendy Lane

From: The Petri's <thepetris@yahoo.com>
Sent: Friday, June 25, 2021 8:13 AM
To: CD STRComment
Subject: STR comment letter
Attachments: STR comments 6.25.21.docx

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Attached is my STR comment letter.

Thank you,

Dana Petri

TO: Board of County Commissioners, Chelan County **June 25, 2021**

Re: Comment on the Short-term Vacation Rentals (STR) Code Development

Thank you for continuing to work so hard on the develop of the new short term rental codes.

Our home is located in the Manson UGA and is surrounded by several STRs, most of which are not permitted. Over the past several years we have experienced an overwhelming number of negative incidents related to these STRs. We are asking that you keep the following in the final code:

1) 6% cap on STRs in the Manson UGA – Please keep this cap in the final code. The number of STRs a home is surrounded by has a huge impact on the quality of life for the neighbors.
2) No grandfathering in of existing unpermitted STRs in the Manson UGA – Please do not reward STRs owners that didn't comply with the laws requiring STRs to have a permit, whether they were aware of the requirement or not. There are too many of them to allow this. Neighborhoods like ours that have a large number of STRs desperately need some relief. Grandfathering these in would be detrimental to the neighborhood for a long time to come.
3) Minimum lot size (.275 acres) and distance between STRs (200 feet) – Having both requirements will help to ensure no one home is too closely situated by multiple STRs. I personally believe we need even more distance between STRs and residences because sound travels far, especially in certain terrain and on the water, but this is at least an improvement over today.

Please protect our neighborhoods and quality of life.

Thank you for listening.

Dana Petri
thepetris@yahoo.com
63 Willow Point Road, Manson, WA

Wendy Lane

From: The Petri's <thepetris@yahoo.com>
Sent: Friday, June 25, 2021 8:08 AM
To: CD STRComment
Subject: STR code comment
Attachments: STR comments 6.25.21 BP.docx

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Attached is my STR code comment letter. Thank you, Bryan Petri

TO: Board of County Commissioners, Chelan County **June 25, 2021**

Re: Comment on the Short-term Vacation Rentals (STR) Code Development

Thank you for your efforts in continually working hard drafting code for this difficult issue.

We are located in the Manson UGA. We agree with the 6% cap as decided in the 6/22 workshop as it is consistent with the rest of Chelan County and is a much more reasonable number for neighborhoods to support. We've personally dealt with the negative impact of being in a neighborhood with too many STRs over many years. Our neighborhood and others like ours need some relief.

We also agree with NOT grandfathering in STRs that did not have a permit in the Manson UGA. A quick internet search in 2011 when we bought our lot resulted in us learning about the permit requirement. There's no way to determine who willfully ignored the code and who wasn't aware, but either way it's not a reason to put their interests above other homeowners and the neighborhoods they impact.

Thank you,

Bryan Petri
thepetris@yahoo.com
63 Willow Point Road, Manson, WA

Wendy Lane

From: Amy Edwards <amyedwardsmusic@gmail.com>
Sent: Friday, June 25, 2021 7:47 AM
To: CD STRComment
Subject: STR's

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To whom it may concerning,

I have lived up Blewett Pass my entire life. As a 35 year old mom of two, wife, and business owner, buying a home here has proved impossible. My husband works for the PUD and makes a good living, and yet our only option has been to move in with my mom and pay her rent to keep our kids in the Cascade School District. We want to raise our kids where our family is and where we grew up. My family homesteaded valley hi and my great great grandparents had some of the first orchards on North road. My family has made the upper valley its home for multiple generations of my family. Unfortunately with the west side influx of people buying up homes and turning them into STR's it has made it impossible for people like me and my husband to buy home and make a life in our home town. This is not acceptable. I was very hopeful that when the task force was developed that you would actually do something about it and preserve the life of our county. We are being overrun by STR's from every facet. It is really unfortunate that you all have agreed to grandfather in existing rentals, especially when many of them have operated unlawfully with no reprimand, despitemany complaintsfrom neighbors. Enough is enough! Now Tiffany Gehring is pushing to not count children in the capacity count. This is NOT ok! Do not let her push you on this. Hold that line. Children 100% should be counted. They will be using those septic systems too. Based on what she wants you could have a big room with 10 bunk beds and have 20 kids on a property that are not counted. Where is the "age limited" to be counted? 18? Any 18 year old produces just as much waste as any adult. Compromise and say you don't have to count kids under 5. That is what most hotels do. Who is going to be checking and making sure the renters are not lying about how many people they bring in? There is no one on the property. It is not like checking into a hotel where they can see how many people are in your party. The owners are completely absent! I worked at the Enzian Inn from age 14 through my college years. People broke capacity rules on a daily basis and we had to issue fines, require them to purchase another room, or if we were full ask them to leave. You think this will be any different? You can create a the rules you want, but with anyone enforcing it people will break them. There needs to be some accountability when it comes to this. Let me also say giving these businesses (and by businesses I mean STR's because they are businesses) monetary fines will do nothing. The people, LLC's and Trust groups buying up properties and renting them out have extremely deep pockets. The consequences need to come in the form of taking away their ability to operate for months at a time. A consequence only works if they actually fear it!

Personally I don't think STR's should be allowed on properties zoned as "residential". These property owners who want to run a business out of their houses should have to change their zoning to fit the type of property they have. When my mom finished culinary school her plan was to make a commercial kitchen in her house and run a delivery only bakery out of her home. The county would not allow her to do that without changing her zoning. Why should this be any different? We are allowing different standards for these STR's and it is just wrong. The fact that you all are letting this happen is changing the fabric of our communities. I have had many conversations about this and very few locals who have lived the majority of their life here support STR's in residential zones. Please require them to have a conditional use permit. There should have to be someone on the property or at least in the county in case there is an issue. There is a time and a place to run a business and this is not it. Please hold these STR's to a standard that is at least the same as other business standards. I support this task force 100%, but you all are simply not doing enough at this point. I personally fear it is too late to turn this around, but I am trying to hold out hope. Please save our neighborhoods!

Amy Edwards
509-670-2004

Wendy Lane

From: Dick Knight <DKNIGHT@PROClub.com>
Sent: Friday, June 25, 2021 7:25 AM
To: CD STRComment
Subject: short term rental rules

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

My wife and I are residents of the north shore of Lake Wenatchee, 16349 Northshore Drive. We are request that additional protections be included in proposed rules:

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be

voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

Dick Knight
President

PRO
CLUB | MEDICAL

P: (425) 885-5560
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4455 148th Avenue Northeast
Bellevue, WA 98007
proclub.com

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Wendy Lane

From: Shannon Tait <Davisgirlsthree@msn.com>
Sent: Friday, June 25, 2021 12:13 AM
To: CD STRComment
Subject: Chelan County STR's

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

Thank you for taking the time to read this email, we know that you are very busy.

I am guessing that many of you are Parent's or Grandparents that would love to be able to travel with your children/grandchildren and enjoy a nice, clean home time with your families.

RUN is very troubled (see below) that the BOCC might not impose rules on children under age 2 as being part of the occupancy count.
As parents and grandparents, how many children under 2 years old impose any impact on a septic system?
To post a comment as **most troubling** about children under 2 years old.....REALLY..most are absolutely still in diapers and not using the septic system

1. Excluding Children Under 2 from Occupancy Caps

Most troubling is the BOCC decision to exclude children under 2 years of age from the caps on occupancy. As you may recall, the caps agreed to by the STR Task Force were as follows: Tier 1: 8 persons, Tier 2: 12 persons, and Tier 3: 16 persons. The occupancy is also limited to 2 per bedroom. Excluding children under 2 is in **direct conflict** with the Task Force agreement and **should be rejected**. It also is in conflict with the Chelan Douglas Health District septic calculations, which do not exclude children but count everyone regardless of age. This change will make interpretation of the code confusing to everyone and enforcement difficult.

What you can do: Ask the BOCC to include children under 2 years of age in the caps on occupancy.

****
****

Regarding below, This is something that should be asked about both, Short Term and Long Term Rental..is this the case?
Do we know that Chelan County is making sure that all Long Term Rentals LTR are doing the same that is expected of Short Term Rentals STR in regards to the septic systems?

2. Not Adding Language to Require Compliance with the Building Permit

The BOCC has not added the language in Section 290 3b requiring that the maximum occupancy of a STR must be limited to 2 per bedroom as specified in both the septic permit and the building permit. The requirement to be in compliance with the building permit is important because not all STRs are on septic systems. In addition, many STRs have added bedrooms illegally. This is not adding a new requirement but just clarifying existing requirements.

What you can do: Ask the BOCC to add language in Section 290 3b requiring that the maximum occupancy be limited to 2 per bedroom as specified in both the septic and building permits.

****

3. We Need Everyone to Speak and Identify Their Residential Address at The Hearing

Finally, we are concerned about the fairness of the upcoming public hearing's format. To ensure a fair and equitable access to speaking slots, please also **ask that the BOCC allow all County residents the opportunity to speak AND insist that all speakers state their permanent home address, not the address of their STR**. The Commissioners need to know who the residents are and who are not.

Our address is 7986 Icicle Road, Leavenworth WA 98826 and we live here full time.

We love the community that we live in and are very reasonable about change living in a tourist town, yet want to make sure the community is safe in moving forward and allow our neighbors to own their homes and make their own decisions with the best of the neighborhood involved.
Many of our neighbors are RUN supporters and are nice people, yet have an agenda that at times seems unreasonable....ie....2 year olds should be considered an impact on a septic system.

I wish the BOCC well and looking forward to moving forward on this issue.
Thank you

Wendy Lane

From: Kip Burke <ckipburke@gmail.com>
Sent: Thursday, June 24, 2021 9:46 PM
To: CD STRComment
Subject: STR Proposal

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CD/STR comments
I have responded before regarding this proposal and I feel strongly that all commissioners visit both the north and south shore neighborhoods because as stated previously by others, the folks that rent the STRs do not respect the posted speed limit of 25 mph on both roads and the issue of ingress and egress that is part of shared driveways. I own a cabin that has a shard driveway access however like other shared driveways there is limited parking. If a rental group rents a STR and there are several cars there could potentially be a parking problem and the overflow could end up on the roads which could create a traffic issue.
Please don't let the proposal go further until this concern is reviewed.
Thank you. Clifton Burke, 15700 Cedar Brae Rd.

Sent from my iPhone

Wendy Lane

From: Juris Vagners <vagners@uw.edu>
Sent: Thursday, June 24, 2021 4:08 PM
To: CD STRComment
Subject: STRs

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This note is to strongly object to the arbitrary decision by Commissioner Gering to undermine the task force consensus agreement wrt STR's. All Commissioners should abide by the compromise agreed to by the task force.

Raising occupancy limits by not counting young children is at odds with the Chelan Douglas Health District septic calculations, which count every person regardless of age. For rural areas, such as Lake Wenatchee, the number of bedrooms must be limited to bedrooms specified on the building permit. Many STRs have added bedrooms illegally, Garages, nooks, and other spaces illegally converted into so-called bedrooms must not be allowed to be advertised as STR bedrooms.

Enforcement will be key to the new Code-- with strict penalties for owners who violate the terms of their permit. Effective enforcement necessitates occupancy limits that can be verified against official septic permits and building permits.

My question: Why does Commissioner Gering propose to negate the task force findings? Does the STR lobby contribute to her campaign funds?

Juris Vagners

16376 North Shore Drive
Leavenworth, WA 98826

Wendy Lane

From: Don Eikenberry <doneikenberry@hotmail.com>
Sent: Thursday, June 24, 2021 3:42 PM
To: CD STRComment
Subject: SEPA

Follow Up Flag: Follow up
Flag Status: Flagged

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The opening statement at the SEPA website says this:

The State Environmental Policy Act (SEPA) process identifies and analyzes environmental impacts associated with governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies, and plans

Would like to see the BOCC address language in the STR code that exempts STR land use permits from SEPA. I know there is no intention to let that camels nose under the tent but an STR permit is a land use permit and I'd hate to see SEPA used an excuse, for example, by an Indian tribe two counties away to object to an STR permit based on the fact the property is along Lake Wenatchee. Or for them to ask for a cultural resource survey to be done. Stranger things have happened.

Don Eikenberry
STR owner and Chelan County resident
Chelan, WA

Wendy Lane

From: Bob Bugert
Sent: Thursday, June 24, 2021 2:28 PM
To: NDeLeon@cairncross.com
Cc: CD STRComment
Subject: FW: Short Term Rentals Regs. - FIG Concerns
Attachments: FIG Ltr to Chelan County Commissioners w. Code Proposal 6.18.21 (04223102).PDF

Ms. De Leon—
Thank you for submitting this well-constructed letter representing the needs and issues of the FIG group.

I believe that this letter suffices for the information we need in our deliberations, and we will consider your request.

Thanks again for your interest in this important matter.

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

From: Nicole De Leon <NDeLeon@Cairncross.com>
Sent: Thursday, June 24, 2021 9:36 AM
To: Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>
Subject: Short Term Rentals Regs. - FIG Concerns

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Commissioner Bugert,

As you know, we represent the group commonly referred to as Fairness in Grandfathering ("FIG") with respect to the draft regulations for Short Term Rentals. We previously submitted the attached comment letter and I understand the Commissioners reviewed our letter, but have not taken discrete action to date to address FIG's concerns. In hopes of assuring this group of homeowners' voices are fully heard, I would greatly appreciate an opportunity to discuss this matter with you on the phone before the public hearing on Tuesday. My goal would be to further explain the rationale, answer any questions and receive any feedback you may have. I am available Thursday 6/24 between 10-1:30, Friday 6/25 any time after 11, and Monday 6/28 between 9:30-2:30. Please let me know if you have any availability to connect within those windows and thank you in advance for your time and consideration.

Nicole

Nicole De Leon
Attorney
Pronouns: she/her/hers
CH& | **Cairncross & Hempelmann**
524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4472 | f: 206-587-2308
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June 18, 2021

VIA EMAIL

Board of County Commissioners
County of Chelan
400 Douglas St., Ste. 201
Wenatchee, WA 98801
Email: : CD.STRComment@CO.CHELAN.WA.US

Re: Chelan County Short-Term Rental Draft Ordinance

Board of County Commissioners:

As you know, this law firm represents the group commonly referred to as Fairness in Grandfathering ("**FIG**"). FIG consists of a small group of homeowners who prior to the adoption of Resolution No. 2020-86 (the "**Moratorium**"), made meaningful steps to operate a short-term rental ("**STR**") based on the zoning and land use regulations then, and currently, in effect. As detailed below and in the numerous comments submitted by individual members of FIG, FIG consists of essentially three subsets of members who were differently positioned to operate an STR prior to the Moratorium. Although differently positioned, FIG collectively embodies a group of homeowners who, before being blindsided by the Moratorium without any notice, made significant financial and life decisions in reliance on the Chelan County Code (the "**Code**" or "**CCC**"). These individuals will be significantly harmed if the County chooses to disregard the faith these individuals had in the County's regulatory system as it applied to them while making these decisions. We therefore request the Commission address FIG's concerns and incorporate the enclosed revisions to the draft STR Ordinance, which set forth a reasonable framework to provide FIG members some relief.

FIG includes individuals who prior to the Moratorium owned an existing home and took meaningful steps toward operating the home as an STR prior to the Moratorium going into effect. For example, these individuals opened rental accounts and compiled marketing materials for rental listings with companies like VRBO and Airbnb. In some cases, individuals even took over active rental accounts of the prior owner who rented out the home as an STR. Unfortunately, however, these individuals were unable to secure a rental contract prior to the Moratorium and therefore are arguably not included in the current framework for existing STRs, which requires "actual" and "physical" use. See draft Ordinance 11.88.190(2)(E)(i)(a). In many cases, rental contracts were not pursued because of the onslaught and uncertainty surrounding COVID-19, which created very real and difficult decisions for the STR market with respect to public health and safety.

ndeleon@cairncross.com
direct: (206) 254-4472

Adding to the unfairness of this situation, and as you know, nothing in the Code required these individuals to take any affirmative action to register, permit, license, etc. their home as an STR because the Code is utterly silent on the issue of STRs. Thus, a discrete act to establish or "create" an STR was not required. Furthermore, although the Moratorium precludes "creation" of a new STR, it does not provide any clear definition or explanation as to what constitutes creation. It therefore also does not explain how it applies to the situation at issue where meaningful acts were taken to operate an STR, but an actual, physical rental did not occur prior to August 25, 2020. Stated another way, arguably these individuals had already created an STR by taking the above-described steps to rent and any subsequent steps to further operate the STR subsequent to August 25, 2020 would not violate the Moratorium. The draft STR Ordinance appears to try to further narrow the door by limiting existing STRs to those that "actually, physically" were used as STRs prior to the Moratorium. Although this is certainly more clear than the ambiguous "creation" concept, it is a steeper thresholder and imposes extreme harm on those individuals who made significant life and financial decisions in reliance on the regulations then in effect, but because of pure bad luck with timing and a worldwide pandemic, they do not satisfy this threshold. This is one example of the type of unjust result we ask you to address by incorporating our suggested revisions to the draft STR Ordinance.

Another subgroup of FIG includes individuals who prior to the Moratorium were in the process of purchasing a home for the purpose of operating an STR, and they took other meaningful steps toward operating the home as an STR. Similar to the scenario above, these individuals confirmed with sellers and realtors that the property could be used as an STR, they established rental accounts and compiled rental information, and more fundamentally, they spent a significant amount of money to purchase land based on the fact that the Code allows STRs. Furthermore, these members very likely would have fallen into the above category of actually owning their property prior to the Moratorium if the onset of a literal world pandemic had not put business functions and closing operations into a tailspin. Although closings were delayed due to the very real impacts of COVID-19, the investment and reliance of these individuals was in full effect prior to the Moratorium. Therefore, these individuals should also be afforded relief and status as an allowed STR.

The third subgroup of FIG includes individuals who owned land and applied for a building permit prior to the Moratorium, with the intention of operating the home as an STR, but construction was not complete prior to the Moratorium, so they could not "actually, physically" use the home as an STR prior to August 25, 2020. Relevant to this circumstance is the infamous STR box on the County's Building Permit Application Form. This STR box is a red herring issue. The fundamental fact is STRs were, and still are, permitted outright and are unregulated under the Code such that there is no Code-basis for processing or rejecting a Building Permit Application based on whether the STR box was checked. Furthermore, the STR box is in fact just a simple statement asking, "Will this structure be used as a Vacation/Transient Rental for less than 30 days?" There is no additional explanation or guidance as to whether, for example, does the question refer to the sole or primary use of the structure? Along these

lines, a homeowner could very reasonably interpret this question to be an inquiry as to whether the structure will be operated solely as a vacation rental. Thus, if the homeowner intends to personally occupy the home for a period of time and then rent the home out for other periods of time, and with the baseline understanding that STRs are not regulated by the Code, the homeowner would very understandably not check the box.

This was the process some members of FIG followed. They relied on the Code that permits and does not even regulate STRs, they completed and applied for a Building Permit in good faith and to the best of their ability, which did not include an affirmatively checked STR box, and they were issued a Building Permit for a home they intend to occupy, but also occasionally rent out. As a result, these members of FIG acquired a vested right to complete construction of their homes and then use that home under the regulations in effect at the time they applied for their Building Permit, i.e., regulations that allow operation of an STR. Although it appears a prior version of the draft STR Ordinance attempted to address this vested rights scenario, those provisions were removed and regardless, they did not adequately address the above unique, but very reasonable circumstance. The law governing vested rights is clear on this front and the current draft STR Ordinance is inconsistent with this law. We therefore urge you to incorporate our suggested revisions to assure the vested rights of these individuals are honored and the harm they would otherwise experience is remedied.

To this end, enclosed are proposed revisions to the draft STR Ordinance that narrowly and adequately address the above. The proposed framework provides an alternative path in CCC 11.88.290(2)(E)(i)(a) to becoming an existing short-term rental that is not dependent on "actual" and "physical" use prior to the Moratorium. Instead, the framework offers a second path that requires submission of an application within 60 days of the adoption of the STR Ordinance. The application must be accompanied by a legal affidavit from the current property owner affirming under penalty of perjury that immediately prior to the Moratorium, the current owner had the intent and took steps to use the property as an STR by August 25, 2021. The owner is also limited to operating only one STR and payment of a $1,000 fee is required. Collectively, these requirements are sufficiently substantial to prevent a significant, unanticipated number of existing STRs. Looking ahead, this path also requires the STR to comply with other provisions of the Code section governing existing short-term rentals, e.g., occupancy limits. To further address the unique circumstances of FIG members, we also propose revisions to CCC 11.88.190(2)(E)(ii)(e) so that these individuals are not penalized for their good faith actions in the midst of regulatory ambiguity. These proposed revisions reflect the backbone of our proposed resolution, but we understand our proposed language may necessitate other revisions to assure consistency and we welcome the opportunity to work with the County on that effort.

FIG supports the enactment of a regulatory system that governs STRs and assures they are operated in a desirable and sustainable manner. FIG simply asks that their very unique circumstances be addressed so that the members of FIG do not experience significant harm when their only mistake was making decisions in reliance on the County regulations in effect at that time. We appreciate the

Commission and County Staff's exceptional efforts on this difficult topic and we hope to work together in a collaborative fashion that addresses all parties' needs and concerns. Thank you again for this opportunity to participate in the process and we look forward to working with you.

Very truly yours,

Nicole De Leon

NED/kgb

cc: kevin.overbay@co.chelan.wa.us
bob.bugert@co.chelan.wa.us
tiffany.gering@co.chelan.wa.us
jim.brown@co.chelan.wa.us

Proposed revision to CCC 11.88.190(2)(E)(i)(a):

(E) Existing Short-Term Rentals:

(i) A short term rental use shall be considered lawfully established and existing and allowed to continued to operate as a legally non-conforming use only if the owner proves each of ~~all~~ the following criteria are satisfied, as applicable:

(a) That a location was actually, physically used for short-term rental purposes during the periods specified in 2(E)(i)(b) and (f), which requires proof of rental listing, income generated and tax payment, or if the location was reasonably intended for use as a short-term rental immediately prior to August 25, 2020, which requires satisfaction of the following ~~.Proof of rental listing, income generated, and tax payment is also required; and~~:

(1) Within 60 days of adoption of this Ordinance, submission of an application to utilize this Section CCC 11.88.290(2)(E)(i)(a); and

(2) Accompanying the application to utilize this Section CCC 11.88.290(2)(E)(i)(a), submission of an affidavit affirming under penalty of perjury that immediately prior to August 25, 2020, the owner had the intent to use and took meaningful steps to use the location as a short-term rental by August 25, 2021; and

(3) The owner, including a spouse and/or entity affiliate, may only operate and obtain one short-term rental land use permit; and

(4) Payment of a $1,000 fee; and

(5) The short-term rental complies with the requirements of this CCC 11.88.290(2), to the extent they do not conflict with the right to operate as a legally non-conforming use as established in this CCC 11.88.290(2)(E)(i)(a); and

Proposed revision to CCC 11.88.190(2)(E)(ii)(e):

(e) Any short-term rental property that has an unresolved written notice of violation for short-term rental use, received on or before August 25, 2020, shall not be considered a legally non-conforming use. Additionally, any short-term rental property ~~or~~ that operated as a short term rental contrary to the August 25, 2020 Chelan County short-term rental moratorium Resolution 2020-86, or subsequent rental moratorium resolutions 2020-104 and 2021-20, except those short-term rental properties that satisfy the requirements of Section 11.88.190(2)(E)(i)(a), shall not be considered a legally nonconforming-use.

Wendy Lane

From: Cordy Beckstead <cordy@becksteadelectric.com>
Sent: Thursday, June 24, 2021 1:11 PM
To: CD STRComment
Subject: Comment on short-term rentals in Chelan County

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

To Whom it May Concern:

My husband, Russ, and I own a place on Lake Chelan. We have never rented it during the 11 years we have owned it. Several of our neighbors do rent. They are excellent at screening their perspective renters. They rent to multi-generational families some from our area and some from other areas. Many have been delightful people. The rentals help these owners to pay their property taxes, and other improvements. One neighbor only rents 2 to 3 weeks of the summer. Another rents probably 4 weeks of the summer.
We would like to see renting one's home an option with more strict guidelines for future rentals. For example, should we choose to rent our cabin for 2 weeks of the summer we would like that option.
But we should be available for any concerns our neighbors might have.
One of our neighbors has a close friend whose next door neighbor rented frequently. The situation was a nightmare so when the place came for sale he bought it just to end the bad situation.
Those kinds of rentals clearly need to be stopped when the owner are not responsible.
A true neighborhood is one that includes the people who own the home or are renters. That is ideal in my opinion. I do not think a person should be allowed to rent to vacation renters to actually pay for their property.
That takes away from the neighborhood of residential areas. However, in vacation areas such as Suncadia or Sun River it is fully expected. Lake Chelan may be like that. Homes within the city of Chelan or within the city of Leavenworth perhaps should not.
I know the issue is much more complicated than the concerns I am addressing.
I wish you all the best, and thank you for your work.
Sincerely,
Cordy Beckstead

Wendy Lane

From: Tracy Stavang <t.stavang@comcast.net>
Sent: Thursday, June 24, 2021 1:09 PM
To: CD STRComment
Subject: STRs

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

I'm writing to urge you not to change the number of occupants in the STRs, in regards to children. Our last episode with the rental on one side of us (there is a rental on the other side, too), was the six people naked in the hot tub. This is not the first time it's happened. My thirty year old daughter, who was celebrating her birthday that day, said she didn't think she and her friends were prudes, but three guys and three girls right next to us naked in the hot tub was over the top. When the owner spoke to my daughter a few weeks later, she said "it's a rental, there's nothing I can do." We don't have a neighbor, we have a business next door. Please take the stories you hear seriously.

Sent from Mail for Windows 10

Wendy Lane

From: Nyla Clare <nylaclare@gmail.com>
Sent: Thursday, June 24, 2021 8:28 AM
To: CD STRComment
Subject: STR Comment

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

To whom it may concern,

As a property owner on Cedar Brae Rd, please consider these vital additions...

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be

voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

Thank you,
Nyla Clare
15250 Cedar Brae Rd
Sent from my iPhone

Wendy Lane

From: Bob Bugert
Sent: Thursday, June 24, 2021 8:05 AM
To: david satterfield
Cc: CD STRComment
Subject: RE: STR's and shared resources

Dave and Molly—
Thank you for sharing this information and suggestion. We will include this in our deliberations.

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

From: david satterfield <davesfield@comcast.net>
Sent: Wednesday, June 23, 2021 4:34 PM
To: Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>
Subject: STR's and shared resources

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

Hello,

We have been residents on the south shore of Lake Wenatchee for over 20 years and are fearing for our community due to the overabundance of STR's in our area.

It has come to our attention that the issue of shared private roads, driveways, septic systems and water supply systems has not been addressed by the current STR draft. We find it shocking that the impact of this issue on residents has not been included in the draft.

We urge you to include the language below in the STR draft.

Thank You,

Dave & Molly Satterfield
15956 Cedar Brae

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Wendy Lane

From: Bob Keller <bkeller_city@outlook.com>
Sent: Thursday, June 24, 2021 7:43 AM
To: CD STRComment
Cc: Bob Keller
Subject: Written Public Comment for Draft STR Policy
Attachments: Draft STR Policy _ Public Comment_Keller 062421.pdf

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

Thank you Commissioners and County Leadership for your persistent effort to complete this policy.

Bob Keller, Leavenworth

Accessory Dwelling Units (ADU) and the conversion from residential housing use to a commercial business (Short Term Rental STR) is in direct violation of the Chelan Comprehensive Plan and Growth Management Act.

Based on the Chelan County Comprehensive Plan

No STR permits should be grandfathered or a new permit issued to a Single Family Home with an ADU.

An ADU use as a STR conflicts with the Growth Management Act (GMA), County Comprehensive Plan Goals and may trigger a review by the Growth Hearings Board (GHB) as well as penalties from City Codes.

1. The use of an ADU for a STR is in direct violation of the intent of this non-conforming use designation. ADUs have been utilized for decades to promote affordable housing in areas where families and key workers need affordable housing.

2. This Draft Policy states an STR is a commercial business. Converting an ADU to a Commercial business is in direct conflict with the goals of the County Comprehensive Plan Housing Element. At minimum this would require a Comprehensive Plan review and validation of conformity between elements. (i.e. Housing, Transportation, and Environment) the Growth Hearing Board has established president for conflicting policy and required rewrites.

3. Public comment includes statements where property owners seem unaware of ADU policies. There can be no misunderstanding with a property owner past or present regarding the existence of an ADU. County Code requires "Both the titleholder and the director of the Chelan County community development department shall sign a notice to title" and be notarized. **This requirement is included to ensure all parties are aware of the covenants.**

An owner would know an ADU requires them to be primary residents. - The current County ADU code states: **(11.88.200 Accessory dwelling unit. (5)) The property owner (which shall include title holders and contract purchasers) shall occupy either the primary unit or the accessory unit as their permanent residence. The City of Chelan takes this very seriously. (See below)**

The City of Chelan Violation Penalty includes:

a. The first and second violations of the provisions of this subsection shall be subject to a civil penalty of up to one thousand dollars. Third and subsequent offenses shall be a misdemeanor. Each day shall constitute a separate violation.

4. Concerns about Legal Jeopardy for the Homeowner that defies ADU policy (owner occupied ADU), and the County itself, for not enforcing an STR permit was issued in disregard of a non-resident ADU owner may be subject to legal scrutiny.

5. By removing the ADU status that includes an owner occupied code on a property, the County has allowed multi-family development in a single family area. This would require a formal Comprehensive Plan change. This opens the question regarding the property "Title" Documents as well. All current permitted ADU's Property Titles may include notarized convents in conflict with existing ADU and this new STR policy. This would need review.

6. Chelan County Comprehensive Plan Transportation Element Concurrency Model. Traffic studies and modeling for permit application may become invalid regarding traffic impact fees. If traffic modeling is used to determine Road Impact Fees, this change in land use from single family to multi use (essentially eliminating the ADU designation) and creating a commercial business zone will change the concurrency formula for all development. This Comprehensive Plan change must be completed concurrently with any conversion of ADU to commercial zoning or it may be challenged at the GMHB.

7. The County Permit Department should be reviewing any current existing STR permit request and new applications for ADU covenant violations. The ADU designation, by current policy is on the Title. If an STR permit is filed for use that does not include the owner residing on the property it is very likely they are not in compliance with the ADU policy.

Suggested Draft STR Policy wording changes

In a recent study session the Community Development Director informed the commissioners specifically about the possibility of a code violation and conflicting policy regarding ADU's and STR's. I believe considering the comments above, this discussion needs further Commissioner review.

The lack of clarity of these two policies leaves the County open for challenge by the GMA and possible legal recourse by property owners. Knowingly overlooking the ambiguity in policy and language is concerning.

In this first draft policy it should be clear that an ADU's is not being described in this statement. "short-term rental is located within the same parcel." An ADU should be specifically excluded from this conversion to commercial use. It should be clearly stated in this language. **"Existing ADU's and future ADU's will not be issued STR permits"**

11.88.290 Short-Term Rental Regulations (Page 8)

2. (2) TYPE, NUMBER, AND LOCATION
(A) Type. Short-term rentals are distinguished in three tiers.
(i) Tier 1: Owner-occupied short-term rentals where either (a) rooms are rented and the owner is personally present at the dwelling during the rental period, or (b) the short-term rental is located within the same parcel as the owner's principal residence and the owner is personally present at the dwelling during the rental period, or (c) the entire dwelling is rented no more than 15 total days in a calendar year provided that an on-site qualified person is there during the owner's absence. Portions of calendar days shall be counted as full days.

In this second draft policy using the term ADU allows for an ADU to be a commercial business. Again this is not the intent of an ADU and would require a Chelan County Comprehensive Plan review. I suggest disclaimer language be used here. **"Existing ADU's and future ADU's will not be issued STR permits"**

3. Short-Term RENTAL STANDARDS (Page 13)

346 (A) Primary or Accessory Residence.

347 (i) Short-term rentals must be operated out of an owner's main house or a legally

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349 a recreational vehicle, tent, or other temporary or mobile unit for short-term rental.

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351 may be in either the main house or the accessory dwelling unit but not both. If the short

352term rental occurs in a multifamily dwelling the same owner may not rent more than one

353 unit in the development.

The following Comprehensive Plan/Code excerpts are provided for the Commissioners convenience and analysis of the rationale provided:

No STR permits should be grandfathered or a new permit issued to a Single Family Home with an ADU.

County Comprehensive Plan

Housing Element Chapter 5

II. Executive Summary Page 1 of 23 (Page 79 pdf)

The overall findings of this review conclude that Chelan County has enough existing and projected housing to meet the expected population growth. However, affordable housing options and supportive housing (for seniors and special needs) within the County are limited primarily due to three factors:

1. The County's role within the Growth Management Act is the preservation of rural lands which limits development options and higher density development.

2. The County is limited in its ability to provide infrastructure, primarily water and sewer, which are necessary to development more affordable housing.

3. Affordable housing in rural areas becomes less "affordable" when factoring in transportation costs.

Despite these limitation, the County has incorporated several regulatory options to support housing alternatives, including permitting of accessory dwelling units, subdivisions options for existing housing, bonus density associated with cluster development or planned developments and allowance of manufactured home parks. Additionally, the County supports the Housing Authority and other agencies, cities and private groups which advance housing diversity and supply of affordable housing needs throughout the County.

III Goals and Policies 3 0f 23 (pdf page 81)

H **Goal H 3: Encourage the appropriate preservation of existing housing stock.**

Policy H 3.1: Where appropriate, encourage the retention and revitalization of existing housing stock with methods such as:

a. Permitting accessory housing or the division of existing structures in single family neighborhoods; and,

b. Protecting existing manufactured home parks and permitting manufactured homes on single family lots; and,

c. Participating in or sponsoring housing rehabilitation programs offered by the state and federal government.

Rationale: Incentives to renovate existing housing are needed to help provide a variety of residential housing types that are available to all segments of the population.

Chelan County Code Title 11

11.88.200 Accessory dwelling unit.

Accessory dwelling units shall meet the following criteria:

(1) There shall be no more than one **accessory dwelling unit** per lot in conjunction with a single-family **dwelling unit**.

(2) An **accessory dwelling unit** may be attached to, created within, or detached from a new or existing single-family **dwelling unit**.

(3) The **accessory dwelling unit** will require one parking space, which is in addition to any off-street spaces required for the primary residence.

(4) The floor area of the **accessory dwelling unit** may be attached to, created within, or detached from a new or existing single-family **dwelling unit**; provided, that the floor area of an **accessory dwelling** shall not exceed one thousand two hundred square feet. Excluded from the calculation of the allowed floor area are the following: garages, and any space subservient to the primary garage use (e.g., storage, mechanical, bathroom, utility room), carports, stairwells and uncovered decks.

(5) The property owner (which shall include title holders and contract purchasers) shall occupy either the primary **unit** or the **accessory unit** as their permanent residence.

(6) No recreational vehicle shall be considered an **accessory dwelling unit**.

(7) A common driveway servicing both the existing or new single-family **dwelling unit** and the **accessory dwelling unit** shall be used to the greatest extent possible.

(8) Both the titleholder and the director of the Chelan County community development department shall sign a notice to title. Said notice to title shall be notarized, and be recorded by the Chelan County auditor for the property prior to building permit issuance stating:

The separate sale or division of the **accessory dwelling unit** from the single-family **dwelling unit** is prohibited, unless all standards in zoning and subdivision can be met. This covenant is intended to run with the land burdening and benefiting the parties' successors and assigns.

City of Chelan Municipal Code Title 17 ZONING

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A. Accessory Dwelling Units. One accessory dwelling unit is permitted provided all of the following conditions are met:

12. Violations and Penalty.a. The first and second violations of the provisions of this subsection shall be subject to a civil penalty of up to one thousand dollars. Third and subsequent offenses shall be a misdemeanor. Each day shall constitute a separate violation.

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VIII. Overcoming Challenges (page 20 0f 23)

Chelan County has incorporated several housing options to support the efforts of the rural communities by providing options for land divisions and flexible development regulations. The goal of these efforts is to support a variety of housing without reliance on government funds or public infrastructure expansions.

Affordable housing options are supported through the zoning code which provides opportunities for clustering of lots, bonus densities with some types of development, planned unit developments, master planned resorts, segregation of residential homes, and accessory dwelling units. The County adopts regulations for the urban growth areas which reflect the associated City housing goals and densities. Additionally, Chelan County has several support programs which assist people in locating and maintaining housing. The following is a summary of some of the programs available for County residents.

Housing Types page 5 of 23 page 84 pdf

The most common type of housing within Chelan County is a single-family residence with 26,1261 units. Single-family residences include manufactured housing, which is not tracked separately or regulated differently from single-family residences.

Single-family Residences

Single-family residences (SFRs) mean a building containing one dwelling unit that is not attached to any other dwelling by any means, and is surrounded by open space or yards2. Chelan County considers manufactured homes or park model homes in the same manner as single-family residences under the zoning regulations. Over the last ten years, the County building records indicate that 1,970 single-family homes and 256 manufactured/park model homes have been placed.3

Accessory Dwelling Units

Accessory Dwelling Units (ADUs) may be attached, detached, or within an existing structure1. The classification of an ADU under the Building Permit process requires a kitchen. If a structure does not include a kitchen, such as a guest house, living space above a garage, loft, or studio, it is considered habitable space, but not an ADU. Some property owners are not willing or able to classify a structure as an ADU because of the existing structures or the regulatory requirements. This provides a

Tracking specific residential structures, including ADUs, w improve our understanding o housing conditions and need challenge when trying to determine which ADU structures are used for housing purposes.

Chelan County permits the placement of ADUs in all residential zoning districts with the intent to lessen housing demand and manage housing cost throughout the County.

WRITTEN COMMENT FOR THE SHORT-TERM RENTAL DRAFT CODE
Date: 6/23/21
From: Bob Keller, Leavenworth Wa

Thank you Commissioners and County Leadership for your persistent effort to complete this policy.

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17.20.030 Conditional uses. Conditional uses are as follows:

A. Accessory Dwelling Units. One accessory dwelling unit is permitted provided all of the following conditions are met:

12. Violations and Penalty.a. The first and second violations of the provisions of this subsection shall be subject to a civil penalty of up to one thousand dollars. Third and subsequent offenses shall be a misdemeanor. Each day shall constitute a separate violation.

County Comprehensive Plan

Housing Element Chapter 5

II. Executive Summary Page 1 of 23 Page 79 pdf

The overall findings of this review conclude that Chelan County has enough existing and projected housing to meet the expected population growth. However, affordable housing options and supportive housing (for seniors and special needs) within the County are limited primarily due to three factors:
1. The County's role within the Growth Management Act is the preservation of rural lands which limits development options and higher density development.
2. The County is limited in its ability to provide infrastructure, primarily water and sewer, which are necessary to development more affordable housing.
3. Affordable housing in rural areas becomes less "affordable" when factoring in transportation costs.

Despite these limitation, the County has incorporated several regulatory options to support housing alternatives, including permitting of accessory dwelling units, subdivisions options for existing housing, bonus density associated with cluster development or planned developments and allowance of manufactured home parks. Additionally, the County supports the Housing Authority and other agencies, cities and private groups which advance housing diversity and supply of affordable housing needs throughout the County.

VIII. Overcoming Challenges (page 20 0f 23)

Chelan County has incorporated several housing options to support the efforts of the rural communities by providing options for land divisions and flexible development regulations. The goal of these efforts is to support a variety of housing without reliance on government funds or public infrastructure expansions.

Affordable housing options are supported through the zoning code which provides opportunities for clustering of lots, bonus densities with some types of development, planned unit developments, master planned resorts, segregation of residential homes, and accessory dwelling units. The County adopts regulations for the urban growth areas which reflect the associated City housing goals and densities. Additionally, Chelan County has several support programs which assist people in locating and maintaining housing. The following is a summary of some of the programs available for County residents.

Housing Types page 5 of 23 page 84 pdf

The most common type of housing within Chelan County is a single-family residence with 26,1261 units. Single-family residences include manufactured housing, which is not tracked separately or regulated differently from single-family residences.

Single-family Residences

Single-family residences (SFRs) mean a building containing one dwelling unit that is not attached to any other dwelling by any means, and is surrounded by open space or yards2. Chelan County considers manufactured homes or park model homes in the same manner as single-family residences under the zoning regulations. Over the last ten years, the County building records indicate that 1,970 single-family homes and 256 manufactured/park model homes have been placed.3

Accessory Dwelling Units

Accessory Dwelling Units (ADUs) may be attached, detached, or within an existing structure1. The classification of an ADU under the Building Permit process requires a kitchen. If a structure does not include a kitchen, such as a guest house, living space above a garage, loft, or studio, it is considered habitable space, but not an ADU. Some property owners are not willing or able to classify a structure as an ADU because of the existing structures or the regulatory requirements. This provides a

Tracking specific residential structures, including ADUs, w improve our understanding o housing conditions and need challenge when trying to determine which ADU structures are used for housing purposes.

Chelan County permits the placement of ADUs in all residential zoning districts with the intent to lessen housing demand and manage housing cost throughout the County.

Wendy Lane

From: owl367cox@nwi.net
Sent: Thursday, June 24, 2021 5:35 AM
To: ken.overbay@co.chelan.wa.us; Bob Bugert; Tiffany Gering; cd.director@co.chelan.wa.us; CD STRComment
Subject: Please add new language to protect residents with shared utilities

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

Dear Commissioners and Planning Director,

I am a full-time resident on the south shore of Lake Wenatchee and I am very concerned about the impact of short term rentals on my home, property and my way of life. Please add the language below to the new code to protect residents with shared utilities (water, septic, sewer, and driveways) from short term rentals. This is where I live - please protect my way of life!

Thank you. Mary Cox 16060 Cedar Brae Road Leavenworth, WA

TO BE ADDED TO CHAPTER 11.88.290 SHORT TERM RENTALS

SECTION 3: STANDARDS

NEW SECTION 3 P: Shared private roads, driveways, septic systems, and/or wells/water systems

i. Where an STR utilizes an access road or driveway from a public street, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said access road or driveway. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this access in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing easement or access road or driveway agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

ii. Where an STR utilizes a well or other common water source for potable water where others also use the same water source for potable water, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said source/system. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this water source in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit

iii. Where an STR utilizes septic system infrastructure, whether on site or off site and whether private or public, including, and without limitation, holding tanks, pumps, and drain fields and the like, the owners of the STR shall, prior to receiving a permit to operate, secure an agreement in writing from all other users of said septic system infrastructure. This agreement shall be dated and signed by all parties and contain an acknowledgement from all other parties that the STR owners may use this waste management unit in connection with their commercial operation of a nightly rental. The agreement shall also clearly state the

term of said permission and any conditions which would cause it to be voided. This agreement shall be in addition to any other pre-existing agreement. The agreement shall be provided to the Administrator as part of the permit application. Failure to provide such an agreement shall be the basis for immediate revocation or denial of the permit. Further, if the agreement is later revoked, the STR owner shall immediately cease operation and notify DCD. Failure to do so will result in immediate revocation of the permit.

Wendy Lane

From: Kimberly McRoberts <kamcroberts02@gmail.com>
Sent: Wednesday, June 23, 2021 7:04 PM
To: CD STRComment; info@straccwa.org
Subject: STR Public Comment

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

I think it is very important that you do NOT take away STR rights from people who have STRs in place. We planned on and count on this income based on current rules. To take them away after we have made the initial investment to create our STRs would be terribly unfair and jeopardize our financial security.

Thank you,
Kimberly McRoberts
Check out Acorn Studio on Airbnb for your next visit to Leavenworth! https://abnb.me/jFZSOiAYTW

Wendy Lane

From: Thomas Barbier <barbier.tom@gmail.com>
Sent: Wednesday, June 23, 2021 4:01 PM
To: CD STRComment
Subject: Supporter Comment FIG
Attachments: Supporter Comment FIG.pdf

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

Please find this letter in support of FIG.

Dear Commissioners:

I support FIG and fairness in grandfathering effort for people that are stuck in moratorium.

My name is Thomas Barbier and since I moved to Seattle 14 years ago, I visit Leavenworth multiply times per year with my family. It is a very special place for us and as we are originally from Europe, having this Bavarian Village just 2 hours from home makes us very happy and fortunate. Every time we travel there for a weekend or for a longer vacation, we are staying in a rental cabin. With Leavenworth being such a fun place to go it is sometimes very challenging to find a place to stay and now it would be even more challenging if there are any further limitation to rental properties. My hope is that we will be able to continue visiting Leavenworth through the years and enjoying all what it has to offer, support local businesses without stressing in finding a place to stay.

I hope my point of view will be reviewed and considered when making any final decision. Thank you for your time.

Sincerely

Thomas Barbier

Seattle Area resident that loves outdoors and Christmas Lighting in Leavenworth

Wendy Lane

From: Alicja Podgorska <alicja.podgorska@gmail.com>
Sent: Wednesday, June 23, 2021 3:41 PM
To: CD STRComment
Subject: Supporter Comment FIG
Attachments: Supporter Comment FIG .pdf

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

Dear Commissioners,

Please see the attached Supporter Comment for FIG.

Thank you for your time

--
Regards,
Alicja A Podgorska

Dear Commissioners:

I support FIG and fairness in grandfathering effort for people that are stuck in moratorium.

My name is Alicja Podgorska and since I moved to Seattle 11 years ago, I visit Leavenworth multiply times per year. It is a very special place for me and my family as we are originally from Europe and having this Bavarian Village just 2 hours from home makes us very happy and fortunate. Every time we travel there for a weekend or for a longer vacation, we are staying in a renal cabin. With Leavenworth being such a fun place to go it is sometimes very challenging to find a place to stay and now it would be even more challenging if there are any further limitation to rental properties. My hope is that we will be able to continue visiting Leavenworth through out the years and enjoying all what it has to offer, support local businesses without stressing in finding a place to stay.

I hope my point of view will be reviewed and considered when making any final decision. Thank you for your time.

Sincerely

Alicja Podgorska

Seattle Area resident that loves outdoors and Christmas Lighting in Leavenworth

Wendy Lane

From: Joni Fisher <jonimfisher@msn.com>
Sent: Wednesday, June 23, 2021 3:37 PM
To: CD STRComment
Subject: RE: STR Code Comments 06162021

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

Tiffany, Bob and Kevin

Adding an additional Point here: I was shocked to hear that Tiffany recommended a change to the Manson UGA Cap and Transferability that was agreed to by the task force. I thought the entire reason to have a task force was to work out the big issues, have equal representation from the public pro/anti STR side and not determined by the BOCC. This is Tiffany's district and this change will even further impact the Manson/Chelan area businesses and workers dependent on STR's. They are already going to lose 50-100 STR's in the UGA when the code is final, since you seem to be headed to only grandfather the 45ish with 2020/21 permits. Not sure the local business constituents will be crazy about this change and that it was recommended by their representative.

This should NOT move forward and the code should be reverted back to the 9% cap and 3 yr. transferability as agreed to by the task force members.

Thanks You,

Joni

From: Joni Fisher
Sent: Wednesday, June 16, 2021 11:07 AM
To: CD.STRComment@co.chelan.wa.us
Subject: RE: STR Code Comments 06162021

Chelan County Council Members,

Sad to see this but seems like Manson UGA Unpermitted STR's will not be grandfathered in this process. Apparently, we will be made an example of to show the rest what can/will happen, apparently someone must pay the price to show force and make Anti-STR folks in Manson/County happy. So, 99% in Chelan County get grandfathered and the 1% in Manson UGA pay the big price.

- I take exception to the discussion on checking the STR box on permits. I did just that and at no time did the planning department contact we worked with for our building permit or the final inspector mention we needed a permit or that STR's were not allowed. She did however make it clear by her actions she didn't like it. She made us make changes to our plan, for questionable ridiculous reasons but we didn't argue and complied, which cost us 10K. Those reasons were specific to renters and their safety. If we had large openings in the front of the house with industrial garage doors or accordion sliders, a renter could pull there car in the house and potentially close the door, leave it running and kill everyone. This is not a joke, that was the reason. We were trying to be compliant and follow the process.
- I guess the stance, "this is all on us" is holding strong. There was no enforcement, communication, no requirement for this to be part the information communicated during a home sale/purchase, require transfer of

a permit on sale of an existing STR, final occupancy inspection, etc. but the owners are all in the wrong. The county has no burden here, just blame the owners for not doing enough research, and shut us down.

- I didn't just open an STR and do NO research, I did all the right things except figure out I needed a permit. Then the moratorium slammed the door on us to get our permit!! Which I thought was to stop the growth of new STR's but is being used to lock existing UGA STR's from getting our permit and allowing you to shut some existing STR's down. This mistake is going to likely cost us our retirement home, 4 yrs. from reaching our goal to retire in Chelan County. I am sure you will think we deserve this for making one permitting mistake, that is a HUGE price to pay but you have the power.
- Can you at least consider letting those of us who were existing/operating in good faith, no complaints, paying taxes, liability insurance, plenty of parking, etc. be given preferential treatment for the next open permits. If in fact 100 homes, as your numbers suggested are caught in this, then there might be some permits available. It doesn't seem fair that new STR's will be given an equal shot at obtaining a permit, before those of us who were FORCED to shut down due to one mistake.
- The other big losers here will be the Manson/Chelan area businesses... that is going to be a lot less people frequenting the grocery/retail stores, wineries, boat rentals, etc. Hopefully they all survive... which is struggle there in the best of years.
- We are just bad people from the West Side anyway so who cares, right!! We purchased this home because we love the area and wanted to become true contributing members of the community in our retirement years. It seems we really aren't that welcome or wanted by a vocal minority of residents. Who have posted our home on FB, Pin on a map stating we were illegal in a public place for all to see, say terrible things about us without knowing a thing about us, encourage people to video and post those on social media, regardless of the fact that recording voices without consent is ILLEGAL in WA. It's disgusting the things being said and done to STR owners, with the hopes to drive them out of town. Sadly, they are getting what they want and good people are paying the price.

Yes, there is anger, sadness, frustration in this email... this is personal and devastating for us. We are done emailing comments or begging for you to hear us, it seems you have your minds made up. I will hope for something to change but assume it won't!!

Sincerely Sad and Disillusioned,

Joni Fisher and Doug Goforth

From: Joni Fisher
Sent: Monday, June 14, 2021 1:21 PM
To: CD.STRComment@co.chelan.wa.us
Subject: STR Code Comments 06142021

Hello Counsel Members,

Thank you for taking the time to hear from us and give comments on the new draft code.

- Please treat un-permitted STR's in Manson with the same rules as other existing STR's, Fairness in Grandfathering for all existing STR's. Most are not unpermitted out of spit or disregard for the rules, most are due to not knowing. In most If not all cases were permits are required, there is a fine/back permitting fee's if there is non-compliance... not completely be forced to shut down and get back in line for new permit. Which will now be unlikely to obtain, so you are done. Secondly, the moratorium was put in place to stop NEW STR's from opening and now is being used as loop hole to not allow existing STR's to get our permitting in order. We

should be allowed to permit, pay back fee's and move forward to become legal non-conforming provided we can meet the other restrictions.

  - If this shut down of unpermitted homes in Manson happens, the bulk of the economic impact from that will be felt by the local Manson small businesses, they finally have the opportunity to make a comeback from the impacts of Covid, this reduction in tourist could be the final straw that breaks them. This will also impact Sales and Lodging tax revenue for the County, country to some beliefs, most all of the STR's are paying these taxes, as it is required as part of your listing on any of the large platforms.

- Requiring a large sign on the property is a privacy and security concern.. This needs to be re-evaluated and a better solution determined. Maybe registration with enforcement or neighbor notification, or both but not a sign advertising this house might be empty, they are bad people because they rent maybe you can harass them and this IS a privacy concern. Who wants their name and phone number in 4 inch letters on a 2x4' sign in the yard, not to mention how unattractive that would be around town. There has to be a better way.
- Land lines are antiquated technology and will be entirely phased out in the next decade... again most homes have good cell coverage, for those that don't an alternate solution might be in order. Instead of telling how, the code should list the requirement. There must but be a reliable means of communication out for Renter safety.

I am saddened reading some of the terrible comments and assumptions made about owners by people who know NOTHING ABOUT US. I want to ensure you and the Anti-STR residents, My Husband and I, as do **most** owners desire and strive to be good neighbors. We do not want to ruin Chelan County, life for **any** resident, regardless of how many months a year they live there, the take the money and run mentality might be there but it is NOT the majority of owners. Most LOVE Chelan County and either do live there full time, PT or want to more than anything. We are good people, with hearts, families, desires, plans for future retirement, and we want good neighbors and to be community members. Chelan County is a tourist destination STR's or not.. that will not change and with that comes things people tend to dislike. Crowds, traffic, and expensive housing... maybe Leavenworth is too popular for the residents now, it seems all things tourist are now unpopular... Christmas Lights, Fireworks shows (not personal, those are dangerous and a fire hazard), STR's, Snow, Octoberfest, holiday weekends, etc. You can't turn back time to the early days and no matter how hard you try, time moves on and change is evitable. Change is hard but if we work together we can do what is right by residents, STR owners, business owners and the economic future of the county.

Sincerely,

Joni Fisher

Wendy Lane

From: Stargazer Lane <info@stargazerlane.com>
Sent: Wednesday, June 23, 2021 2:35 PM
To: CD STRComment
Subject: Short Term Rentals

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

Hello,

I please ask you to consider grandfathering in current STR's in the unincorporated county and on lots larger than 5 acres. This is part of our livelihood and our rental does not seem to bother anyone due to the amount of land we have surrounding our property.

--

Thank you,
Ron Sievers

Wendy Lane

From: fred guimond <fredguimond@bellsouth.net>
Sent: Wednesday, June 23, 2021 1:17 PM
To: CD STRComment
Subject: STR Code

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

It appears that you have made some decisions on the DRAFT CODE that are unacceptable to residents of the County. You should be most concerned with the RESIDENTS of the county, and not with absentee landlords.

1. You have decided to exclude children under 2 years old from the occupancy cap. Excluding these children under 2 is in DIRECT CONFLICT with the task force agreement, and should be rejected. Why would you put it in there? Your decision is also wrong, as it is counter to the local Health District septic calculations, which DO
NOT exclude 2 year old children, but include EVERYONE- regardless of age! FOLLOW THE RULES! Include children under 2 years of age in the caps on occupancy!

2. Why have you NOT added the language in Section 290 3b that requires that the MAXIMUM occupancy of a STR MUST be limited to 2 per bedroom? This is spelled out quite clearly in both the septic permit as well as the building permit. This gets around the illegally added bedrooms, and those STR's that are not on septic systems. Please add language in section 290 3b that
require the Maximum occupancy be limited to 2 persons per bedroom!

3. In the public hearing on June 29th please allow ALL

County residents to speak. You should also require that all speakers state their PERMANENT HOME ADDRESS, not their STR address. You might learn something as to where most of these landlords are from.
They are mostly NOT FROM HERE!

Regards, Fred Guimond
16991 North Shore Drive
Leavenworth, WA 98826
tel (509)210-0333

Wendy Lane

From: Barb Knapp <dknapp3140@aol.com>
Sent: Wednesday, June 23, 2021 11:42 AM
To: CD STRComment
Subject: STR question

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

Hello!

Thank you for your time and consideration regarding our current STR home The Grand River Lodge. We are located on a RR2.5 designated lot. Please clarify that we would still be grandfathered in under the tier 3 designation? I was reviewing the draft and apologize but found myself confused about our status?

Also, we currently offer our home for 21 guests - and see you are purposing a 16 person limit to tier 3. We have 8 bedrooms (1 is a 4 bunk) with a 9 bedroom septic. Plenty of parking for all guests. We have an adu over the garage and wondered if we had a property manager living in that ADU would that upgrade our status for the permitting process, in other words having an onsite manager?

Thank you very much,

Barb & Dennis Knapp
The Grand River Lodge

Wendy Lane

From: Teri Jungk <tjungk@cablespeed.com>
Sent: Wednesday, June 23, 2021 11:33 AM
To: CD STRComment
Subject: Str's

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

It seems to me that the county has problems that need addressing... 1. Leave fines as they are? Why worry about an occasional $750 fine when you are collecting $1500 per day? " Let ' em party." And what do the complaining full-time residents get? Verbal abuse, threats, and no reimbursement.
2. Use 3 enforcement officers? For 3 shifts? For Leavenworth, Manson, et al? Why not raise enforcement costs from the owners by taxation and have enough people to do the job properly 24/7? WHY NOT?
3. Manson has a 9 percent limit- area wide. So no str's in the orchard, and they take over Willow Point. I live in Willow Point, with 5 of my 8 neighbors str's. Bring back the 200 foot rule or they will force us all out. Without a barrier, the number will only grow.
4. No vetting is being done to the str renters. In Palm Springs, California, a manager shows up in the first 24 hours (or quicker) with a contract for the legally responsible party's signature and credit card number. If you know that any fines are going to be extracted from your bank account with no possibility of appeal, your behavior will probably be better. Calls in Palm Springs are down 95 % since their rules were enacted. Is this something we as local residents don't deserve? If not then WHY NOT?
5. When is the county going to publish a list of licensed str's? It's clear that there are a multitude of str's under the radar, and the county is losing revenue. We are your eyes and ears, remember?
6. STRAAC touts the "fact" that str's help the local economy, when the reality is that they have driven up rents, raised property taxes on folks with fixed incomes, and taken 90% of the profits out of the area. That's not nice, folks... 7. And about those property taxes, why am I taxed the same as a commercial venture next door, when according to the moratorium, I can't operate an str?
Larry Jungk, 80 Willow Point, Manson
Sent from my iPad

Wendy Lane

From: Draggoo, Braden L. <bldraggoo@ft.newyorklife.com>
Sent: Wednesday, June 23, 2021 10:50 AM
To: CD STRComment
Cc: Jessica Creel
Subject: Short term rentals

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

Chelan County,

I have not seen the rules on the short-term rental issue yet, but I would assume the areas inside of the city limits with zoning for "mixed used' or "TA" or some of the more basic zoning allowing businesses or hotels won't or should not be affected with any of this negatively.
Also, for houses that are used as a primary resident with residents that live in the county of Chelan should not be affected if they want to use it as a long term or short-term rental-there should be a choice.
I can fully understand vacation homes and people who do not live in Chelan county trying to rent their houses without personal and local oversight. Hiring a company is never as good as having a personal owner who lives, works locally in Chelan county watching and taking care of these short-term rentals.
I think short term rentals are great. It helps people get more creative and makes everyone do better. Better options especially with covid people are going to want options with less traffic and being able to cook from home and have a cleaner less traffic area to stay safe.
I am 100% in support of short-term rentals and as a community this should be available for people to help grow their wealth and not always favor just big business. Also taking into consideration that when they use Airbnb or Vrbo platforms, they are putting the occupancy tax back into the county/city/state which is great.

If you can get back with me to answer some of these questions, I would appreciate it and I look forward to being on the call the 29th.

Braden Draggoo, Founder/Owner

Financial Advisor

Draggoo Financial Group

1301 Walla Walla Ave, Suite A

Wenatchee, WA 98801

509-888-4345 Office

509-663-9034 Fax

Check out our website: ***Draggoo Financial Group***

Connect with me on ***LinkedIn***

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Wendy Lane

From: Randall <stehekin@silverbayinn.com>
Sent: Wednesday, June 23, 2021 6:39 AM
To: CD STRComment
Subject: STR

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

Consider legal zoning. If zoned RESIDENTIAL then that is the legal standing. Anything less is transient and therefore commercial. How do you change the law?
Randall
Stehekin

Sent from my iPhone

Wendy Lane

From: lisa song <lisasongshin@yahoo.com>
Sent: Tuesday, June 22, 2021 9:12 PM
To: CD STRComment
Subject: Fairness in Grandfathering

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

Dear Commissioners,

For the past 15 years, our family has spent time in Chelan and loves vacationing there. In the summer of August 2020, we decided to purchase our own home. We wanted our own place so we can continue spending more time in Chelan as well as the ability to operate as an STR. We were told by the listing agent that the property we purchased was allowed to operate as an STR. We have an email from our agent stating this on 7/31/2020 as well as communicating on the phone and via email with a Vacasa agent on 8/10/2020 discussing the steps to operate as an STR and partnering with them to manage the property. Our home is a new construction home and due to Covid, we had delays and closed on the house on 12/29/2020. In addition, we have invested in a pool, landscape, and fence in the estimate of $120K on top of the house purchase price which we feel has helped the local economy. After all this, we are now unable to operate as an STR caught in the middle of this moratorium.

We are asking you to consider us being grandfathered along with others in similar situations who would like to keep their vacation home and be able to rent out to friends, families, and other vacationers. Without being able to rent it out, we will have a heavy financial burden. Please show fairness in grandfathering. Thank you.

Sincerely,

Lisa Song

Wendy Lane

From: melissa Wike <melissawike81@gmail.com>
Sent: Tuesday, June 22, 2021 7:37 PM
To: CD STRComment
Subject: Not okay

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

I live in peshastin and last time I checked, there were over 400 short term rentals in Leavenworth and surrounding areas alone. There needs to be a cap on this. People are being kicked out of their homes with 30 days to find somewhere to live. It's not okay. I live with my mom in a trailer because I cannot find a rental anywhere! It's ridiculous.

Wendy Lane

From: Grace Kim <grace@pgkim.com>
Sent: Tuesday, June 22, 2021 6:28 PM
To: CD STRComment
Subject: Re: Grandfathering Request

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

Dear Commissioners,

I'm writing this again to express that my husband and I are desperately seeking your attention for our case. We are part of the group that is caught in this moratorium, known as "FIG", Fairness in Grandfathering.

When we purchased our new construction in Manson on 8/4/20, we were for sure guaranteed to operated as STR once we closed on the house and applying for the permit. However, by the time we closed on the house in December we were told about the moratorium. Now we are stuck in this situation of owning a brand new house in Manson fully equipped to operate with a pool and not being able to do so. In fact, our next door neighbor was lucky enough to close before the moratorium in Aug and had been able to operate fully since then. I'm not sure why the luck of timing should be the factor differentiating the two homes. It just seems unfair. There are not that many people caught in this situation and I'm pleading for you to reconsider grandfathering this group of people identified as "FIG" before finalizing the code.

Thank you,
Grace Kim

On Thu, Jun 10, 2021 at 2:32 PM Grace Kim <grace@pgkim.com> wrote:
Dear Commissioners,

My family visited Chelan for the first-time last summer and we fell in love with the area and the idea of owning a vacation home there for our kids. We found a perfect house in Manson in late July and purchased it with another couple who are dear friends of ours. We signed the mutually accepted Purchase and Sales Contract on 8/4/2020 and we were told the property was allowed to operate as Short-Term Rental. We have an email from our realtor stating this on 7/31/2020 as well as communicating on the phone and via email with a Vacasa agent on 8/10/2020 discussing the steps to operate as a STR and partnering with them to manage the property. We closed on the house on 12/29/2020 as it was a new construction and had a delay due to Covid as well. In addition, we have invested in a pool, landscape and fence in the estimate of $120K on top of the house purchase price which we feel has helped the local economy. After all this we are now unable to operate as a STR caught in the middle of this moratorium.

We are asking you to consider us being grandfathered along with others in similar situations who would like to keep their vacation home and be able to rent out to friends, families and other vacationers by abiding by the law. Without being able to rent it out, the house will sit empty most of the year with a heavy financial burden remaining on our end.

Sincerely,

Kil Dal & Grace Kim
--
Grace

Wendy Lane

From: Carrie Ford <lebretc@gmail.com>
Sent: Tuesday, June 22, 2021 5:15 PM
To: CD STRComment
Subject: STR Comment

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

Dear Commissioners,

We are writing to you today in response to the updating of codes in relation to the Short-Term Rental (STR), and to request consideration in the grandfathering of properties as suggested in the Short-Term Rental task force report attachment documents.

Specifically, the parties involved in the first portion of the attached documents recommended grandfathering properties that:

> "1. Had approved unexpired building permits issued before August 25, 2020 where the applicant noted on the building permit application form that it was intended to be used as a short term or vacation rental, and was constructed and issued a certificate of occupancy within six months of the effective date; AND/OR
> 2. Were purchased by the current owner in a sale that closed in 2020 and was pending on or before August 25, 2020, provided that the owner can provide evidence from before August 25, 2020 of STR-specific investments or intent to operate it as an STR. Examples of evidence include but are not limited to: communications with realtors, property managers, cleaners, architects, builders, or county staff; preparation of draft listings or advertising materials; or permit applications indicating intended STR use"

Further, in this recommendation, it was stated that STRACC performed a survey of its members as well as independent STR operators – out of 137 responses, 17 (12%) of them met the criteria for the consideration as noted above.

Our family is one that has unfortunately had poor timing and has become stuck in the middle of the STR moratorium. We started our process by contacting a local STR manager in November of 2019, learning what we could about having an STR in the Lake Chelan area. We have multiple emails from her in which we are discussing our desire to own a house for STRs. Our first contact with a realtor in the area was February of 2020, with emails detailing our intention of renting our house as an STR when not in use by the family. We put down non-refundable earnest money for the house around March, and the house was finally completed (and sale closed in late July 2020, after approximately a 2 month delay due to COVID-19).

Our highest priority throughout this process has been to act in good faith and be excellent community members, so we were not in a hurry to obtain a permit to rent out the house immediately after closing, as we wanted to be a positive presence in the neighborhood and get to know the neighbors, offering direct contact information. Due to our desire to be respectful and responsible, and while acknowledging what some perceptions may be of someone operating an STR, we did not get the opportunity to obtain a permit prior to the moratorium being enacted.

Unfortunately for our situation, as part of the moratorium and current draft of the code, it appears as though the 200-foot distance between STR properties will be enacted. This was not the case when we purchased the home. Had this been the case at the time, we would not have purchased this house and have continued our search in

other neighborhoods. Again, we are requesting consideration on this aspect based on the poor timing in which we have found ourselves.

We continue our commitment to being a positive addition to the community as well as providing a relaxing getaway for families traveling to the Lake Chelan area, and again urge you to consider allowing the grandfathering in of rentals as recommended by a portion of the STR Task Force.

Thank you for your time and consideration,

Kelli LeBreton and Kevin Antoine
Tina LeBreton
Carrie and Josh Ford

Wendy Lane

From: Emily Mallory <emily@emilyspapercrafts.com>
Sent: Tuesday, June 22, 2021 5:01 PM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am advocating for short term rental operators in Chelan County and specifically I want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. I can not even begin to imagine their heartbreak and frustration at this unexpected decision. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium. I understand FIG is in the process of crafting a fair and practical solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourselves in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. The year 2020 was hard enough on a lot of these rental owners, please don't make 2021 even harder and more difficult for them.
Thank you for your time and consideration in this matter,
Emily Mallory

Wendy Lane

From: Kathi Bonallo <kip.bonallo@gmail.com>
Sent: Tuesday, June 22, 2021 5:01 PM
To: CD STRComment
Subject: STR

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

Dear Commissioners,

I am a full time resident on River Rd in PlAin. I have multiple concerns regarding STRs.

First is the percentage of STR to full time residency, which is compounded by second homes. It's important to me to have community and STRs are not conducive to building community. With absent 2nd home residents building community in my neighborhood is hard enough. The revolving door of STRs just compounds the problem.

The abundance of STRs for profit is also putting those who do want to be part of this community out of the market.

Another concern is enforcement - reviewing permits, enforcement of STRs without permits, exceeding septic limits and building codes etc, as well as problems with noise ordinances.

Please remember the health of our communities and county is dependent on people who are committed to living and working here in the community!

Kathi Bonallo,
18150 River Rd
Leavenworth, WA 98826

Wendy Lane

From: Kathy Branch <kathy.branch@gmail.com>
Sent: Tuesday, June 22, 2021 4:35 PM
To: CD STRComment
Subject: Manson Vacation Rentals

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

I am a resident of Manson, in a neighborhood that dates back to the early 1920's. I purchased a home built in 1923 in 2017 and spent a year restoring it. In the past 4 years the proliferation of STR properties has made my neighborhood nearly unlivable.

Recently I spoke with the owner of an STR in my neighborhood who told me she never paid the license fee to the county because she was told by the representative of her nationally owned management company that " the county doesn't enforce that requirement so we don't bother with it." She purchased that property in 2018 with the full intention of renting it short term; she said the realtor never mentioned any fees or restrictions. This ignoring of the rules has extended to allowing 15-20 people to rent and occupy 4 bedroom houses all around my home; with the attendant vehicles blocking the narrow streets- including boats and sometimes camping trailers.
The noise of drunken people playing music loudly outdoors has destroyed the peace and quiet of this lovely old neighborhood. I have asked politely for folks to please keep the noise down , only to be cursed at.... the property management companies are no help- the property owners and management companies must be held responsible financially and by policy to control this problem.
These are hotels ; operating under the guise of single family dwellings, to the detriment of those of us who actually reside here.
I propose minimum stays of 4 days, maximum occupancy of 2 people per bedroom, maximum vehicles not to exceed on site parking. I also want these folks to pay fees to provide security checks on the properties to check for abuses.
This is not an unreasonable request; I owned businesses for over 30 years and never expected other people to subsidize my profit like this; nor should these out of town investors.

Sincerely,

Kathy Branch

--
a.kathryn branch

Wendy Lane

From: Bobby Wright <rrwright3@gmail.com>
Sent: Tuesday, June 22, 2021 2:38 PM
To: CD STRComment
Subject: Fairness in Grandfathering

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

Dear Commissioners and Jim Brown

I was saddened today after watching the workshop that our issue with the county was not even mentioned. Even after a phone call Jim had with our attorney a couple days ago, we were assured that our issue was on the radar of the Commissioners. For this issue to not even be brought up was saddening to a host of people whose financial lives hang in the balance.

Our group has been in limbo for close to a year now and our perspective has, not once, received proper representation throughout this process. My family and I have tied up our savings in the cabin we purchased and entered into a contract well before the moratorium date was enacted. We entered into this contract in good faith that STRs were permitted at the time we entered in the contract. Because of covid we experienced delays with our closing and missed closing our home within 15 days of the moratorium going into effect. We had already signed a management contract with a local manager, purchased furniture for our new cabin, spent countless hours getting our insurance and other legal paperwork in place to make it a rental and now because an arbitrary date was chosen and assigned the county is telling us that we can't rent like other STRs.

The county has chosen to make "grandfathering" a selective process with an arbitrary standard for the definition of an STR before and after the moratorium. I would ask one more time that you take up our case and consider our point of view. Something that has not been done at this point but please look at it through our perspective.

There was no permit process or code for STRs before 8/25 so what we had done before that date should count toward us being defined as an STR.

Thank you for your time and I hope that you can please see it from our perspective.

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Tuesday, June 22, 2021 2:34 PM
To: CD STRComment
Subject: A fair public hearing?

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

Commissioners,

I was disappointed to learn some of the details about the up-coming public hearing.

1) It will be in the middle of the morning on a work day. It is clear that a majority of those affiliated with the vocal minority on the neighborhood side (RUN) are more likely to be available during the workday. Business owners and full time workers who are more likely to give the opposing view are less likely to be able to attend, thereby potentially tipping the scales. What is the reason this public hearing is 10:15am whereas the last one was scheduled in the evening?

2) The method for signing up to speak will change from last time, where pre-registration was opened up and gave everyone a fair chance to sign up. This time around I understand that you simply intend to call names from those with their hands raised on the Zoom call. What safe-guards will be in place to ensure this process is conducted fairly and impartially and that the voices heard will accurately reflect the balance of views on the call?

3) The code has had multiple revisions, additions and changes during the last three workshops and still does not appear to be in a near-final state with several issues still being debated. What steps are being taken to ensure the public is fully aware of which version of the code they are commenting on, how it has changed from previous revisions and what the hot-button issues are?

Sincerely
Scott Huson

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Tuesday, June 22, 2021 2:17 PM
To: CD STRComment
Subject: Please do not destroy our dream

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

Commissioners,

I am bitterly disappointed that despite an outpouring of support for our cause in public comment, two letters from our attorney to you, and direct telephone conversations between our legal counsel and Jim Brown, another workshop has passed where our issue has been completely ignored.

I am asking you to PLEASE consider the situation me and my wife, and those like us, are in due to no fault of our own. We bought property in good faith and with clear intent to use it as a vacation home and an STR prior to August 25th 2020. Our closing was delayed due to Covid. Our ability to rent it out was delayed due to Covid. We are no different to those who are being grandfathered in except for the timing didn't work out due to circumstances outside of our control. We were irreversibly in the process before the moratorium was implemented with no notice.

We have worked with legal counsel to put forward a suggested framework that would take a limited, targeted approach to this issue and is very reasonable. We believed, following the latest call between Jim and our lawyer, that you were at least going to debate it.

All we are asking is that you take a fair and pragmatic approach, be open and collaborative and consider the potential future ramifications of not giving this due attention now. This issue will not just go away. We are passionate, committed people who fully intend to fight for our private property rights as long and hard as is necessary.

I ask you again: please don't pass a code that destroys our dream. We are not the problem here. We are FOR REGULATION. We are FOR COMMUNITY. We are for NEIGHBORHOODS and we are FOR A STRONG AND VIBRANT TOURISM ECONOMY in Chelan County.

All we are asking for is FAIRNESS IN GRANDFATHERING for the very limited number of folks in our position.

Sincerely
Scott Huson

Wendy Lane

From: William Shadbolt <wmshad@gmail.com>
Sent: Tuesday, June 22, 2021 11:43 AM
To: CD STRComment
Subject: Comments on STR proposed code

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

Dear Sir/Madam,

Please accept the following as comments on the proposed code:

Commercial Use
Page 4 Line 69 and 11.22.030 (1) "*Short-term rental land uses are commercial uses*" How is an owner-occupied home renting out a single bedroom, for example, a commercial use? The length of time somebody stays in a home doesn't change the fact that it is a home or residence.

Search of home without probable cause
Chapter 11.88.290 (2) states:
"(i) Tier 1: Owner-occupied short-term rentals where either (a) rooms are rented and the owner is personally present at the dwelling during the rental period, or (b) the short-term rental is located within the same parcel as the owner's principal residence and the owner is personally present at the dwelling during the rental period, or (c) the entire dwelling is rented no more than 15 total days in a calendar year provided that an on-site qualified person is there during the owner's absence. Portions of calendar days shall be counted as full days."

Section H (vi) states "Denial of entry for inspection is grounds for immediate permit denial or revocation of all permits for short term rental land use under this chapter pursuant to CCC Title 16.20.0430."

Also Chapter 16.20.040 states:"(F) Denial of entry for required inspection, reinspection, or interference with an inspection or reinspection of a short term rental property under CCC 11.88.290 is grounds for immediate denial of issuance or revocation of the short term rental land use permit."

Given that some Tier 1 rentals will be in somebody's home, how do the inspection requirements pass constitutional protections as granted by the US Constitution's Fourth Amendment and the WA Constitution's Article I Section 7?

Acts of guests
There are various sections (parking, trespass etc) that require the owner to act. What happens if the guests refuse? Will local law enforcement eject the guests as allowed by law? If the owner makes a best effort to remedy the situation but the guests refuse to cooperate, will they still be fined or lose their license? If so, it seems highly inequitable to do so.

Limitations on transfer
Section I - What is the purpose of this limitation even on death or divorce?

Lottery
This is referred to in several sections but the details have been striked out. It's unclear if the remaining references should be removed or not. If the county wishes to continue with the idea of a lottery, may I point out that it's been ruled unlawful in other parts of the country? https://goldwaterinstitute.org/stopping-a-city-from-raffling-off-property-rightshobbs-v-city-of-pacific-grove/

Wendy Lane

From: steve <sstroud@nwi.net>
Sent: Tuesday, June 22, 2021 10:56 AM
To: CD STRComment; steve
Subject: Preserve our Neighborhoods

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

Commissioners, Jim Brown

I am a 40-year voting resident of Chelan County.

20 years ago I built my home on 1.5 acres in RR2.5. I had reasonable expectations to peaceful enjoyment of my home as did my neighbors. Now 25% of the houses here are STR's. You know the litany of woes.

STR are commercial adventures.
They do not belong in residential neighborhoods.
Anything short of that is a compromise.

Now is the time to set the standards that protect me and my neighbors.
There are some 70,000 residents of Chelan County.
There are some 2,000 STR.
STOP sacrificing the vast majority of residents to a minority interest group dedicated to personal gain at public expense.
90% of non owner occupied STR are owned by people who do not even live in Chelan County!

PLEASE
Adapt the Task Force agreed upon consensus.
It is far from ideal for residents, but it is better than what we have now – which is nothing!
Also

1- Make it stronger for residents, not watered down (as you seem to be doing)
2- Ensure that the # of bedrooms are limited by building permit and/or septic permit
    a. everyone else in the county abides by this-STR should be no different
3- Maximum limit of 2 people per bedroom – no matter the age of person/child
4- NO non owner occupied STR on non-confirming lots of 2.5 or less
5- NO CUP for events for tier 1 and 2.

The STR people agreed to the Task Force conclusions as did Residents. The maximum occupancy agreed to was 12 persons for absentee-owner STRs in residential zones that are conforming lots; children are included in the count. For STRs on major highways occupancy limits are 16.

The Task Force Agreement is a start. It can be made stronger to preserve our rights as residents to peaceful enjoyment, safety and health.

Adopt it now, make it stronger, get it done.

Thank you

Steve Stroud
10587 Fox Rd
Leavenworth WA 98826

509-433-8109

Sent from Mail for Windows 10

Wendy Lane

From: Jill Iaccino <jill.iaccino@gmail.com>
Sent: Tuesday, June 22, 2021 5:44 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County - what a wonderful way for people like me from another state to come and experience your beautiful land! I specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium. They have beautiful rentals and it would be so disappointing to see them ended simply due to the 8/25 date.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Kind Regards,

Jill Iaccino

Wendy Lane

From: Grace Kim <grace@pgkim.com>
Sent: Monday, June 21, 2021 11:32 PM
To: CD STRComment
Subject: Re: Fairness in Grandfathering of STR in Chelan County

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

My story:

My family visited Chelan for the first-time last summer and we fell in love with the area and the idea of owning a vacation home there for our kids. We found a perfect house in Manson in late July and purchased it with another couple who are dear friends of ours. We signed the mutually accepted Purchase and Sales Contract on 8/4/2020 and we were told the property was allowed to operate as Short-Term Rental. We have an email from our realtor stating this on 7/31/2020 as well as communicating on the phone and via email with a Vacasa agent on 8/10/2020 discussing the steps to operate as a STR and partnering with them to manage the property. We closed on the house on 12/29/2020 as it was a new construction and had a delay due to Covid as well. In addition, we have invested in a pool, landscape and fence in the estimate of $120K on top of the house purchase price which we feel has helped the local economy. After all this we are now unable to operate as a STR caught in the middle of this moratorium.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which including meaningful acts in reliance on the Code in effect that allows STRs.
- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.
- The specific details of this proposed solution will be provided by separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely,

Grace Kim



--
Grace

Wendy Lane

From: peter@pgkim.com
Sent: Monday, June 21, 2021 11:29 PM
To: CD STRComment
Subject: Fairness in Grandfathering of STR in Chelan County

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

My story:

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- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.
- The specific details of this proposed solution will be provided by separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely,

Peter Kim

FAIRNESS IN GRANDFATHERING
Chelan County Vacation Rentals

Wendy Lane

From: Karen Kimerer <karen@klkimerer.com>
Sent: Monday, June 21, 2021 7:02 PM
To: Jim Brown
Subject: Short-term rentals

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

Hello,

Food for thought from a full time resident of Manson WA. Our new(er) neighbors rent out their townhome on a regular basis as a few others do on our street. Our concern and frustration is they often rent for 2 or 3 nights, meaning we have turn overs 3 times a week.

We no longer feel a sense of community, feel safe and are constantly policing noisy neighbors. Our one time quiet community has people coming and going all the time. I feel like we're living next to a hotel not a Short Term Rental.

As you move forward with your committees I strongly propose an ordnance be put in place that STR's must be for a minimum of a week. Or no more than one renter per week.

We have a home in Palm Desert and most communities there require a minimum of a month. Knowing that's a steep ask it maintains a sense of security and community. The city of Palm Desert also has their own STR enforcement agency, preventing home owners from having to police their community. It works well and the agency actively collects on the fines from the owners renting when violations occur.

Please let me know what else I can do to put more light on the topic. We have notified our neighbors directly sharing that never in 15 years have we felt like we have to lock up the house and cars to walk over to the pool till now. Their response "this is an investment property". Oddly so is ours, we just don't happen to rent.

I appreciate your attention to our concern.

Thank you!

Karen Kimerer

Wendy Lane

From: Don MacKenzie <donmackenzie@hotmail.com>
Sent: Monday, June 21, 2021 3:07 PM
To: CD STRComment
Subject: Caution interpreting RUN math on STRs and home prices

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

Dear Commissioners:

The RUN group has been pushing some analysis of home prices and STRs that purports to be based on peer-reviewed research, but in fact misapplies the models presented in the research they cite.

The paper in question (Barron, Kung, & Prosperpio, 2020) employs what is known as a log-log specification to measure the relationship between home prices (or rents) and the number of Airbnb listings. Researchers using a log-log specification commonly interpret their model results as "a 1% increase in X leads to a b% increase in Y" or "a 1% decrease in X leads to a b% decrease in Y." In the case of this work, the researchers noted that "a 1% increase in Airbnb listings leads to a 0.018% increase in rents and a 0.026% increase in house prices at a median owner-occupancy rate zipcode."

While this is an acceptable approximation (and a convenient interpretation) for small changes in the predictor variable (i.e. Airbnb listings), it is not quite mathematically correct, and the approximation breaks down for larger changes in the predictor (such as the 1,371% increase they claim for Leavenworth). What this means is: you cannot multiply the estimated effect of a 1% increase by 1,371 to obtain the effect of a 1,371% increase.

I won't bore you with the math (unless you ask me to), but the result is this: to extrapolate a log-log model for larger changes in Airbnb listings, you need to apply the formula:

$$Price_{new} / price_{old} = (STRs_{new} / PercentSTRs_{old})^{b}$$

Where b is the sensitivity of price to Airbnb listings.

Applying these numbers correctly, we find that the ratio of prices is estimated to be

$$Price_{new} / price_{old} = (868/ 59)^{0.0206} = 1.057$$

In other words, the increase in Airbnb listings has driven an increase of perhaps 5.7% in Leavenworth, not the 28% RUN claims (and similarly, an increase of 7.8% in Manson versus the 70% claimed by RUN). These are not nothing, but they need to be considered in the context of home prices that have increased by about 80% in Chelan County - and in Washington State as a whole - over the past decade. (And, this is all assuming that the underlying model, based on data from 2012-16, is valid for the levels of Airbnb listings seen in Chelan County in 2018.)

In short: RUN's analysis misapplies the research they are citing in a way that grossly overstates the effect of Airbnb listings on rents and home prices.

Finally, since RUN has trying to argue this from authority, signing these analyses by Dr. Brian Patterson, perhaps you are wondering about my own qualifications to comment on their analysis methods. I have a PhD myself, and below I have provided two examples of peer reviewed papers I have authored using log-log model specifications of the type used by Barron, Kung, & Prosperpio.

Barron, Kyle and Kung, Edward and Proserpio, Davide, The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb (March 4, 2020). Available at SSRN: https://ssrn.com/abstract=3006832 or http://dx.doi.org/10.2139/ssrn.3006832

MacKenzie, D., & Heywood, J. B. (2015). Quantifying efficiency technology improvements in US cars from 1975–2009. Applied Energy, 157, 918-928.

MacKenzie, D., & Heywood, J. (2012). Acceleration performance trends and evolving relationship between power, weight, and acceleration in us light-duty vehicles: Linear regression analysis. Transportation research record, 2287(1), 122-131.

Wendy Lane

From: Rob Carlisle <Rob@cchbuilds.com>
Sent: Monday, June 21, 2021 2:40 PM
To: CD STRComment
Subject: Comments on STR's in Chelan County

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I'm Rob Carlisle a residential builder in Chelan & Douglas County. Our company excels in taking great care of our employees, our subs and our clients. Our clients matter to me on a professional and a personal level. Many of our clients become our friends. Our entire business is building custom homes for clients and a good portion of our business has been building second homes. I'm concerned the livelihoods of our employees (who live and work here), subs and vendors (who also live and work here), will be negatively impacted by the current proposal on STR's.

I have a wife and three young kids, we have used STR on our vacations and love them. Given the size of our immediate and extended family and our desire to stay, play and connect, STRs work very well for us. I'm concerned that the STR moratorium and new proposed conditions will limit the ability of people coming to experience this wonderful county from Leavenworth to Wenatchee and up to Chelan. As Season Pass holders of everything from Mission Ridge, to Slidewater's and frequent diners at everything from München Haus, to South, To McGlinn's, to Chair 5 Pub. I care deeply for Chelan County and all those who live, work or vacation here. I want to see this county (and your sister county, Douglas) thrive, AND I want to see STR be regulated and beneficial to the county, the residents and all those who love to come, stay and play!!!

I feel the most pain for our clients who chose to put down roots in Chelan County and our now being unfairly positioned due to the changing laws, simply because their houses weren't finished by "the date" and therefore can't count as existing STR's. Although they don't live here full time (yet! Just give them time, they'll come around). They LOVE this area, and they've made a HUGE investment of time, money and heart to build a home in Chelan County. They chose their location, their house and their finishes under the pretense that what was, will be. Now it seems the rug has been pulled out from under them and their investment of time, resources and love for this area will be punished.

I understand FIG has crafted a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Blessings on you and yours,

Rob Carlisle, BPI, CGR, CGP, CAPS

President
Carlisle Classic Homes

CARLISLE

CLASSIC HOMES

One of "Washington State's Top 100 Companies to Work For" three years running

Wendy Lane

From: Sheila Harris <trekkingsheila@hotmail.com>
Sent: Monday, June 21, 2021 2:31 PM
To: CD STRComment
Subject: Task Force Consensus
Attachments: STRs.docx

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

Sheila Harris
10675 Fox Road
Leavenworth 98826

June 21, 2021

Dear County Commissioners,

I'm completely disappointed that, once again, it seems the Commissioners are letting go of all the advances made in finding a mutually agreeable resolution to the problems of STRs in Chelan County.

At the inception of the Task Force, agreement was reached for concessions by both sides. Painfully, for our neighborhood, grandfathering existing STRs was the only one that would make a difference for us.

We live on a private, dirt road. There is no road maintenance agreement. The easement for it runs through our property. We have absolutely zero input as to the use and maintenance, since this was not addressed when we purchased the property. Now there is commercial use of the road due to STRs.

There are two large occupancy STRs next door to us. Neither owner is a county resident. They are both owned by people on the west side.

The nearest is a perfect rental for multi-family use. Frequently, there are 8 adults with an equal number of children. This exceeds the occupancy of this home, but more importantly, it creates the water usage, septic usage, and garbage generation of 16 people. Children must be counted towards occupancy, as agreed.

This Spring, this property had an active stream running across their drain field. Their curtain wall failed, and because it's not owner occupied, they had no idea this was occurring. This stream was then emptying into culverts diverting the water directly to the community wells of 16 homes, on our property. A temporary fix followed, but it has yet to be properly mitigated. And it's the neighbors having to monitor for health protections.

The neighbor further up the road has a 3 bedroom house that frequently will have 9 cars plus campers. They obviously exceed capacity as the septic alarm goes off regularly, especially Sunday morning. No one is "home" that is an owner, and the guests ignore the alarm that is generated all over the neighborhood.

Because these will now be grandfathered in, nothing will change for the pressure put on our residential neighborhood. The traffic, the water consumption, the garbage, the septic overuse; all will continue.

Please abide by the agreements the task force originally delineated. Please actually take a stand to protect the 70,000 +/- residents over the commercial interests of STRs, who are mostly NOT constituents.

Thank you.

Sheila Harris

Wendy Lane

From: Jonny Styron <jonnystyron@gmail.com>
Sent: Monday, June 21, 2021 1:21 PM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group **Fairness in Grandfathering**. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns.

Thank you for your time!

Sincerely,
Jonny Styron

Wendy Lane

From: Sean Lynn <sean@loveleavenworth.com>
Sent: Monday, June 21, 2021 12:23 PM
To: CD STRComment
Subject: Testimony for 6/22 workshop
Attachments: June 22 Workshop Notes.pdf

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

Hello Commissioners and Director Brown
Thank you all for your hard work and consideration of past comments. We have a few small items to be considered for change or discussion in the upcoming workshop. I have attached those comments in a PDF. We look forward to the final workshop and seeing a revised draft of the code for hearing testimony.
Sincerely,
David, Don, Sean and Zelda
Sean Lynn -Team Member
Love Leavenworth Vacation Rentals
Leavenworth, Washington
Open 8AM to 8PM Daily
509 548 5683

11.88.290 2(B)(ii)(c)	Insert at end of paragraph: "Tier 2 and Tier 3 short-term rentals in these zones are excluded from the calculation of the share of short-term rentals in subsection (B)(ii)(a)."	• Units in commercial zones, master planned resorts (MPRs) and planned unit developments (PUDs) are not subject to cap according to this section. • In June 7 meeting, Commissioners all agreed that STRs in these zones should not be counted in the calculation of the cap either.
11.88.290 2(E)(i)(f)	Strike "or that the short-term rental owner held a vacation rental license at any time since inception of the Manson UGA vacation rental licensing process and actually operated as a short-term rental in the years 2019 or 2020" And replace with, "or that the location was actually, physically used for short-term rental purposes between July 28, 2019 and August 25, 2020."	• Need to not just remove the "held a license at any time" language, <u>but also</u> ensure those operating in 2019-2020 are eligible for grandfathering. • Basically: if you have operated since 2019 (or 2018… there was some discussion of this) you should be eligible for grandfathering. If you did so without a permit, pay double fees for each year of unpermitted operation in that time. • Make eligibility dates consistent with other areas of the county. • Current language would allow grandfathering for anyone who held a permit at any time in the past and operated any time in 2019 or 2020 - even if they knowingly operated for years without a permit. • Current language would deny grandfathering to those who - due to poor communication and inconsistent enforcement - were unaware that a permit was needed, even if they have otherwise shown a good faith effort to follow rules.
11.88.290 3(G)(iv)	Change minimum letter size to 1 or 2 inches. Eliminate requirement to make sign of natural materials. Eliminate or increase maximum size.	• Rule of thumb is 1 inch of letter height per 10 feet of viewing distance. So 2 inch letters should be visible from 20 feet. • 2 square feet is simply not enough space to display the required information, especially if 4 inch letters are retained. • It would be nice to have a little extra space to make the sign aesthetically pleasing - adding a property name or some artwork, for example - in addition to the functional requirements of "short term rental," name and phone number. • Metal sign may be both more cost effective and more readable than wood.

Wendy Lane

From: Steve marks <marksst4@gmail.com>
Sent: Monday, June 21, 2021 11:19 AM
To: CD STRComment
Subject: STR owner comments,

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

So good to hear that both sides came together and have reached a general consensus!
and we all hope that the final outcome won't deviate too much from the original proposal.

As an STR owner, one of the things I have seen come out of this is that both sides can work together and agree that a small handful of bad STRs should not give all STRs a bad name! The vast majority of STR owners are doing the right thing and making sure that their STRs are operating in a way that does not infringe on their neighbors.

Let's keep up the good work and continue to work together!

Wendy Lane

From: Laura Dykas <laura.dykas@gmail.com>
Sent: Monday, June 21, 2021 11:15 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns.

I would be deeply saddened if I could no longer regularly visit some of my favorite Chelan County areas due to the loss of these short term rentals. I hope you will support Fairness for Grandfathering.

Thank you for your time.

Sincerely,
Laura Dykas

laura.dykas@gmail.com

Wendy Lane

From: Fred Carani <fredcarani@yahoo.com>
Sent: Monday, June 21, 2021 9:16 AM
To: CD STRComment
Subject: vacation rentals

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

Dear Commissioners,

We are 43 year residents of Chelan County and disagree that existing short term rentals should be grandfathered in. They have clearly violated the law and should not be rewarded for doing so. They should be required to reapply for a permit under the new ordinance. Another important point is that enforcement must be strongly pursued. Currently some have blatantly violated the moratorium and have suffered no consequences. This must apply to realtors and rental agencies who falsely tell clients that they are allowed to have strs in areas not allowed. Most people that we know do no want to see strs allowed in rural residential areas as they are really a commercial motel operation.

Thank you
Fred and Claudia Carani
11220 Clark Canyon Rd
Leavenworth, WA

Wendy Lane

From: rjjennings@nwi.net
Sent: Monday, June 21, 2021 8:25 AM
To: CD STRComment
Subject: STR Workshops

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

Dear Jim Brown and County Commissioners,

After listening in on the last two workshops, I am extremely upset and disappointed in the behavior of Tiffany Gering. Painful concessions were made on both sides of this issue and the agreement was to support the final outcome. Yet, in both workshops, Commissioner Gering has tried to throw the Talk Force's hard fought consensus under the bus. Please do not let this continue.

The Task Force-agreed on occupancy limits. The maximum occupancy they all agreed is 12 persons for absentee owner STRs in residential zones. Children are included in the count. And yet, you are unilaterally increasing STR occupancy limits to exclude children under 2, throwing the entire Task Force consensus in jeopardy.
The slightest exception in the code will be manipulated. Who is going to check the age of children? I sincerely doubt the new Enforcement Officers are going to do this. Please, children are people and must be counted as people, as agreed by both sides of the Talk Force.

In areas like Lake Wenatchee, where there are sewer systems, the number of legal bedrooms needs to be that specified on the building permit issued by Chelan County. These systems, just as septic systems, are designed to specifications on the building permit. Why should someone be allowed to lie and the building permit and then get rewarded for it.
The agreement was two persons per bedroom and bedrooms must be on the building permit. Please honor the Task Force consensus without any modification to originally agreed occupancy limits.

The BOCC was elected to represent Chelan County Residents. Please honor that commitment.

Jerry Jennings
Resident of Plain

Wendy Lane

From: Karl Kranz <kdk@nwi.net>
Sent: Monday, June 21, 2021 7:34 AM
To: CD STRComment
Subject: STR Rules

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

Dear Commissioners,

Once again I would like to encourage you to hold firm on the new rules for Short term rentals in the County. The committee that was formed this past year was a good idea. It pointed out the scope of the problem, essentially too many STR units in the county.

We live near Leavenworth, and our daughter's property shares a fence with a short term rental up Eagle Creek. It has been an excellent opportunity to view the process of an out of area owner turning our old family home into an income producing STR. They purchased the property to postpone paying capital gains tax on the sale of a previous out of state property. It has intermittent use by the owners from Edmonds but in order to maximize their income it is used in between their own visits for nightly rentals.

It is a 4 bedroom house, and the owners are careful not to overwhelm the septic system. This should be a key concern of the new rules. Examples abound of 3 bedroom septic fields being subjected to a dozen or more guests at a time when used as nightly rentals.
This past weekend I noted that our friends' house on East Leavenworth Road, sold to a new owner that developed a Short Term Rental, had 7 vehicles parked in front of the 2 bedroom house for the weekend.

We live on Dempsey Road, and one of the notoriously overused STR's on the road had ongoing overload of the septic system as they continued with 20+ nightly guests, they now send a sewage truck up to pump the septic tank on a very frequent basis, putting added load stress on our steep community road.

Be wise, be fair, do not compromise our own quality of life for out of area financial interests.

Karl Kranz
171 Murphy Highlands
Leavenworth

kdk@nwi.net
(509) 433-8653

Wendy Lane

From: Bree Diesel <bree.virostko@gmail.com>
Sent: Monday, June 21, 2021 6:44 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. As an investment property owner myself I urge you to please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely

Bree Diesel

Wendy Lane

From: Lane Clark <clark.bonk@gmail.com>
Sent: Monday, June 21, 2021 3:50 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners,

As a frequent visitor to your community and to the region, I am an advocate for short-term rental operators in Chelan County.

I want to draw specific attention to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns.

As a short-term rental owner (and permanent resident) in another small community with an economic interest in both residential community and tourism, I take your work seriously.

Thank you for your time.

Sincerely,
Lane Clark

Wendy Lane

From: lizriley@gmail.com
Sent: Monday, June 21, 2021 1:23 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Liz Riley

Wendy Lane

From: Patty Marvin <marvin.patty@gmail.com>
Sent: Sunday, June 20, 2021 9:08 PM
To: CD STRComment
Subject: Public comments
Attachments: PCM PublicComments (20June2021).docx

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

Thank you for considering my attached comments.

Patricia Marvin
Snohomish,WA

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am a resident of Snohomish County and I have come to rely upon Short-Term Rentals (STRs) in this area for myself and my family, friends, and especially out of state friends who come to visit the great Pacific Northwest. I also enjoy the ease of options that STRs allow. We visit your county frequently and have come to love the wineries, trail hikes, mountains, seasonal activities and produce. Frankly we and our visitors have spent a lot of money enjoying the locale. We have become members of your wine clubs because we know we can come to Chelan County, stay in a STR and even work from that location much easier and more pleasantly than a hotel situation. This past year of operating under Stay At Home orders has really opened our eyes to the appeal of the STR option as the safest and preferred accommodation for a getaway. I would hope that the Commissioners would see that never before has the need for safe, private short-term rentals been more necessary for Individuals and families who need mental health breaks via relocation to your lovely area for a few days on vacation or just working from a remote location. It would be a genuine public service to continue the availability of STRs. I also firmly believe that we all have a duty to support small businesses and individuals who have tried to survive the Covid economy by trying to start up short term rentals. We need to support these businesses not shut them down! I can foresee continued expansion of economic growth for the surrounding area without any adverse effects upon either the economy or the natural beauty of the area. Any arbitrary curtailment such as this moratorium as currently proposed is both short-sighted and potentially detrimental to the economic health and wellbeing of the communities. As a resident of this state and a "neighbor" of Chelan County, I appreciate the natural beauty of the area as well as the commerce that the area offers. I believe in the hospitality of small towns and urge that you support small STR businesses trying to startup and survive the Covid economic downfall. In order to retain all of that, I urge both grandfathering for those that can demonstrate being "in process" of creating STRs prior to the arbitrarily defined date of 8/25/2020; as well as eliminating language in the 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86.

My solution would include:

- Grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)

- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely

Patricia Marvin

Snohomish County Resident
bpmarvin@verizon.net

Wendy Lane

From: Matthew Carlisle <carlislematthew@hotmail.com>
Sent: Sunday, June 20, 2021 8:33 PM
To: CD STRComment
Subject: Follow Task Force Occupancy

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

BOCC,

The task force agreed on 2 persons per bedroom, and did not exclude children under 2 or under any age. Please consider the needs of RESIDENTS and cease the continued erosion of the agreement towards the needs of the STR lobby.

2 people per bedroom, maximum, and for those properties not on septic you need to use the approved building permit otherwise there is basically no maximum (except for the tier maximum) and every STR will be "6 bedrooms" in Tier 2. Lake Wenatchee will continue to be overrun with issues unless you implement this simple suggestion.

Regards,

Matthew Carlisle
16975 River Road
Leavenworth, WA
Full time resident and voter

Wendy Lane

From: Brian Patterson <bcpatters@yahoo.com>
Sent: Sunday, June 20, 2021 7:35 PM
To: CD STRComment
Subject: Comment Letter on Draft STR Code
Attachments: Comment to BOCC on STR Caps (6_20_21).pdf

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

Please accept the attached comment letter on the current draft STR code.

Thanks,
Brian Patterson

June 20, 2021

RE: Short-Term Rental Regulation Comments – Issues with Proposed Caps

Dear Board of County Commissioners,

This comment letter is specific to one issue within the draft short-term rental (STR) code: the treatment of the STR caps (i.e., the percentage of STRs allowed relative to the available housing stock) in Subpart 11.88.290(B)(II).

I have had some informal discussion on the STR cap issue with Jim Brown. He has expressed his understanding of the meaning of the existing draft STR code and the "intent" of the Task Force. It is his belief that the draft code does not include capping all entire zip codes at six percent. With all due respect to Mr. Brown, I would argue that a literal reading of the existing draft STR code, and the Task Force final report, do not align with his stated understanding. Regardless, under his interpretation of the draft code, there are a number of significant issues that need to be addressed.

Further, in my personal discussions with a member of the Task Force, two things were clear: 1) The most important decision made was that the STR caps in all zip codes would be six percent, even if sub-areas were agreed to be lower (e.g., Peshastin) or higher (e.g., Manson UGA); and 2) The details about the methods of calculation of the caps were never discussed during the Task Force deliberations, since most decisions were made on the last night. However, details matter, and this ambiguity leaves room for further clarification in the draft STR code that would address a number of very significant issues that I will present in this letter and its attachment.

How Do STR Caps Function?

In the draft STR code, STR caps are used to define when new Tier 2 and Tier 3 STRs can be created. Numerically, STR caps in the draft code are set at six percent in all areas other than the Manson UGA (nine percent) and the Peshastin UGA (zero percent). The six percent value is loosely based on a density threshold determined by an STR study conducted for ten different small tourist cities in Oregon (the Oregon STR Study[1]), which demonstrated that when the density of STRs in a city area exceeds four percent, housing available for long-term residents becomes constrained. As demonstrated by other studies, constraints on residential housing result in a lack of housing availability and increased costs to rent or buy housing. Additionally, high STR densities negatively impact neighborhood livability and community social capital and volunteerism.

In areas where the existing STR density is below a cap, the cap functions simply. New STRs can be added until the total density reaches the percentage cap.

In areas where the existing STR density is above a cap, implementation can get complicated and the usefulness of the cap to accomplish the goals of the regulation can become compromised. What is really important when evaluating caps in this situation is what is the "effective cap"; i.e., what is the STR density in an area at the point new STRs are allowed to be formed?

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[1] https://www.co.chelan.wa.us/files/community-development/documents/STR/Assessing_and_Responding_to_ShortTerm_Rentals_in_Oregon_SDinatale_UofO%20(1).pdf. Individuals who claim that the four percent threshold in this study was chosen arbitrarily have not looked at the data in the study; the four percent threshold is absolutely supported by the study data.

In the case of the draft STR code for Chelan County, due to "grandfathering" and other structural issues in the code, the effective cap (i.e., when new STRs can be added) in many areas far exceeds six percent. Since the six percent cap is already well above the four percent threshold from the Oregon STR Study, increasing the effective cap further serves only to diminish the impact of having a cap to improve housing availability and affordability, neighborhood livability, and community social capital and volunteerism.

Summary of My Comment

In a nutshell, my comment is that the way the draft STR code is currently structured (depending on how it is interpreted), the effective caps in the code are significantly above six percent in several areas for a prolonged period of time. Although I will discuss this situation and related issues in great detail in the attachment to this letter, I assert the following:

- In the draft STR code, the effective cap in the Manson area currently is 11.4 percent, eventually decreasing to 7.6 percent after years or, more likely, decades.

- In the draft STR code, the effective cap in the Leavenworth area is unknown, but likely seven, eight, or higher, percent in the medium- to long-term. It will eventually decrease to six percent after decades.

Since Manson and Leavenworth are the two areas with by far the largest number of STRs, and the effective caps in these areas are well above six percent for the foreseeable future under the draft STR code, the code will have diminished effectiveness for improving the availability and affordability of residential housing, neighborhood livability, and community social capital and volunteerism in the areas most impacted by STRs unless it is changed/clarified.

Fortunately, these issues can be mitigated with the addition of a single sentence to the draft code. Therefore, I propose that the following sentence be added to the end of Subpart 11.88.290(B)(II)(d) [*in red/underlined font; based on the most recent language for this subpart*]:

> ***(d) Share calculation for Cities and Urban Growth Areas are separate and independent [sic] from other areas within the same zip code or a designated subarea of a zip code, and one calculation does not affect the maximum allowed share of short-term rentals for the other. However, in no case shall the percentage of STRs in any zip code exceed six percent as described in subsections (a) through (c) of this section.***

Assuming that no other significant changes are made to Subsection 11.88.290(B)(II)(d), this will resolve the issue. Further, as noted above, I contend that this is consistent with both the outcome of the Task Force deliberations and how the draft STR code has been developed up to this point.

An in-depth discussion of why this proposed sentence is both necessary and appropriate is attached to this letter. Thank you for your consideration of these comments.

Sincerely,



Brian Patterson, Ph.D.
150 Kestrel Ln
Manson, WA 98831
bcpatters@yahoo.com

Attachment

The following discussion provides justification for the assertion that, in addition to STR caps on UGAs and other types of sub-areas, a six percent cap on entire zip codes is necessary and appropriate to preserve the effectiveness of the STR code being developed by the Chelan County Board of County Commissioners (BOCC).

To preface this discussion, I would like to first present some relevant data, then move on to arguments for preserving six percent caps on entire zip codes.

Data

The Manson area is of particular interest in this discussion. In terms of calculating the existing share of dwelling units that are STRs, the following data come from information provided by BERK Consulting:

Area Within 98831 Zip Code	Number of Dwelling Units	Number of STRs	Percent of Dwelling Units That are STRs
Inside Manson UGA	1,350	218	16.1%
Outside Manson UGA	1,169	63	5.4%
All of 98831	2,519	281	11.2%

Section 11.88.290(2)(B)(a) of the draft STR code indicates that there will be a nine percent STR density cap on the Manson UGA and Jim Brown has indicated that there will be a six percent cap on the area outside of the UGA, but inside the 98831 zip code. Given the numbers provided in the table above, a cap of nine percent within the Manson UGA and a cap of six percent in the remainder of the 98831 zip code results in an overall cap of 7.6 percent for the entire zip code once each area individually meets its respective cap, which may take decades to achieve.[2]

Figure 1 (attached) provides the locations of current STRs inside and outside the Manson UGA as provided by BERK Consulting. A simple counting indicates that nearly all of the 63 Manson STRs outside of the UGA boundary are shown on the map.

Figure 2 (attached) shows the approximate entirety of the 98831 zip code. What is apparent from this figure is that the vast majority of the Manson STRs are in the southern 30 to 35 percent of the zip code area. Clearly, the preferred parcels for STRs are those within or near the Manson UGA, which also puts them near Lake Chelan.

Figure 3 (attached) shows the parcels located north of the Manson UGA. Based on the current trends shown in Figure 1, this is the preferred area outside of the Manson UGA for STRs. There are many waterfront parcels in this area, as well as many parcels that are near the waterfront, some with views of the lake. This is the most likely area (i.e., just north of the Manson UGA) for new STRs to be permitted in Manson in the near future if the proposed STR regulations are not modified/clarified.

Argument Against the Current Proposal[3]

It is clear that the majority of the current STRs in the 98831 zip code are within the Manson UGA (where they account for 16.1% of the residential housing stock). It may well be the preference of the Manson

[2] [(1,350 dwelling units x 9% cap) + (1,169 dwelling units x 6% cap)]/(2,519 dwelling units) = 7.6% cap. This is the interpretation of the current draft code stated by Jim Brown, although arguably the code does not actually read this way.

[3] Based on the current proposed code as interpreted by Jim Brown.

community to keep STRs in a relatively small area within the zip code. However, since the Manson community has never been queried as to its preference, this is currently unknown and cannot be assumed to be fact.

What is undoubtedly not true is that the Manson community wants to have a higher proportion of the residential housing stock converted to commercial use in the form of STRs relative to the rest of Chelan County. I live in Manson and have talked to dozens of people about this issue and not a single one is happy with the number of STRs that we currently have in residential areas here. Some have personally been negatively impacted by STRs (including many people who live outside of the UGA), but even if they haven't, they would rather have Manson residents in those homes rather than short-term renters.

The current version of the proposed 11.88.290(2)(B) language would assign the Manson UGA (9 percent) and the 98831 zip code (7.6 percent) a higher cap on the percentage of STRs than any other UGA or zip code in Chelan County (none of which would have caps higher than six percent). There is no justifiable rationale for this, and it is contrary to the clear intent of the Task Force to cap each zip code at six percent.

Before going further, I would note that I co-authored a white paper that describes quantitatively how the current percentage of STRs in Manson negatively affects both housing prices and housing availability.[4] The only study of its kind that I am aware of determined that when the percentage of STRs in a small town or city exceeds four percent of the housing stock, housing availability becomes constrained (the Oregon STR Study).[5,6] Given that the current density of STRs in the Mason 98831 zip code is at 11.2 percent of the residential housing stock, it's clear that the Manson housing market, and the residential quality of life, has already been significantly impacted in a negative way.

Given what I've presented so far, I want to make five points.

1. The Current Draft Regulations Would Immediately Allow More STRs in Manson

First off, it's safe to assume that with these new regulations, a certain fraction of STRs will choose to no longer operate, whether due to the increased scrutiny, the increased cost, or the increased hassle. After all, with housing prices as high as they are now, it would be a good time to sell and be done with it. It is fair to say that this could be 10 or even 20 percent of existing STRs.

Second, it must be recognized that Manson, and the Manson housing market, consists of areas both inside and outside the Manson UGA. The UGA does not define a different class or category of housing and residential neighborhoods within Manson. Both areas are tied together in every sense of the housing market and the community.

Third, even before any attrition of STR operations occurs, the area outside the Manson UGA currently has 5.4 percent of the residential housing stock in STRs as presented above. Since this is below the six percent cap for this sub-area in the current proposed code (as it is being interpreted), new STRs permits

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[4] https://info.residentsunitedforneighbors.com/hubfs/Content/How%20Short%20Term%20Rentals%20In%20Residential%20Areas%20Harm%20Communities%20May%2020,%202021.pdf.

[5] https://www.co.chelan.wa.us/files/community-development/documents/STR/Assessing_and_Responding_to_ShortTerm_Rentals_in_Oregon_SDinatale_UofO%20(1).pdf. Individuals who claim that the four percent threshold in this study was chosen arbitrarily have not looked at the data in the study; the four percent threshold is absolutely supported by the study data.

[6] This is the same study referenced by the Chelan County Planning Commission and the BOCC during the development of STR caps for the draft STR code.

will be immediately allowed. In absolute numbers, a six percent cap on the 1,169 residential dwelling units in the sub-area outside of the Manson UGA allows for 70 Tier 2 and Tier 3 STRs, already representing an increase of seven STRs from the current number.

However, if 10 percent of current STR owners decide to no longer operate, that means that up to 13 new STRs could be added to the area. If 20 percent of current STR owners shut down, then up to 20 new STRs could be added. These numbers are important, even though the total number of STRs still wouldn't exceed 70 (for now), because each new STR added is an opportunity for someone who doesn't currently live next to an STR to have an STR start up next to them. This negatively impacts Manson residents currently living in residential neighborhoods.

Overall, this means new STRs will be immediately added to a zip code that already has 11.2 percent of its entire residential housing stock in STRs.

The only other zip code currently exceeding a six percent cap is the Leavenworth 98826 zip code (15.6 percent). There will not be any new Tier 2 or Tier 3 STRs added to the unincorporated Leavenworth area for many years, but Manson will get new STRs immediately after the new code goes into effect.

2. The Nine Percent Cap in Manson is Inconsistent with How Other Areas are Being Treated

As I've listened to the BOCC workshop meetings over the last week or so, one theme has been repeated numerous times: The BOCC feels that it's important to treat all areas within the county equally. There have been a number of changes made during these workshops based on this rationale. Yet, putting a nine percent cap on the Manson UGA, and a six percent cap on every other area (other than the Peshastin UGA at zero percent), is not consistent with this approach. There is no equality in making the Manson UGA an outlier and doing so is unfair to Manson residents, both inside and outside of the UGA.

3. There is No Justification for a Higher Cap in Manson

I do not have firsthand knowledge of the arguments for a higher cap for the Manson UGA during the Task Force meetings. However, I have heard secondhand that there was talk of the Manson UGA "needing" more tourist accommodations and that a six percent cap would be drastically lower than the current STR share of available residential dwellings of over 16 percent.

These arguments are specious at best, with numerous counterarguments.

First off, existing STRs are "grandfathered" under the current proposal, so having a cap will not result in any abrupt change in the quantity of STRs within the Manson area. In fact, for the next decade or more, it will make no difference whether the cap is six percent or nine percent. If the long-term goal is for more than six percent of the residential housing stock in the Manson UGA to be STRs, then the solution to this is simple: do not subdivide the 98831 zip code into UGA and non-UGA sub-areas. Just apply a six percent cap to the entire zip code. STRs will naturally continue to accumulate in the same areas that they have historically (i.e., in the UGA) at a local (neighborhood-scale) density higher than six percent.

Furthermore, new tourist accommodations that are not STRs will be created as there is demand - STRs in residential areas do not need to fill the role of meeting this need. Things are already changing rapidly in Manson in this regard. A new hotel with over 40 rooms is nearing finalization of construction and will be opening soon. Another smaller hotel in downtown Manson is working with Chelan County to finalize plans. The county is currently in the process of rezoning a lot with 16 multi-bedroom STRs on it near downtown Manson to commercial zoning, thus preserving these STRs in perpetuity outside of the new

STR code. I personally know someone who owns commercial land in Manson who was previously going to develop retail space, but now is considering building STRs because that's where the money is.

The Manson area will have no problem meeting the needs for tourist accommodations going forward without putting the burden on residential neighborhoods. Again, whatever justification was provided at the time for a nine percent cap, it was based on the opinion of a few individuals (who were not accounting for all factors), not the consensus of the Manson community, which was not consulted on this decision.

4. The Current Draft STR Code and the Task Force Report Support Caps on Entire Zip Codes

The current version of the draft STR code does include six percent caps for all individual zip codes as is appropriate in the table at 11.88.290(2)(B)(II)(a). And the code above this table clearly states that "*New Tier 2 and 3 short-term rentals cannot be located where short term rentals make up more than the maximum share of the total housing stock in residential zoning districts listed in the table below.*"

A person reading this code would have to conclude that the six percent caps on individual zip codes apply to the entire zip code and would have to be met before any new STRs could be added, regardless of the outcome of the calculations for the various sub-areas within a zip code. This is also consistent with how STR density caps and associated data have been presented by BERK Consulting throughout the entire process of developing the draft code.

Subpart 11.88.290(B)(II)(d) only further strengthens this idea by stating that calculations are made "*separate and independently*" from each other and "*one calculation does not affect the maximum allowed share of short-term rentals for the other*".

In fact, if the six percent cap on zip codes is meant to apply only to the areas in the zip code not otherwise contained in defined sub-areas within the zip code, why is there a six percent cap on the Leavenworth 98826 zip code shown in the table? Since all areas within the 98826 zip code are contained within defined sub-areas, it would be a cap on a nonexistent area.

Jim Brown has indicated that he does not interpret the draft code in this way, but I do not see any other way to interpret it based on a plain reading of what is there. This needs to be clarified.

Furthermore, this appears to be consistent with what is in the May 7, 2021, Task Force final report, which contains the following in regard to STR density caps:

What should be the "cap" on the number or percentage of rentals within a given area?	▪ Individual Zip Codes, unless specified: 6% ▪ UGAs, unless specified: 6% o Manson UGA: 9% ▪ Other sub-areas if created, including within 98826 sub-areas: 6% ▪ Master Planned Resorts and Planned Unit Developments with notes on face of plat excluded.

The first bullet point in the Task Force summary on the issue clearly specifies a six percent cap on zip codes unless they have otherwise specified. However, they do no specify anything different below the bullet point, so one must conclude that there are no exceptions. The creation of sub-areas (third bullet) does not in any way affect the ability to make a separate calculation for the entire zip code. The creation of sub-areas simply increases the stringency on when STRs can be added, as more than one cap calculation may need to be met.

Contrast this with the second bullet point in the Task Force summery, which specifies that the cap on UGAs is six percent unless they have otherwise specified. In this case, they do specify one exception, which is a nine percent cap for the Manson UGA (*The Task Force tacitly accepted Peshastin's wish to not allow STRs at all in residential zones, although this is not spelled out for some reason.*).

There is nothing in the Task Force final report that implies that a six percent cap for entire zip codes should not be met, and my personal discussions with one Task Force member indicates that the Task Force did agree to six percent caps for all entire zip codes. The creation of sub-areas only serves to put further restrictions on when an STR can be added at a particular location, which helps spread out the density of STRs in residential areas. If this is not the "intent" of the Task Force, it should have been written in a completely different manner.

5. The "Effective Caps" in Manson and Leavenworth are Much Higher Than Six Percent

In the draft STR code, STR caps are used to define when new Tier 2 and Tier 3 STRs can be created. Numerically, STR caps in the draft code are set at six percent in all areas other than the Manson UGA (nine percent) and the Peshastin UGA (zero percent). However, as discussed above, zip codes are the appropriate representations of distinct housing markets and only caps on zip codes will have any meaningful connection to how STR densities will impact housing availability and affordability in a given area. So, although Subpart 11.88.290(B)(II)(a) indicates that the cap on individual zip codes is six percent, what are the actual "effective caps" in the Manson and Leavenworth zip codes? In other words, at what overall STR density will new STRs be allowed to be formed within these zip codes?

We know that the current STR density within the Manson UGA is 16.1 percent and the current STR density outside the Manson UGA is 5.4 percent. This means that, without changes, once the new STR code is effective, new STRs will be allowed to be formed immediately. Since potentially all of the existing STRs in Manson could theoretically be "grandfathered", this means that new STRs could be formed in the Manson area, with the Manson UGA at an STR density of 16.1 percent and until the area outside the Manson UGA has an STR density of six percent. This is an initial effective STR cap of 11.4 percent![7]

Eventually, through STR attrition within the Manson UGA, the effective cap could approach 7.6 percent (the theoretical minimum), but this would likely take decades, if ever.

The current STR density in the Leavenworth area is 15.6 percent. We don't know exactly how the percentage of STRs relative to the residential housing stock will decline with attrition over time, but it's fair to assume that the three sub-areas will reach six percent on very different time schedules. In all likelihood, when the first of the three sub-areas reaches six percent, the other sub-areas will still be several percentage points above this. This means that the overall Leavenworth area (zip code) will still have an overall STR density of seven, eight, or even higher, percent when new STRs are allowed to be formed. This means that Leavenworth will have an effective STR cap of seven, eight, or even higher, percent.

Eventually, through STR attrition in each sub-area, the effective cap in Leavenworth will decrease to its theoretical minimum of six percent, but again this will likely take decades. However, because new STRs will be added to the Leavenworth area before all three sub-areas get down to the six percent cap, this

[7] ((16.1% x 1,350)+(6% x 1.169))/2,519 = 11.4%

structure will greatly prolong the period of time that it will take for the entire area to achieve a six percent STR density.

The end result is that for Manson and Leavenworth, the effective cap on new STR formation will be much higher than their theoretical minimum cap values of 7.6 and six percent, respectively, for decades. This has grave consequences for the actual effectiveness of the STR code.

Summary and Conclusions

In following the development of STR code requirements for Chelan County, it has been clear that the creation of a cap on the percentage of residential homes that can be Tier 2 and Tier 3 STRs has been driven by the desire to increase the availability of housing for residents, reign in rapid growth in housing prices, and reduce conflicts between STRs and Chelan County residents. Although a number of different cap percentages have been considered during this process, a cap of five percent was settled on by the Chelan County Planning Commission, placed on entire zip codes, and subsequently adopted by the BOCC in earlier drafts of the code. This was justified as follows in a footnote to the draft code:

> *"The threshold share of short-term rentals is 5% of the total housing stock which is similar to a recommendation in a study of Oregon jurisdictions that found that where short-term rental growth and household formation is increasing at a faster rate than total housing unit growth there can be a constraint on housing affordability."*

The study referenced in this quote is the same as the Oregon STR Study referenced earlier in this document.

The justification in the quote uses the phrase "similar to a recommendation", because in fact the threshold for STRs to negatively constrain the housing markets in each town or city was actually four percent. So, the draft code at the time was utilizing a cap percentage that was higher than that recommended in the study.

Further, data from BERK Consulting confirmed that unit growth of STRs has been outpacing the growth in dwelling units used for residential households in the Manson and Leavenworth zip codes, confirming that the concerns of the Oregon STR Study were afflicting these areas.

The study referenced did not subdivide towns or cities into sub-areas. It was based on looking at the entire housing market within each town or city studied. The creation of sub-areas makes sense in terms of spreading out the density throughout a town or city (or zip code). However, not similarly capping the entire area would be inconsistent with the intent of the study, which is to gauge the overall impact of STRs on the housing market within each town or city.

As we know, during the Task Force process, the cap was raised from five percent to six percent, even though five percent was already above the threshold for negative impacts on housing markets determined in the study. This was a concession to the STR industry.

The creation of sub-areas within a zip code (which is a reasonable surrogate for a town or city), without keeping a six percent cap on the entire zip code, serves only to further dilute the effectiveness of having caps. The creation of sub-areas within zip codes in this situation further inflates the effective cap within the zip code in that the creation of new STRs will be allowed even if the percent of STRs within the zip code is above the cap. In the case of the Leavenworth area, the effective cap is actually seven, eight, or higher, percent.

Attachment

Putting a cap of nine percent within the Manson UGA creates a housing market in Manson that is even further above the threshold determined in the Oregon STR Study, having an effective cap of up to 16.1 percent.

In summary, the current version of the draft Chelan County STR code creates STR caps that are less stringent than the threshold determined by the Oregon STR Study (which is referenced as justification for the cap in the first place) in three significant ways:[8]

1) The numerical cap in most areas is six percent, 50 percent higher than the actual threshold determined in the Oregon STR Study, which was four percent.

2) Many zip codes have been divided into sub-areas, whether determined specifically for the STR code or by separating UGA from non-UGA areas. Unless each entire zip code is subject to a six percent cap, this further increases the effective cap percentage well above six percent for an extended period of time as discussed previously.

3) The cap within the Manson UGA is nine percent. Manson would have an effective cap of up to 11.4 percent initially, gradually decreasing to 7.6 percent over decades, which is 90 to 285 percent higher than the actual threshold determined in the Oregon STR Study.

These three ways that the current draft STR code deviates from the Oregon STR Study conspire to weaken the STR caps to the point that they will not constrain the density of STRs in a way that achieves the goals of the STR code desired by the BOCC.

However, a single sentence added to the end of Subpart 11.88.290(B)(II)(d) would serve to clarify what is already in the current version of the draft STR code and mitigate the potential issues with the current STR cap structure discussed in this document [*in red/underlined font; based on the most recent language for this subpart*]:

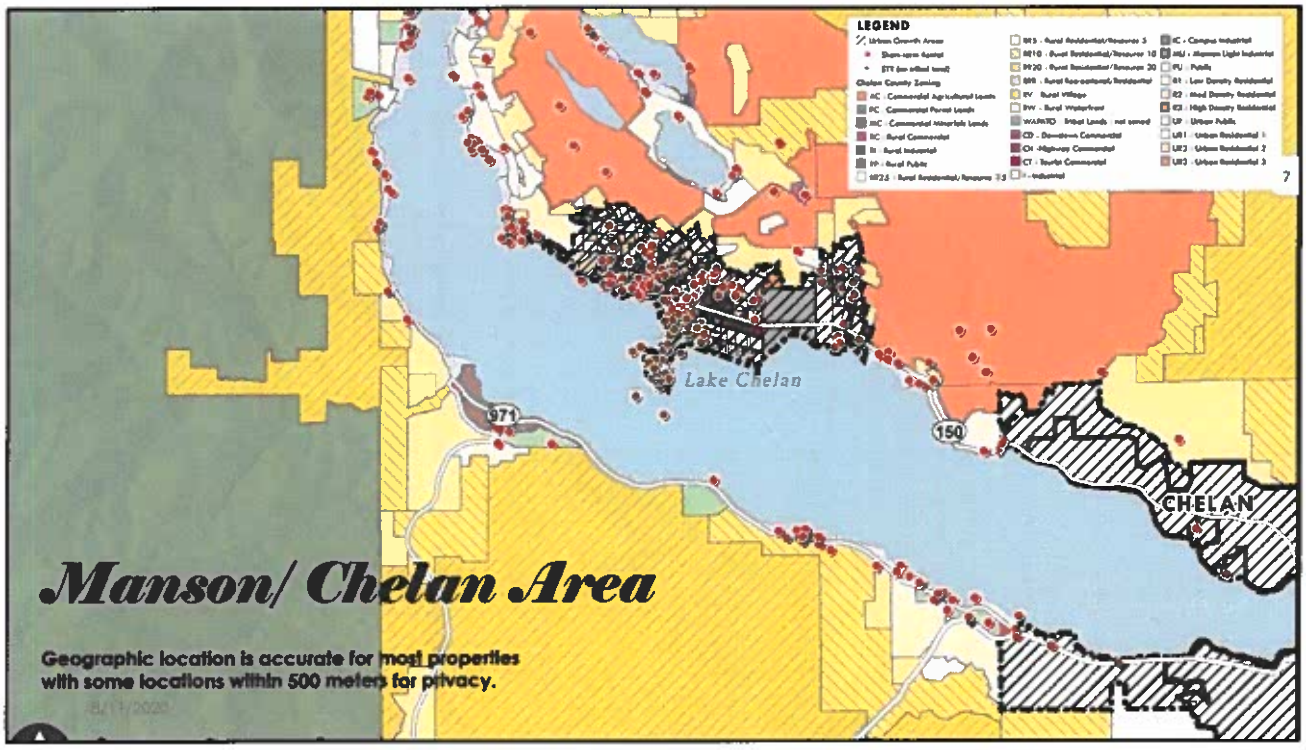
> ***(d) Share calculation for Cities and Urban Growth Areas are separate and independent [sic] from other areas within the same zip code or a designated subarea of a zip code, and one calculation does not affect the maximum allowed share of short-term rentals for the other. However, in no case shall the percentage of STRs in any zip code exceed six percent as described in subsections (a) through (c) of this section.***

Although the six percent cap would be 50 percent higher than the threshold for negative impacts to the housing market in the Oregon STR Study, it would at least still be compliant with what was detailed in the Task Force final report. And the nine percent cap could remain on the Manson UGA as requested by the Task Force, but the overall impact on neighborhoods and the housing market in Manson would be constrained by the six percent cap on the entire zip code. Given that existing STRs would be "grandfathered", there still would not be any abrupt changes in the number of STRs in Chelan County as a result of the suggested sentence above.

[8] Again, this is based on Jim Brown's interpretation of the "intent" of the current draft code and the Task Force report, not necessarily how they read or would be interpreted by others.

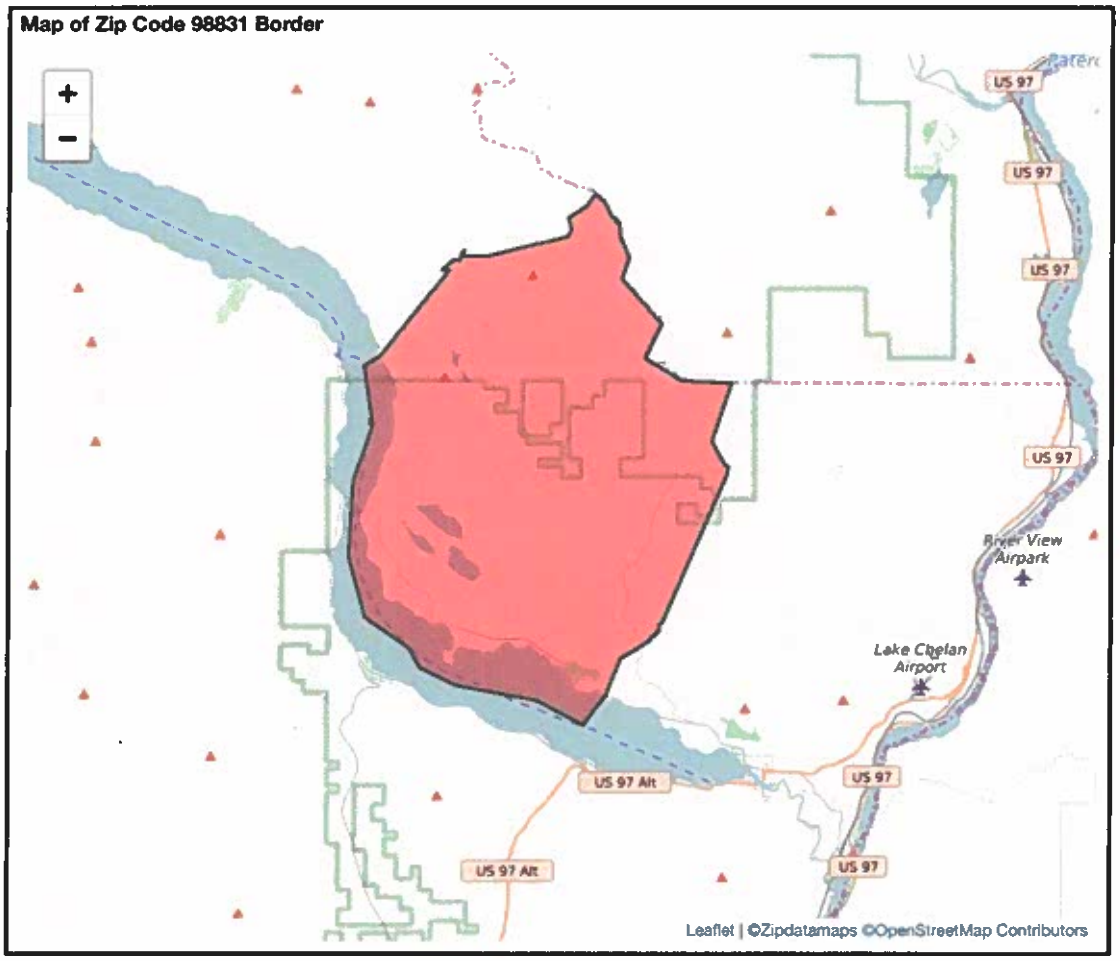
Attachment

Figure 1. Distribution of STRs in the Manson Area



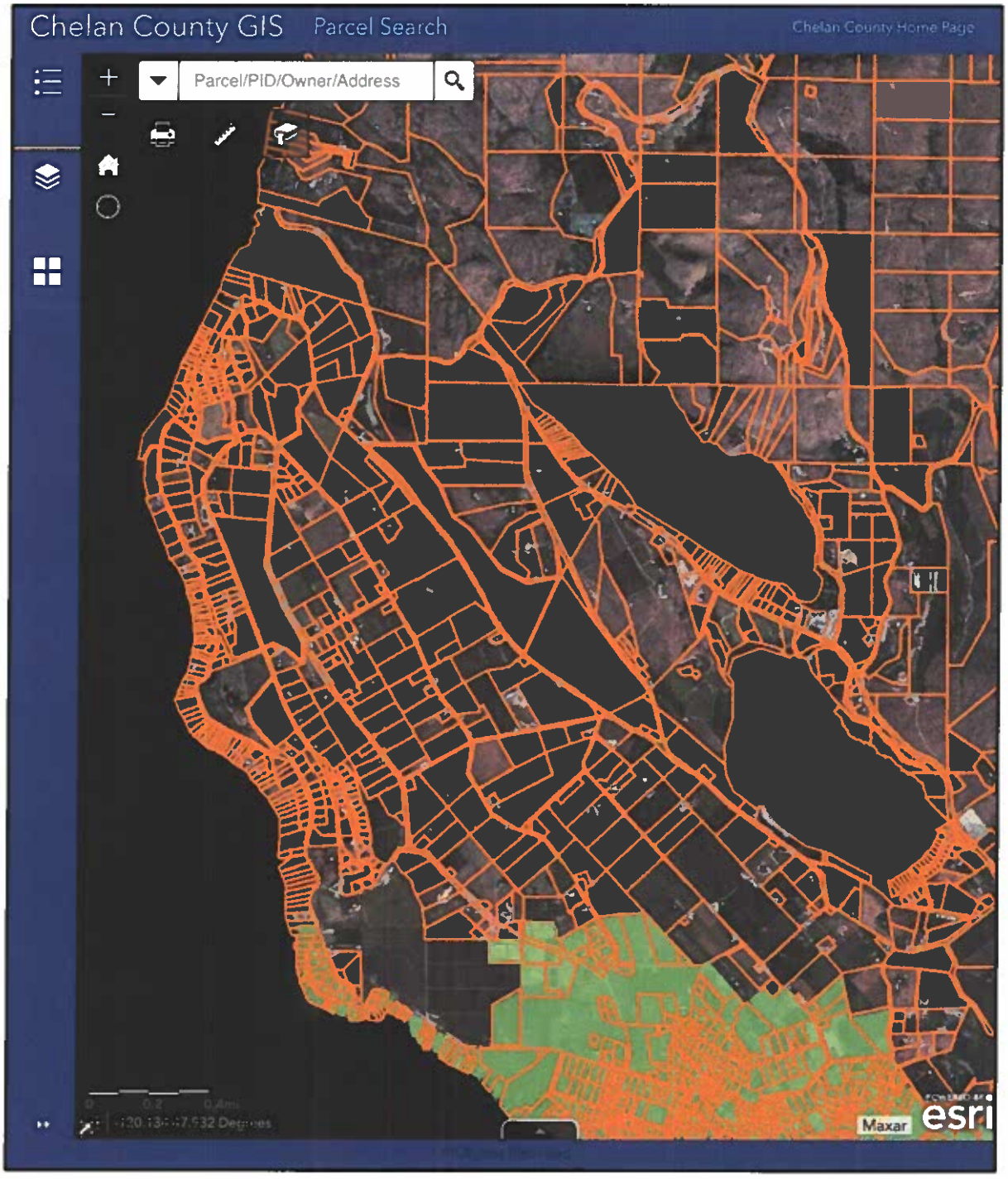
Attachment

Figure 2. Map of Manson 98831 Zip Code Boundary



Attachment

Figure 3. Map of Parcels North of Manson UGA Boundary



Manson UGA shaded in green

Wendy Lane

From: Barbara Rossing <brossing@lstc.edu>
Sent: Sunday, June 20, 2021 6:05 PM
To: CD STRComment
Subject: Don't Undermine Taskforce Consensus by changing occupancy limits!

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

Dear Jim Brown and County Commissioners
I am outraged that you are unilaterally increasing STR occupancy limits to exclude children, throwing the entire Taskforce consensus in jeopardy. Please go back to the Taskforce-agreed occupancy limits. Children are people, and they must count as people-- as agreed by both sides on the Taskforce.

Each side had to make painful compromises in order to forge the delicate taskforce compromise. Each side voted to support the final outcome. Most remarkably, the boards of the Short Term Rental Alliance of Chelan County (STRACC) and Residents United for Neighbors (RUN) both voted to support the taskforce outcome. Perhaps you do not realize how remarkable and fragile this level of agreement is?

Yet Commissioner Tiffany Gering is now throwing the Taskforce's hard-fought consensus under the bus, undermining occupancy limits and more. We residents are very distressed at the ways you are eroding the Code in favor of the STR industry, betraying residents.

Gering needs to honor the County's official taskforce consensus. So do Commissioners Bugert and Overbay.

Residents and neighbors compromised in agreeing to allow all existing absentee-owner STRs to be "grandfathered" to continue to operate in rural residential zones. This was a difficult concession, especially in Rural Waterfront zones where a 30-foot lot separation may mean living right next door to a large STR with up to 12 new occupants each week, in perpetuity. Long-time residents on Lake Wenatchee are understandably heart-broken at the increase in noise, traffic, garbage, trespassing, and loss of peaceful enjoyment of their property.

In return, the STR industry representatives had to agree to minimum standards for all STRs in residential zones regarding occupancy limits, parking, and safety. No more than 2 guests are permitted per bedroom, and the number of bedrooms advertised must not exceed what is permitted on the Health District's septic permit. The maximum occupancy they all agreed is 12 persons for absentee-owner STRs in residential zones; children are included in the count. For STRs on major highways occupancy limits are 16.

This is a fair compromise. Commissioner Gering should not undermine it.

In places where there is a sewage system rather than septic system, such as Lake Wenatchee, where there are not septic permits, then the number of legal bedrooms needs to be that specified on the building permit issued by Chelan County. Garages and other spaces illegally converted into "bedrooms"-- but not designated as bedrooms on the building permit-- must not be allowed to be advertised as bedrooms.

Please honor the taskforce consensus, without any modification to originally-agreed occupancy limits.

--Barbara Rossing,
7785 E. Leavenworth Rd
Leavenworth

Wendy Lane

From: Melia Smith <meliaysmith@gmail.com>
Sent: Sunday, June 20, 2021 5:21 PM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

With respect,
Melia Smith

--
Melia Smith (she/hers)
Nonprofit Development
meliaysmith@gmail.com

Wendy Lane

From: Joan Frazee <joanfrazee@icloud.com>
Sent: Sunday, June 20, 2021 5:08 PM
To: CD STRComment
Subject: comments on STR code from resident

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

Hello Board,

It has come to my attention that some unacceptable decisions are being make in the STR code and so, I am moved to comment.

Most troubling, is the decision to exclude children under 2 years of age from the caps on occupancy. This is in direct conflict with the Task Force agreement and should be rejected. Please include children under 2 years of age in the caps on occupancy.

Secondly, NOT adding language requiring maximum occupancy of a STR to be limited to 2 per bedroom as specified in both the septic and the building permit is WRONG. Please add language in Section 290 3b to require maximum occupancy to be limited to 2 per bedroom as specified in both the septic and building permits.

Finally, I am concerned about the fairness of the upcoming public hearing's format. To ensure a fair and equitable access to speaking slots, please allow all County residents the opportunity to speak AND insist that all speakers state their permanent home address, NOT the address of their STR.

Thank you for this opportunity to comment.

Regards,
Joan Frazee
242 Park Ave
Leavenworth, WA 98826

Wendy Lane

From: Bruce Williams <bwseattle@gmail.com>
Sent: Sunday, June 20, 2021 5:05 PM
To: CD STRComment
Subject: Protect occupancy limits!

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

I am very concerned about efforts to exclude children under the age of 2 from occupancy limits and to allow STR occupancy greater than 2 per bedroom as specified in septic and building permits.

There are two important problems with these efforts:
1) they further water down the already weak regulation of STR coming out of the task force; and
2) they further increase the difficulty of enforcing limits. It will be hard enough to count occupancy for all persons. It just makes it that much more complicated to have to separate out persons under two for those over two.

Please:
1) include children under 2 years of age in the caps on occupancy
2) add language in Section 290 3b requiring that the maximum occupancy be limited to 2 per bedroom as specified in both the septic and building permits.

Thank you.

Bruce Williams
bwseattle@gmail.com
509.888.1935
8050 E. Leavenworth Road
Leavenworth WA 98826

Wendy Lane

From: pat thirlby <patthirlby@gmail.com>
Sent: Sunday, June 20, 2021 3:38 PM
To: CD STRComment
Subject: Please support your residents

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

Dear Commissioners Overbay, Bugert, Gering and Jim Brown,

Your time and energy spent on solving the STR crisis which is undermining our residential communities is well documented and available for public scrutiny. Many people attending to, reading and observing the process are already calling foul. Please support your residents before catering to the concerns of business owners who are ruining our quality of life. We have been working with friends and neighbors who have donated endless hours and substantial financial support to achieve a result that protects the enjoyment of our homes and neighborhoods. We are fighting for our property rights against a big, well organized business machine that is relentlessly manipulating the outcome of the new code by putting pressure on you to disregard the Task Force recommendations. It is appalling that you would go through this exercise with your volunteer, residential constituents and not serve them as your first priority. The carefully constructed, well researched, factual information that RUN and many other Chelan County citizens have contributed should be honored, not ignored.

1) **Everybody counts.** Excluding children under two in the Occupancy Cap is in direct conflict with the Task Force agreement. **Please show respect for the process that was so painstakingly agreed upon.**

2) Section 290 3b needs to include **maximum occupancy of two people per bedroom as defined by septic and building permits.**

3) **The Hearing needs to be FAIR** and show respect and consistent application of the rules. Your citizens are doing their best to stay informed, organize their lives around participation, taking time away from their jobs and families while competing against a huge, well oiled, aggressive, business machine largely comprised of non-Chelan County residents who are STR owners, managers and developers.

4) Waiting for attrition to 6% due to Grandfathering agreed upon by the Task Force will likely not happen in my lifetime. This was the sacrifice made by the neighbor's representatives. All of the money spent employing Berk Consulting has almost gone to waste. The best practice suggestion of 5% limits and aggressive sunsetting was disregarded. In the end, **we will be dependent on a strong system of enforcement** to weed out the "bad apples." Your citizens will help you. **PLEASE HELP US.** We want our quality of life and healthy neighborhoods back.

WE LIVE HERE.

Sincerely,

Pat and Rick Thirlby
1210 Dempsey Rd 98826

Wendy Lane

From: owl367cox@nwi.net
Sent: Sunday, June 20, 2021 3:06 PM
To: CD STRComment
Subject: Comments on draft STR code

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

Hello Board of County Commissioners,

I am a full-time resident of Lake Wenatchee. I oppose short term rentals.

I have been closely following the process of creating the new STR code over the last several months and

am writing to express my concerns about the current draft code and public hearing process, as follows:

1) Include children under 2 years of age in the caps on occupancy, as was recommended by the STR task force.

2) Add language to require compliance with the building permit. Specifically, add language in Section 290 3b requiring that the maximum occupancy be limited to 2 per bedroom as specified in both the septic and building permits.

3) To ensure a fair and equitable access to speaking slots, please allow all County residents the opportunity to speak and insist that all speakers state their permanent home address, not the address of their STR.

Thank you for your consideration.

Sincerely,

Mary Cox

16060 Cedar Brae Road

Leavenworth, WA 98826

Wendy Lane

From: DAVE SATERFIELD <davesfield@comcast.net>
Sent: Sunday, June 20, 2021 2:03 PM
To: CD STRComment
Subject: STR decisions

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

Hello, we are residents on the south shore of Lake Wenatchee living at 15956 Cedar Brae for over 20 years. The explosion of STR's in the last 5 years is alarming and destroying our community feel.

It has come to our attention that there have been some unacceptable decisions made on the draft code. Specifically the exclusion of children under two years of age from occupancy caps. This is in direct conflict with the task force's agreement and will make the code more confusing and more difficult to enforce.

We also ask the board add language in section 290 3b requiring that the maximum occupancy be limited to two persons per bedroom as specified in the septic and building permits.

We urge the board to give more consideration to local residents opinions than non-resident STR owners.

Thank you for all the time and hard work the board has put into this important issue.

Sincerely,

David and Molly Satterfield
15956 Cedar Brae

Wendy Lane

From: D and B Bell <dnbbell@hotmail.com>
Sent: Sunday, June 20, 2021 1:02 PM
To: CD STRComment
Subject: STR

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

Unacceptable Decisions

1. the BOCC needs to include children under 2 years of age in the caps on occupancy.

2. the BOCC needs to add language in Section 290 3b requiring that the maximum occupancy be limited to 2 per bedroom as specified in both the septic and building permits.

3.**the BOCC needs to allow all County residents the opportunity to speak AND insist that all speakers state their permanent home address, not the address of their STR.**

Residential means residential.....commercial means commercial. Simple as that.

Roberta and Donald Bell
12221 Ski View Lane
Leavenworth WA98826

Wendy Lane

From: Bywater-Johnsons <bnsf@nwi.net>
Sent: Sunday, June 20, 2021 12:45 PM
To: CD STRComment
Subject: Upcoming decision on STR

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

Dear Chelan County Commissioners,

I am a long-time resident of Chelan County (32 years). My husband and family have lived in Leavenworth for 29 years. We have seen exceptional growth in that time frame. In the last few years, we have observed first hand the problems with unregulated STR in our neighborhood.

We live at 10680 Fox Rd., and currently have 2 STR very close to us. All of these are on wells and septic systems. One is managed in a respectful manner by the family that owns it, however, they are not in compliance with our development covenants that clearly states that the properties are not for commercial use. The other is managed poorly by absentee owners, and often has loud, raucous groups. The owners of the latter have done nothing to manage the problems.

Besides those first hand issues, we also have a high density of STR in our neighborhood and area code. This affects the local population in many ways. 1. Loss of community, 2. Increased property values-which can be good at time, but challenging when property taxes are based on the value of a home/property-this can price people out of their homes as the taxes become too expensive. 3. Water use issues regarding wells and septic systems when the homes are used beyond the capacity they were intended for. 4. Inflated home prices for those living and working locally-unregulated STRs change what are meant to be family homes into commercial enterprises, thus making the housing market beyond reach for many of the people that we need to work in our community.

I was in favor and supported the initial proposal that was dropped at the last hour, however, with the new draft, I would recommend the following;

1. That children under 2 be included in the occupancy caps,
2. That occupancy be limited to 2 people per bedroom and be in compliance with the septic system caps and the building permit compliance.
3. Continue with the phasing out of STR that are beyond the density proposed, and limit the numbers that are allowed in each region.
4. Lastly, check to see what the permanent address of the voices weighing in on this issue. I have met very few Chelan County residents do not support stricter guidelines. **The permanent residents of Chelan County are your constituents**. As permanent residents, we may not have the financial backing that the STR group does, but we are the people that make up the communities, volunteer organizations, health care workers, teachers, etc. **Please make sure that the group is aware of who is a permanent resident and who is an absentee owner when reading and listening to comments.**

This is an amazing area, that is currently undergoing growing pains. This is an excellent opportunity to address a big issue that affects the quality of life and ability of residents to live and work here.

Thank you,

Nancy Bywater, Brett Johnson, Stella and Finn Johnson
10680 Fox Rd.
Leavenworth, WA

Wendy Lane

From: Jeanne Altberger <jeanne.altberger@gmail.com>
Sent: Sunday, June 20, 2021 8:24 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Jeanne Altberger

Wendy Lane

From: Dave and Arlene Lowrie <ogopogo22@gmail.com>
Sent: Saturday, June 19, 2021 9:25 PM
To: CD STRComment
Subject: STRs

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

June 19, 2021

Re: Public comment on short term rental issue

We live at 2322 Kinnikinnick Dr in Chiwawa River Pines and have experienced first-hand the degradation of our neighborhood by the increase of Short Term Rentals. Specifically traffic, septic, noise, trespassing, loss of neighborhood character, etc.

We ask the County to:

1. Enforce the current zoning that prohibits absentee owner STRs in residential zones, according to the District Use chart. Only Bed & Breakfasts are permitted, and owner must be on site. The County might expand some commercial or RRR (Rural Recreational/Residential) zones, if more zones for STRs are needed, but they must be far from residences. The claim that "similar uses" to what is currently legal in residential zones includes hotels/motels (line 279) is ridiculous.

2. Do not "grandfather" all existing rentals—as proposed in line 113. There are already more than 800 STRs in the Leavenworth area, too many—and most have come about in the past 5 years. Grandfathering absentee-owner STRs is not fair to those who followed the rules, including long-term renters, homeowners, and B & B's with owner on site.

3. Sunsetting: All STRs that exceed the 5% density limit can be sunsetted over a period of 2-3 years. The owners can convert them into long-term rentals which are in short supply in our area.

4. Children under 2 should **not** be excluded from caps on occupancy.

5. The maximum occupancy of a STR must be limited to 2 per bedroom as specified in both the septic permit and the building permit.

6. You should allow all county residents to speak at the public hearing on June 29th and insist all speakers state their **permanent home address** not the address of their STR so you can see how many live outside of Chelan county.

Dave and Arlene Lowrie

Wendy Lane

From: Alfredo Iztas <iztasestates.inc@gmail.com>
Sent: Saturday, June 19, 2021 4:41 PM
To: CD STRComment
Subject: Short-term rentals
Attachments: STR letter.pdf

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

Hi,

I am writing this email to show and express my support regarding the short-term rental issue going on in Chelan County. Please read the attached letter. Thanks

Alfredo (Fred) Iztas
Iztas Real Estate, LLC
509-778-2826

"The Link To Home Ownership"
iztasestates.com

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

My name is Alfredo Iztas, designated broker of Iztas Real Estate LLC in Chelan County. Short-term rentals have been an important commodity both in my business and personal life. There have been a number of times that clients have come to Chelan County to look at homes that have stayed in STRs because hotels and motels were not available. In my personal life, my family and I use STRs to gather a couple times a year. Short-term rentals are a better option for our family gatherings (and for many other families) for the simple reason that STRs offer more space and privacy than hotels or motels. Again, hotels and motels are nearly impossible to book within a reasonable time. By adding and allowing STRs to continue in Chelan County will help alleviate the hardship of finding room and board for those who want to visit this great county.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Alfredo Iztas

Iztas Real Estate LLC

Wendy Lane

From: MC Bach <mcbach@hotmail.com>
Sent: Saturday, June 19, 2021 4:28 PM
To: CD STRComment
Subject: Short Term Rentals

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

Dear Commissioners;
Having read all the reports from the Residents United for Neighborhoods; and having listened in on several of the Zoom meetings of yours, I am a bit confused as to whom you serve? Is it the community of residents in Chelan County, or the corporations, trusts and wealthy individuals who are only interested in using our communities to make a quick buck on the backs of those who built this area? Recent articles have been published nationwide suggesting that middle class Americans are being priced out of the housing market particularly due to short term rentals and big money investing in homes with the sole purpose of making entire communities into rentals. This is what's happening here, whether you admit it or not.
I believe that the time is coming where many communities like ours, are going to have to impose the strict types of regulations insisting that only permanent residents may own property in these zones. Your compromises on children under 2 not counting as humans; your indulgence in those that have been bending the rules for years; your lack of enforcement to date all suggest that you may not be up to the task of preserving our neighborhoods and the community at large. The risk of accepting all these compromises and "grandfathering in" those who've pushed on particular commissioners is too great. Drastic measures will eventually need to be taken to bring back that which is being destroyed by placing money over a sense of community. Neighborhoods are not made with people who are short term rentals; schools are not supported by those who are short term renters; hospitals are used but not supported by those who are short term renters. As it is we have lost a pharmacy in town and our main streets are turning into wine tasting and souvenir shops rather than small businesses that serve the community at large.
This was the opportunity to stop a downhill slide and it seems that it's being missed by lack of will.
Please reconsider making these regulations stronger, tighter and more in line with the neighborhood's desires rather than the big money lawyers representing those whose greed will eventually destroy all that was good about the small towns in Chelan County.

Mary Catherine Bach
1123 Dempsey Road
Leavenworth, WA 98826
Cell: 415.265.7035

Wendy Lane

From: Rachel Smith <rachelsmithmail@gmail.com>
Sent: Saturday, June 19, 2021 4:02 PM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County. Our family lives and vacations within the state of WA and likes the flexibility of using short term rentals. I specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely

Rachel Smith

Wendy Lane

From: Denise Harnly <denise@harnly.net>
Sent: Saturday, June 19, 2021 2:48 PM
To: CD STRComment
Subject: Short Term Rentals

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

Hello Board of County Commissioners: we would like to comment on some of the changes that have been made in the agreement that the Task Force arrived at after careful negotiation.

First, we believe that children under 2 should be included in the cap of the occupancy rate- which is two per bedroom. Secondly, YOu must add language to require compliance with the building permits Section 2903B- which states 2 people per bedroom.

Finally, we would request that everyone identify their residential address at the hearing- not the address of their Chelan County rental if they do not reside there.

Thank you for your consideration.

Denise and Tom Harnly
10160 Eagle Creek Road
Leavenworth, WA 98826

Wendy Lane

From: Nicole Rathje <walkhikeplay@gmail.com>
Sent: Saturday, June 19, 2021 11:24 AM
To: CD STRComment
Subject: Support for fairness in grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

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Sincerely

Nicole Rathje
Small business owner
Walk Hike Play
Sent from my iPhone

Wendy Lane

From: The Petri's <thepetris@yahoo.com>
Sent: Saturday, June 19, 2021 9:05 AM
To: CD STRComment
Cc: Kari Sorensen
Subject: STR Comment - Pro Neighborhood
Attachments: STR comments 6.19.21 BP.docx

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

Attached is my public comment letter related to the proposed STR code development.

Thank you,

Bryan Petri

TO: Board of County Commissioners, Chelan County **June 19, 2021**

Re: Comment on the Short-term Vacation Rentals (STR) Code Development

Thank you for your efforts in continually working hard drafting code for this difficult issue.

Listening to Tiffany Gering's continual push to grandfather in existing STRs during the recent workshop zoom calls was really disheartening. Neighborhoods desperately need relief from this problem. Her comment that most STRs aren't a problem is not correct. We deal with it constantly. Just this weekend, we had issues with STRs on both sides of our home. The one south of us was loudly partying Thursday evening (a work night for us) and then again Friday night at which point the Sherriff was called. The renters on the other side of us asked what the situation was with their rental because VRBO told them they were illegally renting it and that if the neighbors asked just to lie to us and say they were friends of the owner. (The renters gave us their contact info to verify this.) THIS IS WHAT IT'S REALLY LIKE having STRs in your neighborhood. Every week there's something negative to deal with and the neighbors are the ones impacted while the owners collect the checks.

STRs that are not owner occupied should not be allowed in residentially zoned neighborhoods. We know the commission is not willing to take that stand so at the bare minimum, please don't grandfather in existing STRs, especially in the Manson UGA where permits were required. STR owners that knowingly or unknowing broke the rules should not get rewarded and prioritized above neighborhoods and other homeowners.

We also believe that rentals should have signage with their permit and contact numbers displayed so that neighbors know it's a STR and have easy access to the information. We understand the concerns of STR owners not wanting to advertise that there's not a full-time resident on site, but that should not take priority over the neighbors. They chose to run a business in a residentially zoned neighborhood. They can get an alarm system and cameras.

Thank you,

Bryan Petri
thepetris@yahoo.com
63 Willow Point Road, Manson, WA

Wendy Lane

From: Maggi Holloway <holloway.maggi@gmail.com>
Sent: Saturday, June 19, 2021 8:18 AM
To: CD STRComment
Subject: Support for Fairness in Grandfathering

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

Dear Commissioners:
I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.
I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely
Maggi Holloway

Wendy Lane

From: gouldw@charter.net
Sent: Saturday, June 19, 2021 1:17 AM
To: CD STRComment
Subject: STR Comments Response

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

In regards to water usage corresponding to the number of bedrooms (lines 371-374), a comment was noted that the Health District sets the standards and the possibility of adding more bedrooms if proof of water usage is adequate should not be added. I would like to point out day renters are not using the home as permeant home home owners do: Day renters use the the home for the purpose of attending local community events and activities. Given their lack of time at the house, water usage would be expected to be far less than year-around home owners. Also, please keep in mind simply making the house capable of a max number of guests (8 for example) does not mean the home will be housing 8 guests year around. In my vacation home's situation, where for the past 3 years my home was available for up to 8 guests, the home housed 8 guests only 13% of the time but this is a critical use given the home was occupied only 44% of the time. The average water usage for my home was calculated out to be 113 gallons/day and this water usage includes necessary landscape watering needs.

In summary, if the Health District uses only water usage as a design criteria (something like 360 gallons/day for the typical 1,000 gallon septic tank), then please don't assume the Health District's requirements are valid with respect to bedroom numbers when you add outside criterial based on allowing only 2 people per bedroom and assuming the same water use pertaining to permanent home owners when vacation guests are shown to be using far less water.

Sincerely,
Bill Gould
Vacation Home Owner
Chelan Co. 98801
(509) 885-8570

Wendy Lane

From: Tim Sale <tim.sale@gmail.com>
Sent: Friday, June 18, 2021 4:07 PM
To: CD STRComment
Subject: Public Comments on STRs

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

Who am I?

My name is Tim Sale. My wife and I are in the middle of constructing a beautiful home just northeast of Fox Road. It has been under construction since July of 2020. Throughout this process of finding the land, designing the home, picking the materials and plumbing have all been based on the idea that we would be using the house as an STR until we could afford to move up here permanently for the long-term.

For background

We first put an offer on the land in June of 2019. With both of our realtors (based in Leavenworth), we discussed our plans to build a combo STR and retirement house. Neither believed the county would enact such strong provisions against STRs.

I have documented emails and conversations with our architect (Leavenworth-based) from October 2019, specifically guiding him to help us design our house with the purpose of using it as an STR. I emailed Bob, Carl and Lilth Vespier (City of Leavenworth - she had suggested to the committee that "they should adopt an open registration period of 6-12 months for all new STRs.") in April of 2020 regarding my concern about our project. I created an airbnb profile in May 2020 and leased the land for two nights to a friend so that I could pay taxes and have proof of our intent. Additionally, I wrote into this committee in June of 2020 during the public comments phase. I was doing everything I could to show intent.

But, we did not know that we should "check the box" on the permit application. Because we planned to use our house over the long-term as our retirement house, my architect and builder (office in Leavenworth) suggested this would not be appropriate, so I followed their recommendation, as they are local businesses who have knowledge of the process. My neighbor on Fox Road did check the box in 2018 and did receive a building permit, contrary to the statements that I've heard during the BoCC discussions. (Happy to provide his name privately)

We now have a house that we've invested well over $1M into, much of which came from refinancing our primary home. We will be significantly harmed if we are left out of the grandfathering process.

Based on our research, there are only a handful of us in this type of situation and we are doing everything possible to show that we will have only a positive impact on the community. Please consider the significant livelihood impact it would have on us if we are not grandfathered in and followed the rules to the best of our knowledge.

The solution:

Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which including meaningful acts in reliance on the Code in effect that allows STRs. Specifically, adopt the code changes as requested by the Fairness in Grandfathering group.

To reaffirm, we are in agreement with the need to regulate the health, safety and nuisance factor of STRs and we can do this without significantly harming those of us who have heavily invested our futures in this area.

Thanks for listening and considering.

--Tim and Kelly Sale
10690 Fox Road
Leavenworth WA 98826

Wendy Lane

From: Jennifer Duma <jenniferdumarn@gmail.com>
Sent: Friday, June 18, 2021 2:14 PM
To: CD STRComment
Subject: Supporter Form
Attachments: Supporter Comment FIG.docx

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

Hello,
Please see the supporter form attached. Hope you have a good day!

Thank you,
Jennifer Duma, RN
206-229-9032

This communication contains information from Jennifer's Nursing Evaluations, LLC that may be confidential. Except for personal use intended by the recipient, or as expressly authorized by the sender any person who receives this information is prohibited from disclosing, copying, distributing, and/or using it. If you have received this communication in error, please immediately delete it all and all copies and promptly notify the sender.

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

My name is Jennifer Duma and I have been going to Chelan since I was child. It would be such a shame to have this beautiful town no longer able to be enjoyed by so many. Chelan has many small businesses that rely on tourism to sustain their business. After the awful year of COVID-19 and many businesses left struggling, the last thing we would want to see is more businesses struggling to keep their doors open, including many potentially loosing their own home. Unfortunately, with taking away short term rentals that would cause many homes to go under foreclosure (as how can people continue to afford these vacation homes without being rented?), it would drive down tourism in Chelan which is what the area mostly relies on, and it would drive the prices up for hotels that many families most likely would no longer be able to afford. I truly care about the town of Chelan and I have personally seen it grown so much over the past few years, which has allowed so many businesses to thrive. I hope you will consider not only the many families that come to Chelan to create lifetime memories but also the business owners that have truly been through enough already. Thank you for your consideration.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Jennifer Duma, RN

FAIRNESS IN GRANDFATHERING

Chelan County Vacation Rentals

Wendy Lane

From: Jennifer Duma <jenniferdumarn@gmail.com>
Sent: Friday, June 18, 2021 2:14 PM
To: CD STRComment
Subject: Supporter Form
Attachments: Supporter Comment FIG.docx

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Dear Commissioners:

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I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Jennifer Duma, RN

FAIRNESS IN GRANDFATHERING

Chelan County Vacation Rentals

Wendy Lane

From: Bill Marvin <whmarvin@gmail.com>
Sent: Friday, June 18, 2021 1:26 PM
To: CD STRComment
Cc: WHM Associates LLC
Subject: Short Term Rental Public Comments
Attachments: June 2021 WHM Comments.docx

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

Please find my comments below.
Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

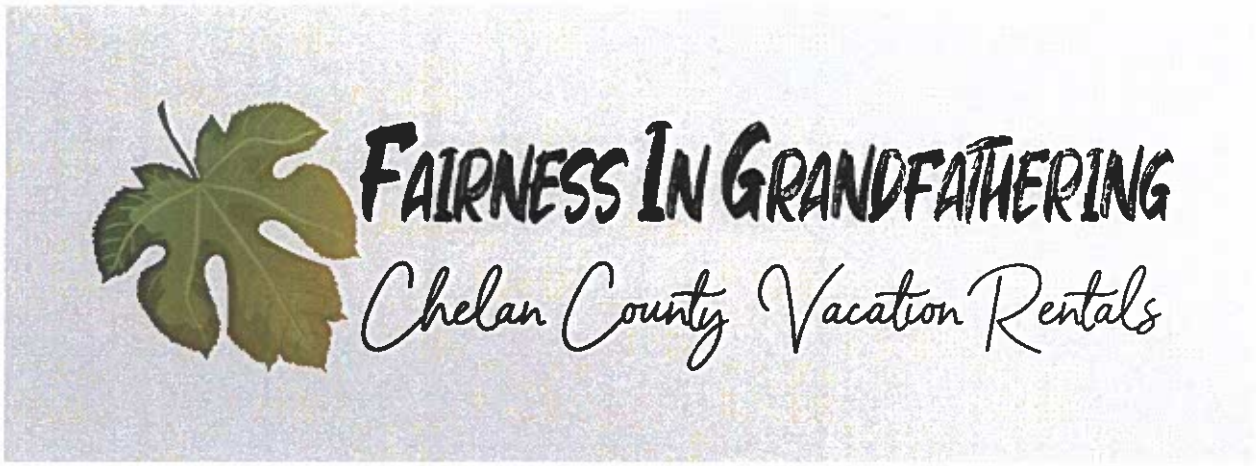
Who am I?

I am a resident of Snohomish County and I have come to rely upon Short-Term Rentals (STRs) in this area for myself and my family, friends and especially out of town or out of state friends who come to visit the Pacific NorthWest area. Furthermore, I also enjoy the ease of options that STRs allow. By continuing the availability of STRs I can foresee continued expansion of economic growth for the surrounding area without any adverse effects upon either the economy or the natural beauty of the area. Any arbitrary curtailment such as this moratorium as currently proposed is both short-sighted and potentially detrimental to the economic health and wellbeing of the communities. As a resident of this state and a "neighbor" of Chelan County, I have come to appreciate the natural beauty of the area as well as the commerce that the area offers. In order to retain all of that, I urge both grandfathering for those that can demonstrate being "in process" of creating STRs prior to the arbitrarily defined date of 8/25/2020; as well as eliminating language in the 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86.

My solution would include:

- Grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,
William Marvin



Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am a resident of Snohomish County and I have come to rely upon Short-Term Rentals (STRs) in this area for myself and my family, friends and especially out of town or out of state friends who come to visit the Pacific NorthWest area. Furthermore, I also enjoy the ease of options that STRs allow. By continuing the availability of STRs I can foresee continued expansion of economic growth for the surrounding area without any adverse effects upon either the economy or the natural beauty of the area. Any arbitrary curtailment such as this moratorium as currently proposed is both short-sighted and potentially detrimental to the economic health and wellbeing of the communities. As a resident of this state and a "neighbor" of Chelan County, I have come to appreciate the natural beauty of the area as well as the commerce that the area offers. In order to retain all of that, I urge both grandfathering for those that can demonstrate being "in process" of creating STRs prior to the arbitrarily defined date of 8/25/2020; as well as eliminating language in the 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86.

My solution would include:

- Grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely

William H. Marvin
Snohomish County Resident
whmarvin@gmail.com



Wendy Lane

From: WHM Associates <whmassociates@gmail.com>
Sent: Friday, June 18, 2021 1:22 PM
To: CD STRComment
Cc: William Marvin
Subject: Short Term Rental Moratorium Public Comments
Attachments: June 2021 WHM AssociatesLLC Comments.docx

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

Please find my comments below.
Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

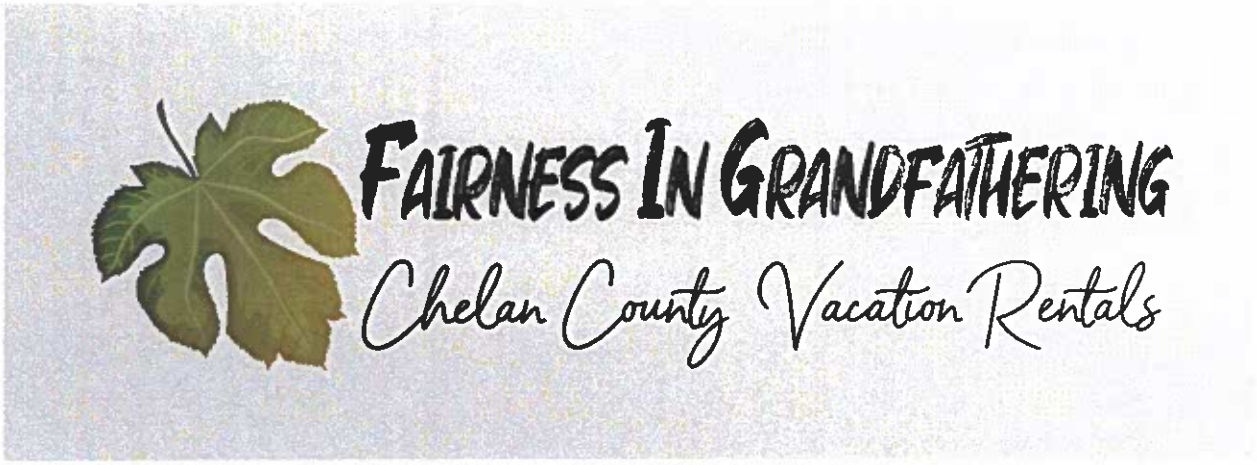
I am a Small Business owner who relies upon Short-Term Rentals (STRs) in this area for my clients who wish to either vacation or look to purchase properties and operate businesses to further the economic growth in this area of Washington state. My clients include both US as well as international organizations. Furthermore, I also enjoy the ease of business that STRs allow. By continuing the availability of STRs I can foresee continued expansion of economic growth for the surrounding area without any adverse effects upon either the economy or the natural beauty of the area. Any arbitrary curtailment such as this moratorium as currently proposed is both short-sighted and potentially detrimental to the economic health and wellbeing of the communities. As a business owner I urge both grandfathering for those that can demonstrate being "in process" of creating STRs prior to the arbitrarily defined date of 8/25/2020; as well as eliminating language in the 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86.

My solution would include:

- Grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,
William H Marvin

--
William H Marvin
Principal Consultant and Owner
WHM Associates, LLC
(703) 859-3460
www.whmassociatesllc.com



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I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am a Small Business owner who relies upon Short-Term Rentals (STRs) in this area for my clients who wish to either vacation or look to purchase properties and operate businesses to further the economic growth in this area of Washington state. My clients include both US as well as international organizations. Furthermore, I also enjoy the ease of business that STRs allow. By continuing the availability of STRs I can foresee continued expansion of economic growth for the surrounding area without any adverse effects upon either the economy or the natural beauty of the area. Any arbitrary curtailment such as this moratorium as currently proposed is both short-sighted and potentially detrimental to the economic health and wellbeing of the communities. As a business owner I urge both grandfathering for those that can demonstrate being "in process" of creating STRs prior to the arbitrarily defined date of 8/25/2020; as well as eliminating language in the 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86.

My solution would include:

- Grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely

William H. Marvin
Principal Consultant and Owner
WHM Associates LLC
(703) 859-3460
www.whmassociatesllc.com

FAIRNESS IN GRANDFATHERING
Chelan County Vacation Rentals

Wendy Lane

From: Mary Stager <mary_stager@hotmail.com>
Sent: Friday, June 18, 2021 11:07 AM
To: CD STRComment
Subject: Letter to commissioners

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

I apologize for not including this as an attachment, but my document app is not working correctly.

Mary

June 18, 2021

Dear Council Members,

I am writing to address the proposed changes to rules regarding short term rentals in Chelan county. I am particularly disturbed by the proposals for homes within the Manson urban growth boundary.

My husband and I are not residents of Manson. Therefore, we cannot vote in elections or influence policy except by letter. We inherited a lake front home 2 years ago. However, this property has been in our family since the early 1960's when it was purchased by Don & Anne Stager. Four generations of Stagers have used this home for vacations and family gatherings since the early 1970's. We did NOT purchase this property to exploit any rental or real estate growth.

When we inherited this property, we also inherited some fairly steep expenses – property taxes, utilities, insurance, and general upkeep. Our family still uses this home periodically, so we did note want to sell it or to do a year round rental. In order to help offset these expenses, we chose to list our home with a reputable, short term rental company (Windermere). We do not seek to exploit this property for profit. Instead, we wish for this income to simply cover our new expenses. Without this funding, our family may not be able to keep this property.

When we began our rental, my husband went to the Chelan County website to investigate any needed permits for this endeavor. There was NOTHING on that site suggesting we needed a permit. I have since learned that the permit section was purposely removed about the time our rental began.

We believe some of the proposals put forth by the committee are overly punitive, especially given the lack of transparency, information, and general enforcement of this ruling. Even our rental agent had not been properly informed of this regulation. I do believe that ignorance of the law is NOT an excuse for not adhering to the law, but in this case, even responsible research did not adequately provide access to needed information.

We are willing to pay any past due permitting fees and to continue to properly permit in the future. However, to punish us by disallowing our income generating activities may be too much for our family. We, assisted by Windermere, strive to strictly enforce all occupancy, noise, parking, and other community regulations. We

believe our customers not only benefit our family, but stimulate the local economy during not only summer months, but all year. (We had rentals in every month last year.)

In addition, we hope that the commission recognizes that, without any representation, we pay a high level of taxes & fees that benefit your schools, roads, libraries, and other local services. We benefit personally only marginally from these taxes.

Sincerely,
Mary Stager
957 Wapato Wy, Manson
(503) 702 8066
mary_stager@hotmail.com

Wendy Lane

From: Jeff Berman <jwberman09@gmail.com>
Sent: Friday, June 18, 2021 9:59 AM
To: CD STRComment
Subject: Comments on Draft STR Code

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,
I reviewed the latest draft of the STR code "DRAFT_STR_TF_Integration_2021_0607_NOTES_BOCC_CLEAN thru 0607_NOTES0615.pdf". Previously I sent the comments below and they appear not to have been considered yet. I'm resending them in the hopes that they will be addressed.

One additional comment/question is that PUD and MPRs are not defined and I can find no information on them in the Chelan County GIS system (https://www.co.chelan.wa.us/assessor/pages/gis-mapping). Are these generally areas where there are HOA's (such as the Ponderosa Community in Plain) or is there something more specific that defines these areas?

Questions previously sent:

1. Will new STRs in PUDs or MPRs be categorized as Tier 2? Figure 1 indicates that all Tier 2 and 3 STRs in PUDs and MPRs will actually be Tier 1. I'm not sure this is what is intended but this is the way the figure reads. If they are Tier 1 does that mean the Tier 2 regulations largely do not apply?
2. Will new STRs in PUDs or MPRs be subject to the minimum acreage in 11.88.290 Section 2.D.i?
3. Will new STRs in PUDs or MPRs be subject to the 200ft spacing from existing STR structures in 11.88.290 Section 2.D.ii?
4. What "structures" count in the 200 ft spacing requirement? Does this include detached garages and other non-dwelling units?
5. The draft code makes clear that the Tier 2 cap does not apply to STRs in PUDs or MPRs. However, it is not clear if they are counted when computing the percentage of STRs in a zip code.

Thank you for considering the clarification of these questions.

Jeff Berman
Professor
University of Washington

Wendy Lane

From: Dena Ashlock <Dena.Ashlock@symetra.com>
Sent: Friday, June 18, 2021 9:42 AM
To: CD STRComment
Subject: STR Comment - Grandfathering

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

Hi!

I purchased an existing STR in the Manson UGA in late summer 2017. Manson is such a lovely spot. I continued the STR as is; same management company, same landscaper, even the same furniture, etc. I completed & paid for the annual fire permit renewal that the county sent to me each year since then (including in 2021) and for all I knew I was up to speed on all of the requirements. I had no idea whatsoever that I didn't have or that there was a separate process to obtain an STR permit. I only learned this week (after talking to the Chelan County fire and county development departments) that the prior owner of my home did have an STR permit; I just had no clue that I had to reach out to do anything related to a permit. I've paid my B&O taxes, made interior design (furniture, art, etc) updates each year to my house (from local companies), spent lots of personal time in Manson, and all with no complaints (that I'm aware of). I ask of the decision makers to allow homeowners like me in the Manson UGA the ability to be grandfathered as a legit STR within the final code. I'm more than willing to pay the annual fees back to when I bought the home. I'm also very supportive of enforcing noise, parking, and nuisance ordinances & fines for STRs.

Thank you for your consideration.

Dena Ashlock
200 Lakeshore Drive
Manson, WA 98831

Wendy Lane

From: Nicole De Leon <NDeLeon@Cairncross.com>
Sent: Friday, June 18, 2021 8:01 AM
To: Jim Brown
Cc: Kevin Overbay; Bob Bugert; Tiffany Gering; Donald E. Marcy; Kristi Beckham; CD STRComment
Subject: RE: Chelan County Short-Term Rental Draft Ordinance
Attachments: FIG Ltr to Chelan County Commissioners w. Code Proposal 6.18.21 (04223102).PDF

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Jim,

As discussed, please find the attached letter on behalf of FIG. We look forward to continuing to work with the County on this issue. To that end, I would welcome the opportunity to discuss the details of our proposal with you, so please let me know if we can schedule a call to connect. Thanks again for all of your work on this.

Nicole

Nicole De Leon
Attorney
Pronouns: she/her/hers
CH& | Cairncross & Hempelmann
524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4472 | f: 206-587-2308
NDeLeon@cairncross.com | cairncross.com | Nicole's Profile

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From: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Sent: Tuesday, June 15, 2021 9:18 AM
To: Nicole De Leon <NDeLeon@Cairncross.com>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Donald E. Marcy <DMarcy@Cairncross.com>; Kristi Beckham <KBeckham@Cairncross.com>; CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

Dear Ms. De Leon-

Thanks so much. Yes, this would be helpful for understanding the context of the matter for board consideration of language within the draft.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801

Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Nicole De Leon <NDeLeon@Cairncross.com>
Sent: Tuesday, June 15, 2021 9:15 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Donald E. Marcy <DMarcy@Cairncross.com>; Kristi Beckham <KBeckham@Cairncross.com>; CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

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Jim,

Thank you for your prompt review of our letter. We are working on a more robust response with the requested examples and our proposal for a workable framework to address FIG's concerns. We are aiming to have that to you by early next week. Thank you again for your efforts on this front and we look forward to working with you.

Nicole

Nicole De Leon
Attorney
Pronouns: she/her/hers
CH& | **Cairncross & Hempelmann**
524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4472 | f: 206-587-2308
NDeLeon@cairncross.com | cairncross.com | Nicole's Profile

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From: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Sent: Monday, June 14, 2021 3:08 PM
To: Kristi Beckham <KBeckham@Cairncross.com>; CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Nicole De Leon <NDeLeon@Cairncross.com>; Donald E. Marcy <DMarcy@Cairncross.com>
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

Hi Kristi-

I have read the comment letter. Is there a possibility of having information sent directly to me as to the FIG "example(s)" being referred to by the attorneys?

We have had a "box" on the permit application that identified whether a building permit was for a short term rental, or not and that box has been on there since June of 2018. The intent of the box was to capture these before construction. There shouldn't be any building permits that were still continuing (they expire after 2 years, maximum) before the August 2020 moratorium date 26 months later.

So unless they checked "yes", and we missed it, or they checked "no" and then went to be a rental anyway, I am not sure how to address this.

But I would welcome an example where this is an actual problem that the existing process expressly allowed it.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kristi Beckham <KBeckham@Cairncross.com>
Sent: Monday, June 14, 2021 1:41 PM
To: CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; Nicole De Leon <NDeLeon@Cairncross.com>; Donald E. Marcy <DMarcy@Cairncross.com>
Subject: Chelan County Short-Term Rental Draft Ordinance

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Hello – Attached please find comments on Chelan County's Short-Term Rental Draft Ordinance. Please let me know if you have any issue opening the attached document.

Thank you.

Kristi Beckham
Legal Assistant
Pronouns: she/her/hers
CH& | **Cairncross & Hempelmann**
524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4401 | f: 206-587-2308
KBeckham@cairncross.com | cairncross.com

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Seattle, WA 98104
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office 206.587.0700
fax 206.587.2308

June 18, 2021

VIA EMAIL

Board of County Commissioners
County of Chelan
400 Douglas St., Ste. 201
Wenatchee, WA 98801
Email: : CD.STRComment@CO.CHELAN.WA.US

Re: Chelan County Short-Term Rental Draft Ordinance

Board of County Commissioners:

As you know, this law firm represents the group commonly referred to as Fairness in Grandfathering ("**FIG**"). FIG consists of a small group of homeowners who prior to the adoption of Resolution No. 2020-86 (the "**Moratorium**"), made meaningful steps to operate a short-term rental ("**STR**") based on the zoning and land use regulations then, and currently, in effect. As detailed below and in the numerous comments submitted by individual members of FIG, FIG consists of essentially three subsets of members who were differently positioned to operate an STR prior to the Moratorium. Although differently positioned, FIG collectively embodies a group of homeowners who, before being blindsided by the Moratorium without any notice, made significant financial and life decisions in reliance on the Chelan County Code (the "**Code**" or "**CCC**"). These individuals will be significantly harmed if the County chooses to disregard the faith these individuals had in the County's regulatory system as it applied to them while making these decisions. We therefore request the Commission address FIG's concerns and incorporate the enclosed revisions to the draft STR Ordinance, which set forth a reasonable framework to provide FIG members some relief.

FIG includes individuals who prior to the Moratorium owned an existing home and took meaningful steps toward operating the home as an STR prior to the Moratorium going into effect. For example, these individuals opened rental accounts and compiled marketing materials for rental listings with companies like VRBO and Airbnb. In some cases, individuals even took over active rental accounts of the prior owner who rented out the home as an STR. Unfortunately, however, these individuals were unable to secure a rental contract prior to the Moratorium and therefore are arguably not included in the current framework for existing STRs, which requires "actual" and "physical" use. See draft Ordinance 11.88.190(2)(E)(i)(a). In many cases, rental contracts were not pursued because of the onslaught and uncertainty surrounding COVID-19, which created very real and difficult decisions for the STR market with respect to public health and safety.

ndeleon@cairncross.com
direct: (206) 254-4472

Adding to the unfairness of this situation, and as you know, nothing in the Code required these individuals to take any affirmative action to register, permit, license, etc. their home as an STR because the Code is utterly silent on the issue of STRs. Thus, a discrete act to establish or "create" an STR was not required. Furthermore, although the Moratorium precludes "creation" of a new STR, it does not provide any clear definition or explanation as to what constitutes creation. It therefore also does not explain how it applies to the situation at issue where meaningful acts were taken to operate an STR, but an actual, physical rental did not occur prior to August 25, 2020. Stated another way, arguably these individuals had already created an STR by taking the above-described steps to rent and any subsequent steps to further operate the STR subsequent to August 25, 2020 would not violate the Moratorium. The draft STR Ordinance appears to try to further narrow the door by limiting existing STRs to those that "actually, physically" were used as STRs prior to the Moratorium. Although this is certainly more clear than the ambiguous "creation" concept, it is a steeper thresholder and imposes extreme harm on those individuals who made significant life and financial decisions in reliance on the regulations then in effect, but because of pure bad luck with timing and a worldwide pandemic, they do not satisfy this threshold. This is one example of the type of unjust result we ask you to address by incorporating our suggested revisions to the draft STR Ordinance.

Another subgroup of FIG includes individuals who prior to the Moratorium were in the process of purchasing a home for the purpose of operating an STR, and they took other meaningful steps toward operating the home as an STR. Similar to the scenario above, these individuals confirmed with sellers and realtors that the property could be used as an STR, they established rental accounts and compiled rental information, and more fundamentally, they spent a significant amount of money to purchase land based on the fact that the Code allows STRs. Furthermore, these members very likely would have fallen into the above category of actually owning their property prior to the Moratorium if the onset of a literal world pandemic had not put business functions and closing operations into a tailspin. Although closings were delayed due to the very real impacts of COVID-19, the investment and reliance of these individuals was in full effect prior to the Moratorium. Therefore, these individuals should also be afforded relief and status as an allowed STR.

The third subgroup of FIG includes individuals who owned land and applied for a building permit prior to the Moratorium, with the intention of operating the home as an STR, but construction was not complete prior to the Moratorium, so they could not "actually, physically" use the home as an STR prior to August 25, 2020. Relevant to this circumstance is the infamous STR box on the County's Building Permit Application Form. This STR box is a red herring issue. The fundamental fact is STRs were, and still are, permitted outright and are unregulated under the Code such that there is no Code-basis for processing or rejecting a Building Permit Application based on whether the STR box was checked. Furthermore, the STR box is in fact just a simple statement asking, "Will this structure be used as a Vacation/Transient Rental for less than 30 days?" There is no additional explanation or guidance as to whether, for example, does the question refer to the sole or primary use of the structure? Along these

lines, a homeowner could very reasonably interpret this question to be an inquiry as to whether the structure will be operated solely as a vacation rental. Thus, if the homeowner intends to personally occupy the home for a period of time and then rent the home out for other periods of time, and with the baseline understanding that STRs are not regulated by the Code, the homeowner would very understandably not check the box.

This was the process some members of FIG followed. They relied on the Code that permits and does not even regulate STRs, they completed and applied for a Building Permit in good faith and to the best of their ability, which did not include an affirmatively checked STR box, and they were issued a Building Permit for a home they intend to occupy, but also occasionally rent out. As a result, these members of FIG acquired a vested right to complete construction of their homes and then use that home under the regulations in effect at the time they applied for their Building Permit, i.e., regulations that allow operation of an STR. Although it appears a prior version of the draft STR Ordinance attempted to address this vested rights scenario, those provisions were removed and regardless, they did not adequately address the above unique, but very reasonable circumstance. The law governing vested rights is clear on this front and the current draft STR Ordinance is inconsistent with this law. We therefore urge you to incorporate our suggested revisions to assure the vested rights of these individuals are honored and the harm they would otherwise experience is remedied.

To this end, enclosed are proposed revisions to the draft STR Ordinance that narrowly and adequately address the above. The proposed framework provides an alternative path in CCC 11.88.290(2)(E)(i)(a) to becoming an existing short-term rental that is not dependent on "actual" and "physical" use prior to the Moratorium. Instead, the framework offers a second path that requires submission of an application within 60 days of the adoption of the STR Ordinance. The application must be accompanied by a legal affidavit from the current property owner affirming under penalty of perjury that immediately prior to the Moratorium, the current owner had the intent and took steps to use the property as an STR by August 25, 2021. The owner is also limited to operating only one STR and payment of a $1,000 fee is required. Collectively, these requirements are sufficiently substantial to prevent a significant, unanticipated number of existing STRs. Looking ahead, this path also requires the STR to comply with other provisions of the Code section governing existing short-term rentals, e.g., occupancy limits. To further address the unique circumstances of FIG members, we also propose revisions to CCC 11.88.190(2)(E)(ii)(e) so that these individuals are not penalized for their good faith actions in the midst of regulatory ambiguity. These proposed revisions reflect the backbone of our proposed resolution, but we understand our proposed language may necessitate other revisions to assure consistency and we welcome the opportunity to work with the County on that effort.

FIG supports the enactment of a regulatory system that governs STRs and assures they are operated in a desirable and sustainable manner. FIG simply asks that their very unique circumstances be addressed so that the members of FIG do not experience significant harm when their only mistake was making decisions in reliance on the County regulations in effect at that time. We appreciate the

Commission and County Staff's exceptional efforts on this difficult topic and we hope to work together in a collaborative fashion that addresses all parties' needs and concerns. Thank you again for this opportunity to participate in the process and we look forward to working with you.

Very truly yours,

Nicole De Leon

NED/kgb

cc: kevin.overbay@co.chelan.wa.us
bob.bugert@co.chelan.wa.us
tiffany.gering@co.chelan.wa.us
jim.brown@co.chelan.wa.us

Wendy Lane

From: Jim Brown
Sent: Friday, June 18, 2021 7:54 AM
To: Catherine Lorbeer; Jim Brown
Cc: CD STRComment
Subject: FW: Occupancy septic requirement question

Hi Commissioner-

Since this keeps coming up, I did an inquiry about septic and head counts to CDHD. Reply below.

Thanks

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Richmond Petty <Richmond.Petty@cdhd.wa.gov>
Sent: Thursday, June 17, 2021 4:58 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: RE: Occupancy septic requirement question

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Good afternoon,

Septic permitting is by bedroom count, however, it is based on 2 people per bedroom. So a 3-bedroom home should be limited to 6 people. The problem we run into is that maybe it is a 3-bedroom home, but they advertise for 10 or 12 people by using bunk beds, fold out couches, etc. The septic system is not designed for that many people.

The reference to people in our code I would presume to be adults and teens, older children. Kids under 2 would not apply.

Let me know if you any questions,

Thanks,

Richmond Petty, R.S.
Environmental Health Specialist III
Onsite/Land Use/Water Recreation Programs
Chelan Douglas Health District
200 Valley Mall Parkway
East Wenatchee, WA 98802
E. richmond.petty@cdhd.wa.gov
P. 509.886.6468 **F.** 509.886.6449

Please note that during our response to COVID-19, we must prioritize our work for COVID. We have a high volume of applications and will meet the review timeline of 2 weeks to 30 days for completed submittals.

From: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Sent: Thursday, June 17, 2021 3:47 PM
To: Richmond Petty <Richmond.Petty@cdhd.wa.gov>
Subject: Occupancy septic requirement question

Hi Richmond-

We are still working on the short term rental code drafting process.

Is septic permitting by bedroom count, or by number of persons at the house?

The reason is we are looking at possibly allowing kids under 2 to not be counted in the occupancy limit under our code. But we do not want to get crossed up with the septic requirement.

Can you please advise me?

Thanks-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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Wendy Lane

From: Christopher Thayer <CThayer@pivotallawgroup.com>
Sent: Thursday, June 17, 2021 4:02 PM
To: CD STRComment
Subject: Comment on proposed STR regulations

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

My wife and I recently purchased a property in Leavenworth. It is our intention to retire there and live full time in a few years. In the meantime, we will only be able to use it 1-2 months per year. We purchased the property now because with rising property values we don't know if we could afford something over there in ~5-7 years. It is our intention to use the property as an STR until we are able to retire. We are responsible people and have hired a professional management company to manage this property for us.

I would ask that any property which has been used as an STR in the last 3 years should be considered as grandfathered in. The current proposed cutoff is July 2019, which I believe is unduly narrow and restrictive.

The proposed regulations, as I understand them, are subject to likely legal challenge. I don't say that as a threat, but with the hopes that the county will be more reasonable and flexible in its approach to this matter.

I am happy to discuss my concerns if anyone is interested in speaking with me.

Thank you for your time and attention to this matter.

Sincerely,

Christopher L. Thayer
Managing Partner

PIVOTAL LAW GROUP

IBM Building
1200 5th Ave.; Suite 1217
Seattle, Washington 98101
Telephone 206.340.2008
Direct 206.805.1494
Facsimile 206.340.1962
www.PivotalLawGroup.com

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Please consider the environment before printing this email. Thank you.

Wendy Lane

From: Ken Longley <kenlongley66@gmail.com>
Sent: Thursday, June 17, 2021 1:52 PM
To: Kevin Overbay; Bob Bugert; Tiffany Gering; Jim Brown; Lisa Grueter; CD STRComment; Kirvil Skinnarland; E John Agnew
Subject: Task Force Agreement And Residents Concerns
Attachments: Residents email to BOCC 6.15.2021.docx

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

Please see attached letter expressing our concerns

Ken

Proposed revision to CCC 11.88.190(2)(E)(i)(a):

(E) Existing Short-Term Rentals:

(i) A short term rental use shall be considered lawfully established and existing and allowed to continued to operate as a legally non-conforming use only if the owner proves each of ~~all~~ the following criteria are satisfied, as applicable:

(a) That a location was actually, physically used for short-term rental purposes during the periods specified in 2(E)(i)(b) and (f), which requires proof of rental listing, income generated and tax payment, or if the location was reasonably intended for use as a short-term rental immediately prior to August 25, 2020, which requires satisfaction of the following ~~.Proof of rental listing, income generated, and tax payment is also required; and~~:

(1) Within 60 days of adoption of this Ordinance, submission of an application to utilize this Section CCC 11.88.290(2)(E)(i)(a); and

(2) Accompanying the application to utilize this Section CCC 11.88.290(2)(E)(i)(a), submission of an affidavit affirming under penalty of perjury that immediately prior to August 25, 2020, the owner had the intent to use and took meaningful steps to use the location as a short-term rental by August 25, 2021; and

(3) The owner, including a spouse and/or entity affiliate, may only operate and obtain one short-term rental land use permit; and

(4) Payment of a $1,000 fee; and

(5) The short-term rental complies with the requirements of this CCC 11.88.290(2), to the extent they do not conflict with the right to operate as a legally non-conforming use as established in this CCC 11.88.290(2)(E)(i)(a); and

Proposed revision to CCC 11.88.190(2)(E)(ii)(e):

(e) Any short-term rental property that has an unresolved written notice of violation for short-term rental use, received on or before August 25, 2020, shall not be considered a legally non-conforming use. Additionally, any short-term rental property ~~or~~ that operated as a short term rental contrary to the August 25, 2020 Chelan County short-term rental moratorium Resolution 2020-86, or subsequent rental moratorium resolutions 2020-104 and 2021-20, except those short-term rental properties that satisfy the requirements of Section 11.88.190(2)(E)(i)(a), shall not be considered a legally nonconforming-use.

Letter to BOCC to be sent directly to Commissioners, to the comment email, to Jim Brown and Lisa Grueter

Dear Commissioners:

As the three members of the group representing the Residents on the Task Force, we want to object in the strongest possible terms to the chipping away of the consensus agreement of the Task Force. One of the areas of clear agreement was on occupancy limits. At no time during the negotiations did the STR representative ever propose excluding children under 2 in the occupancy caps.

The STR groups initial proposal was for the following occupancies: Tier 1: 16, Tier 2:16, Tier 3: no limit but subject to a CUP.

One of the rules set by the moderator Mike Nash for this negotiation was that any party wishing to gain a concession from the other side had to offer a concession. After the Moderators introduced their own proposal near the end of the process in order to force the two sides to a compromise, this rule was strictly enforced.

It should be obvious that the Residents' had to give ground on other important issues in order to get the occupancy caps that are set forth in the final consensus document: 2 per bedroom; Tier1 : 8, Tier 2: 12, Tier 3 : 16.

We also would point out that neither of the December ordinances excluded children under 2 from the occupancy cap.

All the Commissioners voted to set up the Task Force and it is disheartening to see you not honoring this agreement. Obviously, there are gray areas in aspects of the agreement that may need clarification. As well, there are issues that the Task Force did not address. However, the occupancy caps are absolutely clear.

This change will result in conflict with the Chelan Douglas Health District regulations which count all persons, regardless of age, in their permits for septic systems. It will also complicate enforcement.

We request that the Task Force Agreement be honored.

Sincerely,
Ken Longley, John Agnew and Kirvil Skinnarland

Wendy Lane

From: Lauri <lam@nwi.net>
Sent: Thursday, June 17, 2021 12:18 PM
To: Jim Brown
Subject: Fwd: Peshastin UGA STR's

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

Hi Jim, I had the wrong email for you the first send.

Lauri Malmquist
lam@nwi.net

-------- Original Message --------
Subject: Peshastin UGA STR's
Date: 2021-06-17 12:12 pm
From: Lauri <lam@nwi.net>
To: Jim Brown <CD.Director@co.chelan.wa.us>, bob.bugert@co.chelan.wa.us

Hi Jim and Bob, I was able to sit in for the first STR workshop, but couldn't attend the other two.
In the meantime, I have learned that the County is considering grandfathering STR's in Peshastin. I am, frankly, gob-smacked that the Taskforce and the County could give this consideration. It feels like a betrayal. STR's have NEVER been allowed in residential zones in the PUGA. We have had numerous meetings and conversations with the County, over years, to ensure this is understood and upheld.
The community of Peshastin feels strongly that residential zones are for full time residents; provide housing for full time residents; and preserve the integrity of our neighborhoods.

Please don't let the few non-residents make crucial, long term decisions for the many County residents.

Thank you,
Lauri Malmquist, Peshastin resident and Community Council Chair

Wendy Lane

From: Patty <pattymmhebert@gmail.com>
Sent: Thursday, June 17, 2021 12:01 PM
To: CD STRComment
Subject: Resident input for STR

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

Dear Board of Commissioners,

I'm a resident impacted by poorly regulated County STR regulations.

My rural neighborhood experiences ongoing issues with STR visitors that overcrowd, trespass, speed, park illegally, litter, and pollute with bright lights, noise & smells emanating when septics fail from overuse.

Despite residents welcoming visitors in our neighborhoods, we prefer that tourists congregate in designated tourist zones that adequately protect quality of life as well as, human and natural resources. Neighborhoods are overdue for protection from indifference & misuse by absentee landlords of STR's.

Local tax payers are losing patience with prolonged County Commissioner reviews, edits, & lack of implementation of the short term rental ordinances. The County's lack of consistency in enforcement of current regulations, transparency, and funding, have contributed to the deterioration of Chelan County neighborhood communities for years. It's time to reconcile past neglect and act responsibly.

However disappointing it is to observe the Board of County Commissioners perseverating on anectoctal stories that support individual constituents or non-residents (who benefit from non-compliance with current regulations), I'm hopeful that your hesitancy will give way this summer, to acting in the best interests of the majority of Chelan County residents. Doing so will benefit residents and visitors alike.

Although the current draft does not hold accountable commissioners (past and present)for not funding or enforcing current regulations, it does begin the process of accountability and reconciliation for Chelan County residents, our elected officials, and absentee/non-resident landlords.

We are watching and voting for representatives that adequately fund and enforce fair STR regulations.

Patricia Hebert
Leavenworth Homeowner and Tax Payer

Wendy Lane

From: Daniel Stadie <dstadie51@gmail.com>
Sent: Wednesday, June 16, 2021 11:08 PM
To: CD STRComment
Subject: Short Term Rental FIG Supporter Comments
Attachments: Supporter Comment FIG.docx

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

Good Morning,
Please see my attached comments on your upcoming debate related to Short Term Rental properties in Chelan County.

Thank you,
Daniel Stadie

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I am currently employed by the U.S. Navy and as such am a frequent traveler along with my family. As parents with a young child, my wife and I rely on short term rentals such as those referenced above for accommodation since they provide the space and financial flexibility that is important for my family. Traditional hotel accommodations simply are inadequate for an infant or toddler to get the proper sleep, especially with parents sharing the same cramped space.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Daniel J. Stadie

Expeditionary Warfare Center, U.S. Naval Facilities Command

Wendy Lane

From: Lauren Johnson <lj2341@gmail.com>
Sent: Wednesday, June 16, 2021 9:18 PM
To: CD STRComment
Subject: Comment on the STR

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

Despite the fact that both R.U.N. and STRACC have pledged to support their hard work in which both sides made significant concessions. The County Commissioners showed excellent judgment in selecting a quality task force. Now, one Commissioner appears to be sabotaging the task force at every turn. I would guess she is playing on the desires of the other two commissioners to have a unanimous vote. However, Commissioner Gering is showing her cards as being in the pocket of STRACC. It is clear Commissioner Gering is functioning as a representative of STRACC so that STRACC can appear to support the work of the task force. Commissioners Bugert and Overbay, I hope you recognize your good intentions are being played by Gering. In essence, she is saying, 'You want a unanimous vote? This is my price. Rewrite the task force's report.' Don't do it.

Lauren Johnson

Wendy Lane

From: Kari Dilloo (SHE/HER) <Kari.Dilloo@microsoft.com>
Sent: Wednesday, June 16, 2021 8:40 PM
To: CD STRComment
Subject: Re: Fairness in Grandfathering/Chelan County short term rental operators

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

Dear Commissioners:
I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I'm a frequent Airbnb renter as my family and I travel across the state to enjoy all of the great areas of Washington State. For young families, being able to rent a home provides us with a better vacation experience than hotels and ensures that we're comfortable and able to take our time and spend ultimately more money in the local economies we visit vs if we have shorter hotel stays. It would be a loss to the local Chelan County economy if vacation lodgings were restricted in this way.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,

Kari Dilloo

Wendy Lane

From: Ryan Harmaning <ryan.harmaning@gmail.com>
Sent: Wednesday, June 16, 2021 7:43 PM
To: CD STRComment
Subject: Public Comment on STR Code Draft Proposal

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

Dear Commissioners,

Thank you for the opportunity to publicly submit comments on the proposed STR code.

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020. These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

Our family was able to realize our life-long dream of owning a vacation cabin in Chelan Country in October of '19 when we closed on our property in a long-established community of recreational cabins. We were unaware of the controversy surrounding Vacation Rentals in the County at the time, and frankly unsure how we could have known given there is no history of registration or licensing required of Vacation Rentals in Chelan County. In our specific neighborhood, Vacation Rentals are tacitly allowed with only specific community-use restrictions being in place for nightly guests. Because of this, and other details spelled out below, We are making an appeal including those trapped in the Moratorium as fully legitimate candidates for grandfathering into the proposed codes currently under consideration

In early Summer of '20 with initial renovations and improvements wrapping up, we began talks with various property managers with the intent of listing our place as a Vacation Rental when we weren't using the property. We have documented conversations from as early as July '20 - more than a month prior to the Moratorium enacting.

We have been encouraged at the BOCC's deference to the community's views and concerns through the creation and consideration of the findings of the STR Task Force. We also sincerely hope that this reasonableness is carried over into a decision to extend grandfathering to those Vacation Rental owners who, acting in good-faith, were blind-sided by the Moratorium.

Our simple and fair proposal would be:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which includes meaningful acts in reliance on the Code in effect that allows STRs.
- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.
- The specific details of this proposed solution will be provided by a separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely,

Ryan and Ruth Harmaning
Pinto Lane - Plain, WA



Wendy Lane

From: Mike Williams <mjwilliams55@comcast.net>
Sent: Wednesday, June 16, 2021 5:27 PM
To: CD STRComment
Subject: Thank you for the opportunity to publicly submit comments on the proposed STR code.
Attachments: Brittnay Underwood; STR support doc..docx; Letter for the Williams RE Management Services.STR's.pdf; Reaitor-Horvath; Williams letter.pdf

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

Dear Jim Brown and Chelan County Commissioners:

Our story: Pam & Michael Williams

We do humbly & respectfully request the Chelan County Commissioners & Mr. Jim Brown consider 'grandfathering' us, thus allowing our home active status as a Short Term rental. We paid cash for our cabin in Plain on May 29, 2020 and invested additional monies to the tune of tens of thousands of dollars of our retirement savings to support a major remodel in 2020. Pam & I are very dismayed given that we may have fallen outside of the perimeters of the proposed 'moratorium', ending August 25th. At no point prior to August 25th, 2020 did we have any idea a 'moratorium' had been set in place, nor were we aware one would be. In fact during our process of interviewing several local STR property managers, and as late as August 20th we met several managers that had been involved in discussions with BOCC on str's regulations over the last several years. They would not share any details as to what conclusions had been arrived at by and between the parties on STR codes. However what was made clear to Pam & I in the discussions is that a circumstance had arisen that would more than likely terminate any str code discussions, into the unforeseeable future. Thus we turned most of our focus to completing our cabin remodel. Which we completed in April of 2021 after installing a new roof. We are not renting our cabin, in accordance with the 'August 25th-moratorium' .

Our journey in 2020 included our STR messaging/ marketing to all who would listen; family, friends, contractors, shop owners, property mgmt. co's, etc. that it was our intent to share our cabin via a Short Term Rental. In 2020 we toiled to complete a major remodel, all the while Investigating & speculating as to what, if any, new STR regulations the BOCC might consider implementing. Little did we know what the effects of a pandemic; scarcity of materials & contractors, contractor delays, delay of product deliveries, , Septic system breakdown(s),recurring roof leaks. etc., would mean in terms of a duration to complete our cabin's major remodel. At the behest of our realtor we phoned the Chelan County to find no STR permit was needed to rent our cabin. As of this writing we do believe our cabin will meet all of the guidelines of an STR under the current codes under consideration by the BOCC.

Pam & I do support fair and reasonable regulations for STR's. We do also support policing of these regulations. For we live in society of rules and laws.
We do also respectfully request that you consider our extenuating circumstance, the due diligence we attempted to achieve and grant us STR status.

- **After five decades of work we both retired in 2021 and had planned for a secure retirement.**

1. **Without S.T.R. status we are unable to offset the costs of maintaining our cabin and/ or recouping some of the tens of thousands dollars we invested from our retirement savings to fund our major remodel and purchase furnishings.**
2. **If we were to consider the sale of our cabin we stand to lose tens of thousands of dollars and sacrifice a dream that for years we have sought to embrace..**

P.S.
Please note attached are documents that may assist you in your considerations. If you have question, we are at your service.
Thank you so much.
We look forward to your response.

With gratitude,

Pam & Michael Williams
5106 Royal Dr. W.
University Pl., Wa 98467
206-380-1751 cell

"Integrity, it's doing the right thing..even if no one's looking"

May the road rise up to meet you. May the wind always be at your back. May the sun shine warm upon your face; and until we meet again,
may God hold you in the palm of his/ her hand.

From: Brittany Underwood <brittanyunderwood04@gmail.com>
Date: June 2, 2021 at 2:21:58 PM PDT
To: Momma <PJTHale@comcast.net>
Subject: STR Letter

To Whom It May Concern,

I write this letter to express the significance behind purchasing the cabin on May 29,2020 at 22019 Appaloosa Lane. My mother, Pam Williams, and her husband, Michael Williams have been visiting the Leavenworth/Plain area for the last 10 years. Each time they visited, they expressed interest in purchasing a cabin, but the only way to financially make this investment would be to rent the cabin. My husband and I have a 4 year old, who also enjoys Leavenworth, which resulted in us all visiting more often. Each visit allowed us to see the joy through a toddler's eyes and made us realize how much we love Leavenworth. When Covid hit, we wanted to make a point to continue to visit Leavenworth so the economy could continue to survive, and at that point, Pam and Michael Williams purchased the cabin for our family and renter's to enjoy.

My husband and myself had many discussions with Pam and Michael about helping them renovate the cabin in the summer of 2020 so the cabin would be rentable by mid July 2020. We originally had the goal to renovate in 5 weeks and start renting, however Covid made that impossible. There were back orders on carpet, furniture, lengthy delivery time on air conditioner units, delay on granite counters, delay on hot tub, and the most frustrating would be the electrical work. The first electrician did not complete the work correctly, and also stopped returning phone calls. The second electrician was still very difficult to get in touch with but after many delayed weeks, he completed the project. Each of these delays due to Covid, resulted in a delay of renting the cabin. The cabin was not rentable without working/safe electricity nor common amenities until April 2021.

All along the intention has been to rent the cabin and allow our family to enjoy it as well. The goal is not to rent the cabin night after night, but to financially offset some of the yearly cost with rental income. I hope one can understand and see the value in a retired couple who wants to support the Leavenworth community by allowing visitors to rent the cabin. And also allowing our family to continue to make memories that will last a lifetime.

Thank you,
Brittany Underwood

--
Brittany Underwood
brittanyunderwood04@gmail.com

McNALLY MANAGEMENT
7512 Stanich Lane Suite 5
Gig Harbor, WA 98335
Phone: (253)858-7368
Fax: (253)858-2062

June 2, 2021

To Whom it May Concern –

Mike and Pam Williams are clients of McNally Management and we currently manage their Tacoma rental home and have done so for several years.

On June 23, 2020, the Williams contacted our office to inquire about us managing their home in Plain, WA as a short-term rental. We discussed it but had to inform them that unfortunately this was outside of our service area and not a service that we offered.

Sincerely,

Heather Lantz
Broker/Property Manager
McNally Management
7512 Stanich Lane Suite 5
Gig Harbor, WA 98335
Phone: (253)858-7368
Fax: (253)858-2062

My name is Justin Horvath, and I originally met Pam and Mike Williams working as a real estate agent here in Leavenworth WA. I took a call from Mike on Jan 19, 2020 at 7:07pm as we was asking about doing a property tour for 21210 Stetson Rd, and said he had been looking for property in the Ponderosa community for the last three years. He wanted to find something his family could vacation in, but when they were not using it they could rent it out on a short term basis. On May 12, 2020 I facilitated a showing for Mike to see 22109 Appaloosa Ln and on May 17 2020 we discussed over the phone the short term rental history for this specific property as it was an important factor for Mike since they wanted to continue to keep it as a short term rental once they took possession. We then closed on this property on 5/28/2020, and at that time Mike had asked me about managing the property as a short-term rental for him, as that is a secondary business I run. At the time, my property management business was unable to take on any additional properties, but I referred Mike and Pam to a handful of other good options for our area.



Justin Horvath
Real Estate Broker

P: (509) 237-7883 | M: (206) 612-8707
E: justin@leavenworthproperties.com
W: justin.livingleavenworth.com
S: @livingleavenworth

BERKSHIRE HATHAWAY HomeServices | Leavenworth Properties Cascade Properties

Wendy Lane

From: Denise Olsen <DOlsen@commercialdoors.com>
Sent: Wednesday, June 16, 2021 3:25 PM
To: CD STRComment
Subject: Letter To The Commissioner On Short Term Rentals
Attachments: Letter To The Commissioner.pdf

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

Good Afternoon,

Please see the attached document for our input on the new suggested measures in Chelan County.

Thank you,
Denise Olsen

Denise and Randal Olsen
10323 East Davies Loop Road
Lake Stevens, WA 98258
425-948-4007
Randy@commercialdoors.com

June 16th, 2021

Dear Chelan County Commissioner,

I am writing to you today in response to your recent suggested measures to once again limit the number of guests allowed in short term rentals at one time.

I would like to ask you to allow more than two people per bedroom and to not include children in your per house limit. Regarding your suggested parking requirement of two car spaces per bedroom, I just do not see where that would be necessary. If you have two people per bedroom and multiple bedrooms, what are the odds that they all drive separately?

My husband and I feel that renting our home short term has been wonderful for families and church groups looking to get away for a few days or a weekend. It provides a private yet affordable option that would not necessarily be attainable to them through other boarding avenues.

We feel that short term rentals have had a direct contribution to the tourist economy in the area and provide a great source of tax income to the state. Should these new measures go through, we think that you will see a decline in both these numbers at a time when the economy needs all the help it can get in getting back to business.

We appreciate your reconsideration of this matter.

Thank you,

Denise and Randal Olsen
Homeowners

Wendy Lane

From: Stan Winters <winterss1@me.com>
Sent: Wednesday, June 16, 2021 2:26 PM
To: Jim Brown
Cc: communitycouncil@peshastin.org
Subject: Peshastin STR Issues

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

Hi Jim,

I am off doing a volunteer job with the National Park Service in Stehekin for a few months, so I'm a bit behind. But I did just receive information that in one of the work sessions the issue of grandfathering STRs in Peshastin came up.

As we have talked about, STRs were never legal in Peshastin, and this is evidenced by the Director of Community Services Administrative Interpretation and the following decision by Mr. Kottcamp. The County sent out multiple violation notices to the primary STR in question.

It has been widely understood that Peshastin will have autonomy over the Urban Growth Area here. We adamantly reject the idea that STRs in the residential zones in Peshastin should be grandfathered in. The desires of the community of Peshastin continue to be that residential areas should be reserved for actual residences. This is not a negotiation point for us, rather, this is what the members of our community have, after countless house of meetings, hearings, polls, and discussions, decided upon.

Please do not allow the STR/STRACC group to negate our more than a decade of hard work. Please help us preserve our community. Please do not change our UGA to allow any STRs in residential areas.

Thank you, Jim

Stan

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

Wendy Lane

From: Linda Huson <lmhuson@gmail.com>
Sent: Wednesday, June 16, 2021 11:07 AM
To: CD STRComment
Subject: Supporter of Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I live in England and have visited the Chelan area several times staying in short term rentals. I particularly love the beautiful scenery this area has to offer and visiting the magical Leavenworth and of course the fabulous wineries.

I am so upset to hear that genuine, hardworking people who through no fault of their own are in the precarious position they face. I am an advocate for fairness and cannot understand why people who began making their dream come true before there was any mention of a moratorium are threatened with exclusion from the grandfather rights which will apply to others. As this is a tourist area and people like me bring income to Chelan County I feel the need to comment. Please reconsider and stop this injustice so that I and people like me can visit the already existing STRs. We have suffered for so long with the Covid situation and people now need vacations and beautiful places to enjoy them in!

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely

Linda Huson. West Yorkshire, England.

Wendy Lane

From: Joni Fisher <jonimfisher@msn.com>
Sent: Wednesday, June 16, 2021 11:07 AM
To: CD STRComment
Subject: RE: STR Code Comments 06162021

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

Chelan County Council Members,

Sad to see this but seems like Manson UGA Unpermitted STR's will not be grandfathered in this process. Apparently, we will be made an example of to show the rest what can/will happen, apparently someone must pay the price to show force and make Anti-STR folks in Manson/County happy. So, 99% in Chelan County get grandfathered and the 1% in Manson UGA pay the big price.

- I take exception to the discussion on checking the STR box on permits. I did just that and at no time did the planning department contact we worked with for our building permit or the final inspector mention we needed a permit or that STR's were not allowed. She did however make it clear by her actions she didn't like it. She made us make changes to our plan, for questionable ridiculous reasons but we didn't argue and complied, which cost us 10K. Those reasons were specific to renters and their safety. If we had large openings in the front of the house with industrial garage doors or accordion sliders, a renter could pull there car in the house and potentially close the door, leave it running and kill everyone. This is not a joke, that was the reason. We were trying to be compliant and follow the process.
- I guess the stance, "this is all on us" is holding strong. There was no enforcement, communication, no requirement for this to be part the information communicated during a home sale/purchase, require transfer of a permit on sale of an existing STR, final occupancy inspection, etc. but the owners are all in the wrong. The county has no burden here, just blame the owners for not doing enough research, and shut us down.
- I didn't just open an STR and do NO research, I did all the right things except figure out I needed a permit. Then the moratorium slammed the door on us to get our permit!! Which I thought was to stop the growth of new STR's but is being used to lock existing UGA STR's from getting our permit and allowing you to shut some existing STR's down. This mistake is going to likely cost us our retirement home, 4 yrs. from reaching our goal to retire in Chelan County. I am sure you will think we deserve this for making one permitting mistake, that is a HUGE price to pay but you have the power.
- Can you at least consider letting those of us who were existing/operating in good faith, no complaints, paying taxes, liability insurance, plenty of parking, etc. be given preferential treatment for the next open permits. If in fact 100 homes, as your numbers suggested are caught in this, then there might be some permits available. It doesn't seem fair that new STR's will be given an equal shot at obtaining a permit, before those of us who were FORCED to shut down due to one mistake.
- The other big losers here will be the Manson/Chelan area businesses... that is going to be a lot less people frequenting the grocery/retail stores, wineries, boat rentals, etc. Hopefully they all survive... which is struggle there in the best of years.
- We are just bad people from the West Side anyway so who cares, right!! We purchased this home because we love the area and wanted to become true contributing members of the community in our retirement years. It seems we really aren't that welcome or wanted by a vocal minority of residents. Who have posted our home on FB, Pin on a map stating we were illegal in a public place for all to see, say terrible things about us without knowing a thing about us, encourage people to video and post those on social media, regardless of the fact that recording voices without consent is ILLEGAL in WA. It's disgusting the things being said and done to STR owners, with the hopes to drive them out of town. Sadly, they are getting what they want and good people are paying the price.

Yes, there is anger, sadness, frustration in this email... this is personal and devastating for us. We are done emailing comments or begging for you to hear us, it seems you have your minds made up. I will hope for something to change but assume it won't!!

Sincerely Sad and Disillusioned,

Joni Fisher and Doug Goforth

From: Joni Fisher
Sent: Monday, June 14, 2021 1:21 PM
To: CD.STRComment@co.chelan.wa.us
Subject: STR Code Comments 06142021

Hello Counsel Members,

Thank you for taking the time to hear from us and give comments on the new draft code.

- Please treat un-permitted STR's in Manson with the same rules as other existing STR's, Fairness in Grandfathering for all existing STR's. Most are not unpermitted out of spit or disregard for the rules, most are due to not knowing. In most If not all cases were permits are required, there is a fine/back permitting fee's if there is non-compliance... not completely be forced to shut down and get back in line for new permit. Which will now be unlikely to obtain, so you are done. Secondly, the moratorium was put in place to stop NEW STR's from opening and now is being used as loop hole to not allow existing STR's to get our permitting in order. We should be allowed to permit, pay back fee's and move forward to become legal non-conforming provided we can meet the other restrictions.
    - If this shut down of unpermitted homes in Manson happens, the bulk of the economic impact from that will be felt by the local Manson small businesses, they finally have the opportunity to make a comeback from the impacts of Covid, this reduction in tourist could be the final straw that breaks them. This will also impact Sales and Lodging tax revenue for the County, country to some beliefs, most all of the STR's are paying these taxes, as it is required as part of your listing on any of the large platforms.
- Requiring a large sign on the property is a privacy and security concern.. This needs to be re-evaluated and a better solution determined. Maybe registration with enforcement or neighbor notification, or both but not a sign advertising this house might be empty, they are bad people because they rent maybe you can harass them and this IS a privacy concern. Who wants their name and phone number in 4 inch letters on a 2x4' sign in the yard, not to mention how unattractive that would be around town. There has to be a better way.
- Land lines are antiquated technology and will be entirely phased out in the next decade... again most homes have good cell coverage, for those that don't an alternate solution might be in order. Instead of telling how, the code should list the requirement. There must but be a reliable means of communication out for Renter safety.

I am saddened reading some of the terrible comments and assumptions made about owners by people who know NOTHING ABOUT US. I want to ensure you and the Anti-STR residents, My Husband and I, as do **most** owners desire and strive to be good neighbors. We do not want to ruin Chelan County, life for **any** resident, regardless of how many months a year they live there, the take the money and run mentality might be there but it is NOT the majority of owners. Most LOVE Chelan County and either do live there full time, PT or want to more than anything. We are good people, with hearts, families, desires, plans for future retirement, and we want good neighbors and to be community members. Chelan County is a tourist destination STR's or not.. that will not change and with that comes things people tend to dislike. Crowds, traffic, and expensive housing... maybe Leavenworth is too popular for the residents now, it

seems all things tourist are now unpopular... Christmas Lights, Fireworks shows (not personal, those are dangerous and a fire hazard), STR's, Snow, Octoberfest, holiday weekends, etc. You can't turn back time to the early days and no matter how hard you try, time moves on and change is evitable. Change is hard but if we work together we can do what is right by residents, STR owners, business owners and the economic future of the county.

Sincerely,

Joni Fisher

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Wednesday, June 16, 2021 10:56 AM
To: CD STRComment
Subject: Fairness in Grandfathering

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

My story:

As I explained in my earlier comments of 6/14: we had irreversibly set in motion the creation of our short-term-rental prior to the August 25th moratorium going into effect.

My wife and I dreamed of having a vacation cabin and fell in love with an A-frame between Leavenworth and Blewett Pass off Highway 97. It is in a development that was built in 1969 as a vacation community and was marketed to Seattleites as such (we have the original marketing materials). We always knew that to make our dream real, we would need to share our cabin with others via short term rentals to help cover costs. We signed our purchase and sale agreement on July 13th, 2020, after confirming in writing with our lender that our loan was suitable for a vacation home/STR. We shared with friends in written communication our plan to rent out the cabin and got to work building a brand and putting our plans into motion including buying furniture, developing marketing materials, interviewing cleaners, telling friends, researching the market. We would have been up and running in early August had it not been for delays caused by the Codiv-19 pandemic. Getting an appraiser to the property took 6 weeks longer than expected and pushed our closing date to August 26th. It is important to note that we did our due diligence. We were aware that the BOCC was considering new regulations and we stayed as close as we could to understand potential implications. The process was meandering and confusing with multiple drafts, hard-to-follow workshops, and a lack of proactive communication. Our realtor told us there was no permitting requirement and our research confirmed the same. The draft code at the time excluded RRR zones from any sort of cap on STRs. We believe that we have complied with the requirements of the moratorium given we had "created" our STR before it came into effect. We are supporters of sensible regulation for STRs, and we very much are contributing members of the neighborhood community where our cabin is situated. We ask that you show lenience to us and those like us who have been caught up in a situation that is not of our making. Please consider being fair in the approach to grandfathering and accommodating those who created their rentals but had not yet had the opportunity to operate by August 25th, 2020.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which including meaningful acts in reliance on the Code in effect that allows STRs.
- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.

- The specific details of this proposed solution will be provided by a separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely

Scott Huson



Wendy Lane

From: Linda Huson <lmhuson@gmail.com>
Sent: Wednesday, June 16, 2021 10:56 AM
To: CD STRComment
Subject: Chelan STRS

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

Wendy Lane

From: Jocelyn Mairs <jomairs@microsoft.com>
Sent: Wednesday, June 16, 2021 10:32 AM
To: CD STRComment
Subject: Attn Commissioners

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

Dear Commissioners:
I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

As a Washingtonian I am a huge fan of exploring our own state, and love supporting others that are local by staying at their short term rentals. I'm personally from a small town, and so I love coming to Chelan County and enjoy the different pace that it offers for me vs. Seattle. However, if I can no longer stay at my favorite places, that I also feel like are my now second homes, I will reevaluate where I spend my money and free time.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely
- Jocelyn Mairs

Sent from Mail for Windows 10

Wendy Lane

From: Lisa Marvin Olmsted-Thompson <marvin.lisa@gmail.com>
Sent: Wednesday, June 16, 2021 9:49 AM
To: CD STRComment
Subject: In Support of Fairness in Grandfathering

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

Dear Commissioners:

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I regularly visit the area and exclusively use short term rentals because it works best for my family to have the space to play, cook and enjoy the natural spaces that make this part of the state so appealing. Especially over the past few months when we were still keeping our distance due to Covid-19. To no longer have STR's as an option to stay would likely mean we can no longer visit some of our favorite areas for recreation or visit the great businesses throughout the region.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,
Lisa Marvin Olmsted-Thompson

Wendy Lane

From: Bobby Wright <rrwright3@gmail.com>
Sent: Wednesday, June 16, 2021 9:32 AM
To: CD STRComment
Subject: Fairness in Grandfathering Part 2

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

My story:

By my estimation the county is currently counting close to 600 STRs that don't really exist in the county. Airdna does not do a sufficient job of weeding out duplicate listings and is causing Chelan County to grossly overstated how many STRs they have. A simple solution for all parties would be to allow these owners who were in the process of closing and setting up their STRs to be grandfathered in with the other STRs. The total number of STRs would not be greatly effected and the county would show good will toward owners who were acting in good faith but got stuck in a legal process that they had no control over. Also, I am sure the county does not want to be projected in a poor light by potentially being viewed as taking advantage of the Covid situation. As most of these owners were greatly slowed in their closing process by Covid delays completely out of their control.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which including meaningful acts in reliance on the Code in effect that allows STRs.
- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.
- The specific details of this proposed solution will be provided by separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely

Bobby

FAIRNESS IN GRANDFATHERING
Chelan County Vacation Rentals

Wendy Lane

From: paul zuleta <pzexperience@gmail.com>
Sent: Wednesday, June 16, 2021 8:13 AM
To: CD STRComment
Subject: STR regulation

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

Dear Council,

Please watch the Bloomberg Video that just came out talking about Airb&b.

The video is on youtube and called "How Airb&b makes nightmares disappear"

https://youtu.be/C7i5pMXWCMQ

Short term rentals must be strictly regulated quickly!

Thank you,

Paul
Cedar Brae Resident

Wendy Lane

From: Amanda Stadie <amandamstadie@gmail.com>
Sent: Tuesday, June 15, 2021 8:56 PM
To: CD STRComment
Subject: STR Comment

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

Dear Commissioners:
I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. In particular, I want to voice my support for the group Fairness in Grandfathering. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively add new conditions to what constituted compliance prior to the moratorium.

I am an avid traveler who loves to visit Chelan County, its small businesses and particularly its STRs. STRs allow visitors, like myself and my family to experience the charm of the area and to feel "at home" during our stay. 2020 was a horrendous and hard year for us all; small businesses and communities feeling it the most. Let STRs help bolster these communities by allowing visitors other lodging options & experiences within the county.

I understand FIG is in the process of crafting a practical and fair solution to address their concerns and I urge the Commissioners to sincerely consider and adopt their proposal. Please put yourself in the shoes of these property owners who made significant investments and will be significantly harmed if you do not address their concerns. Thank you for your time.

Sincerely,
Amanda Stadie

Wendy Lane

From: Jeff Conwell <jeff@jeffconwell.com>
Sent: Tuesday, June 15, 2021 8:31 PM
To: CD STRComment
Subject: STR Comment

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

Chelan County Commissioners-

Our wonderful neighborhoods are being destroyed by STRs. I've seen first hand lake front developments (Mill Bay Beach) in Manson on Lake Chelan as an example overrun by STR owners virtually taking over the HOA and eliminating the voice of the residence or forced them out with horrible conditions due to renters.

My own neighborhood on Roses Lake with 24 homes/lots already has two such STRs. We now run the same risk of losing this great neighborhood we built in over 20 years ago. STRs have no place in developments such as ours. As a result we have to deal with stranger vehicles and strange unknown people always coming in and out of our neighborhood, most not caring about speed as they zip in and out.

The bigger issue to me is that consideration is even given to allow the continuation and expansion of STRs in residential neighborhoods. THESE ARE COMMERCIAL ENTERPRISES. These are BUSINESSES in neighborhoods. They are not zoned for business. Yet in my neighborhood, one property is even held under the name Sideline Investments LLC. It's not even owned as an individual, rather clearly an operational business.

With the track record of the county's capacity for enforcement, and despite the hiring of additional staff through the Chelan County Sheriffs Office, I'm lacking confidence in the actual ability to protect the interests of our neighborhoods. Yet you're considering adding fuel to the fire with the easing of restrictions.

I'm all for STRs in appropriate developments like Wapato Point, Vista Del Lago, The Lookout to name a few. Allowing STRs to invade our neighborhoods is wrong and needs to be stopped.

As commissioners, I'd also invite you to consider the actual percentage STR property owners that might vote or who are your actual constituents vs. those of us who are property owners. I'd suggest the STR voters are a very small number in relation to the rest of the county.

Thank you all for your service. Please be bold, please protect our neighborhoods and communities.

Respectfully submitted,

Jeff Conwell, Resident
440 Roses Lake Drive
Manson, WA 98831

(509) 433-8300

Wendy Lane

From: The Petri's <thepetris@yahoo.com>
Sent: Tuesday, June 15, 2021 7:06 PM
To: CD STRComment
Subject: STR - Pro Neighborhood & Community
Attachments: STR comments 6.15.21.pdf

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

TO: Board of County Commissioners, Chelan County **June 15, 2021**

Re: Comment on the Short-term Vacation Rentals (STR) Code Development

Thank you for taking the time to work so thoroughly through the development of new short term rental codes.

My husband and I have attended every workshop, county meeting, city meeting, etc. to show how much our community and this issue matters to us.

We know you are aware of all the issues that neighborhoods are facing due to the explosion of short-term rentals in our neighborhoods and that you have read every single public comment to fully understand both sides of this issue.

Upon listening to the commentary made in the June 14th workshop, I was particularly concerned about what sounded like pressure to grandfather in all existing STRs despite the recommendations from the STR task force. This would be devastating to our neighborhoods that have suffered for years without any relief. The parking, noise, safety issues, etc. are real and are a direct result of having transient housing/commercial businesses in what was designed to be a residential neighborhood. Counties and cities all over the world are adopting legislation to regulate and to reduce or eliminate STRs in residentially zoned neighborhoods because they realize that this use is not conducive to a reasonable quality of life for neighboring properties and is not what was intended when building permits and codes were created. **Just because legislation is behind in catching up with this problem, does not mean we should grandfather in the problem.** And just because people didn't know there were rules or took risks when buying or improving property in residentially zoned areas. that does not mean that their concerns are more important than our residents and our communities.

I also heard a comment that most STRs operate without issues and that it's just the few bad apples that are the problem. This is absolutely not true. Every single STR on our street has been a nuisance or worse. Some are worse than others, but the more STRs you are surrounded by, the more likely you will experience the problems on a routine basis. When drafting the final code please take into consideration how the code will impact residents that are surrounded by multiple STRs. Just a few complaints every few months x multiple STRs = many sleepless nights and lots of stress and aggravation.

Please protect our neighborhoods and quality of life.

Thank you for listening.

Dana Petri
thepetris@yahoo.com
63 Willow Point Road, Manson, WA

Wendy Lane

From: The Petri's <thepetris@yahoo.com>
Sent: Tuesday, June 15, 2021 7:00 PM
To: CD STRComment
Subject: STR Public Comment - Pro Neighborhoods and Community
Attachments: STR comments 6.15.21.docx

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

TO: Board of County Commissioners, Chelan County **June 15, 2021**

Re: Comment on the Short-term Vacation Rentals (STR) Code Development

Thank you for taking the time to work so thoroughly through the development of new short term rental codes.

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Please protect our neighborhoods and quality of life.

Thank you for listening.

Dana Petri
thepetris@yahoo.com
63 Willow Point Road, Manson, WA

Wendy Lane

From: Gretchen Jacobs <trixiechp@nwi.net>
Sent: Tuesday, June 15, 2021 6:07 PM
To: CD STRComment
Subject: Ordinance(s) regulating Short term rentals (STRs)

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

As a six year resident of Plain, Washington, I have seen my choice of retirement neighborhood change from people with families and retirees (with one STR) to a steady stream of strangers driving up and down my street either looking for their STR or scoping the terrain to send yet another letter asking to change/manage our home as a rental. Additionally, EVERY OTHER HOME ON MY STREET IS NOW A STR!!
I am so frustrated and unhappy with the amount of traffic and people that I have decided to sell my lovely home in my lovely neighborhood in order to find someplace that embodies what I originally chose the home and neighborhood for - beauty, peace and quiet. What a sad state of affairs that I must allow myself to either be pushed out or dig in and deal with the strangers, their noise, their trash, their use of my back yard as impromptu photo ops and my front yard as a cross country skiing trail. And most concerning of all, my and my neighbor's missing mail.
I resent out-of-town investors making my NEIGHBORHOOD a playground for those seeking to escape their lives in Seattle. These people do not share my values and treat our little slice of heaven as a free for all where some behave as if they were on spring break in Florida. Although not all renters engage in this behavior, and I am no stranger to using STR's when traveling, there must be common sense rules in place that balance the economic benefit to a few at the expense of the many. Common decency and courtesy go a long way. So would a dedicated area for STR's that is not where people choose to raise their children or spend their retirement years.

Sincerely,

G. M. Jacobs
Plain, Washington

Wendy Lane

From: Lei Warren <leimwarren@gmail.com>
Sent: Tuesday, June 15, 2021 5:59 PM
To: CD STRComment
Subject: STR comments

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

Dear Commissioners,

This has been a long road and I truly appreciate the hard work and efforts everyone has put forth to find a solution that is fair for everyone.

The task force members have done an incredible job of finding common ground. I believe their recommendations for the most part are fair.

I would say that most owners are responsible and respectful to their neighbors. We agree that there needs to be rules and regulations. If renters are not following those rules then they need to be asked to leave. We had a situation ourselves and we made the decision to evict our guests before they caused any nuisance. I have no regrets about that and would do it again if need be. Rules and regulations should be applied to everyone; owners, renters, and long term renters.

There were many caught in the moratorium that through no fault of their own should be allowed to continue to short term rent. As long as they are following the rules, they should be grandfathered in. This pandemic was unpredictable and many things were out of their control.

In the Manson UGA permitting was not required nor easy to figure out. We luckily have a permit and obtained one right before the moratorium. We started the process in early 2020, it took months to get and we were thankful to have gotten it in time. Those in the UGA that have been operating and paying their taxes should be allowed to rent. There would be no reason why any owner would purposely avoid getting permitted. They should be allowed to pay whatever fees and interest to obtain a permit. This extra revenue that the county is receiving could go towards more enforcement officers.

As an owner, I would gladly pay an extra tax to have those proceeds go towards affordable housing in the neighborhood and enforcement officers. Just because we don't live there full time doesn't mean we are not advocates of the community.

Thank you for reading my letter. I sincerely appreciate the consideration of my viewpoints.

Warmest Regards,

Lei Warren
50 Ustah Street
Manson, WA

Wendy Lane

From: Nikki McCall <nicolejsuhr@gmail.com>
Sent: Tuesday, June 15, 2021 5:01 PM
To: CD STRComment
Subject: We need your consideration

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering. Members of our group acted in reliance on the Chelan County Code that permits STRs prior to the Moratorium Resolution 2020-86 adopted on August 25, 2020 . These actions were meaningful such that our members will suffer real harm if our concerns are not addressed.

My story:

We were due to close prior to 8/25 and were delayed by month due to COVID related delays in getting an accessor to come out. All other pieces of the process were complete and past the point of no return prior to the 8/25 moratorium. For those who bought prior to the moratorium, there was no permit process and no "box" to check as we did not build. There was also no mention of "operating" proof mentioned in the moratorium. We did our due diligence and were told continuously that we could utilize the cabin as an STR. The listing itself even advertised it as such. I have a screen shot of this as well as documentation with both my realtor and finance lender that clearly shows our intent to STR. I also have documentation of original closing and covid delays. Communication by the county before the moratorium and even after was a disservice to any potential buyer. Not considering the solution for those in the situation creates irrevocable harm for people and their families. People in this situation will also likely be the best STR owners going forward as we know how important it is to have a positive impact in the community. We are here to do the work and meet the expectations. This is not a wide open door. There is only a relatively small group of us and choosing to not wreck these families because of something they had no control over is the right thing to do.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to August 25, 2020 which includes meaningful acts in reliance on the Code in effect that allows STRs.
- The above would be subject to the satisfaction of finite requirements that will limit the scope of STRs that fall into this category.
- The specific details of this proposed solution will be provided by a separate letter from our legal counsel, Cairncross & Hempelmann.

Sincerely

Nikki Suhr

FAIRNESS IN GRANDFATHERING
Chelan County Vacation Rentals

Wendy Lane

From: Nova <novachamberlain@gmail.com>
Sent: Tuesday, June 15, 2021 2:55 PM
To: CD STRComment
Subject: STR

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

Hello Commissioners! I think I'm as anxious to have the STR stuff wrapped up as I'm sure you are.

I'm Nova. First, thanks to a few of you that took the time to personally respond to my emails. It meant a lot.

I purchased an existing STR on 12/8/2020. It had already been an STR for years and because I took over the existing online booking accounts as well I can easily prove STR status dating back to 2018 by providing a list of bookings. I've also began a company and pay B&O tax. I do hope to continue to STR my home as I'm only there part time. I'm patiently waiting for Covid to pass and the best commercial space to open up in town for our 2nd winery tasting room.

Please also consider making changes to some requirements such as septic limitations...unless you'll apply those to ALL homeowners, special circumstance might be considered such as low flow or capacity monitoring. My septic system already has an alarm that would alert me to overuse.

Some other things might need clarification like a 2ft square sign with 4 inch letters. I'm not sure that size letters would even fit given signage requirements.

I'm already working on my official management plan. I think this is a great idea!

I'm hoping to make some improvements to my Leavenworth house, such as a heated driveway, but I'm on hold until I know if I can continue as STR. I couldn't afford it otherwise. I hope new code won't prevent me from making improvements.

Thanks,
Nova Chamberlain
Synne Cellars

Wendy Lane

From: Bobby Wright <rrwright3@gmail.com>
Sent: Tuesday, June 15, 2021 2:37 PM
To: CD STRComment
Subject: Poor Data Collection

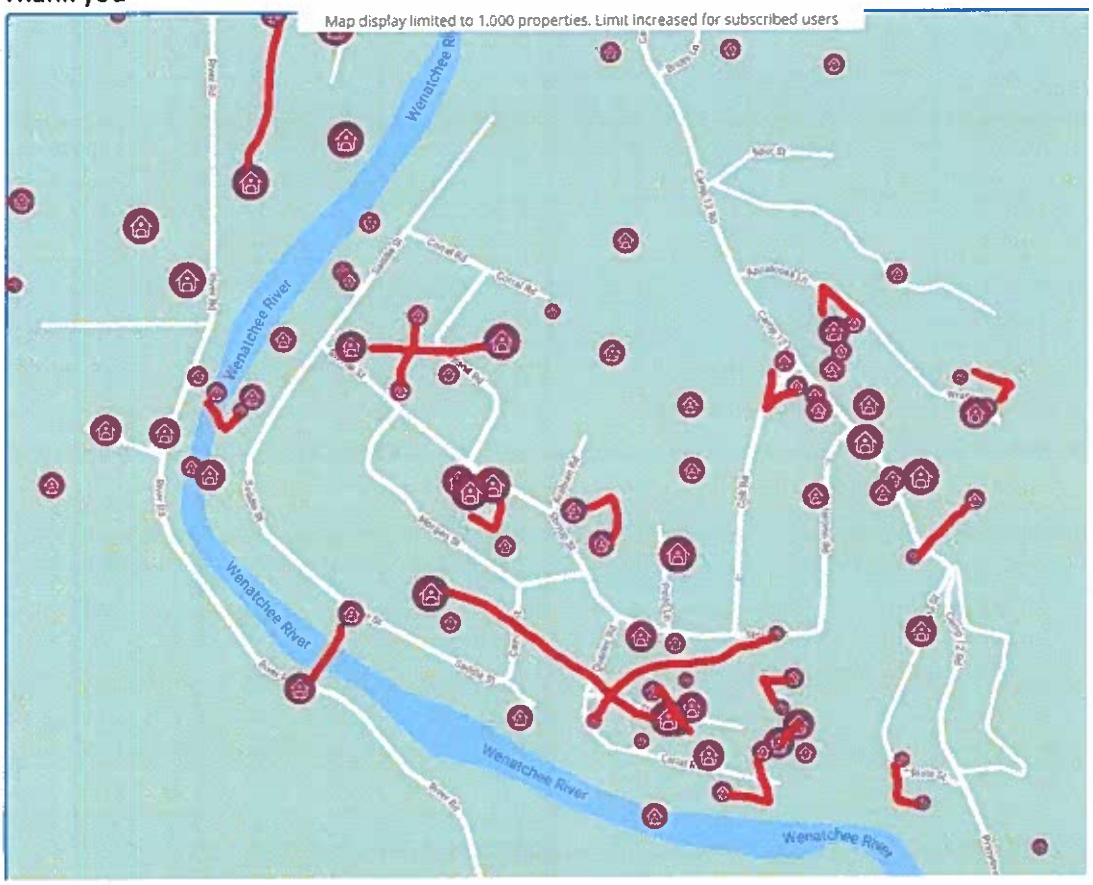
External Email Warning! This email originated from outside of Chelan County.

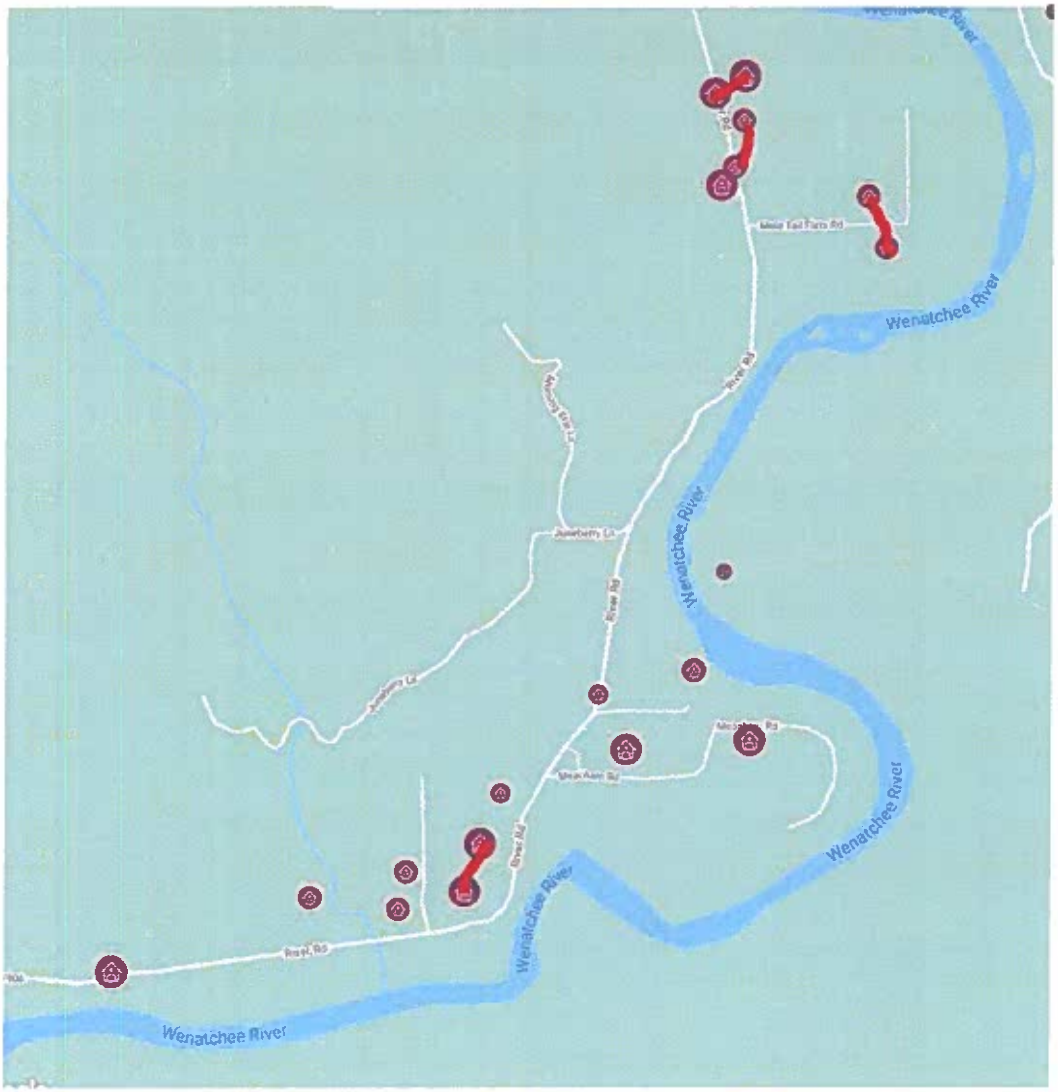
Good afternoon

This entire code is being developed based on Airdna data and the "excess" amount of STRs in the county. Has anyone looked into this at all? I spent a little bit of time combing through the data in a few different spots in Plain. I have found that over 30% of the total rentals they are showing on the site are duplicates/triplicates. That means close to 600 units that the county is counting as an STR don't exist. That is a major oversight and needs to be looked at before passing this code. I am attaching maps that I pulled from airdna that show most of these duplicates in smaller areas. This doesn't even show all the duplicates as I had to do it manually by comparing photos or listing data since there is not an automated way of doing it.

The code you are attempting to pass was built around fictitious data that was used by RUN and BERK to enact a code that will devastate home owners that run an STR. Please put a pause of what you are doing and reassess the basis of the numbers that you are using.

Thank you

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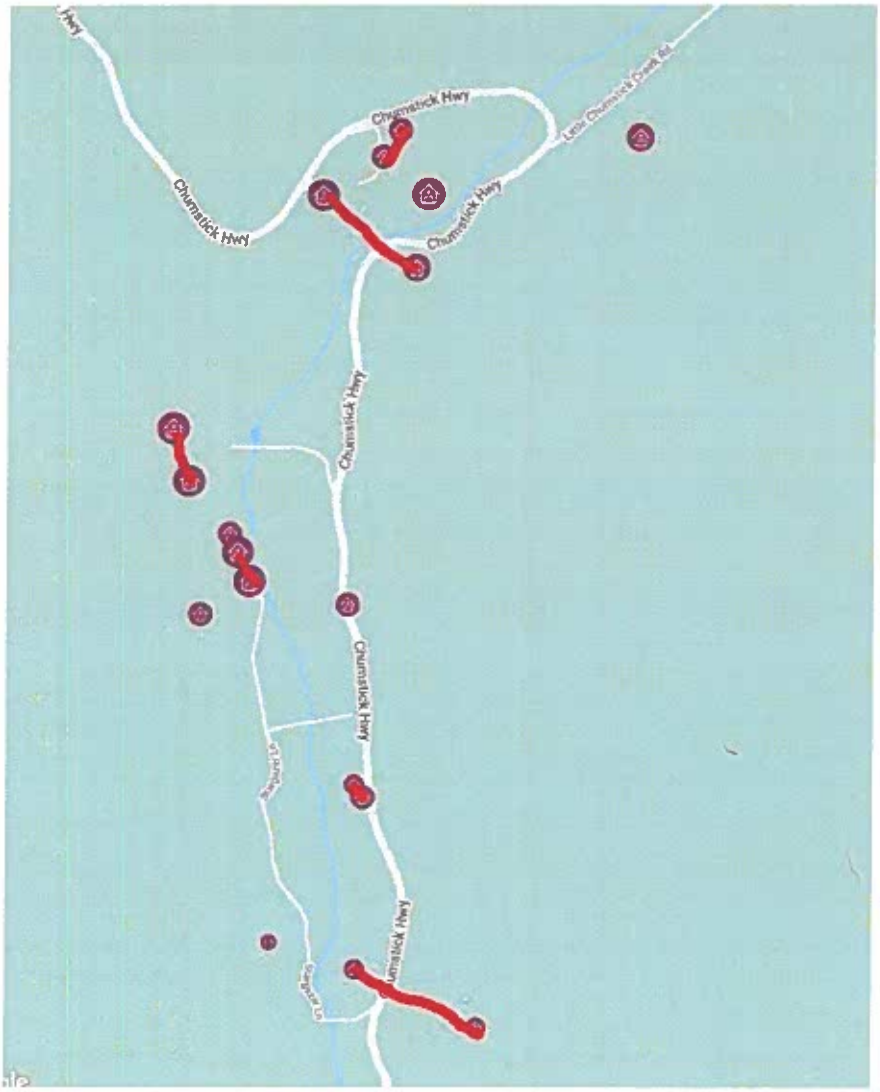
Chumstick Hwy
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Chumstick Hwy
Chumstick Hwy
Chumstick Hwy
Little Chumstick Creek Rd

Wendy Lane

From: Jackie Cagle <ichasebikes@yahoo.com>
Sent: Tuesday, June 15, 2021 12:50 PM
To: CD STRComment
Subject: STR

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

Board of County Commissioners

My husband and I are residents of Chelan County, living in Manson, on Wapato Lake. A highly desirable destination area to rent a STR, which we live next to. Our experience over the last 6 years has been frustrating,y stressful, miserable, and darn right horribly life changing. We feel like captives in our own home because,

1. Disruptive noise levels at all hours
2. Party atmosphere, blasting music, foul language, and inappropriate behaviors
3. Unsightly garbage
4. Trespassing
5. Unruly, hazardous jet ski and boating behavior
6. Light Pollution
7. Over the 6 person limit, 40 unpleasant guests show up
8. Parking overload
9. Young drone operator flies it over our deck, films us within the illegal limits in our living room
10. Vehicles turning around onto our landscaping, trying to get to STR

I have been curst at, and flipped off trying to reason with and have conversation about their disruptive, dangerous, and disrespectful behavior. With all that being said, I feel hopeful that the commissioners, council-members and the general public will help rectify this problem that hopefully will satisfy both sides of this issue.

Thank you for your time.

Respectfully,
Jackie Cagle

Sent from my iPhone

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Tuesday, June 15, 2021 11:08 AM
To: CD STRComment
Subject: daytime occupancy

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

So you are singling out renters from having friends or relatives over for a BBQ but not owners from having a party with just as many or more people present. How can you do this legally..... and how can you enforce this?

Wendy Lane

From: philip tracey <ptracey2001@msn.com>
Sent: Tuesday, June 15, 2021 11:06 AM
To: CD STRComment
Subject: Parking violations

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

When defining parking violations....
Does that mean when the neighbor complains...or when the enforcement officer issues a ticket?
My neighbor complains about everything. I have received complaints when he has over 10 ft. to drive from or too his property. Is this a violation?

Wendy Lane

From: Linda Grondin <grondinlinda@gmail.com>
Sent: Tuesday, June 15, 2021 11:05 AM
To: CD STRComment
Subject: STR Comment

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

I am a long term full time resident on Loop Avenue in Manson.
I firmly believe that short term rentals in the non UGA area of Manson must be regulated in order to preserve the character and desirability of our neighborhood.
There are currently too many homes now in my immediate neighborhood that are renting their homes short term.
When visitors are in a home, there are undesirable activities that are not conducive for a residential neighborhood. This includes extra traffic, excessive noise, and extra trash. There is a reason hotels and other short term rentals are zoned away from residential neighborhoods.
The number of short term rentals need to be very limited in number and not where folks live in the community.
This is important for those who live here.
Linda Grondin

Sent from my iPad

Wendy Lane

From: rjjennings@nwi.net
Sent: Tuesday, June 15, 2021 10:33 AM
To: CD STRComment
Subject: STR Comments

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

To the BOCC and Jim Brown,

I have several comments regarding the new draft code for STRS.

#1. There should be a uniform code with no exceptions. Non-conforming units must come up to the current code within a reasonable amount of time. These commercial businesses have had their "free Ride" and must now conform.

#2. SRs within existing PUDs should be counted in the cap for that zip code. Places like Kahler Glen at Lake Wenatchee have a huge impact on 2 lane residential roads and recreational usage. These transient units increase the safety issues in case of an evacuation.

#3. STRs are commercial properties and should be taxed as such.
Residential homes whose property taxes have risen because of commercial uses being allowed into residential neighborhoods should, once the new code has been adopted, be reassessed with the bulk of these tax increases put on these commercial properties.

#4. STRs on septic and wastewater systems must comply with standards set by the Chelan-Douglas Health District. Occupancy should remain at 2 occupants per bedroom.

My last concern, for the moment, is more of a question.

In the Lake Wenatchee area particularly, most homes have maintenance agreements for shared roads, wells, etc. Many of these agreements were signed back when STRs did not even exist. They were signed in good faith. Commercial uses were not allowed in residential zones.

Now, Chelan County is legitimizing an illegal activity. Does this now invalidate these maintenance agreements that were signed in good faith?
I appreciate the complexity of this undertaking and understand the pressure you are under but residents, myself included, purchased our homes after doing our research into zoning etc. We signed maintenance agreements on the basis that we lived in a residentially zoned area.

Anyone using their home as an STR did so at their own risk, just like investing in the stock market. There is no guarantee of a return.
All they had to do was look at the County Code to see that STRs were not in the District Use Chart. It does not matter those others were doing it, they took a risk.
Therefore, the County should hold them to the new standards.

Respectfully,

Jerry Jennings

Wendy Lane

From: Linda Kyllo <lindakyllo@me.com>
Sent: Tuesday, June 15, 2021 10:30 AM
To: CD STRComment
Subject: STR's

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

To Whom it May Concern,

I've written in the past but want to remind all who are in the position to make the decisions concerning the new rules permitting short term rentals in Chelan County of our point of view. We have owned a cabin on Fish Lake for 13 years. We purchased the cabin across the street from us last year. Mostly so we could control the property and avoid having a STR on our end of the street. We rent it full time to a young couple who were in need of a home to start their married life. They were raised in Leavenworth/Plain area and plan on staying. Keeping our neighborhood clean, quiet and respectful is our goal. The STR's down the street consistently have more guests then should be allowed, loud music, trash left out and pets not on leashes. We understand people have bought these places as income properties. What we'd like to see happen is strict permitting and efficient means for fines if rules are not followed. Which would include a help line that neighbors can call to notify authorities of misconduct. Charge enough for the permits to cover costs for a new department that is responsible for managing these permits and rules that should be adhered to and fine appropriately. Carelessness and disrespect could lead to disaster for homeowners who are diligent about caring for their community. We should come first before those who only want to own to make a profit.

We trust you will make the right decisions.

Sincerely,

Jeff & Linda Kyllo
14280 Idlewild Road
Leavenworth, Wa 98826

Sent from my iPad

Wendy Lane

From: Bob Keller <bkeller_city@outlook.com>
Sent: Tuesday, June 15, 2021 10:26 AM
To: CD STRComment
Subject: STR-Public Safety

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

Commissioners and Director,

Thank you for your deep review of the Draft Short Term Rental Policies.

Rural Public Safety Comment

There are residential rural areas where infrastructure is almost non-existent. No water, including fire hydrants, no sewer, one main road entrance/exit from the canyon and extremely limited cell tower coverage. Due to the High Risk of Wild Fires, a pilot area is currently designated by PUD to "De Energize" the power lines in heavy weather. (prolonged 40 plus mph winds) I understand if the power is turned off it is expected to be off a minimum of 8 hours. I appreciate that Commissioner Bugert is active in this program and look forward to his input. This situation in an emergency is difficult for the residents. It is concerning when it could be 8-16 guests with no knowledge of the area.

Please comment on the Public Safety policy for STR's in these critical areas and possible additional emergency plans specific to the geography. The code you are developing includes some liability insurance requirements. It is currently difficult to get a fire policy in these areas.

Thanks again for your meticulous review of the document.

Regards,

Bob Keller
Leavenworth

Wendy Lane

From: Kerwin Loukusa <kerwinloukusa@gmail.com>
Sent: Tuesday, June 15, 2021 9:48 AM
To: CD STRComment
Subject: Please continue to examine impacts of STRs over long term

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

I realized I forgot to put a subject.

On Tuesday, June 15, 2021, Kerwin Loukusa <kerwinloukusa@gmail.com> wrote:
Dear commissioners,

As a chelan county resident and property owner I was shocked to see the rate of increase in STR's over the last 5 years. I am happy to see that the issue is now being addressed. As a resident of the Leavenworth area I am highly aware of the pros/cons of tourism. I understand that the current draft code is a compromise between residents and STR owners, but it fails to address many other concerns that may need to be addressed. For instance as STR's are capable of generating a much higher income then long term rentals which theoretically increases the value of property, in general this is favorable for most property owners except when it comes to property taxes. For a small percentage of STR owners to drive up property taxes at the expense of the other owners does not seem like a good long term solution for residents. This draft code fails to address the problems like this as the problem stems from operating commercial business (hotels) in residential zones. Homes are for living in, hotels/lodging designed and ZONED for short term stay should be added instead of converting or allowing housing stock remain as STRs.

I acknowledge that these problems will take time to solve without large disruption to people's lives, in the interim enforcement of regulations should be top priority for the county. Many residents who live near STR's may change their mind a bit if they were able to get support from the county when rules are broken. If STRs repeatedly break rules for occupancy, noise, or general disruption there permit should be revoked, if we continue to slow people to break rules without penalty the problems will get worse.

Bottom line, STRs owners should be allowed to run their business, but NOT at the expense being externalized to the surrounding residents in chelan county.

Thanks,
Kerwin

Wendy Lane

From: Kerwin Loukusa <kerwinloukusa@gmail.com>
Sent: Tuesday, June 15, 2021 9:47 AM
To: CD STRComment

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Bottom line, STRs owners should be allowed to run their business, but NOT at the expense being externalized to the surrounding residents in chelan county.

Thanks,
Kerwin

Wendy Lane

From: Jim Brown
Sent: Tuesday, June 15, 2021 9:18 AM
To: Nicole De Leon
Cc: Kevin Overbay; Bob Bugert; Tiffany Gering; Donald E. Marcy; Kristi Beckham; CD STRComment
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

Dear Ms. De Leon-

Thanks so much. Yes, this would be helpful for understanding the context of the matter for board consideration of language within the draft.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Nicole De Leon <NDeLeon@Cairncross.com>
Sent: Tuesday, June 15, 2021 9:15 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Donald E. Marcy <DMarcy@Cairncross.com>; Kristi Beckham <KBeckham@Cairncross.com>; CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

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Jim,

Thank you for your prompt review of our letter. We are working on a more robust response with the requested examples and our proposal for a workable framework to address FIG's concerns. We are aiming to have that to you by early next week. Thank you again for your efforts on this front and we look forward to working with you.

Nicole

Nicole De Leon
Attorney
Pronouns: she/her/hers
CH& | Cairncross & Hempelmann

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4472 | f: 206-587-2308
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Sent: Monday, June 14, 2021 3:08 PM
To: Kristi Beckham <KBeckham@Cairncross.com>; CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Nicole De Leon <NDeLeon@Cairncross.com>; Donald E. Marcy <DMarcy@Cairncross.com>
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

Hi Kristi-

I have read the comment letter. Is there a possibility of having information sent directly to me as to the FIG "example(s)" being referred to by the attorneys?

We have had a "box" on the permit application that identified whether a building permit was for a short term rental, or not and that box has been on there since June of 2018. The intent of the box was to capture these before construction. There shouldn't be any building permits that were still continuing (they expire after 2 years, maximum) before the August 2020 moratorium date 26 months later.

So unless they checked "yes", and we missed it, or they checked "no" and then went to be a rental anyway, I am not sure how to address this.

But I would welcome an example where this is an actual problem that the existing process expressly allowed it.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kristi Beckham <KBeckham@Cairncross.com>
Sent: Monday, June 14, 2021 1:41 PM
To: CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Cc: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; Nicole De Leon

<NDeLeon@Cairncross.com>; Donald E. Marcy <DMarcy@Cairncross.com>
Subject: Chelan County Short-Term Rental Draft Ordinance

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Hello – Attached please find comments on Chelan County's Short-Term Rental Draft Ordinance. Please let me know if you have any issue opening the attached document.

Thank you.

Kristi Beckham
Legal Assistant
Pronouns: she/her/hers
CH& | **Cairncross & Hempelmann**
524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
d: 206-254-4401 | f: 206-587-2308
KBeckham@cairncross.com | cairncross.com

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Wendy Lane

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Sent: Tuesday, June 15, 2021 9:15 AM
To: Jim Brown
Cc: Kevin Overbay; Bob Bugert; Tiffany Gering; Donald E. Marcy; Kristi Beckham; CD STRComment
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

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Nicole

Nicole De Leon
Attorney
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Wendy Lane

From: BRIAN Shugrue <shugruebf@msn.com>
Sent: Tuesday, June 15, 2021 8:50 AM
To: CD STRComment
Subject: STR Draft Code - June 14th Meeting Follow Up

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

Bob & Jim

I sat in on your Zoom meeting last night, and had read the latest draft prior to the meeting.

I retired from the corporate world last January. Prior to that I was Director of Sales, Americas, for an international manufacturer of water & wastewater treatment equipment for over 30 years. During the bulk of that time I worked primarily with local, regional, state and national governments, specifically focused on Municipal governments. Needless to say, I've had thousands of hours of meetings with Municipal governments across North America.

I have also been a part of this STR issue from the very beginning, having had one of the worst remote owners of an STR adjacent to my property. During this entire time period, the both of you have been extremely professional, empathetic to both sides and very transparent in all of your meetings. Last night was no exception. Observing you bouncing things off of Lisa, Tiffany and Kevin and reviewing all possible options for the subleasing, Grandfathering, etc. issues, I was once again impressed and thankful that we have such high caliber professionals like the two of you guiding this very difficult process.

The STR owner camp is well funded and powerful, but ultimately they can't argue common sense and the law, both of which the County has on its side.

The bottom line is quite simple: there are simply way too many STR's in our area (98826) and controls need to be put in place to reign them in and reduce the negative impact on neighborhoods and subsequent affordable housing. As both of you stated last night, regardless of what you ultimately come up with as a final version here, there will be people unhappy with the results.

So thanks again for your outstanding efforts, and stay the course! We are almost there!

Best regards,

Brian Shugrue, Innkeeper

CASHMERE MOUNTAIN
BED & BREAKFAST

Mobile: 509-881-4647
E-Mail: shugruebf@msn.com
Website: www.cashmeremountainbandb.com
Facebook Page: https://www.facebook.com/pg/cashmeremtnbandb/posts

Wendy Lane

From: Heather Leng <hbmccall@gmail.com>
Sent: Tuesday, June 15, 2021 8:43 AM
To: CD STRComment
Subject: Public comment on proposed STR code

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am a Midwest native and mother of two kids under the age of four. When we travel, which is often, we always stay in STRs for two reasons:

1. Staying in a rental gives me a much better feel for the town I'm in, it feels like I'm truly in a community supporting local owners and businesses.
2. With kids, having a separate bedroom is a must in order for bedtimes to go smoothly. Hotels simply cannot provide the atmosphere to ensure my family gets quality sleep. If the choice is a hotel or going to a different town, I will pick going somewhere else for my sanity.

The solution:

Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)

Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,
Heather Leng
Minneapolis, MN

Wendy Lane

From: Carol Odom <carolodom3@gmail.com>
Sent: Monday, June 14, 2021 8:43 PM
To: CD STRComment
Subject: Parking

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

Dear Commissioners,

Please limit parking to no more than 1 spot per bedroom **OR** to the amount of legal parking areas they have if that is less.

There should be a choice so owners can limit cars allowed to meet the parking spots they do have. I personally have 6 bedrooms but do not allow my renters to bring more than 4 cars. It is their responsibility to carpool to meet my stated rule.

There is definitely no need to ever have an owner's spot because owners are not at the rental when the guests are there.

I am a local owner so I also have STRs in my personal neighborhood and I do not want that many cars or traffic coming back and forth on our little 1 lane road.

Thank you for your help with limiting parking rather than having everyone add more parking spaces.

Sincerely,
Carol Odom

Wendy Lane

From: Jim Brown
Sent: Monday, June 14, 2021 3:08 PM
To: Kristi Beckham; CD STRComment
Cc: Kevin Overbay; Bob Bugert; Tiffany Gering; Nicole De Leon; Donald E. Marcy
Subject: RE: Chelan County Short-Term Rental Draft Ordinance

Hi Kristi-

I have read the comment letter. Is there a possibility of having information sent directly to me as to the FIG "example(s)" being referred to by the attorneys?

We have had a "box" on the permit application that identified whether a building permit was for a short term rental, or not and that box has been on there since June of 2018. The intent of the box was to capture these before construction. There shouldn't be any building permits that were still continuing (they expire after 2 years, maximum) before the August 2020 moratorium date 26 months later.

So unless they checked "yes", and we missed it, or they checked "no" and then went to be a rental anyway, I am not sure how to address this.

But I would welcome an example where this is an actual problem that the existing process expressly allowed it.

Sincerely-

Jim Brown
Director
Chelan County Community Development
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Phone: Direct (509) 667-6228 Main office (509) 667-6225
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Subject: Chelan County Short-Term Rental Draft Ordinance

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Thank you.

Kristi Beckham
Legal Assistant
Pronouns: she/her/hers
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524 Second Avenue | Suite 500 | Seattle, WA 98104-2323
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Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Monday, June 14, 2021 1:48 PM
To: CD STRComment
Subject: Percentage caps and distance rules

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

Dear commissioners,

A flat 6% cap on STRs across the county is incompatible with the reality of zoning and distribution of housing uses across the county. A housing subdivision in suburban Wenatchee is quite different to a vacation development in a recreation area. Please consider varying caps depending on whether or not an area is used primarily for residential versus tourism purposes

Similarly, a flat restriction of 200ft distance between STRs does not take into account the vastly different character of housing stock, neighborhoods and developments. Please consider taking a more tailored approach.

An oft-cited rationale for these approaches is "simplicity". "Simple" doesn't have to mean "same". In the same way that Manson has been carved out for a higher cap, with the correct zoning and usage tables, a simple and effective structure that is based on nuanced data is very possible and will be much more effective in achieving the stated goals of this ordinance.

Thank you for your consideration.

Scott Huson

Wendy Lane

From: Kristi Beckham <KBeckham@Cairncross.com>
Sent: Monday, June 14, 2021 1:41 PM
To: CD STRComment
Cc: Kevin Overbay; Bob Bugert; Tiffany Gering; Jim Brown; Nicole De Leon; Donald E. Marcy
Subject: Chelan County Short-Term Rental Draft Ordinance
Attachments: Ltr to Chelan Board of County Commissioners (04220523).PDF

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Hello – Attached please find comments on Chelan County's Short-Term Rental Draft Ordinance. Please let me know if you have any issue opening the attached document.

Thank you.

Kristi Beckham
Legal Assistant
Pronouns: she/her/hers
CH& | **Cairncross & Hempelmann**
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June 14, 2021

VIA EMAIL

Board of County Commissioners
County of Chelan
400 Douglas St., Ste. 201
Wenatchee, WA 98801
Email: : CD.STRComment@CO.CHELAN.WA.US

Re: Chelan County Short-Term Rental Draft Ordinance

Board of County Commissioners:

This law firm has been retained by a group of homeowners whose interests and concerns have been consistently disregarded throughout Chelan County's process of developing regulations governing short-term rentals. Our client previously submitted comments and has been commonly referred to as "Fairness in Grandfathering" ("**FIG**"). FIG consists of a small group of homeowners who acted in reliance on the zoning and land use regulations then, and currently, in effect, and were in the process of taking meaningful steps to use their homes as short-term rentals prior to the adoption of Resolution No. 2020-86 ("**August 2020 Moratorium**"). The current draft of the short-term rental regulations fails to address the unique positions of FIG's members and is in the very least inconsistent with State law regarding vested rights. We therefore urge the Commissioners to work with FIG to revise the regulations so as to assure the members of FIG are fairly treated and their rights are equitably accounted for.

We also expressly note that it appears the regulations were recently revised to remove the minimal relief previously provided to those individuals who obtained a building permit with the intent to operate as a short-term rental. This recent revision negatively impacts some of the members of FIG and this trend of further diminishing relief to members of FIG demonstrates the need to meaningfully study the impacts of the regulations on FIG. To this end, we request the Commission schedule additional workshops during the weeks of June 21 and/or June 28, after FIG has a meaningful opportunity to evaluate the recent draft regulations and provide a sensible and workable framework that would address FIG's concerns.

Rest assured that FIG understands the need to regulate short-term rentals and generally supports a regulatory framework to assure short-term rentals are operated in a desirable and sustainable manner. However, such regulations should be fairly implemented so as to reduce the very real harm that FIG's

ndeleon@cairncross.com
direct: (206) 254-4472

members will unjustly experience under the current proposal. We appreciate the significant amount of work the County and Task Force have invested in this process to date, but FIG's concerns have unfortunately been left out of the conversation. We therefore urge the Commission to engage with FIG and thoughtfully consider its concerns. In the meantime, we will diligently work to craft and submit a practical framework that reasonably addresses FIG's concerns. Thank you for your time and consideration, and we look forward to working with you on this matter.

Very truly yours,

Nicole De Leon

Donald E. Marcy

NED/kgb

cc: kevin.overbay@co.chelan.wa.us
bob.bugert@co.chelan.wa.us
tiffany.gering@co.chelan.wa.us
jim.brown@co.chelan.wa.us

Wendy Lane

From: Joni Fisher <jonimfisher@msn.com>
Sent: Monday, June 14, 2021 1:21 PM
To: CD STRComment
Subject: STR Code Comments 06142021

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Hello Counsel Members,

Thank you for taking the time to hear from us and give comments on the new draft code.

- Please treat un-permitted STR's in Manson with the same rules as other existing STR's, Fairness in Grandfathering for all existing STR's. Most are not unpermitted out of spit or disregard for the rules, most are due to not knowing. In most If not all cases were permits are required, there is a fine/back permitting fee's if there is non-compliance... not completely be forced to shut down and get back in line for new permit. Which will now be unlikely to obtain, so you are done. Secondly, the moratorium was put in place to stop NEW STR's from opening and now is being used as loop hole to not allow existing STR's to get our permitting in order. We should be allowed to permit, pay back fee's and move forward to become legal non-conforming provided we can meet the other restrictions.
    - If this shut down of unpermitted homes in Manson happens, the bulk of the economic impact from that will be felt by the local Manson small businesses, they finally have the opportunity to make a comeback from the impacts of Covid, this reduction in tourist could be the final straw that breaks them. This will also impact Sales and Lodging tax revenue for the County, country to some beliefs, most all of the STR's are paying these taxes, as it is required as part of your listing on any of the large platforms.
- Requiring a large sign on the property is a privacy and security concern.. This needs to be re-evaluated and a better solution determined. Maybe registration with enforcement or neighbor notification, or both but not a sign advertising this house might be empty, they are bad people because they rent maybe you can harass them and this IS a privacy concern. Who wants their name and phone number in 4 inch letters on a 2x4' sign in the yard, not to mention how unattractive that would be around town. There has to be a better way.
- Land lines are antiquated technology and will be entirely phased out in the next decade... again most homes have good cell coverage, for those that don't an alternate solution might be in order. Instead of telling how, the code should list the requirement. There must but be a reliable means of communication out for Renter safety.

I am saddened reading some of the terrible comments and assumptions made about owners by people who know NOTHING ABOUT US. I want to ensure you and the Anti-STR residents, My Husband and I, as do **most** owners desire and strive to be good neighbors. We do not want to ruin Chelan County, life for **any** resident, regardless of how many months a year they live there, the take the money and run mentality might be there but it is NOT the majority of owners. Most LOVE Chelan County and either do live there full time, PT or want to more than anything. We are good people, with hearts, families, desires, plans for future retirement, and we want good neighbors and to be community members. Chelan County is a tourist destination STR's or not.. that will not change and with that comes things people tend to dislike. Crowds, traffic, and expensive housing... maybe Leavenworth is too popular for the residents now, it seems all things tourist are now unpopular... Christmas Lights, Fireworks shows (not personal, those are dangerous and a fire hazard), STR's, Snow, Octoberfest, holiday weekends, etc. You can't turn back time to the early days and no matter how hard you try, time moves on and change is evitable. Change is hard but if we work together we can do what is right by residents, STR owners, business owners and the economic future of the county.

Sincerely,

Joni Fisher

Wendy Lane

From: Margaret Sonnen <cmsonnen5@gmail.com>
Sent: Monday, June 14, 2021 12:13 PM
To: CD STRComment
Subject: STR Regulations

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Dear Commissioners,

Thank you for hearing our concerns and forming the task force. The compromise recommended by the Task Force is not well liked by both RUN or STRACC in its entirety, which leads me to believe their recommendations are on the right track! A true compromise means that neither "side" gets everything they hoped for. I support the recommendations as a whole and view it as a true non-biased best effort. I believe the recommendations will provide a brighter future of coexistence between residents and tourists.

My lodge is a larger established rental. I believe I should be allowed to continue hosting the same number of guests in the past, if my lodge meets parking and septic requirements. If my lodge becomes a problem, then the code enforcement has enough rules in place to shut my operation down.

Please consider these points when finalizing the code.

Thank you,
Margaret Sonnen

Wendy Lane

From: Kelsey Brown <brown158@gmail.com>
Sent: Monday, June 14, 2021 11:02 AM
To: CD STRComment
Subject: Proposed STR rules

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Dear Planning Committee,

My name is Kelsey Brown. In December 2019, along with my husband and parents, we realized a dream YEARS in the making. We had scrimpt and saved for years to buy land in Leavenworth and build a cabin. We sat down and worked out the financial aspects of it and were able to make the numbers make sense if we rented the cabin out as an STR for at least 5 years. Long term (after the 5yrs), my parents were going to retire there and the property would operate as a permanent residence with the option to build out the garage as a ADU so my parents could still have a little income and defray the cost of the house.

And in Jan 2020 we closed on a piece of land - our own little slice of Leavenworth. We were working on plans when COVID hit, delaying our ability to get our plans drafted, get a builder onboard, or submit any plans to the city. So we delayed breaking ground to March 2021. We had no idea that in August the county would place a moratorium on STRs, effectively leaving us in limbo. Since we don't know what the code is going to look like, we don't know how to draft our plans, or if we can financially do this without the ability to run it as an STR for at least some period of time. On a sad note, in Dec 2020 my father passed of COVID. This was our dream together. I want to be able to do it in his honor, but there are so many uncertainties. So many things do not apply to us as we are only land owners right now. But I have some generalized requests:

1. Grandfathering: Have grandfathering apply to land purchased prior to the moratorium be able to build a STR.
2. Tier 1 definition: we request that the Tier 1 rules read as "long term resident" occupied rather than "owner" occupied. We would love to rent and provide some low cost housing to someone in our planned ADU in exchange for just keeping an eye on the place and getting Tier 1 status. We feel this meets all the concerns of the RUN group as it will:
- Provide new, affordable housing
- Have someone on site to deal with and/or prevent nuisance issues
- Provide a "neighbor" to the neighborhood that lives there full time
- The STR would not operate any different if a "owner" lived there
- Would generate more taxes for the city
- Allow someone who lives and works in Leavenworth to actually live in Leavenworth
-This helps us protect our land, home and investment by having eyes on it consistently.

I know you are getting lots of opinions, comments and frustrated people. But I think the task force did a great job and those suggestions should be adopted. These questions were out of their purview so I would like you to consider them now. Please remember us in your deliberations. I don't want this dream to have died with my dad. It's too important to me. Thank you.

Sincerely,
Kelsey Brown

Wendy Lane

From: feibi mao <maofeibi@hotmail.com>
Sent: Monday, June 14, 2021 9:21 AM
To: CD STRComment
Subject: Grandfathering Time Period

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To whom it may concern,

We have a STR that operated all the way up to early 2019. Due to covid we did not rent it out in late 2019 and 2020. As the code is currently drafted, it limits the grandfathering to STRs operating in July 2019 to August 2020. I'm sure there are other STR operators that are in the same shoe as I am. Would appreciate a discussion to extend the period to the entire year of 2019.

Thank you,
Feibi Mao
2066583667

Wendy Lane

From: gramma7 <gramma7@frontier.com>
Sent: Monday, June 14, 2021 8:44 AM
To: CD STRComment
Subject: As a STR owner, I would like to address the signage proposal. I am against this regulation. To have a big sign on your property is asking for break ins and burglaries. All a person has to do is: get the name, look up that listing, go to the cale...

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Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone

Wendy Lane

From: Scott Huson <scott.huson@gmail.com>
Sent: Monday, June 14, 2021 8:03 AM
To: CD STRComment
Subject: Fairness in Grandfathering for those who "created" STRs prior to 8/25/20

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Dear commissioners,

We had irreversibly set in motion the creation of our short-term-rental prior to the August 25th moratorium going into effect. We ask that we, and those in the same position, are included in grandfathering.

My wife and I dreamed of having a vacation cabin and fell in love with an A-frame between Leavenworth and Blewett Pass off Highway 97. It is in a development that was built in 1969 as a vacation community and was marketed to Seattleites as such (we have the original marketing materials). We always knew that to make our dream real, we would need to share our cabin with others via short term rentals to help cover costs. We signed our purchase and sale agreement on July 13th, 2020, after confirming in writing with our lender that our loan was suitable for a vacation home/STR. We shared with friends in written communication our plan to rent out the cabin and got to work building a brand and putting our plans into motion including buying furniture, developing marketing materials, interviewing cleaners, telling friends, researching the market. We would have been up and running in early August had it not been for delays caused by the Codiv-19 pandemic. Getting an appraiser to the property took 6 weeks longer than expected and pushed our closing date to August 26th. It is important to note that we did our due diligence. We were aware that the BOCC was considering new regulations and we stayed as close as we could to understand potential implications. The process was meandering and confusing with multiple drafts, hard-to-follow workshops, and a lack of proactive communication. Our realtor told us there was no permitting requirement and our research confirmed the same. The draft code at the time excluded RRR zones from any sort of cap on STRs. We believe that we have complied with the requirements of the moratorium given we had "created" our STR before it came into effect. We are supporters of sensible regulation for STRs, and we very much are contributing members of the neighborhood community where our cabin is situated. We ask that you show lenience to us and those like us who have been caught up in a situation that is not of our making. Please consider being fair in the approach to grandfathering and accommodating those who created their rentals but had not yet had the opportunity to operate by August 25th, 2020.

Thank you for your consideration

Scott Huson

Wendy Lane

From: Ryan Harmaning <ryan.harmaning@gmail.com>
Sent: Monday, June 14, 2021 7:44 AM
To: CD STRComment
Subject: Public Comment re: STR Code Considerations and the Moratorium

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Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

My family is a part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering in light of the sudden, and unprecedented enactment of the Moratorium.

Our family was able to realize our life-long dream of owning a vacation cabin in Chelan Country in October of '19 when we closed on our property in a long-established community of recreational cabins. We were unaware of the controversy surrounding Vacation Rentals in the County at the time, and frankly unsure how we could have known given there is no history of registration or licensing required of Vacation Rentals in Chelan County. In our specific neighborhood, Vacation Rentals were tacitly allowed with only specific community-use restrictions being in place for nightly guests. Because of this, and other details spelled out below, We are making an appeal including those trapped in the Moratorium as fully legitimate candidates for grandfathering into the proposed codes currently under consideration

Shortly after closing, we eagerly began the adventure of making significant improvements to our place both for our own enjoyment, but with the idea that we could share our cabin with others while also helping to support our investment (and to help fund future improvements\repairs) through using it as a Vacation Rental. We're here on average two weekends per month and for a week or more several other times throughout the year (I'm writing this from our cabin now, in fact).

In the Summer of '20 with initial renovations and improvements wrapping up, we began talks with various property managers with the intent of listing our place as a Vacation Rental (for which we have documented conversations from as early as July '20, more than a month prior to the Moratorium enacting). Again, since Vacation Rentals (STR's) have always been de-facto legal in Chelan County (a fact supported by *The Court in Ross v. Bennett, 148 Wn. App. 40 (2008)*, which expressly held that *an owner's use of property as a residence, long-term rental, or short-term rental are identical*), we scheduled to have our cabin's final preparations made before listing it. We were then shocked to have learned that the Moratorium had been put in place before our listing went live.

We have been encouraged at the BOCC's deference to the community's views and concerns through the creation and consideration of the findings of the STR Task Force. We also sincerely hope that this reasonableness is carried over into a decision to include those Vacation Rental owners who, acting in good-faith, were blind-sided by the Moratorium. This could simply and fairly assume they can prove current compliance with appropriate tax codes, and with the expectation they meet any future registration and licensing requirements currently being proposed for grandfathered properties. Making a universal grandfathering cutoff of 12/31/2020 makes for a clean and simple boundary by which to deal fairly with those of us trapped by the abrupt enactment of the Moratorium.

Thanks again for your time and consideration,

- Ryan and Ruth Harmaning

Wendy Lane

From: Kate MacKenzie <amanda_katem@hotmail.com>
Sent: Monday, June 14, 2021 12:44 AM
To: CD STRComment
Subject: STR Comments - Allow time for grandfathered properties & increase occupancy limits

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Commissioners -

Thank you for allowing a task force comprised of both sides to work on a solution. While the compromise solution is vastly superior to the draft code from December, there are several issues that need additional work:

1) Grandfathered properties need time to come into compliance. It takes time as well as permits to upgrade septic, increase window size to allow egress, and build parking lots. These properties cannot be expected to make these changes overnight and the code says grandfathered property owners can't do any work that requires a permit. The county of Chelan has limited tradespeople to do the work too so it would benefit all if the workload could be spread over several months. I suggest allowing permits to be issued without losing grandfathered status as well as keeping the 1 year timeframe to come into compliance.

2) This code is the most strict of any I could find when it comes to occupancy limits. Other counties and municipalities allow 2 or 3 per bedroom, plus 2 or 3. And many exclude children under 2 or 6 years of age. While I understand the septic basis of the occupancy limit, there should be allowances for owners who can prove their septic use is less than the allowed with their system. I also cannot find any occupancy limits for long term rentals or owner occupied homes, so this rule does not seem consistent with those homes that are occupied 100% of the time.

3) The code is nearly impossible to understand due to its complexity. Will the county be hiring more planning department employees to deal with questions? I would suggest simplifying the code for layman to understand. For example, the city of Cle Elum has clear, easy to understand code, with tools available on their website to measure distances between plots.

Thank you for your consideration of these comments.

-Kate MacKenzie
22612 Alpine Drive, Leavenworth

Wendy Lane

From: Kathy and Duncan Chalfant <chalfantkd@gmail.com>
Sent: Sunday, June 13, 2021 5:54 PM
To: CD STRComment
Subject: STR Hearing
Attachments: Str statement June 2021.docx

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Please see attached.

STR Comments

June 12, 2021

My name is Duncan Chalfant. My wife and I own a house at 16894 River Rd in Plain, Washington. Our house has been professionally managed as an STR since 1999. We built the house on a one-acre parcel in 1996 in an area zoned RR2.5. Our plan has always been for the house to be an extended family gathering site and vacation rental.

We appreciate the work that the task force has done. Progress seems to be happening. We still have several concerns that we would like to voice.

We have been planning on building a garage and a porch addition and already have plans drawn up. These improvements to the home do not change the occupancy level. The porch is intended as an aesthetic enhancement and the garage is for storage. We had to delay doing this when the moratorium went into effect initially and stated that STRs could not get building permits. When the moratorium was extended in February, 2021, the clause was amended to allow for non-occupancy project permitting. We proceeded to schedule building the porch and garage in spring 2022. Now we see in the draft code that we can't get a permit if the code is passed as written as we are a grandfathered property. Please follow the direction you took in February and allow improvements that don't affect occupancy.

We built this vacation home specifically to be a rental property. Let us sell it as a vacation rental, as long as we follow the rules going forward. Losing the grandfathered status if we sell the property is taking away our property assets. We have followed every rule with the assumption we could do so.

We also strongly encourage you to look to other counties that have STRs when you look to occupancy levels. It is quite common for the occupancy level to be 2 per bedroom plus 2. We have a 3-bedroom house and have never had a septic issue with 8 guests. Our house is usually rented for weekends and empty during the week minimizing overall septic use. Please reconsider occupancy numbers.

Thank you for your time.

Duncan Chalfant

Wendy Lane

From: Denae' Poss <denaeposs@gmail.com>
Sent: Sunday, June 13, 2021 2:35 PM
To: CD STRComment
Subject: STR Comments

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Dear Commissioners,

Thank you so much for opening up this topic to be a collaborative discussion amongst vacation rental owners and local homeowners who have expressed concern with STR's in their neighborhoods. I hope the result has been that we have been reasonable – as that has been our goal all along.

While we are grateful for the seat at the table you provided with the forming of the task force, there are still a few items that I hope you will consider as you enter this final phase of the code.

1.) Occupancy limits – the 2 guest per septic is very aggressive where there are ample examples of other counties and cities in Washington state that allow for 2 per bedroom plus 2 or 3 and exclude kids. Not only will this impact homeowners who have been operating at a higher occupancy up until now, but it will also exclude a lot of the family oriented groups that love to come to this area. Almost all of our guests are multiple families with young kids. We get a lot of multigenerational groups that love to come and spend a long weekend or a week in one house together with aunts, uncles, cousins and grandparents. While limiting occupancy could help limit large rowdy groups, I think the unintended consequence will be that it just limits one of the more quiet and positive types of renters – the ones with small children that go to bed early and don't cause late night noise issues!

Larger groups aside, with the way it's written now, if you have a 2 bedroom septic, a family with 3 kids wouldn't even be able to rent that house, limiting not only the opportunity for the homeowner, but also the inventory for families to find places in the area.

Like many others, I'm urging you all to consider loosening this and including +3 and specifying an age group that would not count towards that headcount. While we are all grateful for the opportunity to be grandfathered (which wasn't on the table last year), if our occupancy is cut down drastically due to this section, it is still causing a large financial impact to many people.

2.) Neighbor reporting – I am very concerned with there not being a bit more clear guidance around reporting, citations, and permit revoking. While we hope that when this code is in place, everyone will buy into what we've all spent a long time working towards, we are also realistic that if there is a possibility for a permit to be revoked, many of the neighbors who have been fighting against vacation rentals will take every opportunity to report every little thing in the hopes that they can successfully remove their STR neighbor another way. This will flood the reporting lines and cause a lot of work for code enforcement. For accountability, I would recommend a fine for false reporting of neighbors just looking to attack an STR they don't want near them no matter how well they operate. I would also ask that it be spelled out what merits a citation and that these fall off over a period of time, much like driver's infractions. If it's as simple as 3 strikes you're out, and you get 3 strikes in 20 years... that's a pretty good track record to then lose everything because they never reset or fall off.

Something I have seen in other code across the county is the very first action a neighbor has to do is try to reach the homeowner before they are able to escalate. While the code requires a point of contact that is within 60 minutes of the property, I would ask that you consider putting the very first step to be to call the homeowner first. I can think of one weekend that our neighbors were unhappy with our renters, but never reached out to us directly to help remedy the situation. Had we known in real time, we would have immediately reached out to our renters to fix the situation and instead, the neighbors were just angry and posted about it on Facebook. We do our very best to vet all our guests, but if

there is behavior that needs addressing, I think it's imperative that owners are given the opportunity to address it directly even if they are not physically 60 minutes from the property, and then also have a point of contact that is within 60 minutes as well. Please consider adding this to allow some additional accountability to neighbor's reporting.

I hope you will consider the potential of false reporting if there is not a consequence in place for such situations and also map out a plan for citations to fall off a home's "record" to allow for a bit more breathing room, understanding that something as simple as 3 strikes over an indefinite amount of time is quite harsh.

3.) Grandfathering for all – we know this has been a brutal process and no one is getting what they want, but I cannot urge you more to just grandfather all and start with a clean slate. I'm unclear why Peshastin was excluded and the amount of rentals, 7 I believe, is so small, it seems unfathomable that they would be left out. While Manson has had a process, again, most owners were unaware and were not trying to skirt the system. In the way it's written now, you're rewarding the people who did know and chose to skirt the system but leaving out people, that to their own fault of course, didn't do their due diligence and missed the permitting requirements. There are also so many people that were impacted by covid that would have closed prior to the moratorium. 2020 was just a brutal year as it was, but to lose out on an investment, with no heads up, and largely due to a global pandemic that delayed so many things in the real estate market is a tough pill to swallow. While I am not caught up here, I have great sympathy for those are, and plead their case to consider giving everyone the chance to get a permit and start fresh and let the enforcement side of the code do its job removing bad apples rather than just cutting people off at the knees due to the arbitrary date of August 25th, 2020.

Again, thank you for reading this. Thank you for slowing down and working to get to a spot that is far more balanced. And thank you for still continuing to work through this code looking for the best possible version that is fair for all but creates accountability and enforcement.

--
Denae' Poss
425-330-3156

Wendy Lane

From: Kirvil Skinnarland <runofchelancnty@gmail.com>
Sent: Sunday, June 13, 2021 12:17 PM
To: CD STRComment
Cc: Jim Brown; Lisa Grueter
Subject: Septic System Analysis and Occupancy

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

Dear Commissioners,

We are very concerned about the request by the STR lobby to increase occupancy beyond what is specified in the Task Force Agreement. The following analysis demonstrates clearly that such a proposal would be in conflict with the Chelan Douglas Health District requirements for septic systems.

Summary

1) The Chelan Douglas Health District views STRs as placing a larger load on septic systems, not less. Daily peak load is what's important (by design, and by law), not average loads over time.

2) The STR group's desire to install measuring devices to increase occupancy is plainly self-serving, and only benefits the STR owners to the detriment of neighbors and the environment. In addition, it's clearly not enforceable and would be virtually impossible to implement.

3) Both versions of the December 2020 code include 2 occupants per bedroom and this is also specified in the Task Force Agreement. RUN requests the county to keep within this mandate and not allow for increases in occupancy beyond these previously established reasonable limits.

Detailed Assessment

The STR groups are lobbying for higher occupancy (bedrooms) than their septic permits allow. They have put forth a proposal to install measuring devices on either water or effluent outflow in order to demonstrate potentially reduced flows for their STR, and thus a commensurate higher occupancy. RUN disagrees with increases in occupancy beyond what is detailed in both December 2020 drafts of the code and in the Task Force Agreement, from both a health and safety and from a neighborhood disturbance perspective.

RUN would like to refer to the commentary from the Chelan Douglas Health District on this precise topic. See Appendix A for a copy of an email from the Health District. Please note that it refers to *increased* design flows being needed for STRs, not less.

Importantly, the Design Flow is the peak daily flow [1], and septic systems are designed for both this peak Design Flow, and their average flows (the Operational Capacity) [2]. Thus, it is not a valid argument to propose an increased occupancy even if a given property were to be used infrequently, as the system is designed for the peak flow in one day. As the health department and Tower Designs says, the **peak Design Flows for STRs are anticipated to be higher than in full-time residences**.

Both of the December STR drafts and the Task Force Agreement limit occupancy to 2 persons per septic-approved bedroom. However, if you were to follow the need for increased Design Flow for an STR, and you used the Tower Designs numbers, the math would result in a **20% reduction in occupancy for STRs**. Thus, 1.6 persons per bedroom is actually the more appropriate number for STRs that have septic systems. Obviously this is not a mathematically reasonable occupancy level, but it is clear that it is less than 2, and not more. The only reasonable conclusion is that the STR owners are actually very fortunate in being allowed as many as 2 persons per septic-approved bedroom.

The STR lobby proposes to go around this mandate and install measuring devices. This has immediately obvious flaws:

1) Who is going to read all the meters? Does the county need to hire effluent meter readers that drive around and read all the meters? Do we instead trust that STR owners will regularly and reliably read the meters themselves?

2) How often would the meters need to be read? As we've discussed above, septic systems are designed for the one day maximum expected flows (the Design Flow), so measuring the flow over a time period (even weekly) would only highlight average flows and not the peak daily flows. Measurements would need to be taken daily, which is obviously not feasible.

3) How often can a property change occupancy (up or down) in a given year if and when the maximum flows determine a commensurate change in occupancy level?

Increasing the occupancy level serves no benefit to anyone but STR owners who will be able to increase revenues. Conversely, the downsides exclusively accrue to neighboring residents and the environment. Again, we note that STRs are likely to have *higher* design flows and STR owners are fortunate to be allowed 2 occupants per bedroom. RUN and the residents we represent request the county and the BOCC to reject this ridiculous proposal and stay with the existing proposed code, and the current Health District standards.

[1] WAC 246-272A-0010 (2) states *"Design flow" means the maximum volume of sewage a residence, structure, or other facility is estimated to generate in a twenty-four-hour period. It incorporates both an operating capacity and a surge capacity for the system during periodic heavy use events. The sizing and design of the on-site sewage system components are based on the design flow. "*

[2] WAC 246-272A-0010 (2) states *"Operating capacity" means the average daily volume of sewage an OSS can treat and disperse on a sustained basis. The operating capacity, which is lower than the design flow, is an integral part of the design and is used as an index in OSS monitoring.*

Appendix A

From: Richmond Petty <Richmond.Petty@cdhd.wa.gov>

Sent: Monday, April 19, 2021 8:03 AM

To: Kirvil Skinnarland

Subject: RE: question about septic design and capacity

Good morning,

The minimum design flow for single family home residences is based on 2 people per bedroom, or 120 gpd/bedroom.

There are options to increase the design flow for anticipated uses such as short term rentals. For example, Tower Designs has implemented 150gpd/bedroom.

The issue we have found is that we (CDHD) receives an application from a designer and we are evaluating the design based on a single-family residence home. In reality, if we know that this home will be used as a vacation rental property, then this application and design needs to be evaluated based on a commercial use and design flows need to account for total occupancy and increased laundry use and other factors.

If we maintain the WAC guidance at 60 gpd/person and if home plans to house up to 14 people, then we are looking at a septic system that should be sized for 7 bedrooms rather than 3 or 4 bedrooms, which is the usual design we are reviewing.

So, we can require increased design flows if we are aware of the intended use. I have thought to add this to our applications in some way to identify these rental units. Also, we are checking with the county building permits to make sure our permits are in line with their approvals.

Thanks,

Richmond Petty, R.S.

Onsite/Land Use/Water Recreation Program Manager

Chelan Douglas Health District

200 Valley Mall Parkway

East Wenatchee, WA 98802

E. richmond.petty@cdhd.wa.gov

P. 509.886.6468 **F.** 509.886.6449

Wendy Lane

From: C Paul Johnson <cpj.audio@gmail.com>
Sent: Sunday, June 13, 2021 9:42 AM
To: CD STRComment
Subject: STR Comment

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

Commissioners,

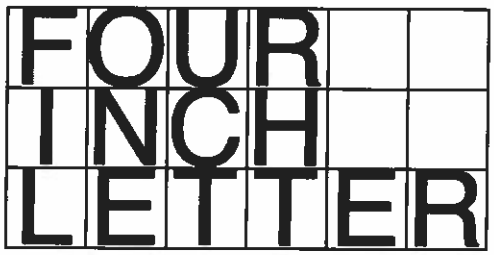
We are C Paul and Laura Johnson. We own 16840 Fir Dr. near Lake Wenatchee and use our house as an STR in the summer months.

Thank you for the compromise code. In general, we support the compromises made through the task force process. Below are a few issues that we believe could still use improvement.

1. **Sign Requirement:** Please reconsider the signage requirement and allow for annual mailings as an alternative in all cases. There are real security concerns and a requirement to provide notice to neighbors annually is sufficient to address this issue.

   There are a number of problems with the signage requirement as drafted.
   - As written, this is a compulsory "Rob me" sign. STRs are frequently unoccupied. We have been very careful not to post our address anywhere online due to this concern. This sign allows anyone who drives by to see that it's a rental and look up the calendar on VRBO or AirB&B to determine when it's unoccupied.
   - The signage is required at all times, while many STR's do not operate year round. We only operate for a few months every summer, and it would be safer for us and our property to be able to remove the sign in the off season.
   - The current size and lettering requirements for the sign are physically impossible. All of the required information will not fit (Identify STR, Name and contact info). For reference we have created a mockup image of a two square foot sign with 4 inch letters per the requirement.

Two Square Feet with Four inch Letters



2. **Occupancy** – Please make allowances for children.
   - We focus our STR on families as we believe these are the types of renters who do not typically cause the problems of concern. Additionally, STR's are not occupied 365 days per year therefore septic load is lower than a family living there full time.

- Our suggestion is to match the current Manson criteria of 2 per bedroom + 2, excluding children under 6

3. **Permitted changes** - Please allow changes and improvements to Grandfathered properties.
    - The code should allow owners the ability to pull a permit to change or upgrade their homes without losing grandfathered status.
    - The code as written is an unfortunate incentive that prevents property improvements.
    - Some owners will need to make upgrades to comply with the new operating standards.

Thank you,
C Paul and Laura Johnson
16840 Fir Dr.

Wendy Lane

From: Judy Van Eyk <jvaneyk59@gmail.com>
Sent: Saturday, June 12, 2021 9:25 PM
To: CD STRComment
Subject: Short Term Rentals!

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

Chelan County commissioners,
We have written several letters discussing negative incidents with " short Term renters"!
Last Summer with many Fire Warnings posted everywhere, the rental across the river on Pine Street had a fire that we could see sitting in our living room! We called the emergency number and continued to watch it blaze, throwing sparks in the air even as we yelled to them to put it out! NOTHINg was done! No Fire Response, when it was at it's worst! Our worst fears imaging the neighborhood going up in flames! We are sure renters from the West side of the mountains do NOT have fire concerns we live with! It is apparent with almost every time we look across the river!
Another incident was coming home and finding our street un-passable due to several snowmobile trailers parked in the road. When we asked them to be moved so we could access our driveway and get to our home we were net with jeers, and ugly language ! We were sure the renters had no idea people actually LIVE here and are entitled access to their property!
The neighborhood we moved into, where we knew and enjoyed our neighbors is no more! Now, nightly, in some instances, there are strangers in our midst! We are fearful to allow our grandchildren to walk on our road without supervision!
Our taxes continue to rise as strangers buy property for profit making business, and we, retired, hoping to live our retired years in affordable houses we built and worked hard for, are being taxed out of our retirement hones!
This is not fair! Not only are we being forced out by taxes we are no longer living in a "neighborhood"!
Please consider our situation and our concerns!

Sincerely,

John and Judy Van Eyk
2105 Chiwawa Ct.
Leavenworth, WA 98726

,
Sent from my Judy. ?

iPad

Wendy Lane

From: Aaron Bernstein <aaron_bernstein@msn.com>
Sent: Saturday, June 12, 2021 4:42 PM
To: CD STRComment
Subject: Comments on proposed STR code

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

I have had a home in Manson for nearly 20 years. Over the past few years I have rented my home privately as well as on Airbnb. Taxes were paid both for lodging (by Airbnb), as well as the B and O taxes.

Never during this time did any entity requiring and collecting these funds, communicate and notify me that I needed a permit for my rental. In fact, it wasn't until October 2021 that I even learned about the STR activities and proposed limiting of STRs throughout Chelan County, and that was from another STR owner in Manson (which she found out about it on Facebook from another person (by chance).

I find it odd that thousands of dollars were spent to collect data, scour sites (i.e. VRBO, Airbnb, Vacasa, etc.) and perform other research by the county, yet no proactive (and traceable method) was used during this time (and before the moratorium was enforced) to notify existing STRs about the need to "get current" or even have a permit.

Because of this lack of notification, but where tax revenue was accepted, I would propose any final code ensures STRs that can prove they were in existence, paid taxes and did not have any violations (again that they were notified about) be grandfathered in as permanent STRs (until sold) and not part of any "cap". Not to do so shows "lack of good faith" by the County and its Commissioners to purposely not notify existing entities of changes that would affect the ability to earn income on their resources.

Aaron Bernstein

Wendy Lane

From: kate towers <katetowers@gmail.com>
Sent: Saturday, June 12, 2021 2:45 PM
To: CD STRComment
Subject: short term rentals / Chelan County

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am a small business owner, artist, mother of two, lover of nature, who loves to support other small businesses and good people with good intentions. Not only does our family enjoy getting out into nature, traveling to new destinations, and gathering around meals, games, and time together, but we prefer to put our money into other businesses who share similar passions and take the time to create unique experiences. Currently I design and produce by hand, very small runs of items you might find in a home, such as pillows, bathrobes, towels, etc. and I create exclusive pieces for individual STR's so that they can offer these special touches to their guests. My small business depends on their small business. I think especially given what has happened in the past 18 months with the unforeseen pandemic wiping away many peoples' livelihoods it feels especially harsh to pull the plug on individuals who had planned to rent their homes as a source of income.

The solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,

Kate

Wendy Lane

From: Gloria Brady <gbrady6448@aol.com>
Sent: Saturday, June 12, 2021 8:24 AM
To: CD STRComment
Subject: STR Impacts on Neighborhoods RESPONSE REQUESTED

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

Dear Commissioners:

I have many concerns about the proposals to regulate and limit STR's in rural neighborhoods. Following are a few I do not believe are being addressed to protect residents:

1. This are non owner occupied or second homes to the STR owners. They are income property and should be treated as such. I do not have income coming into my home that helps defer the taxes, utilities or the upkeep of my home.
I have been living in Plain for 25 years. The county doesn't treat full time residents with the same consideration as the income properties.

2. Full time residents are not in a position to fight an income producing entity such as STR's or the County.

3. Full time residents bring income daily to the area they reside in. How many of the Owners or Managers of the STR's reside in their area of business? I realize that the County needs revenue and I pay my share. I shop locally to support
the local businesses, shops and restaurants. They too live and contribute to their neighborhoods. Can the Owners and Managers of the STR's say the same?

4. I believe that you are aware of the problems caused by STR's in rural neighborhoods by the renters and by the off-site owners. 200 feet between STR's is unacceptable when the neighborhood consists of a 5 mile, two lane, no shoulder,
rural road. And that is just one example.

5. The full time residents of the county are the voters who put you in office, not absentee owners or managers. Don't you feel any obligation to protect their rights?

6. Who do you plan to depend on to monitor, inspect and regulate these small businesses? And do the residents have to bear the financial burden of that too while the STR's bank their incomes?

7. The quality of life in these rural neighborhood are being adversely affected how is that fair?

Regards,

Gloria J. Brady
15885 River Road
Plain, WA
gbrady6448@aol.com

Wendy Lane

From: gouldw@charter.net
Sent: Saturday, June 12, 2021 1:06 AM
To: CD STRComment
Subject: Draft of Short Term Rental Comments

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

One concern with the Code: limiting the guests to 2 per bedroom: I have guests with small babies. The parents will sleep with the baby in the same bedroom in a portable crib. This equates to 3 guests in the same bedroom. I also have guests who have three or more children that have no qualms with the children sharing a single bedroom large enough for multiple twin beds. If the 2 per bedroom is only based on septic flow requirements why not allow for additional guests in each bedroom if the bedrooms can physically support extra guests and there is proof that the septic flow is lower even with a couple more guests than the water flow used for the home's septic system design? If it is based on other reasons, please let homeowners know what these reasons are so we can explain to the parents why they will be required to sleep in separate bedrooms to allow one of them to sleep with the baby, or why it will not be allowed for a child to sleep with their parents should they get scared being all alone in a strange bedroom.

Homeowners will be in a conundrum over this issue: We don't have the ability to enforce the Code's max. bedroom occupancy of 2 when the max. home occupancy is larger. I recommend you modify the Code's max bedroom requirement to allow up to 2 guests per bedroom plus two additional house guests that can utilize the existing bedrooms providing the home's bedrooms can accommodate the additional guests as long as the homeowner can provide proof that the water usage will be below the septic system design with the addition of two more guests just like it is noted in the Code for allowing additional bedroom(s).

Sincerely,
Bill Gould
Vacation Rental Home Owner
Org Code 98801
(509) 885-8570

Wendy Lane

From: Dan Beardslee <dan.beardslee@gmail.com>
Sent: Friday, June 11, 2021 4:28 PM
To: CD STRComment
Subject: Procedural issues -- proposed STR code

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

I have no skins in this game, but I'm always interested in good outcomes for the citizens of Chelan County. To that end, I think it might be worthwhile considering the following:

1. Permit application review SEPA application: It's unclear, at least to me, whether the permits for STR's will be subject to SEPA. (Other than CUP's which clearly are) The code is not clear as to whether the administrative review is "limited" or "full." It seems to me this should be determined before the code is adopted. And since there is no specific exemption from SEPA for STR permits in Title 13, CCC or in WAC 197-11, the County should make it clear as to whether or not SEPA applies.

2. Procedural issues related to property rights analysis: Some analysis of potential takings is mandated in RCW 36.70A.370 and WAC 365-196-725. There does not appear to be anything in the record suggesting that the County has complied with this obligation.

Dan Beardslee, PLS

Wendy Lane

From: Jesse Baker <jesseapbaker@aol.com>
Sent: Friday, June 11, 2021 4:18 PM
To: CD STRComment
Subject: STR regulations

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

I am wondering if you have professional data on how a restriction of our right to short-term rent our properties will affect our property values? I am a property owner in Plaine and want to know whether my property value will increase if I have a permit, or conversely decrease if I don't. Thanks.

Sent from my iPhone

Wendy Lane

From: Gabe Sartin <gabesartin@gmail.com>
Sent: Friday, June 11, 2021 4:17 PM
To: CD STRComment
Subject: Short Term Rental Code Comments

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

Hello,
I will first applaud the efforts to actually listen to stakeholders to come up with a better code. The current version of the code is the best I have seen in quite some time. I am still pretty concerned with how complex the code is and how it could introduce unintended consequences and be difficult to enforce for the county and comply with as a homeowner. Below are some specific concerns I have with the current code, as it relates to my situation and neighborhood at 3009 Memory Lane (the county is very large and diverse so commenting for the whole county would be unproductive).

- Lot Sizes - RRR zones should not be limited to .275 acres. My neighborhood is zoned RRR with most (~75%) lots being .25 acres. The neighborhood has very few full time residents and an ideal place to have a short term rental. This code would not allow new short term rentals to be established in most of this neighborhood.
- Permits for upgrades section E, ii, b - This is one that screams of unintended consequences. I think I know the goal of this (don't want someone with occupancy of 4 to up it to 8 under a "grandfathered" permit). The restriction as written will prevent people from making upgrades to their houses (energy efficient HVAC upgrades? new deck? electrical safety upgrades? remodel to remove harmful chemicals in the house?). That doesn't help anyone. I would suggest making a simple statement that existing STR permits can not have occupancy increased without applying for a new permit. That allows for people to make upgrades to their hearts content and we don't get in a world where a 2 person STR becomes an 8 person one without going through a full STR permit process.
- Transferability - Current STRs should be able to transfer permits in perpetuity. Purchases and upgrades have been made to houses based on a current rule set. I understand the desire to change those rules, but you shouldn't punish people who have made good faith investments in their properties by changing the rules on them. There are better ways to achieve goals of getting to 6% of housing stock being STRs if that is the goal (BUILD MORE HOUSING!!!!!!!).
- Parking - If there are enough off-street legal parking spaces, the number of cars parked at a STR should not be artificially constrained. My house has plenty of parking for 4 cars, and has an occupancy of 4, with 2 bedrooms. Why are we artificially constraining the parking limit to 3 vehicles? I would propose that the language state that parking is limited by occupancy of the house, OR number of legal off street locations, whichever is smaller. This will prevent cars from spilling over into adjacent properties and street parking, and not put artificial constraints on homeowners who are doing the right thing by having adequate parking for their properties.

I disagree with many other aspects of the code, but can understand the heart of it and appreciate that it is hard to make a general code work in a county as diverse as Chelan county. I think I can comply with most of the rest of what is there, and willing to give it a try, but these items above are VERY concerning. I'm looking forward to see the final product. Thank you for your hard work on this.

Thank you,
Gabe Sartin

Wendy Lane

From: Sean Lynn <sean@loveleavenworth.com>
Sent: Friday, June 11, 2021 2:32 PM
To: CD STRComment
Cc: Don MacKenzie; Zelda Holgate; David Donovick
Subject: Additional Comments for 6/14 &15 workshops from TF
Attachments: BOCC Comments 6_11_21.pdf

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

Commissioners and Director Brown,
We appreciate the time effort and energy being expended by all of you to create a balanced STR code. We wanted to add some clarifying comments for the record and your consideration before the 6/14 & 15 workshops. Please see attached. As always any one of the STR side of the taskforce is available for further discussion or questions if needed.
Sincerely,
David, Don, Sean and Zelda

Sean Lynn -Team Member
Love Leavenworth Vacation Rentals
Leavenworth, Washington
Open 8AM to 8PM Daily
509 548 5683

Dear Commissioners,

We appreciate your consideration of our prior comments. After reviewing the most recent markup including comments by Community Development Director Jim Brown, we would like to offer brief but important clarification on three of the issues raised.

1. Definition of Owner for Tier 1 Purposes

In our comments of June 6, we suggested broadening the definition of "owner" to include long term renters and lessees. Jim Brown's comments have highlighted reasonable concerns about people long-term renting a home and turning around to sublet it as an STR.

We should clarify that our intent was to limit this to Tier 1 STRs only. All sides in this debate have argued that Tier 1 STRs are a good thing: they cause basically zero nuisance, and help to supplement incomes and defray housing costs. The current draft limits this opportunity to those already financially secure enough to own a home. If our suggestions are implemented they would increase affordable long term rental housing stock. Broadening the definition of owner-occupied would promote more Tier 1 STRs and offset rents for those who manage STRs within their rental properties. We can envision this being realized in two ways:

1. Allow the renter, unless prohibited by their rental agreement, to live on-site and operate the STR.
2. Allow the homeowner to manage remotely, with a long-term renter serving as an on-site designated responsible party.

One way to achieve this, without altering the definition of "owner", would be to broaden the definition of "owner occupied" as follows:

14.98.1695 Owner Occupied
"Owner occupied" means a rental unit is the principal residence of the owner or their designee for at least six-months in the calendar year, and the owner or designee is present in the dwelling or is present on the same parcel while the residence is being used as a short term rental."

We expect such a change would promote the existence of on-site managed STRs throughout Chelan County, encourage the development of more legal, permitted ADU's to be used as long-term rentals, and reduce housing costs for LTR tenants.

2. Septic Capacity and Occupancy.

In a comment at line 367 of the June 7 markup, Jim Brown asks, "We are following the CDHD standards, so how/why would we deviate from the SFR requirements?" This is an important and valid question.

The reason *why* is: to encourage STRs to reduce water use and reduce land clearing for drainfields, while protecting septic system integrity and providing owners with an alternative path to complying with operating standards.

A key point is that CDHD's design standards are answering a different question than an operating standard answers.

A design standard says: a system must be able to handle X gallons per day, given an assumption of two people per bedroom and an assumption that each person generates 60 gallons per day.

An operating standard should be asking: How many people can a septic system designed for X gallons per day support, given actual wastewater generation per person in the home.

As to the question of *how* this could be practically implemented:

- STR operators document either actual wastewater flows or freshwater consumption on their properties over one year. Wastewater generation can be measured via a flow meter or dosing pump. Freshwater use can come from water bills or a flow meter.
- STR operators document the number of occupant-nights in their property over the same one year period. Number of nights and group size are routinely recorded in the booking history by sites like Airbnb.
- For mixed-use (part time personal / part time rental) properties, personal use could be tracked using the same processes used for federal income tax purposes.
- True septic load (gal/person/day) = actual wastewater (gal) / occupant-nights (person-days)
- Max occupancy (people) = septic system capacity (gal/day) / true septic load (gal/person/day)
- Allowable occupancy is rounded down to avoid overloading system.

3. Ability to Make Changes

At line 296-306, Jim Brown notes "Suggest retain explicit clarity in the STR code" in response to our suggestions to strike this paragraph.

Our concern with this section is that it could be interpreted to preclude operators from making changes required to attain or maintain compliance with operating standards. For example, an owner might need to add parking, replace their septic system, or add emergency egresses, but be unable to do so. Moreover, it would preclude making other changes to properties even if they do not add to the non-conformity of the use. For example, someone might want to add a detached garage for personal use on the property, but would be unable to do so.

If the BOCC wishes to retain explicit clarity around STRs, an approach that would do so while harmonizing this with the existing code on nonconforming uses would be to incorporate language from CCC 11.97.010 and 11.97.025, as follows:

(b) Non-conforming short-term rental properties may be continued and maintained in reasonable repair. A pre-existing short-term rental use which is nonconforming shall not be enlarged or altered in any way which increases its nonconformity ~~not otherwise be changed, altered, extended, or enlarged in a manner requiring a permit issued under Chelan county codes~~, without first ceasing rental operation and surrendering to the county any current existing short-term rental permits, and in doing so losing legal non-conformance status as a short-term rental. Properties found in violation of this Subsection may be subject to immediate revocation of all short-term rental permits and shall lose any legally non-conforming status as a short-term rental.~~,~~ ~~except~~ Exception: a permit may be issued to repair unexpected damage from a natural or human caused event provided the repair is that which is minimally required to maintain the former conditions of the rental as it existed prior to the damage or to bring the rental into compliance with short-term rental operating standards required by Chelan County or the State of Washington. Appeal provisions within Title 16 and Chapter 14.12.

Wendy Lane

From: Stacy Stubblefield <stacystubblefield@icloud.com>
Sent: Friday, June 11, 2021 1:50 PM
To: CD STRComment
Subject: STR Comment

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

Hi there,

Prior to covid I operated a STR out of our primary residence. I live close to a Leavenworth and Peshastin with an ideal space that provides access to lots of activities. Generally we are hosts that are on site, but on occasion we are not. I do not support limiting STRs that have the owner on site full or part time. In addition, in the future our current home would make an amazing location as a full time, not owner occupied, STR as we age and consider moving to a smaller home. I would not want the city or county to dictate that this is not a possible way to obtain an income while maintaining this property legally even if we do not live on site.

Respectfully,

Stacy Stubblefield.

Sent from my iPhone

Wendy Lane

From: Kristina Simpson <kvandoorn@hotmail.com>
Sent: Friday, June 11, 2021 1:43 PM
To: CD STRComment
Subject: Please Consider - Our Cabin Situation and Recommendations for STR Code

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

Dear BOCC members -

First of all, thank you for all your work on this incredibly complicated and important issue. I have been following this issue closely and understand th compromise both sides must make. I believe we all have the same goal in mind...to coexist in a mutually agreeable and beneficial manner. While I believe the current code is getting close to a resolution, I feel that some issues were not addressed or not resolved and I plead with you to consider the following points in my email.

Our small family of four bought a dilapidated cabin in Plain in Feb 2020 having no idea that the pandemic was coming. The cabin was literally one that was falling in on itself and nobody, but us was willing to take on this project. We worked tirelessly in 2020 to get the cabin ready for us and for occasional rentals. Unfortunately due to the pandemic, we did not have the renovations done by June 2020 as we had hoped and planned for. Instead, the project pushed out all the way until November 2020. We had our first official rental from an online rental platform in December 2020. Luckily, we also had some friends who rented the cabin from us privately in June 2020 while it was undergoing renovations so we do meet the moratorium deadline in that respect. We paid taxes on the rental amount.

Since owning this cabin, we have supported SO many businesses in the area with thousands and thousands of dollars - from Plain Hardware/Marson and Marson for construction materials, to Sparkling Spas for a new hot tub/maintenance, Plain Cellars for our weekly night out and TONS of wine, Plain Grocery/Dan's Food for our groceries, to local house cleaner, restaurants, entertainment, etc. We have hired a Rubbish Runner so our trash is never left out. And we hired a local retired military resident to plow our driveway during the winter.

Additionally, since day 1, we have only wanted families and well-vetted guests to stay in our cabin that we worked so hard to make nice. We don't let just anybody stay at our cabin. We carefully review their reasons for wanting to visit and ask many many questions so we understand their intentions. We are not afraid to say no to guests who don't feel like the right fit for our quiet community. As a result, we haven't had a single issue. We check-in regularly with our next door neighbors and they always say the nicest things about our guests.

Finally, our family of four stayed 165 days at our cabin in 2020! Yes, it was the pandemic and we were very busy with renovations, but we intend to continue to have this cabin be OUR cabin first...a rental that offsets our expenses second.

Here are the issues I feel still need to be addressed in the current code draft:

- The Task Force recommended creating a reasonable path to grandfathering for all existing STRs who have been making a good faith effort to play by the rules. Please respect this spirit in the final code.
- Grandfathering should be available to all operators on the same terms and grandfathering should be extended to those who can show that they initiated the creation of an STR and committed resources prior to the August 25 moratorium, but had not made it as far as hosting their first guest by that date.
- The code should ensure that owners have the ability to make necessary upgrades to their properties to come into compliance with the new rules.
- The code should allow owners of grandfathered STRs to make changes to their property without losing grandfathered status.

- The credible threat of losing their license is an important tool to weed out bad actor STR operators, but the code should be more explicit about the conditions that would lead to revocation. Currently, it is vague. A points system like that used for driver's licensing would provide more clarity and accountability.
- The occupancy limits recommended by the task force (2 per bedroom including children) are very strict compared with other jurisdictions. Many other jurisdictions allow two (or more) guests per bedroom plus two (or more) additional guests. Perhaps there is a compromise that could be made instead of enforcing such a low occupancy.

Thank you for your considerations and again, for your time and dedication.

Best regards,
Kristina and Andy Simpson, Cabin Lovers and Occasional STR Owners

Wendy Lane

From: Michelle Snyder <michellesnyder01@hotmail.com>
Sent: Friday, June 11, 2021 9:33 AM
To: CD STRComment
Subject: Short Term Rental Grandfathering

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

Dear Commissioners,

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

These owners by and large purchased their home in 2020, during a pandemic, to hold as a family vacation home with intent to rent out a few times a month. Properties were advertised (and priced accordingly) as a "great short-term rental" and the draft code was never mentioned, nor was it something that could easily be found on the website. The properties may have even previously been an STR, being sold completely furnished. During the pandemic, these property sales took exponentially longer to close due to shortage of inspectors, appraisers, materials and skilled laborers to make needed repairs.

On August 25th, the Moratorium was announced, effective immediately. These property owners may have just taken possession of their property, been in the midst of repairs, or were still tied up in the purchase and were days/weeks/month away from closing. At this time, they already had a legally binding contract on their new home (at a contract price determined by the value of rentability) and a significant amount of money invested from non-refundable earnest money, to money spent on appraisals, inspections & repairs. Those who had already closed prior to August 25th also had their closing costs and down payment invested in their property.

With the current Grandfathering clause, these properties are left with very few options. If they are fortunate enough to fall into one of the 3 Tiers, they now can wait until the cap has been reduced and they can then apply for a permit. This may be several years, and even then, if it is lottery system, someone who purchases in 2024 could be the lucky draw for the permit. In the meantime, they may rent their property long-term to recoup some of the costs, sacrificing their own personal use of their property and potentially being subject to tenants who don't pay rent and they can't evict due to the current Eviction Moratorium.

For those NOT in one of the Tier's, they are simply out of luck – and a LOT of money. Not only can they NOT rent their property for less than 30 days, they can't potentially rent it in the future as an STR, won't have the one time transferability within 5 years, and the property instantly loses value as it is no longer in an area deemed appropriate for transient housing. These owners are left to rent their property long-term, leave it empty 50% of the year, or sell at a loss. Many of these properties were built as transient housing or a weekend get-away with few amenities, NOT a desirable home for a full-time resident.

Those caught in the Moratorium are likely less than 50 owners throughout the entire county; hardly a blip on the AirDNA map. Grandfathering these few properties that can prove intent to short-term rent their properties prior to August 25th, 2020, is the right thing to do. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)

If these owners choose to not pursue a permit and follow the safety requirements than they will naturally lose their ability to host transient housing now and in the future. But for those willing to take those extra steps, pay the fees associated with the permit, and work within the guidelines of the new short term rental code, please know that these owners appreciate your hard work and are willing to go the extra mile to remain Good Neighbors to the communities we all love.

Sincerely
Michelle Snyder

Wendy Lane

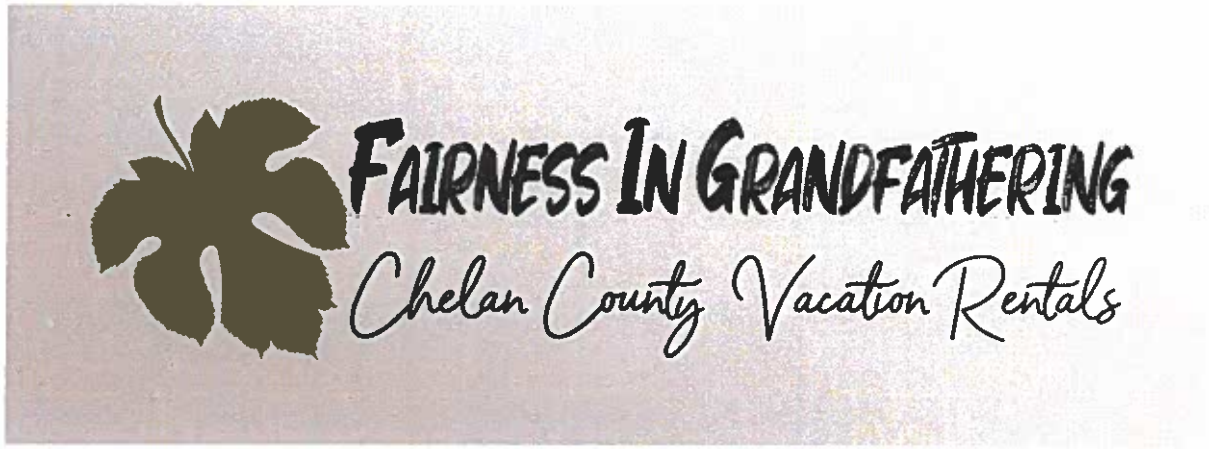
From: Emily Mullett <mullett.em@gmail.com>
Sent: Friday, June 11, 2021 4:48 AM
To: CD STRComment
Subject: Short-term rental properties
Attachments: Short Term Rentals.pdf

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

Hello -

Please see the attached letter on this email. Thank you.

Emily



Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

My name is Emily Mullett, and I love to use and visit short-term rentals. They always are a highlight of my vacation and are *key* in creating a memorable trip. I am always drawn to areas where these short-term rentals are available. I have friends who own a rental property in this area, and I would be absolutely devastated if they lost the ability to continue what they do. Please do not shut them down and consider the solution below.

The solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,

Emily Mullett


Fairness In Grandfathering
Chelan County Vacation Rentals

Wendy Lane

From: Grace Kim <grace@pgkim.com>
Sent: Thursday, June 10, 2021 5:33 PM
To: CD STRComment
Subject: Grandfathering Request

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

Dear Commissioners,

My family visited Chelan for the first-time last summer and we fell in love with the area and the idea of owning a vacation home there for our kids. We found a perfect house in Manson in late July and purchased it with another couple who are dear friends of ours. We signed the mutually accepted Purchase and Sales Contract on 8/4/2020 and we were told the property was allowed to operate as Short-Term Rental. We have an email from our realtor stating this on 7/31/2020 as well as communicating on the phone and via email with a Vacasa agent on 8/10/2020 discussing the steps to operate as a STR and partnering with them to manage the property. We closed on the house on 12/29/2020 as it was a new construction and had a delay due to Covid as well. In addition, we have invested in a pool, landscape and fence in the estimate of $120K on top of the house purchase price which we feel has helped the local economy. After all this we are now unable to operate as a STR caught in the middle of this moratorium.

We are asking you to consider us being grandfathered along with others in similar situations who would like to keep their vacation home and be able to rent out to friends, families and other vacationers by abiding by the law. Without being able to rent it out, the house will sit empty most of the year with a heavy financial burden remaining on our end.

Sincerely,

Kil Dal & Grace Kim

Wendy Lane

From: annelt52 <annelt52@gmail.com>
Sent: Thursday, June 10, 2021 4:04 PM
To: CD STRComment
Subject: Short term rentals in Chelan Co

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

I am writing to let you know that your attempts to keep Chelan County homeowners from being allowed to rent their homes or vacation homes out is just another BIG way the loyal, long-time owners in our county are being punished!!
My father bought lakefront property on Lake Wenatchee in the early 60's. We have a small family cabin on that property, nothing fancy or grandiose but the property taxes this year jumped from 12K/years to almost 17K!!! We are lucky that my father has the ability to pay this but soon (he's 95!) I will be responsible for that outrageous amount yearly. If we are not allowed to rent it out some each month to help us pay the taxes, then all we can see is that we will be forced to sell our "Happy Place". I feel this is a real injustice to us little people who own modest, real cabins instead of Mansions. Very unfair as it's a choice that homeowners should be allowed to make to rent the property out.
Thank you for taking the time to read this.

Sincerely,

Anne Anderson

Sent from my Galaxy

Wendy Lane

From: Carson Massie <carsonmassie@gmail.com>
Sent: Thursday, June 10, 2021 3:15 PM
To: CD STRComment
Subject: Chelan County Vacation Rentals

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

Dear Commissioners,

Thank you for the opportunity to publicly submit comments on the proposed STR code. I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

My name is Carson Massie and we come up to Leavenworth all the time and Airbnb's are the only places that we like to stay. It's just so much more our pace being out of town and surrounded by nature. We always go into town while we're there and we love to hop around to all our favorite restaurants and do river floats and other activities. Without all these airbnb's being available I think the trip would just get too expensive. Please please don't take this vacation away from us!

The solution:
- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,

Carson Massie

Wendy Lane

From: P Murph <pmurph53@hotmail.com>
Sent: Thursday, June 10, 2021 3:10 PM
To: CD STRComment
Cc: David Dailey
Subject: short term rentals

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

Please find forwarded message from my neighbor. While I did not participate in the drafting of his letter, I support his comments 100%.

Patrick Murphy
91 Murphy Highlands
Leavenworth, WA 98826

From: Dave Dailey <d.d@frontier.com>
Sent: Monday, June 7, 2021 7:19 PM
To: P Murph <pmurph53@hotmail.com>; cd.strcomment@co.chelan.wa.us <cd.strcomment@co.chelan.wa.us>
Subject: short tern rentals

Dear Pat, please forward this to the STR Chelan email for the STR input?
My own server will not identify the address RUN sent:
cd.strcomment@co.chelan.wa.us

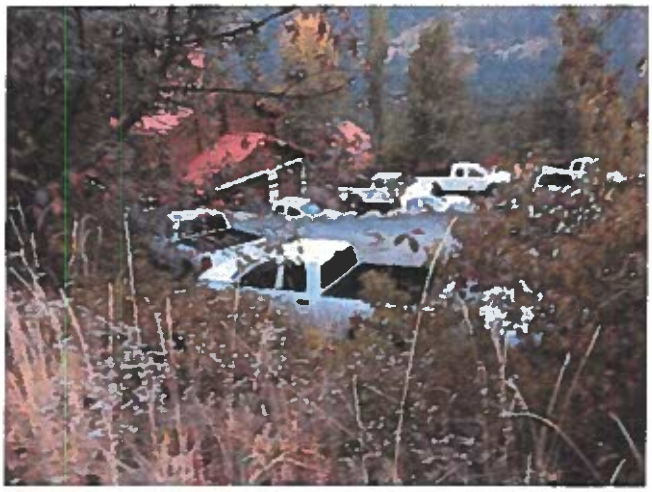
I live on Dempsey Road, 1217, and share a property line with the "Red Roof Lodge."

Garbage in the street, cars blocking my driveway,
and blocking the actual Dempsey Road,
people walking around on my property,
illegal fireworks in July, noisy parties.... terrible.

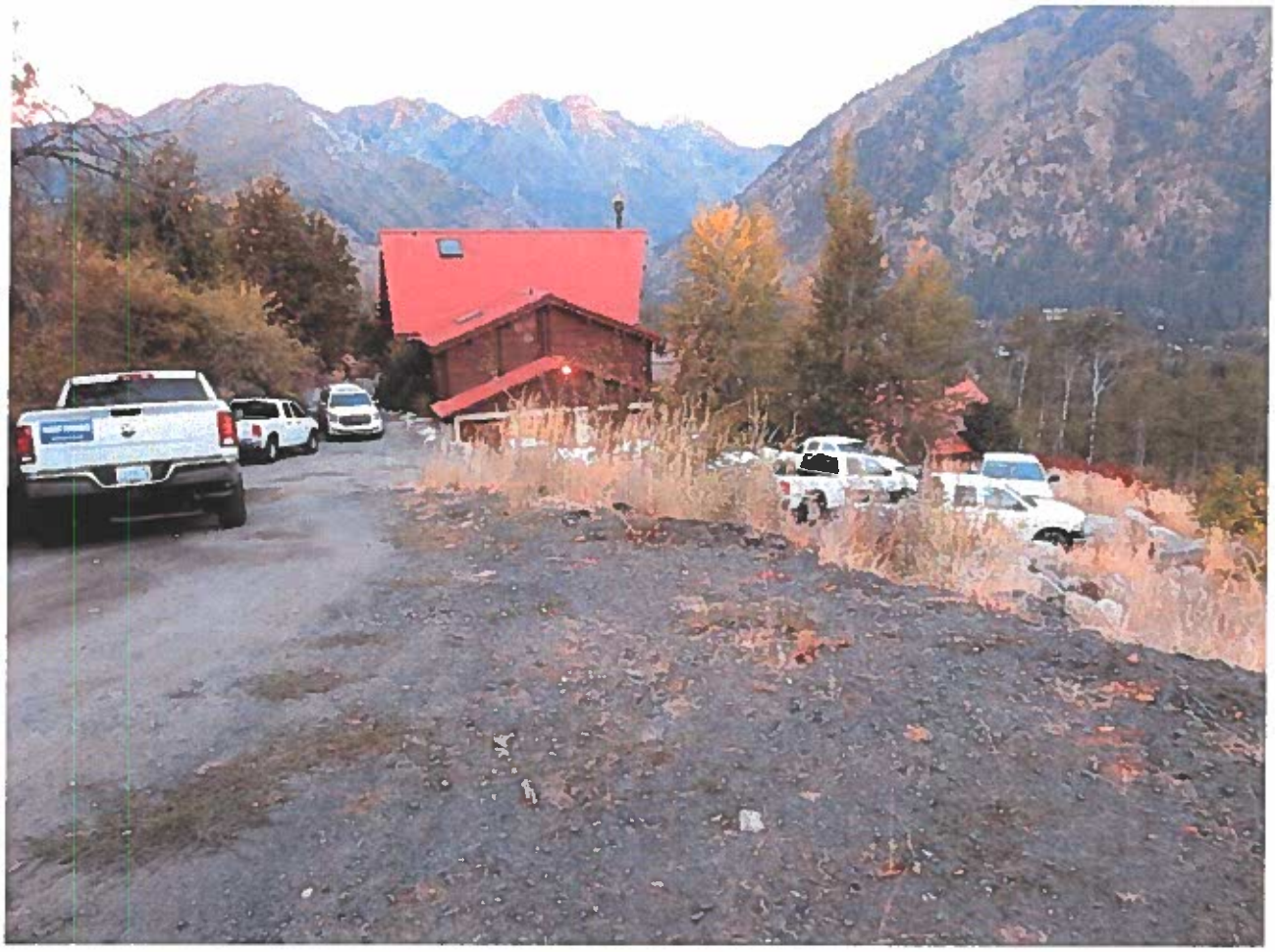
My well is adjacent, and goes dry when so many nightly renters flush, shower and run the 80,000 gallon infinity pool.
OWNER ABSENT!!!

Here are a couple recent photos of this "in my face" rental on a typical weekend.

view west from my front yard:



View looking south from Dempsey Road.
My house out of picture directly to left.





PLEASE HELP ME.....
DAVE DAILEY

Wendy Lane

From: Glenn Trusty via Alignable <invitations@alignable.com>
Sent: Thursday, June 10, 2021 1:07 PM
To: CD STRComment
Subject: Referral

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

Hi,

It's Glenn from Dr Roof Inc in Seaside.

I'd like to be able to refer customers to you, so I've added you to my network on Alignable, a site exclusively for business owners to network with each other.

Accept my invitation

(Note: this invite expires in 24 hours)

If you no longer wish to receive these type of emails, you can unsubscribe

Alignable PO Box 1666
North Falmouth MA 02556

Wendy Lane

From: Emily Flory <egflory@gmail.com>
Sent: Thursday, June 10, 2021 11:10 AM
To: CD STRComment
Subject: FIG Support
Attachments: June public comments template supporters of FIG.docx

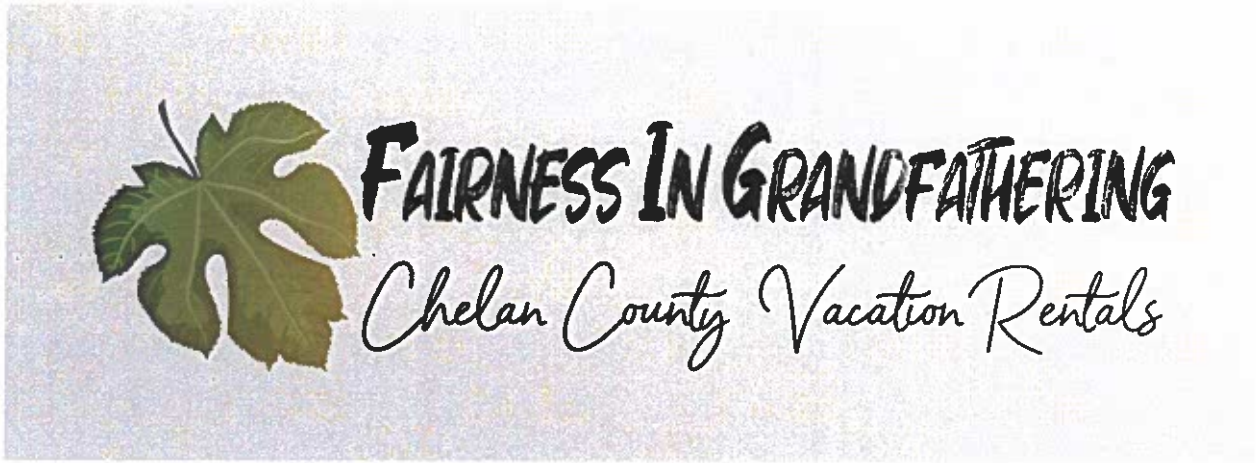
External Email Warning! This email originated from outside of Chelan County.

Hello,

Attached are my comments regarding the draft of the short-term rental code.

Thank you for your time and consideration,

Emily Flory



Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I am someone who loves Chelan county and enjoys spending time away from the city in this part of Washington. Short term rentals allow me to visit and enjoy this beautiful area while still experiencing privacy and affordability, in spaces I feel much more comfortable in compared to a hotel. The idea of no longer having access to these thoughtfully and carefully curated short term rentals is heartbreaking. As someone with a dog, theses short term rentals allow my entire family to spend quality and relaxing time together without the stress of others around. It seems that this code would cause unfair stress and hardship to the owners of these properties and would make it harder and less likely for folks like myself to visit the area. I hope you will consider the below solutions.

The solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,

Emily Flory


Fairness In Grandfathering
Chelan County Vacation Rentals

Wendy Lane

From: Nikki McCall <nicolejsuhr@gmail.com>
Sent: Thursday, June 10, 2021 11:05 AM
To: CD STRComment
Subject: A Plea to consider

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

My story:

After a horrendous year that involved mental health struggles and losing a job due to COVID, we somehow found a way by pooling our savings and family support to buy our first home in Chelan County. We found our home and were in the process of closing prior to the 8/25 moratorium with the intent to STR. Throughout the whole process we were reassured that there was no permitting process, so we were ok to proceed. The communication from the county during this timeframe was extremely poor and was a disservice to those in the creation process. In addition, during this timeframe there was no mention that operating proof would ever be required. We have made a concerted effort to fill the space with local business maker goods as it is of the upmost importance to us to lift up small businesses. We volunteer in the community, and we have a great relationship with our neighbor. We are not the problem.

Rationale:

- All of us through our actions, plans and commitments, have expressed our desire and intent, and irreversibly set into motion, the creation of our short-term rentals, prior to the August 25, 2020 adoption of Resolution 2020-86.
- Per the Moratorium 2020-86 "Proof of complete compliance with Chapter 64.37 RCW" would be the only required documentation to show that taxes and insurance (if required) were paid in full.
- Per RCW 90.58.590 (iv) state law authorizing moratoria outlines specific criteria which must be met in order for a moratorium to be considered legal.
    - *(iv) Provide that all lawfully existing uses, structures, or other development shall continue to be deemed lawful conforming uses and may continue to be maintained, repaired, and redeveloped, so long as the use is not expanded, under the terms of the land use and shoreline rules and regulations in place at the time of the moratorium.*
- Granting grandfathering for those in this position will greatly reduce future litigation. Washington courts have long held that homeowners have the right to rent their homes, and that the rental of a home for less than a month is no different than renting a home for more than a month. The Court in Ross v. Bennett, 148 Wn. App. 40 (2008), expressly held that an owner's use of property as a residence, long-term rental, or short-term rental are identical. Our belief is that STRs have always been de-facto legal.

Sincerely

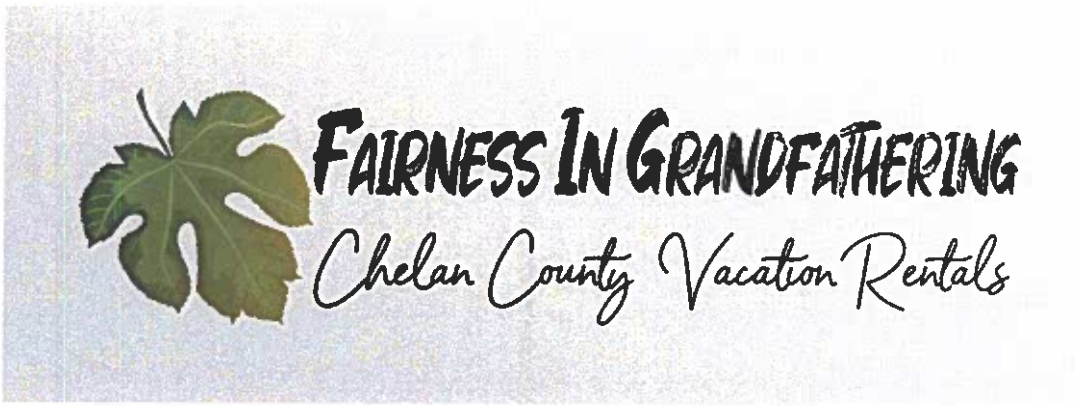
- *Nikki and Jess McCall*



Wendy Lane

From: Bobby Wright <rrwright3@gmail.com>
Sent: Thursday, June 10, 2021 10:52 AM
To: CD STRComment
Subject: Fairness in Grandfathering - Plain

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



Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering.

Our solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

My story:

My wife and I love the Plain area and had been looking for a vacation cabin for the last five years. We were under contract multiple times but each time fell through for various issues we found during inspection on those places. We finally found the perfect cabin in late July of last year but it was higher in price than we had anticipated. In order to be able to afford it we had planned on renting it out when we were not using it. We spend about two weeks of every month up there. It was also very important to us to be a good neighbor to everyone around us so while interviewing managers of the property our requirement was that the manager lived locally (within 15 minutes) to address any and all concerns. We also approached every neighbor on our street and gave them our contact information so they could contact us or our manager if there was ever ANY issues.

We made our offer in July for the new cabin but got delayed because of covid in getting an inspector out there. We signed a management contract with our new property manager around 8/20 and were headed for a close by 9/1. When the moratorium came down without notice, we were completely stuck. If we backed out at this point, we would lose our savings of $50k we had put down in earnest money.

We are pleading with all the commissioners to please take up the case of us and everyone else that had already chosen to make their property an STR before the moratorium hit. Per the moratorium we had already created these properties as STRs and would like the same grandfathering as the rest of the "operating STRs" the code already calls for.

Rationale:

- All of us through our actions, plans and commitments, have expressed our desire and intent, and irreversibly set into motion, the creation of our short-term rentals, prior to the August 25, 2020 adoption of Resolution 2020-86.
- Per the Moratorium 2020-86 "Proof of complete compliance with Chapter 64.37 RCW" would be the only required documentation to show that taxes and insurance (if required) were paid in full.
- Per RCW 90.58.590 (iv) state law authorizing moratoria outlines specific criteria which must be met in order for a moratorium to be considered legal.
    - *(iv) Provide that all lawfully existing uses, structures, or other development shall continue to be deemed lawful conforming uses and may continue to be maintained, repaired, and redeveloped, so long as the use is not expanded, under the terms of the land use and shoreline rules and regulations in place at the time of the moratorium.*
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Sincerely

Bobby

Wendy Lane

From: Tayler Delzell Vance <taylerdelzell@gmail.com>
Sent: Thursday, June 10, 2021 10:31 AM
To: CD STRComment
Subject: STR Comments

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short-term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

I recently stayed at a VRBO in Chelan County and befriended the owners. When I mentioned my family and I would definitely be back to stay again, we were made aware of the proposed STR code. As someone who is passionate about entrepreneurship and specifically women-owned businesses – your code could ruin someone's hard work, success and livelihood in a matter of minutes.

How can you punish someone who acted in good faith to bring money and tourism into Chelan County?

The solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely,
Tayler Delzell

Wendy Lane

From: Jenny Lundquist <jennymarie.lundquist@gmail.com>
Sent: Thursday, June 10, 2021 10:30 AM
To: CD STRComment
Subject: Public Comment- Chelan County Home Vacation rentals
Attachments: June public comments_supporters of FIG.docx

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

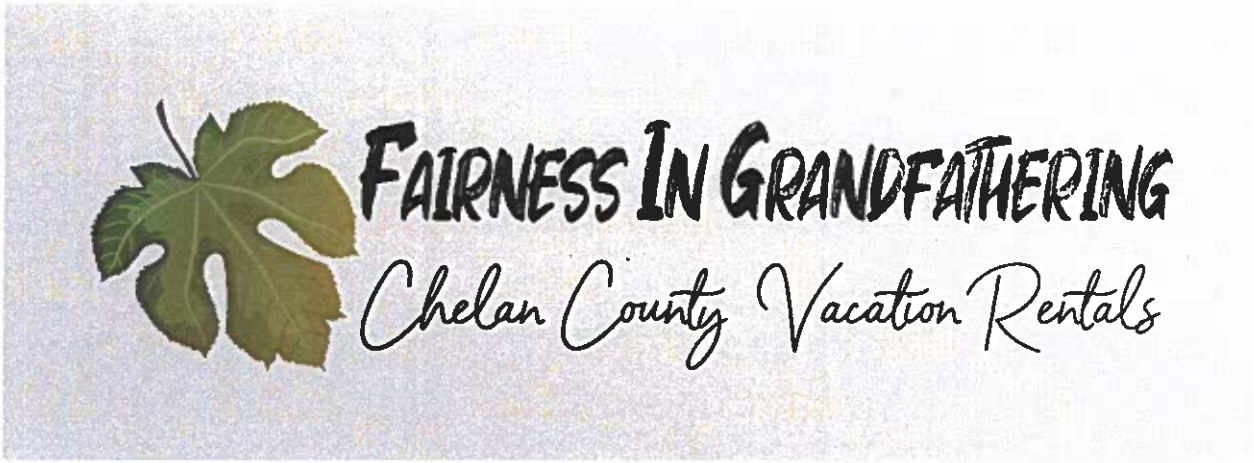
Dear Commissioners,
I hope you are well and enjoying your summers!

Please see my attached plea for the protection of the Chelan County vacation rentals.

I sincerely hope that each and every one of you reads this and others like it and truly thinks of all the people you will affect with this change.

I'm hopeful that you will see the importance of keeping this vibrant community open to vacation renters like me and my family.

Thank you for your time and consideration.
Jenny Greenwood



Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?

I don't own property in Chelan County or even the state of Washington. I do, however, have many family members and friends in the Seattle area that travel to Chelan County a few times a year to recharge away from the city. My family in particular, tries to get to that area 1-2 times a year. When we do travel, we have a large group because it's our one time throughout the year that we get to all be together. We love your community, and we love to experience it as a total family.

We always do home rentals when we come to this area and have always had amazing experiences and loved every place we've stayed. It makes vacationing with a family so much easier and allows us to spend more time in your community than we would be able to at a higher price hotel.

I'm very concerned about the local economy if this bill should pass. This has been a very tough year for everyone with small businesses being hit especially hard. I don't think that anyone in an elected position should be pushing to hurt any of these businesses and families.

I ask you to please think of families like mine when deciding whether or not to pass this bill. There are great people/families who are both renting to families like mine as well as renting and spending time in your community. We would hate to have to move our family vacations elsewhere to communities that promote small businesses and easier ways for large families to vacation.

Thank you for your time and attention to this. I know that many of you have families and friends that you love to spend time with. I hope you'll think of those personal vacations when deciding whether or not to displace my family vacations and traditions.

The solution:

- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Sincerely

Jenny Greenwood

FAIRNESS IN GRANDFATHERING
Chelan County Vacation Rentals

Wendy Lane

From: Danielle Yocom <danielleyocom@gmail.com>
Sent: Thursday, June 10, 2021 10:19 AM
To: CD STRComment
Subject: Fairness in grandfathering

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

Dear Commissioners:
Thank you for the opportunity to publicly submit comments on the proposed STR code.
I am an advocate for short term rental operators in Chelan County and specifically want to lend support to those owners who may be shut down unfairly if the draft code were to pass in its current form. These owners acted in good faith and began the creation process for their rentals before the 8/25 moratorium came into effect. The code as written seeks to retroactively redefine the terms of the moratorium adding new conditions to what constitutes compliance.

Who am I?
My name is Danielle Yocom and I am a local Washingtonian, and regular visitor of Chelan County for vacation and to visit friends. I love going out to stay in different areas and supporting local individuals as well as businesses but it saddens me to see proposed restrictions on short term rentals. Short term rentals are such an integral part of supporting the community as well as providing authentic opportunities for visitors like myself to also connect with the community and get to know local people. Through my stays with local individuals and STRs I have gained friends and learned so much more about places I have stayed that I otherwise would not have gotten the opportunity to. Closing this off, especially to people existing or just getting started by the 8/25/2020 date is not fair to those individuals that did everything right, stunts growth of local businesses, and only leaves a scar on the community.

The solution:
- Include grandfathering for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
- Eliminate any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).

Thank you,
Danielle



Wendy Lane

From: Kelly Woznicki <kellywoz@gmail.com>
Sent: Thursday, June 10, 2021 9:28 AM
To: CD STRComment
Subject: Grandfathering considerations

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

Dear Commissioners:

Thank you for the opportunity to publicly submit comments on the proposed STR code.

Our ask:

We are part of a small group of individuals that require additional attention and representation in this draft process to ensure fairness in grandfathering.

Our solution:

-
- Include grandfathering
- for those that can demonstrate they were in the process of creating their STR prior to 8/25/2020. (This can include but is not limited to discussions showing intent to purchase an STR, securing financing, pending sales, building permits, etc.)
-
-
- Eliminate
- any language in 6/1 code draft section 2 F (i) that seeks to retroactively broaden the scope of Resolution 2020-86 (moratorium).
-

My story:

We purchased land outside of Chelan, zoned RR20 in June of 2019. This land had been on the market for over 365 days, probably because it is expensive to build in our area. There are 20 lots in our HOA, but only 7 homes (including ours). We took this risk because we knew we had the option to rent the home to help offset the costs. We would not have done any of this if we didn't know we had the option to rent our home as an STR.

As we got into the process, throughout late 2019, we learned that we would need a 500 foot well and a pressurized septic system (both expensive). In addition, due to rising lumber costs and rising construction costs in the area, especially for excavation, we made the decision early on in our build that we would rent our home as an STR to help offset the costs. We have written proof of this intention between mid 2019 - mid 2020, including conversations with our real estate agent, an accountant, and property managers. We started construction in May 2020, and we finished in December.

We care about our community. We helped pull our neighbors out of the snow in the winter. We've used our skid steer to help clean up the firebreak road for our neighbors' lots. We've invested our time, energy, and money in this community because we love it here, and we ask that you please include us in grandfathering.

Rationale:

-

- All of us
- through our actions, plans and commitments, have expressed our desire and intent, and irreversibly set into motion, the creation of our short-term rentals, prior to the August 25, 2020 adoption of Resolution
- 2020-86.
-
-
- Per the Moratorium
- 2020-86 "Proof of complete compliance with Chapter 64.37 RCW" would be the only required documentation to show that taxes and insurance (if required) were paid in full.
-
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- Per RCW 90.58.590
- (iv) state law authorizing moratoria outlines specific criteria which must be met in order for a moratorium to be considered legal.
-

    -
    - *(iv)*
    - *Provide that all lawfully existing uses, structures, or other development shall continue to be deemed lawful conforming uses and may continue to be maintained, repaired, and redeveloped, so long as the use is not expanded, under the terms of the land use and*
    - *shoreline rules and regulations in place at the time of the moratorium.*
    -

-
- Granting
- grandfathering for those in this position will greatly reduce future litigation. Washington courts have long held that homeowners have the right to rent their homes, and that the rental of a home for less than a month is no different than renting a home for
- more than a month. The Court in Ross v. Bennett, 148 Wn. App. 40 (2008), expressly held that an owner's use of property as a residence, long-term rental, or short-term rental are identical. Our belief is that STRs have always been de-facto legal.
-

Sincerely

Kelly Woznicki

Wendy Lane

From: Kirvil Skinnarland <runofchelancnty@gmail.com>
Sent: Thursday, June 10, 2021 9:08 AM
To: CD STRComment
Cc: Jim Brown
Subject: RUN comments on draft STR code

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

Dear Commissioners:

While we support the Task Force recommendations, there are still some important changes that need to be made to ensure the ordinance is clear to applicants requesting permits as well as internally consistent. In making your decisions, we urge you to give higher priority to protection of County residents and communities than to the protection of STR investors, the vast majority of whom do not live in Chelan County. We have provided you with credible evidence that full time residents are much more important to the local economy than transient visitors. We also have provided a thoroughly researched paper on the harms that excess short term rentals, especially those in residential neighborhoods, cause to communities. As we have said repeatedly, this form of lodging needs to be in commercial zoning.

Here are the specific changes we request:

1. Occupancy—Building Permit (line 360) – Please add a requirement that the number of bedrooms must not exceed the number in the approved building permit as well as septic permit. This is not a change to existing regulations or a new requirement, it is just making it clear to applicants that they must have legally approved bedrooms.

a. **Line 367**--RUN strongly opposes exceeding the standard bedroom limits per approved septic design. The STR group's request to increase occupancy based on water saving measures is completely outside of established health department mandates. It would be impossible to enforce and easy to manipulate, to the detriment of the environment and neighbors. We will work with Jim Brown to ensure that the ordinance is consistent with the Chelan Douglas regulations regarding septic systems.

b. RUN requests that the code be clarified that all occupancy standards are to be implemented with immediate effect. As it stands, the bedroom limit (Line 365) is enforced immediately but the timeline for occupancy PER bedroom (Line 372) is not specified. This is clearly not the intent of the code as this renders the immediate nature of the bedroom limit per septic useless. We recommend adding a new provision to 3Bii:

"All short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period. "

c. Daytime and night time hours are not defined. This will make enforcement very difficult.

2. Provisions to Exceed Daytime Occupancy (Line 390) – We are very troubled by the language that allows Tier 1 and Tier 2 to exceed daytime occupancy. Only Tier 3 STRs should be allowed to obtain a CUP to operate an event venue. Tier 1 and Tier 2 are located within residential neighborhoods on smaller lots. Noise will be a problem.

We suggest that the language in this section of the zoning code--11.93.315 Places of public and private assembly—be modified to prohibit this use for Tier 1 and Tier 2 short term rentals on lots smaller than 5 acres. Such venues must also be accessed by a functionally classified highways, not through residential streets.

3. Noise (line 440) –The County's noise ordinance is too general and difficult to enforce. Enforcement staff need a clear standard so that noise from STRs does not bother neighbors. Please add the following language:

> *In addition to the noise standards identified in chapter 11. 96 of the code, no radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any unit used for short term vacation rental. Any machine, device or equipment that amplifies music inside any short-term vacation rental shall not be heard beyond the property line of the short-term vacation rental at all times.*

4. Shared Infrastructure – All owners who share wells, septic systems, private driveways, and/or private roads must demonstrate that they have received written concurrence from their co-owners to convert a residential structure to a commercial use. Commercial use almost always involves an increase in the intensity of traffic, water use, and septic demand. Co-owners must have a right to concur with a change in use of a neighboring property to a commercial use because the capacity of the shared infrastructure is limited.

5. Planned Unit Development Exemption from Density Cap (Line 196) – Our understanding of the Task Force agreement was that the exemption for short term rentals in PUDs (from the density cap) was meant to apply only to those approved prior to the date of the STR ordinance adoption. All future Planned Unit Developments must be required to meet all the provisions of this ordinance if they plan to include short term rentals, including the density cap, e.g., 6%. According to the existing County Code, Planned Unit Developments must demonstrate a public benefit such as open space or affordable housing. Short term rentals in residential zones are not a public benefit and there should be no exception to the requirement for this type of development to avoid the density limits that are intended to protect residential areas.

There is no minimum lot size for a PUD so such development could occur inside or adjacent to existing residential neighborhoods. Access could be through residential streets. PUDs offer the potential to provide a mix of housing types including long term rentals and more affordable housing. Developers should not be allowed to skirt the goal of limiting STRs in residential zoning through the tool of a PUD overlay.

6. Calculation and Application of Density Caps: We believe that the additional restrictions recently added in 11.88.290(2)(B)(ii)(d) on the calculation of the maximum share of short-term rentals within the Manson 98831 zip code are inconsistent with what is presented in the final Task Force Report. This new language has the net effect of putting a 7.6 percent cap on short-term rentals in the 99831 zip code, which is above the six percent cap stated for all zip codes in the final Task Force report (where no exceptions were specified). The consequence of this would be that the regulations as currently proposed would allow even more short-term rentals to be added to the Manson area, where short-term rentals already comprise 11.2 percent of the total housing stock. We are communicating with Jim Brown to try to get this issue resolved.

The following changes are of an administrative nature but are important to residents:

A. The permitting system for STRs must be accessible and transparent to the public. Neighbors should not have to submit FOIA requests in order to view an application or a permit for a STR. In addition, we recommend the implementation of an online tool or system to assist the County in measuring and managing legal STRs.

B. The burden must be on the owner, not Community Development staff, to provide proof of payments of taxes for established STRs seeking to received legal non-conforming status. If an owner cannot provide proof, they should not be grandfathered.

C. Any short term rental still using a septic system which is located adjacent to a stream, river or lake must connect to a sewer system if such system is available

D. Applicants for STR permits must be required to disclose all the names of the owners. This is especially important for LLCs, corporations, partnerships, and trusts. Without this information, it will be impossible to determine whether properties are being transferred in violation of the ordinance.

E. Enforcement must be a priority for the County to ensure that all the effort that went into the ordinance won't be for naught. Meaningful fines for those who do not comply must be established and County officers must be available to respond to nuisance calls outside of the normal business hours of Monday-Friday.

Thank you for the opportunity to provide comments. We hope you will follow the purpose statements listed in the beginning of the ordinance and provide strong protection to residential neighborhoods.

Sincerely,

Board, Residents United for Neighbors

Jerry Jennings, Matthew Carlisle, Plain; George Wilson, Lake Wenatchee; Cherie Warren, Eagle Creek; Steve Stroud, Fox Rd; Kirvil Skinnarland, Bruce Williams, Pat Thirlby, Barbara Rossing, Mara Bohman, Bob Fallon, Leavenworth; Stan Winters, Peshastin; Mike Cochran, Chelan; Brian Patterson, Manson.

Wendy Lane

From: Jim Brown
Sent: Thursday, June 10, 2021 8:24 AM
To: Bodi Misenar; Tiffany Gering
Cc: CD STRComment
Subject: RE: STR Draft Code - minor but important revision

Dear Mr. Misenar

I have forwarded you comment letter to the appropriate email box so that all county commissioners may view it.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225 Jim.Brown@co.chelan.wa.us

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-----Original Message-----
From: Bodi Misenar <bodimisenar@comcast.net>
Sent: Saturday, June 5, 2021 8:59 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>
Subject: STR Draft Code - minor but important revision

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

Hello.

My name is Robert (Bodi) Misenar. My wife and I own the property at 102 S. Harris and 124 Wapato Way in the Pedoi/Harris Traingle of Manson Commercial Downtown zone sandwiched between the lake/marina and the main road with all of the businesses/restaraunts/wineries, etc.

We put an offer in on the 102 S. Harris home that was under contract by the end of July last year. The property was marketed to us as a commercial property that would be one of the few areas where STR's would not be affected as it is zoned Commercial.

The argument repeatedly throughout the process of drafting the new STR rules and regulations for Chelan County has always been "Short Term Rentals ARE a commercial business" and should be kept out of residential areas. This has been a very strong reoccurring drum beat from the very beginning. When we first purchased the property the intent wasn't to tear down the existing home at 102 S. Harris but to remodel and use as a second home supplemented occasionally as needed by STR income since this was going to be available to us as an option. As we dug further and further into the structure of the existing home after closing we found there was truly no saving it. Without going into details, everything needed to be taken out and replaced/modified at which point it made more sense to remove and replace.

As we have moved through this process in a difficult year that we have all experienced the costs have risen dramatically. Initially we saw ourselves living in Manson a good part of the year and actually enjoy the winters there. As costs have risen dramatically it has become more apparent that utilizing the home as an income producing property is going to be necessary. We have the option to rent 30 day + rentals that would not be subject to the STR code limitations but I strongly believe this is doing the community a dis-service.

The Pedoi/Harris Triangle zoned CD is very unique in many ways. It is ideally located between the Marina/Lake Chelan and the commercial strip of restaurants, wineries and shops that bring most people/tourists to the area. The existing neighborhood is almost completely owned by individuals and entities that DO NOT live in the homes full time and the homes sit vacant most of the year...nearly all of them. My wife and I experience this first hand this year. We spent most of the year to date since January cleaning up and remodeling the home at 124 Wapato Way while we planned and started construction on the new home at 102 S. Harris. In all of the time we were there on our many walks daily, there was almost nobody in any of the homes, nearly all vacant.

If any area lends itself perfectly to a specified use I believe and I think most would have to agree the Commercial Downtown zone specifically the Pedoi/Harris triangle to Wapato Way is ideal for STR to allow for the much needed housing for tourism that is in such short supply in the area. This will not affect the residential zones keeping the STR's in a commercial zone as they are a "commercial business".

The current draft code does not put a cap on STR's in the CD zone which makes excellent sense for the comments noted above. The only aspect of the draft code that does not make sense, perhaps an oversight because this is such a small and unique area is the requirement of Tier 1 and 2 STR's to be "accessory use". We strongly believe there should not be any restrictions on the use of homes in this area as Tier 1 or 2 STR's. Currently only Tier 3 are permitted. If you take a moment and look at the makeup of this area it is very clear, the lots are very small and narrow. The existing homes are all far to small to ever allow for a tier 3 STR on almost any of the lots. There is not nearly enough room for parking for Tier 3 in the area, most of the homes/yards are right out to the right of way or alley. Tier 1 or 2 are really the only option with Tier 2 being the most viable one in most cases due to the nature of the current development and potential for future development. There is a gigantic missed opportunity to provide the housing for tourism needed in this ideally located area if these minor modifications are not made to the current draft code. As stated previously there are almost no current full time owners/residents of any homes in this area, they are already used as personal vacation homes or STR's legally or otherwise or just for friends and family. There is not a population of current residents that would be displaced or affected.

We would like to offer our home as an STR tier 2 in the future to help recoup some of the added costs to build in this current environment. Also, we believe this is the right area, of all areas in and around Lake Chelan to have STR's and help keep them out of residential zones where people do reside in their homes year round. The area around the businesses, bars and restaurants is where lodging is typically offered in all towns and cities but due to the current make up and development the small lots are going to make it nearly impossible to transition to allow lodging to any degree above what is existing. STR's will help provide that much needed transition and bring additional patrons to all of the businesses without affecting the quality of life in the surrounding residential zones. This is a win/win for everyone.

We are asking that the current draft code simply be modified for Tier 1,2 in the Commercial Downtown Zone of the Manson UGA from Accessory use to Permitted use.

Thank you for your time and all of your efforts in this sensitive matter.

Robert and Holly Misenar

253-261-0490

Wendy Lane

From: Jeff Berman <jwberman09@gmail.com>
Sent: Wednesday, June 9, 2021 10:05 PM
To: CD STRComment
Subject: Comments/Questions on Draft STR Code

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

Hello,
I have a few comments/requests for clarification on the draft STR code with the file name "DRAFT_STR_TF_Integration_2021_0607_NOTES_BOCC_CLEAN thru 0607.pdf". They all have to do with STRs in Planned Unit Developments (PUDs) or Master Planned Resorts (MPRs).

1. Will new STRs in PUDs or MPRs be categorized as Tier 2? Figure 1 indicates that all Tier 2 and 3 STRs in PUDs and MPRs will actually be Tier 1. I'm not sure this is what is intended but this is the way the figure reads. If they are Tier 1 does that mean the Tier 2 regulations largely do not apply?
2. Will new STRs in PUDs or MPRs be subject to the minimum acreage in 11.88.290 Section 2.D.i?
3. Will new STRs in PUDs or MPRs be subject to the 200ft spacing from existing STR structures in 11.88.290 Section 2.D.ii?
4. What "structures" count in the 200 ft spacing requirement? Does this include detached garages and other non-dwelling units?
5. The draft code makes clear that the Tier 2 cap does not apply to STRs in PUDs or MPRs. However, it is not clear if they are counted when computing the percentage of STRs in a zip code.

Thank you for considering the clarification of these questions.

Jeff Berman
Professor
University of Washington

Wendy Lane

From: Jim Brown
Sent: Wednesday, June 9, 2021 1:53 PM
To: Brian Patterson
Cc: CD STRComment
Subject: RE: Draft STR Regulation Language Question

HI Brian-

I understand your concern but this actually is, in my view, consistent with the intent of the task force. The task force did not remove the future creation of subareas within zip codes. It is the same issue. If a sub-area is created at say, Plain, it will mean more STRs can go there than be held up by the density cap of Leavenworth, which is in the same zip code. Same issue, just applied to UGAs. And those even have their own limitations, so they are "different" in some regards already.

I appreciate the language suggestion, and will consider the edits for possible board consideration.

Sincerely-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Brian Patterson <bcpatters@yahoo.com>
Sent: Wednesday, June 9, 2021 10:29 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: CD STRComment <CD.STRComment@CO.CHELAN.WA.US>
Subject: Re: Draft STR Regulation Language Question

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

Hi Jim,

If this is your intention, then I will start by suggesting the following language:

(d) Share calculations for assessing the 98831 (Manson) and 98847 (Peshastin) maximum share of short-term rentals for zip codes in (B)(2)(a) of this section will be based on the areas outside the Manson or Peshastin Urban Growth Areas, but within those respective zip codes. These share calculations are independent of those made to assess the Urban Growth Area maximum share of short-term rentals.

However, I will also express my opinion that this approach is both inconsistent with what is in the Task Force final report as well as being counterproductive to the goal of reducing the density of STRs in the Manson housing market, as it will allow new STRs to be added to that market as soon as the regulations become effective. Adding STRs to an area where they already account for 11.2% of the housing stock does not seem to fit with the goals of these regulations.

Please see the attached document for a summary of what my opinion is based upon.

Since I'm getting into my opinion, I'm cc:'ing the STR comment email address as well.

Thanks for your quick response and taking the time to consider these comments,

Brian

On Wednesday, June 9, 2021, 9:39:38 AM PDT, Jim Brown <jim.brown@co.chelan.wa.us> wrote:

HI Brian-

It is so the county UGAs and county "other" areas do not affect each other's individual caps (share). So if The Manson Zip code is at the 3%, but the Manson UGA is at the full 9%, that 9% is not charged against the remaining open cap to get up to 6% in the surrounding zip code. They are calculated separately.

Does that help? Do you have a suggestion on how to say it in the code better? I am open to ideas, just not changing the intent.

Jim Brown
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Chelan County Community Development
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Wenatchee, WA 98801
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-----Original Message-----
From: Brian Patterson <bcpatters@yahoo.com>
Sent: Tuesday, June 8, 2021 4:12 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: Draft STR Regulation Language Question

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

Hi Jim,

In the latest version of the STR regulation, you added subsection (d) circled below. I have to admit that I'm having a difficult time interpreting what it means, so I was hoping you could provide an explanation, using the Manson zip code (98831) as an example.

Thanks,
Brian

Wendy Lane

From: clint@nwi.net
Sent: Wednesday, June 9, 2021 10:57 AM
To: CD STRComment
Subject: Nightly Rentals

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

My name is Clint Lougheed and I live at 9260 East Leavenworth Rd., Leavenworth. The house across the street from our home has been turned into a nightly rental and has had a negative impact on the neighborhood as a result of the following: loud voices and loud vehicles, partying, increased traffic with 3-5 cars coming and going and parked in the small driveway and barking dogs. Last week I called the Sheriff's Dept. late at night due to loud voices and music and early this morning a large dog in the yard was barking incessantly. This is a residential neighborhood of mostly retirees who are quiet and respect their neighbors. This is no place for a nightly rental with new occupants every 2-3 days. Nightly rentals like the one near our home are having a significant negative impact on the Leavenworth area and need to be limited in their numbers, not allowed in established residential areas and the owners(especially absentee) need to be held accountable when they rent to unruly guests. Thank you for accepting my comments.

Clint Lougheed

Wendy Lane

From: Brian Patterson <bcpatters@yahoo.com>
Sent: Wednesday, June 9, 2021 10:29 AM
To: Jim Brown
Cc: CD STRComment
Subject: Re: Draft STR Regulation Language Question
Attachments: Task Force STR Cap Recommendations.docx

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

Hi Jim,

If this is your intention, then I will start by suggesting the following language:

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However, I will also express my opinion that this approach is both inconsistent with what is in the Task Force final report as well as being counterproductive to the goal of reducing the density of STRs in the Manson housing market, as it will allow new STRs to be added to that market as soon as the regulations become effective. Adding STRs to an area where they already account for 11.2% of the housing stock does not seem to fit with the goals of these regulations.

Please see the attached document for a summary of what my opinion is based upon.

Since I'm getting into my opinion, I'm cc:'ing the STR comment email address as well.

Thanks for your quick response and taking the time to consider these comments,

Brian

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It is so the county UGAs and county "other" areas do not affect each other's individual caps (share). So if The Manson Zip code is at the 3%, but the Manson UGA is at the full 9%, that 9% is not charged against the remaining open cap to get up to 6% in the surrounding zip code. They are calculated separately.

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Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
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Sent: Tuesday, June 8, 2021 4:12 PM
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Subject: Draft STR Regulation Language Question

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Hi Jim,

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Thanks,
Brian

Task Force STR Cap Recommendations

The STR Task Force made the following recommendations concerning the "cap" on STRs as a percentage of the total housing stock within a given area:

What should be the "cap" on the number or percentage of rentals within a given area?	▪ Individual Zip Codes, unless specified: 6% ▪ UGAs, unless specified: 6% o Manson UGA: 9% ▪ Other sub-areas <u>if created</u>, including within 98826 sub-areas: 6% ▪ Master Planned Resorts and Planned Unit Developments with notes on face of plat excluded.

It is assumed that each of the four bullet points are applicable as part of the outcome of the Task Force process.

In the first bullet point, it is stated that the cap in each zip code will be six percent, unless otherwise specified. It is reasonable to assume that if an exception is to be specified, it would be done so explicitly by the Task Force within this bullet point, since handing this decision over to Chelan County Community Development (CCCD) or the Board of County Commissioners (BOCC) would negate the intent and usefulness of the Task Force.[1] Below the bullet point, no exceptions to this requirement are specified (as is done under the second bullet point); therefore, it is concluded that the six percent cap applies to all zip codes.

In the second bullet, it is stated that the cap in each UGA will be six percent, unless otherwise specified. In this case, one exception is specified: the cap for the Manson UGA will be nine percent. This does not conflict with the first bullet.

In the third bullet, it is indicated that if sub-areas are created, each sub-area will have a cap of six percent (and the 98826 zip code is provided as an example, which has indeed been subdivided in the current draft STR regulation). In the case of the three subareas specified for the 98826 zip code, each is given a six percent cap, meaning that the entire 98826 zip code also has a six percent cap. This does not conflict with the first or second bullets.

The key point here is that the report does not state that if a sub-area is created, it is allowed to conflict with any of the other bullet points. So sub-areas can be used to help evenly distribute STRs within a zip code, but there is no indication that they should be allowed to increase the total number of STRs allowed within a zip code.

[1] It is understood that CCCD or the BOCC can always propose something different from the Task Force recommendations, but this would be a process external to the Task Force recommendations.

In the fourth bullet, it is noted that Master Planned Resorts and Planned Unit Developments are excluded from the cap as long as it is noted on the face of the plat. This is just a clarification of the applicability of the STR regulations and does not conflict with any of the other bullet points.

In the case of the 98831 zip code (Manson), it has been suggested by the CCCD that there should be a nine percent cap within the Manson UGA and a six percent cap on all areas outside of the UGA, but within the 98831 zip code. BERK Consulting has estimated that there are about 1,350 dwelling units withing the Manson UGA and about 2,519 single family dwelling units within all of the 98831 zip code (which includes the Manson UGA), implying that there are approximately 1,169 dwelling units outside the UGA, but within the 98831 zip code.

Creating the caps for the 98831 zip code as suggested by the CCCD would create a 7.6 percent cap on the entire 98831 zip code based on the current housing stock. This would not be compliant with the first bullet point in the Task Force recommendations provided above.

Placing the nine percent cap on the Manson UGA specifies where the majority of the STRs within the 98831 zip code would go, but it should have no impact on how many STRs in total are allowed in the 98831 zip code. The following table summarizes the practical outcome on limiting the number of Tier 2 and Tier 3 STRs outside of the UGA, but within the 98831 zip code, based on both the Task Force zip code cap and the new CCCD proposed method (the cap inside the UGA is the same in either case).

Cap Method	STR cap outside UGA	STRs Currently Outside UGA *
Task Force Recommendation (9% for UGA, 6% for 98831)	30 STRs	63 STRs
CCCD Proposal (9% for UGA, 6% outside UGA)	70 STRs	63 STRs

** Based on data provided by BERK Consulting.*

So, if the method proposed by the CCCD were to be implemented, not only is it not compliant with the Task Force recommendation as presented in the final report, it would allow for the addition of new Tier 2 and/or Tier 3 STRs above the current count within a zip code that already has 11.2% of its housing stock as STRs.

Wendy Lane

From: Hernan Savastano <hernans@gmail.com>
Sent: Tuesday, June 8, 2021 11:16 PM
To: CD STRComment
Cc: Tiffany Gering; Joshua Fletcher; ZayLy Lodge; Nathalie Kirshner; Snowgrass Lodge
Subject: STR Comment on Tier 3 Grandfathering

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

Dear Commissioners and CD Director Brown,

We appreciated last night's discussion about grandfathering existing high-occupancy STRs. My wife and I own and operate one of a handful of lodges in the Leavenworth area that were specifically designed and built to accommodate groups of up to 24 overnight guests with more than sufficient parking and septic capacity. Unfortunately, the new code limit of 16 guests for Tier 3 STRs would hamstring our financial viability and effectively deny us a reasonable path to grandfathering as intended by the task force consensus.

Each of us co-signers below made significant investments in our properties and built retirement plans under the assumption that we could continue operating in good faith, having done our due diligence to follow the rules of law that were established at the time. We have been careful to screen our guests and have received no nuisance complaints from neighbors. Some of us even live on site to address any issues that might arise. We believe that strong code enforcement and escalating penalties will also help ensure that any potential issues will be minimized.

Unfortunately, we do not easily qualify as "Lodging Facilities" as suggested last night because we have 6 or fewer bedrooms. We are also not zoned rural commercial and cannot be guaranteed rezoning as such. Moreover, some of us would have to make significant additional investments like retrofitting an entire 7,000 sqft lodge with sprinklers systems in order to adhere to the lodging facility codes. Indeed, some lodges have already made specific alterations and improvements to increase guest capacity (through septic system additions, parking, etc.) with the understanding they could continue operating. If those alterations were based on capacity of certain guests, those improvements should be given some consideration.

Ultimately, we are not "lodging facilities" like hotels and motels which rent out rooms to multiple groups simultaneously. Instead, we specifically cater to one group at a time that is looking for a family home experience that in spirit is more akin to residential use.

We therefore believe it is unfair to retroactively limit the occupancy of higher-occupancy STRs like ours to 16 guests. We urge to you eliminate this arbitrary cap on existing Tier 3 STRs and instead allow our lodges to continue operating as we have historically. The burden should be placed on us to provide evidence of higher uses and guest capacities with sufficient parking and septic capacity in order to adhere to reasonable safety and operating standards.

In the end, there are only a handful of these larger lodges in Chelan County. Each one is unique and different. So for purposes of grandfathering, our unique aspects should be taken into consideration rather than a blanket cap of 16 on all. If the applicant/owner is charged with providing evidence for their historic use and there are only a handful of such lodges, the burden on the County is lessened and won't increase the use going forward since new Tier 3 STRs will be subject to the cap, This is seemingly be a win/win for everyone.

Thank you for listening.

Sincerely,

SNOWGRASS LODGE

Hernan Savastano & Angela Sucich
Snowgrass Lodge - 8787 Icicle Rd, Leavenworth

Na-Mu Lodge

Joshua Fletcher
Namu Lodge - 9630 Embroden Rd, Leavenworth

ZayLy Lodge

Taylor & Chad Baker
ZayLy Lodge - 9241 Lone Pine Orchard Rd, Leavenworth



Nathalie Kirshner
Moose River House - 9241 Lone Pine Orchard Rd, Leavenworth

Wendy Lane

From: paul zuleta <pzexperience@gmail.com>
Sent: Tuesday, June 8, 2021 9:58 PM
To: CD STRComment
Subject: STR Sewer Issues. Lake Wenatchee.

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

Hi there,

I have a property along Cedar Brae at Lake Wenatchee. On multiple occasions a neighbor has rented their house on AirB&B and the pressure sewer tank has failed. I have been woken up in the middle of the night to the overflow alarms going off. Obviously, the renters had no clue what to do and I had to call the PUD to respond in the middle of the night.

Had I not been present the sewage would have overflowed and contaminated Lake Wenatchee and Wenatchee River.

Please take immediate action to eliminate STRs on Cedar Brae where the sewer system is not designed to accommodate STRs.

Thank you,

Paul
15858 Cedar Brae

Wendy Lane

From: Leah Pappajohn <leahpappajohn@gmail.com>
Sent: Tuesday, June 8, 2021 2:20 PM
To: CD STRComment
Subject: Ponderosa STR

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

Hi, my name is Leah Pappajohn. I had an experience involving a STR close to our property in the Ponderosa that I would like to share.
My fiancé and I are wedding planning, and are encouraging our friends and family to rent STRs in our neighborhood to stay at during wedding time next year. I booked one on my own however, to have a place for a few family members who aren't very informed on how to reserve online.
Through air BNB I booked a cabin for 4 nights for approx. $1400.
A week later, the host sent me a message that he is raising the rate for next year, and that I would either need to give him over $1,000 more than our booked price, or that he would cancel the reservation.
I hoped that him being my neighbor would convince him to honor our agreed deal.
I explained that I am his neighbor from a few doors down, that my fiancé and I work full time in Leavenworth, and are building our house with our own hands in our spare time, while also training as new volunteer fire fighters in our community.
He canceled my reservation, saying that he hopes I find something more "fitting" for us.
I'm sorry, but to try to say that we don't "fit" in this community that we are working our butts off to be a solid part of was very hurtful. It seemed that money was all he was after and cared about. He didn't care anything about our community or neighborhood.
While we are working to keep the strength and safety of our community, it seemed to me that others are taking advantage and making a business off the environment we are working hard to create, while not caring to give back themselves.
I don't think all STR owners are like this. I am happy to have STRs as an option for friends and family as they visit, but I also believe there is a balance, and we have not found it yet.
Thank you,
Leah Pappajohn

Wendy Lane

From: Christopher E <EPROP99@outlook.com>
Sent: Tuesday, June 8, 2021 1:35 PM
To: CD STRComment
Subject: STR Comment

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

The proposed STR code is onerous, cumbersome and costly to implement. It creates the need to hire a new crew at Community Development at taxpayer expense. All of these new proposed regulations should be thrown out and a new, simpler version implemented:

1. A CUP permit is ridiculous for a vacation rental requirement. The Planning Dept is down to 2 planners and is 2 – 3 months behind in approving CUP's for building requirements. They are already operating very inefficiently. Why pile more on a department that can't keep up?
2. Anyone who is currently operating a vacation rental should be grandfathered prior to implementation of any new code. Just make this simple for everyone.
3. **The excuse that vacation rentals adversely affect the housing stock is an emotional appeal, not a factual one.** I will not rent any part of my home to long term renters. **Long term renters do the most damage** and cause the most trouble for homeowners and neighbors. I own numerous rental properties in other areas of this State and I see the damage every day. One of my tenants just burned down a rental house recently. I won't be compensated fully for the cost to rebuild. **Why should a homeowner even rent to any long term tenant with an eviction moratorium in place? The State legislature has made it almost impossible for a tenant to be evicted with new anti-landlord regulations taking effect now. You can blame lack of affordable rental housing on these policies along with very high property taxes.**

   Additionally, expensive homes used as vacation rentals do not impact affordable housing. Affordable starter homes are not in the million dollar range. If you want to limit the number of rentals to 6% of the housing stock, **remove any homes valued above the median home price from the affordable stock.** The small homes and condos that are in the affordable range are in higher density areas with neighbors in close proximity. It would make sense to cap short term rentals at a low percentage in these areas and use the lottery method to award the permit.
4. My home in Chelan County is on large acreage. Why even have these onerous rules for homes on 10 acres or more? This is ridiculous over reach by the County Code writers.
5. It is a violation of a homeowner's privacy to have to post their name and phone number on a streetside sign. I would never do this. It is inviting problems from criminals, pestering from realtors and salespeople. It is also a violation of one's privacy to have the County send out flyers and letters to all your neighbors. I have a bad neighbor who has been very difficult with everyday matters. It is his personality type that he has to meddle in everyone's business and try to upset all the apple carts to deprive you in any way he can. I would consider it a threat if he were involved in any say over my property or my business.
6. The County's aversion to approving ADU's has contributed to the lack of affordable housing.
7. A $500 annual fee to operate a barely profitable vacation rental which doesn't even cover the property tax bill is outrageous and unnecessary.
8. The prospect of not being able to improve one's own property if one has a non-conforming or unpermitted STR under these rules will be found unlawful in the Courts. Construction permits to remodel and improve one's property provide high paying jobs in the community. When I read this code, I feel that STR owners are being treated like criminals. It is shameful.
9. I don't think the CD folks writing the Draft Code understand the difficulty in obtaining an insurance policy protecting an STR home. Currently, the Insurance Commissioner's office is failing to provide authorization for Insurance Companies to offer such coverage. There are only 2 large carriers in the State that offer STR riders. Even so, a homeowner must have all their home, auto, umbrella with these carriers to obtain this

coverage. Homeowner's policies are very difficult to get in Chelan County due to fire hazard areas. Regulations for Insurance Companies in the State are changing June 19, 2021. You can't even get a quote for insurance right now.

10. Lastly, I don't feel the Codes being written by Community Development folks embody the intent of the team who put together the STR recommendations. What that team wrote recognizes the important contribution of STR's to the local economy. The Draft Code by CD treats STR owners like worthless criminals responsible for all the ills of society and lack of rental housing. It is punitive, onerous and difficult to understand.

THROW OUT THESE DRAFT CODES AND START OVER WITH FAIRNESS AND RESPECT FOR PRIVATE PROPERTY, PRIVACY AND HOMEOWNERS WHO DO NO HARM WITH THEIR SHORT TERM RENTALS. FORGET THE PUNITIVE MORATORIUM AND MAKE ALL RENTALS ABLE TO APPLY FOR PERMIT AT THE DATE THE NEW CODE TAKES EFFECT. REMOVE EXPENSIVE HOMES FROM THE POOL OF AFFORDABLE HOUSING AND CAPS. REMOVE ALL STR RESTRICTIONS ON HOMES WITH 10 ACRES OF LAND. REMOVE UNLAWFUL LANGUAGE ON DENYING ONE'S ABILITY TO IMPROVE THEIR EXISTING PROPERTY.

Wendy Lane

From: Rod Pfeiffer <rod.pfeiffer@gmail.com>
Sent: Tuesday, June 8, 2021 9:12 AM
To: CD STRComment
Subject: STR Comment

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

Hi, I understand the reasons why folks wish to ban STR's, but placing limits on the amount of days rented per year, or perhaps the limiting which days of the year that homes can be rented, might be a better option.

If you outlaw STR's, you will be causing hardship on folks who bought their vacation homes with the intent of renting them out part time to defray their costs, not to mention hurting our economy and tax base.

--

John Rod Pfeiffer (full time resident)
12555 Maple St
PO Box 289
Leavenworth, WA

Wendy Lane

From: Dave Dailey <d.d@frontier.com>
Sent: Monday, June 7, 2021 7:20 PM
To: P Murph; CD STRComment
Subject: short tern rentals

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

Dear Pat, please forward this to the STR Chelan email for the STR input?
My own server will not identify the address RUN sent:
cd.strcomment@co.chelan.wa.us

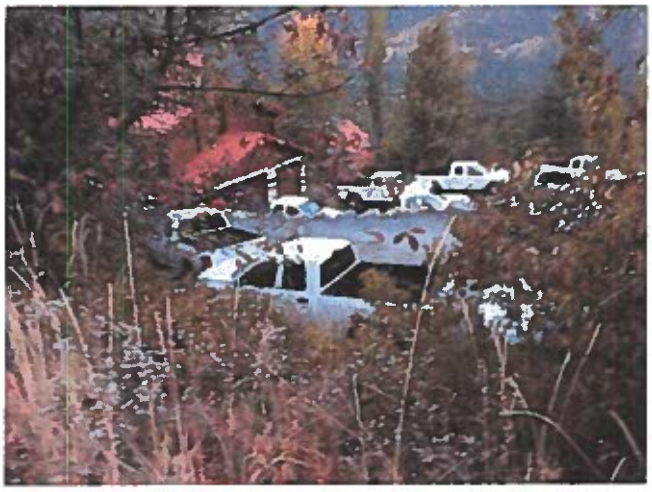
I live on Dempsey Road, 1217, and share a property line with the "Red Roof Lodge."

Garbage in the street, cars blocking my driveway,
and blocking the actual Dempsey Road,
people walking around on my property,
illegal fireworks in July, noisy parties.... terrible.

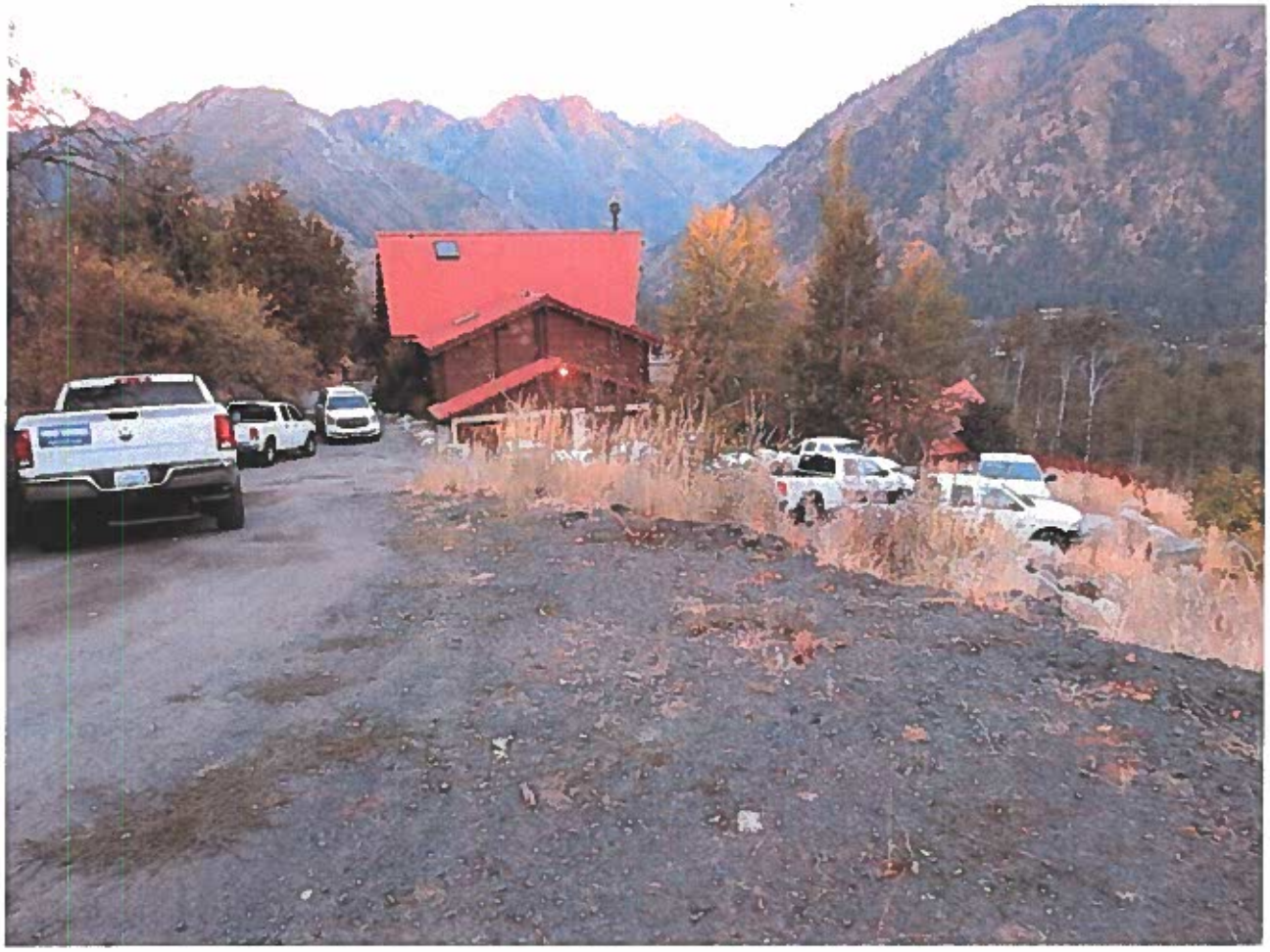
My well is adjacent, and goes dry when so many nightly renters flush, shower and run the 80,000 gallon infinity pool.
OWNER ABSENT!!!

Here are a couple recent photos of this "in my face" rental on a typical weekend.

view west from my front yard:



View looking south from Dempsey Road.
My house out of picture directly to left.





PLEASE HELP ME.....
DAVE DAILEY

Wendy Lane

From: Debora Robinett <drobinett@msn.com>
Sent: Monday, June 7, 2021 6:49 PM
To: CD STRComment
Subject: Tier 1 STR Occupancy limit variance

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

Dear Board of Commissioners, Chelan County

I wish to request that there be an occupancy variance allowed on grandfathered properties that meet all of the existing and proposed codes that can show evidence of low water usage on their STR.

I have been a Tier 1 STR since 2017, am located outside of the Manson UGA on a 140 foot waterfront lot with an occupancy of 10 (8 Adults and 2 children) in my 3-bedroom home. My property is fully reliant on Lake Chelan Reclamation for both home and property irrigation needs. Based on records from the LCR, my water usage during the rental season ranges from 212 cubic feet for March/April to a high of 1417 and 2795 cubic feet in July/August of 2019 and 2020 respectively, with an average annual monthly use of 595 cubic feet in 2018, 2019 and 2020. Additionally, my septic tank is pumped monthly by Jim's Pumping to further reduce the load on the septic tank and drain field. I have all receipts and records for my comments and again, request a continued occupancy of 8 adults/2 children to support my income as a single, retired female, reliant on this rental income.

Sincerely,

Debora Robinett
111.helios Hills Ln
Manson, WA 98831

Sent from Mail for Windows 10

Wendy Lane

From: Elliot Nelson <elliotnelson509@gmail.com>
Sent: Monday, June 7, 2021 3:25 PM
To: CD STRComment
Subject: STR comment - lot size restrictions

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

Dear Chelan County Commissioners,

I am a voting resident of Chelan County and I am writing in regards to the recent recommendations issued by the STR task force. On the whole, I think the task force recommendations are a well-reasoned compromise on a very challenging set of issues. However, I think a small issue regarding minimum lot sizes may have been overlooked.

The task force recommended a minimum 5 acre lot for tier 2 STRs in RR5 zoning and a 2.5 acre lot in RR2.5 zoning. While the vast majority of RR5 and RR2.5 zoned areas have sufficiently sized lots, some do not.

For example, if you take a look at Brae Burn Rd near the headwaters of the Wenatchee River, you'll see that it is zoned RR5 but the entire area is divided into 0.31 acre lots. The lots have been set that way for decades and legally permitted residential dwellings have also existed for decades. However, with the proposed lot size requirements one would have to acquire ~16 lots in order to meet the minimum for an STR.

Another example is Dickinson Dr, Leavenworth, WA (out by Lake Wenatchee). The area is zoned RR5, but many lots are one acre with legally permitted dwellings. You can find another example in Telma. There are a number of 0.4 acre lots in RR2.5 zoning. There are other examples scattered throughout the county.

I don't think that the task force intended to ban tier 2 STRs in these areas. Rather, it seems the task force wanted to prevent overly dense groupings of STRs. That is a reasonable goal and is one that I agree with -- nobody wants multiple STRs crammed into a small space.

However, given that the task force also recommended a rule of no more than 1 STR per lot and 200ft of buffer space between STRs, the lot size requirements seem mostly superfluous. For example, **if you draw a circle with a 200ft radius, you will have an area that is 2.88 acres in size. One STR per 2.88 acres is a lot of buffer space.** With that much buffer space, frankly I don't see the need for lot size requirements nor percentage caps.

Ultimately, the lot size requirements don't do much to help reduce STR density beyond what the 200ft of buffer space and 1 STR per lot already achieves. The lot size requirements do, however, have the unfortunate side effect of banning various lots in RR5 and RR2.5 zoning from qualifying for a tier 2 STR.

I would hope that you consider one of the following changes:

- Drop the minimum lot size requirement, but keep the 1 STR per lot and the 200ft buffer space requirement.

OR

- Keep the existing requirements as is, but introduce a lot size exception for legally permitted residential dwellings that existed prior to Aug 2020.

OR

- Drop the minimum lot size requirement and replace it with a new rule mandating extra buffer space between STRs

owned by the same individual (e.g., 1000ft).

OR

- Drop the minimum lot size requirement, but limit the number of STRs that a single property owner may have across the entire county. One or two STRs allowed for a single owner seems like a reasonable limit. This is what Seattle did in 2019 to limit investors from converting residential housing stock into vacation STRs en masse.

I think that any of those four alternatives would accomplish the shared goal of reducing STR density, while not disqualifying property owners in RR5 and RR2.5 areas with legally permitted residential dwellings on smaller lots.

Thank you for your time and consideration.

Sincerely,
Elliot Nelson

Wendy Lane

From: Reava Davis <reavadavis@gmail.com>
Sent: Monday, June 7, 2021 9:06 AM
To: CD STRComment
Subject: STR's

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

Dear Board of County Commissioners and Director Brown;

It has come to our attention that the current draft of the Chelan County Short Term Rental code includes an exclusion of R1 short term rentals in the Peshastin UGA (section 2-B-ii). We are unclear why Peshastin is being singled out for 0% share of rentals in all of Chelan County.

We are clear that short term rentals are an allowed and historic use of property in the Peshastin UGA. Please see the attached determination made on March 25, 2020 by then Director of Community Development Deanna Walther. This Recission Letter states that "The current Peshastin UGA district use chart and development regulations do not expressly address short term/vacation rentals, such as Airbnb and VRBO, as not constituting residential use of a single-family residence, thus rendering AI-2019-001 (a decision initially rendered by the BOCC in November of 2019) unsupported and unenforceable."

As residents of Peshastin we are aggrieved by these ongoing efforts to take away our property rights. These include making our additional homes available to respectful and well behaved guests. Our initial purchase of one of these homes was in an effort to clean up an abandoned drug house in our neighborhood that was being used as a party site and dumping ground. We expended considerable resources to renovate this home, and our neighbor on the other side of this house even wrote a letter in our support because they were fearful of always having to deal with the illegal drug activity taking place there. We live directly adjacent to our additional properties and manage them well, so as to quickly address any situations that may cause any distress to our community.

We understand that certain members of the Peshastin Community Council want this carve out of STRs in the R1 zones. This is a minority opinion not supported by the greater Peshastin community. Please review a survey conducted by the Peshastin CC in 2020 that clearly demonstrates a lack of concern over STRs, as opposed to the personal views of one or two Council members.

Thank you for your consideration.

Respectfully,
Craig & Reava Davis
8211 Lynn St
Peshastin Wa 98847
509-669-9993

Wendy Lane

From: Jane Mounsey <janelydamounsey@gmail.com>
Sent: Monday, June 7, 2021 8:48 AM
To: CD STRComment; Jane Mounsey
Subject: Peshastin UGA Carve Out

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

Dear Board of County Commissioners and Director Brown;

I recently learned that the current draft of the Chelan County Short Term Rental code was amended by you at the behest of certain members of the Peshastin Community Council. Apparently, these members want to exclude short term rentals in areas zoned R1, completely carving out all shares of short term rentals in Chelan County from Peshastin.

I hope this does not reflect the often repeated but wholly untrue notion that STRs are "illegal" in the Peshastin UGA. This position was clearly refuted in March 2020 by the rescission of AI-2019-001. It is very clear that historically, and in our current condition, short term rentals are permissible in Peshastin.

I happen to lean quite favorably toward the draft code, except of course for this carve out. As a part-time resident of Peshastin, I also want to live in a clean, safe and peaceful neighborhood. We happen to offer our home to guests as a way to help cover the cost of ownership until we can move here full-time. Our reservations are handled by a professional property manager who lives in Leavenworth. Other than a falsified complaint over parking submitted to the county last fall by one of the Peshastin CC members, who also happens to be lobbying for this carve out, we have had no issues complying with enforcement code currently on the books. (I am happy to provide substantiation of this false claim at your request).

Please do not single out Peshastin R1 as an area where you will deny property rights that are otherwise granted in all other sections of the draft code.

Thank you for your consideration.

Respectfully,

Jane Mounsey
8205 River View Road
Peshastin, WA 98847
206-406-0961

Wendy Lane

From: Phyllis Coleman <phyllisacoleman@msn.com>
Sent: Monday, June 7, 2021 8:43 AM
To: CD STRComment
Subject: Rentals on the lake and Boaters licensing

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

We live in Manson, on the lake. We have short-term rentals a couple houses away. 2 right next door to each other. We actually left Wapato Point so we could avoid these issues. Here are our main concerns from observation.

1. Large numbers of renters at one time. Not only renting their home, but having several trailers, motor homes, etc. as well.
2. Really loud music played outside that competes with our own, or is just annoying. Speakers on boats or docks, etc.
3. Children paddling past our home not wearing life jackets or no jackets on the board/kayak, etc. Using neighbor private floats.
4. Children driving Sea-doos, without a parent on board.
5. Adults driving Sea-doos without observing no-wake zones. Driving too close to each other (spraying, jumping each other's wakes, etc.)

We believe the Sea doo issue is because the boat rental companies do not require boat renters to have a boating license. This would help with reckless drivers not having a clue as to rules of the waterways. This is a separate issue, that we would like to know if anything is being done about this???

When observing this behavior who can we call?

Thankfully these rentals aren't directly next door. But we do think these are valid concerns for safety and nuisance.

Thank you .

Phyllis and Mike Coleman
phyllisacoleman@msn.com

Wendy Lane

From: Jim Brown
Sent: Monday, June 7, 2021 8:00 AM
To: CD STRComment
Subject: FW: STR's

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225 Jim.Brown@co.chelan.wa.us

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

-----Original Message-----
From: Reava Davis <reavadavis@gmail.com>
Sent: Sunday, June 6, 2021 9:53 PM
To: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>; Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: STR's

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Dear Board of County Commissioners and Director Brown;

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We are clear that short term rentals are an allowed and historic use of property in the Peshastin UGA. Please see the attached determination made on March 25, 2020 by then Director of Community Development Deanna Walther. This Recission Letter states that "The current Peshastin UGA district use chart and development regulations do not expressly address short term/vacation rentals, such as Airbnb and VRBO, as not constituting residential use of a single-family residence, thus rendering AI-2019-001 (a decision initially rendered by the BOCC in November of 2019) unsupported and unenforceable."

As residents of Peshastin we are aggrieved by these ongoing efforts to take away our property rights. These include making our additional homes available to respectful and well behaved guests. Our initial purchase of one of these homes was in an effort to clean up an abandoned drug house in our neighborhood that was being used as a party site and dumping ground. We expended considerable resources to renovate this home, and our neighbor on the other side of this house even wrote a letter in our support because they were fearful of always having to deal with the illegal drug activity taking place there. We live directly adjacent to our additional properties and manage them well, so as to quickly address any situations that may cause any distress to our community.

We understand that certain members of the Peshastin Community Council want this carve out of STRs in the R1 zones. This is a minority opinion not supported by the greater Peshastin community. Please review a survey conducted by the Peshastin CC in 2020 that clearly demonstrates a lack of concern over STRs, as opposed to the personal views of one or two Council members.

Thank you for your consideration.

Respectfully,
Craig & Reava Davis
8211 Lynn St
Peshastin Wa 98847
509-669-9993

Reava Davis

Wendy Lane

From: Reava Davis <reavadavis@gmail.com>
Sent: Sunday, June 6, 2021 9:53 PM
To: Kevin Overbay; Bob Bugert; Tiffany Gering; Jim Brown
Subject: STR's

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

Dear Board of County Commissioners and Director Brown;

It has come to our attention that the current draft of the Chelan County Short Term Rental code includes an exclusion of R1 short term rentals in the Peshastin UGA (section 2-B-ii). We are unclear why Peshastin is being singled out for 0% share of rentals in all of Chelan County.

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Thank you for your consideration.

Respectfully,
Craig & Reava Davis
8211 Lynn St
Peshastin Wa 98847
509-669-9993

Reava Davis

Wendy Lane

From: Bob Bugert
Sent: Sunday, June 6, 2021 4:18 PM
To: Ken Britt
Cc: CD STRComment
Subject: RE: Comments on Proposed Short Term Rental County Regulations

Mr. Britt—
Thank you for your email. We will add your comments to the Short-term rental comment site, so that they will be a part of the public record.

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

From: Ken Britt <brittpolygraph@gmail.com>
Sent: Saturday, June 5, 2021 10:40 AM
To: Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>
Subject: Comments on Proposed Short Term Rental County Regulations

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

Board of Commissioners

Commissioner Overbay, Commissioner Bugert, Commissioner Gering,

I read the June 2nd Wenatchee World Article and the proposed Chelan County regulations on line. I spent 35 years in law enforcement, with 31 with Wenatchee Police. I responded to hundreds of rental house parties and disputes over the years. So I know that rentals, both long and short term, can be community concerns. But there is a very large difference between a large house and a one room or studio rental. Between a rental next door to the vigilant property owner's house, and the house far distanced from the residence of the owner. Between the owner being hands on with renting his own property and enforcing his/her rules and being very accessible to his neighbors for complaints, and the rental company. Where a single bedroom structure is rented to a max of two persons, with the landlord's residence connected or nearby, there are very very few noise or trash or parking or other complaints. The complaints come with the larger rental units and with distant owners and rental agencies.

I agree with the grandfather language in the draft proposal. I disagree with a cap - limiting an owner's use of his/her private property, especially for the smaller rental units that do not cause the problems that these proposed rules are designed to fix. And I very strongly disagree with a lottery system to get a place in line.

Being a lifelong Chelan County resident in Wenatchee and on the southshore of Lake Chelan my wife and I care about Lake Chelan and the impacts of some poorly managed larger rental units. That is why when we just sold our long time lake house and two additional lots this past year, we put C&Rs in place that the properties could not be used as rentals without written consent from us. And we verbally made it clear on the three properties sold that we would only consent if the rentals - short or long - were a max of two persons, were

managed by them (the new owners) and not rental companies, had clear rules provided to the renters, and had their contact numbers shared with every resident within 500 feet of the properties for complaint/concern notifications.

My wife and I purchased more land just further uplake from our previous property and are now in the design and permitting process to build a new lake house. This large parcel has over 600 feet of waterfront . Our plans are (maybe were) to build our house on the east end of the parcel, and then to build a garage on the western half of the property with a small one bedroom rental above the garage - limited to two short term renters. Our plans were to be on property during most of the summer when the rentals would occur and be available to handle any concerns - though not likely with such a small rental. The property unlake is too steep to build and the closest neighbor is about 800 feet from where we plan(ned) to build the rental. We were going to install cameras on the only access to assure the rental number if we were away, etc, etc.

If I read correctly in the draft proposal, we wouldn't need to worry about any cap or lottery being a one bedroom on the same owner occupied parcel way up on the Southshore Rd, but I also read that the rental unit could only be rented for 15 days a year. This would not make it worth the cost of building it! If we then went to a Tier 2, we would need to worry about the 98816 cap, shared with the very busy vacation area directly around Chelan and a lottery system. Again, this then wouldn't be worth the risk to build this rental unit.

If I had been on the committee, I too would have pushed for heavy rules and enforcement on the larger and owner distant rentals in lieu of controlling what owners do as far as the decision to or not to rent. And I would have not included studio/one bedroom rentals on single parcels with 2 persons max. This simply again - is not where the rental problems come from. I would not limit the number of days rentals can be rented for, especially on the proposed Tier 1 group. If there are no problems with a rental property, why limit or punish the owner with the number of days of income that can be generated. In our case on the Southshore, our self imposed limit would be almost exclusively summer months only. But only 15 days?

If you have another committee, I volunteer.

Respectfully,

Ken Britt
509-679-4005

Wendy Lane

From: Sean Lynn <sean@loveleavenworth.com>
Sent: Sunday, June 6, 2021 3:44 PM
To: CD STRComment
Subject: Comments for June 7 Workshop
Attachments: BOCC comments 6_6_21.pdf; DRAFT_STR_BOCC_DRAFT_TF_Integration_2021_0527.pdf

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

Hello Commissioners and Director Brown,
We have attached a document with comments from the Short Term Rental Task force group. Though we are a group of four members we feel that our comments generally speak for the STR industry as a whole. We have tried to be as concise and as clear as possible on our comments and invite you to reach out for clarification or more discussion on any of the topics or suggested edits to the line items in the draft code.

We used the BOCC Draft May 2021 version for our comments and have also attached for reference if needed.

We once again want to thank you for the tremendous opportunity to be an active part of this draft code process.

Sincerely,
David Donovick
Don MacKenzie
Sean Lynn
Zelda Holgate

June 6, 2021

Dear Commissioners:

Thank you again for the opportunity to represent the interests of vacation rental owners, operators, visitors, and affiliated businesses on Chelan County's STR Task Force. The Task Force process was challenging for all involved, and we are proud of the work that we and our fellow citizens completed. We would like to start by emphasizing that despite any misgivings with individual elements of the Task Force's consensus recommendations, we fully support the package of recommendations as a whole. Those recommendations provide a solid foundation for STR owners and neighbors to begin moving forward toward a brighter future of coexistence.

For better or for worse, the Task Force was not able to engage with every important issue in the draft code, or even with all the nuances of the issues within its scope. We appreciate the chance to bring to your attention some lingering issues that we were unable to resolve within the Task Force.

These issues fall into several main areas: (1) grandfathering eligibility; (2) the opportunity for operators to come into conformance; (3) ensuring a clear and consistent enforcement process; (4) moratorium issues; and (5) simplifying code. We have summarized these issues below, followed by a line by line analysis of the code with recommended changes and accompanying rationale.

Grandfathering Eligibility
The Task Force recommended creating a reasonable path to grandfathering for most existing STRs. This intent is not clearly conveyed in the summary (Summary, Lines 4-47). We harbor serious concerns about staff using code to "weed out" existing rentals. The code summary should reflect this intent, and staff should be encouraged to find paths to grandfathering for existing STRs, to minimize appeals and avoid litigation. Some specific areas of concern with grandfathering include:

Peshastin: The Task Force agreed that all STRs who have been making a good faith attempt to play by the rules should be considered eligible for grandfathering. However, the Peshastin UGA has no grandfathering allowed in the draft code. (11.88.290 2(F)(iv) Lines 341-344). Peshastin was not called out in the Task Force report as being ineligible for grandfathering, and excluding these seven (7) existing STRs is patently unfair, a thumb in the eye of Task Force members who negotiated in good faith, and likely to draw legal challenges.

Manson: (11.88.290 2(F)(i)(f) Lines 281-344) In the draft code, only previous or currently registered STRs will be considered eligible for grandfathering. This will create a situation in which an STR would be eligible for grandfathering if they had a permit in any prior year (say 2014), even if they knowingly operated without a permit ever since. But, it would exclude people who were never made aware of the requirement for a permit in the first place, and operated without a permit due to the minimal public engagement and enforcement by the County. There could be 100 or more STRs unable to grandfather, creating denied permits, appeals, and legal action. As we stated in our addendum to the Task Force report, this issue was not specifically

addressed by the Task Force. We believe a better path would be to apply the same standard in Manson as elsewhere in the county (actual operation as an STR between July 28, 2019 and August 25, 2020), with an additional requirement to pay double permit fees for each prior year of unpermitted operation, consistent with Chelan County's fees for after-the-fact permits (CCC 16.14.030).

Opportunity to Come into Conformance

Septic Capacity: The small section of code dealing with septic capacity (11.88.290 3(B)(i) Lines 359-364) is going to be incredibly contentious with many operators. Tying maximum occupancy per home to septic capacity may represent the single most significant negative impact to STRs.

A septic system is designed to handle and process X amount of gallons per day, and this amount is based on bedroom count and the water usage habits of a full-time resident. STRs in Chelan County are occupied on average 37% of the year, and historical evidence shows that septic systems easily handle more than two STR guests per permitted bedroom. Many other jurisdictions allow two guests per bedroom plus two additional guests. In fact, San Juan County allows two per bedroom plus three, and doesn't count children under age 2.

Current septic issues at STRs are linked to extreme overcrowding of homes and "shock loading" the system. Other parts of the STR code and proper compliance reduce this "shock load" effect. It is essential to correct overloading issues but not to over-correct them.

In our addendum to the task force report, we recommended an alternative that would protect septic system integrity, provide greater flexibility for STR owners, and reduce environmental impacts. We recommend a process for owners who can prove lower per-guest septic flows to receive a commensurate increase in approved guest count. Owners can substantially reduce daily water consumption per guest by installing low-flow or dual-flush toilets, low-flow showerheads, high-efficiency washing machines and dishwashers, and similar water conservation technologies. This will reduce septic flows per guest, allowing more guests to be safely supported by a given septic system. Compared with expanding a septic system, it will cost owners less, lead to lower withdrawals of our precious freshwater resources, and reduce the need for owners to clear land for larger septic fields.

Ability to Make Changes: The draft code gives owners one year to bring themselves into compliance with the new code. Yet, it also prohibits owners from making changes or expansions that require a permit. If a property requires changes to come into compliance, and those changes require a permit, it will be impossible for owners to comply with the rules. This is contrary to the spirit of the Task Force recommendations, which was to give owners an adequate, but aggressive timeline to bring themselves into compliance with the new standards.

Enforcement and Penalties

We are concerned that there is too much ambiguity around code enforcement, particularly for the repeat violations language. Many of the nuisance codes have language that allows for revocation of a permit for repeat violations. "Repeat" could be any more than one violation

during an indefinite period of time. Furthermore, the STR industry has very real and rational concerns that the violation process may be abused by some residents living near STRs. We would like to see as much clarity injected into the violation and enforcement language as possible and ask that the BOCC addresses how to resolve a situation in which a single individual makes multiple unjustified complaints.

Moratorium (Resolution No. 2020-86)

The desire to stop the unchecked proliferation of new STRs during the code development process is understandable. However, while the Moratorium is black and white on paper, the reality on the ground is that many homeowners were in various stages of having their residences ready for guests to rent. On August 25, 2020, the County adopted a moratorium on the designation, permitting, construction, development, expansion, remodeling, creation, locating, and siting of STR residences with no warning or direction for STR owners already in various stages of making their homes rental ready. We feel that homeowners who did their due diligence, purchased homes, invested significant capital before 8/25/2020 should be allowed to have their grandfather status reviewed if applicable on a case-by-case basis. We hope that the Board will show some leniency and consider providing guidance on this particular issue. We are actively working on a solution to offer for the Board's consideration and will submit comments for the hearing.

Complexity of Code

The draft code is more convoluted than it needs to be, for example including circular references and references to other sections of the CCC, and is not easy to understand. For example, please review the definition of a Tier 3 STR (11.88.290 (2)(A)(iii) Lines 167-174). The general public will be reviewing and applying this code much more than other chapters of the Chelan County Code. By way of comparison, we encourage you to review STR regulations from jurisdictions such as Okanogan County or the City of Cle Elum, which show that simplicity of code does not equate to laxity of standards.

Hard-to-read code will be a challenge for the public to grasp and is likely to be administered by a variety of staff interpreting the language in various ways. Ambiguity will lead to misunderstandings, and misunderstandings will lead to appeals and eventually lawsuits. We encourage you to simplify and clarify the code wherever possible.

The compressed timeline from draft code release to a public hearing has forced us to focus most of our comments on substantive, rather than organizational, issues in the code. However, with a little more time, we would be happy to help draft code that retains its essential character while being more accessible and understandable to the general public.

Thank you for your time and we are ready for any questions or comments you may have.
David Donovick
Zelda Holgate
Sean Lynn
Don MacKenzie

Section *(line in June 1 draft)*	Suggested Edit	Rationale
11.04.020 *(68)*	Edit note P(2) to clarify meaning.	• Too many commas make it hard to interpret. Add a period. • It is unclear if the exception for parcels smaller than 12,000 square feet applies to the clause that comes before it or the or after it.
11.88.290 2(B)(iii) *(87)*	Clarify caps in Manson and Peshastin ZIP codes outside the respective UGAs.	• Zero cap inside Peshastin UGA means effective cap in non-U(areas of 98847 is higher than 6%. • 9% cap inside Manson UGA means effective cap in non-UGA areas of 98831 is lower than 6%.
11.88.290 2(A)(i) *(159-165)*	Modify definition of "owner" in 14.98.1694 to include long-term renters.	• All sides in this debate agree that Tier 1 STRs are a good thin(We have heard that repeatedly. They cause basically zero nuisance, and supplement incomes. • The current language limits the benefits of Tier 1 STRs to thos already financially secure enough to own a home. • Broadening the definition of owner would allow long-term rente the same opportunity to help defray their housing costs.
11.88.290 (2)(A)(ii)-(iii) *(166-174)*	Replace definition of Tier 2 STR with "an STR that is not owner-occupied"	• Current code includes circular reference: Tier 2 is "not a Tier 3 but Tier 3 is "exceeding occupancy limits for Tier 2."
11.88.290 (2)(A)(ii)-(iii) *(172-174)*	Strike "No short-term rental may operate as a Tier 3 short-term rental without meeting all Tier 3 provisions as applicable to their property under	• Task force intent was to grandfather all existing STRs if they h been playing by the rules. This includes those who currently h more than 12. • As written, code could be interpreted as prohibiting existing Ti STRs in disallowed zones (e.g. RR2.5, RW) or areas over cap (e.g. 98826) from continuing to operate as Tier 3.

	the requirements found within this chapter." OR Insert "new" before "Tier 3" that the final sentence reads "No short-term rental may operate as a new Tier 3 short-term rental…"	• This could effectively deny grandfathering to many Tier 3 operators.
11.88.290 2(B)(ii)(c) *(199)*	Insert at end of paragraph: "Tier 2 and Tier 3 short-term rentals in these zones are excluded from the calculation of the share of short-term rentals in subsection (B)(ii)(a)."	• Current language exempts STRs in these zones from percenta caps. • Need to clarify that STRs in these areas should not count agai STR percentage in the ZIP code. • This is consistent with the intent conveyed in subsection (B)(ii) that the caps apply to STRs in residential zoning districts.
11.88.290 2(D)(iii) *(241)*	Tier 3 must have direct access off a highway	• The rationale for this is unclear, but it is likely to concentrate T 3's in a few higher-density corridors instead of allowing them i less populated areas. • This is not about pavement life. Cars and SUVs put basically z wear and tear on roads. ONE garbage truck puts as much wea on a road as nearly 10,000 cars. See: https://www.shieldstownship.com/sites/default/files/article-uplo /Garbage%20Truck%20Weight%20%26%20Road%20Pavem %20Damage.pdf
11.88.290 2(E) (248-256)	Suggest removing this section	• 2(B) already addresses number of STRs • Avoid redundancy
11.88.290 2(F)(i)(b) *(269)*	Insert "sales and lodging" before "taxes"	• Keep the focus on taxes that contribute to Chelan County's coffers. • Tracking payment of multiple types of taxes will be a drain on

		county staff's time.
11.88.290 2(F)(i)(b) *(270)*	Strike "and timely"	• Denial of grandfathering is an excessive punishment for an operator who may have missed a deadline. As long as they pa the taxes owed and any late payment penalties, they should b eligible for grandfathering.
11.88.290 2(F)(i)(f) *(283-286)*	Strike "or that the short-term rental owner held a vacation rental license at any time since inception of the Manson UGA vacation rental licensing process and actually operated as a short-term rental in the years 2019 or 2020" And replace with, "or that the location was actually, physically used for short-term rental purposes between July 28, 2019 and August 25, 2020."	• Make eligibility dates consistent with other areas of the county • Current language would allow grandfathering for anyone who a permit at any time in the past and operated any time in 2019 2020 - even if they knowingly operated for years without a per • Current language would deny grandfathering to those who - di to poor communication and inconsistent enforcement - were unaware that a permit was needed, even if they have otherwis shown a good faith effort to follow rules.
11.88.290 2(F)(ii)(a) *(296)*	Remove circular references.	• 2(F)(ii)(a) refers to 11.88.290 2(B) and 2(D), but 2(B) and 2(D) exempt STRs that comply with 2(F).
11.88.290 2(F)(ii)(b) *(301-311)*	Strike the entire paragraph	• Chelan County Code 11.97 already prescribes rules for non-conforming structures and uses. • Avoid creating redundancies or potential conflicts with existing code. • 2(F)(i)(c) requires STRs to come into compliance with operatir

		standards, but 2(F)(ii)(b) would prevent owners from obtaining permits they might need to bring themselves into compliance (parking expansions, septic retrofits, upgrading egress window
11.88.290 2(F)(iv) *(331-340)*	Edit to read, "Where a short-term rental is located in the Manson UGA, only those short-term rentals that were properly registered as a vacation rental <u>as of August 25, 2020, or operated as an STR between July 28, 2019 and August 25, 2020 and pay double permit fees for each prior year of unpermitted operation,</u> and meet criteria in Subsection (i), shall be considered legal nonconforming according to Chapter 11.97 CCC..."	• Current draft contradicts 2(F)(i)(f). This paragraph says only c be nonconforming if they were properly registered. 2(F)(i)(f) s also if they had previously held a permit. • We recommend that grandfathering eligibility be available to a STRs operating between July 2019 and August 2020. • Those who operated without a permit should pay double perm fees for each prior year of unpermitted operation, consistent w Chelan County's fees for after-the-fact permits (CCC 16.14.03
11.88.290 2(F)(iv) *(341-344)*	Strike entire paragraph, which denies grandfathering to established operators in the Peshastin UGA.	• The task force did not recommend, and neither the STR nor neighbors group mentioned, denying grandfathering to STRs i the Peshastin UGA. • This opens the county up to lawsuits - all for the sake of shutti down an estimated seven (7) STRs, per AirDNA. • There is no existing code treating STRs in the Peshastin UGA differently than other unincorporated areas of the county. • On 3/25/2020, Community Development Director Deanna Wal rescinded an earlier administrative interpretation, finding that " current Peshastin UGA district use chart and development regulations do not expressly address short term/vacation rent such as Airbnb and VRBO, as not constituting residential use

		single family residence, thus rendering AI 2019-001 unsupport and unenforceable."
11.88.290 3(B) *(364)*	Insert new subsection 3(B)(i)(b): "Where the operator can prove that actual septic flow or water consumption per guest is lower than assumed for septic design purposes, a commensurate increase in the number of allowed bedrooms, rounded to the nearest half bedroom, shall be allowed."	• A septic system designed to handle 360 gallons per day doesn care if that's coming from 6 people or 8 people. The demand c the septic system is the same. • There are many water efficiency measures such as dual-flush toilets, high efficiency washers, and low-flow showerheads tha can significantly reduce per-person water consumption. • This measure provides an alternative to expanding septic systems. It can avoid clearing trees to enlarge septic fields, ar encourages lower withdrawals from water sources.
11.88.290 3(C)(i) 401	Remove "One off street parking space in <u>addition</u> to the residential parking requirement"	• This language is from an early draft. • The current draft code version is much more restrictive on tota occupancy based on bedroom counts. There will be no need f additional off street parking. • Parking Land Use Table 11.90-3 uses B&B and Guest inns as closest use. Those uses require a manager on-site and STR's not. No manager, no extra space needed. • This requirement may make more homes less compliant. • This requirement may cause homeowners to expand their parl areas unnecessarily, clearing land in the process.
11.88.290 3(C)(iv) 3(E)(iii) 3(F)(iii) (Start 420)	Add specific timeline for repeat violations, e.g. two violations in six months, three violations in twelve months.	• As written, a "repeat" violation could be two violations 10 years apart.

11.88.290 3(G)(iv) *(474-476)*	Strike and replace with: "(iv) The Director shall allow annual mailings to neighboring properties and an interior posted notice for tenants in lieu of an exterior sign."	• STRs in Chelan County are occupied an average of 37% of th time. This is basically a giant "rob me" sign. • To fit the words "Short Term Rental", a name, and a phone number in 4" high letters will require a sign approximately 14" and 41" wide - or double the maximum allowable sign area of square feet.
11.88.290 3(J) (494-500)	Change requirement to allow Qualified Person <u>or their designee</u> respond to the property within 60 minutes. Edit to read "can respond, <u>personally or through a designee</u>, to the property..."	• The best person to handle issues is the operator that rented th home. • Most issues can be resolved through email, messages or a ph call. • The qualified person should be responsible for having a local individual on call that can access the property within 60 minute needed. • Example- A Property Management company may have staff tc take the call and try to resolve the issue but that person may r be the same that travels to the property. • Owner/Operators should have that same option as it would wc best. This change would allow for an owner/operator to intake information and try to resolve remotely before contacting stanc local assistance to respond within 60 minutes of the original ca
11.88.290 4(B)(iv)(a) (580-581)	"Assess double the normal permit fees" Suggest change to normal permit plus a $100 late fee or leave late fee charge also at the directors discretion.	• Seems excessive. • There could be many simple reasons for a late submission. A minimum permit cost is $500. • There is no fear of this being abused as STR operators will be very incentivized to submit far before the deadline as they may lose their permit.
11.88.290 4(D)(i) & (i)a (598-608)	Confusing??? Please review how a department registration form differs from a provisional self certification form. They	• The public would like some clarity on these differences and hc they might impact the process • The Director may respond directly to one of the authors if that easier if even allowed. • If intended to be 2 different permits or registration processes fi

	both have the same deadlines and appear to have the same function. Do they both have costs? Can they be combined into one?	existing STRs to operate could the process be simplified?
11.88.290 4(D)(iii) (630-677)	Waitlist Vs Lottery. We suggest using the Waitlist option.	• Waitlist option rewards due diligence and is straightforward. • Provides greater predictability.
11.88.290 4(D)(iii)(d) (670-676)	If found out of compliance with STR code or other CC titles during the application process, suggest a language change from denial of application to X amount of days to resolve.	• Due to a limited number of applications the public should have chance to resolve issues that arise during the permit process. • Resolving issues during the process is standard for building a development permits. • Recommend 90 days to resolve issue before denial
11.88.290 4(I) and 4(I)(i) (719-727)	Clarification- May a new owner continue to run under the prior owner permit if the permit has not expired? It is understood that the new owner has 90 days to acquire a new permit.	• Unclear how exactly transfer occurs. Please elaborate. • Who is the operator after the day of closing on home to day 9(from closing?
14.98.1694 *(835)*	Strike the word "not" in the final sentence of this paragraph.	• All sides in this debate agree that Tier 1 STRs are a good thin We have heard that repeatedly. They cause basically zero nuisance, and supplement incomes. • The current language limits the benefits of Tier 1 STRs to thos already financially secure enough to own a home. • Broadening the definition of owner would allow long-term rent

		the same opportunity to help defray their housing costs.

16.20.030 (2)(D) *(879)*	Strike this paragraph and replace with a clear system of escalating penalties, similar to driver's license points.	• Too vague. Better to define a clear system of escalating penal and enforce consistently.
		• Consider driver's license points as a model:
		  ○ More severe infractions earn more points.
		  ○ Too many points leads first to temporary suspension, then permanent suspension.
		  ○ Points expire after a certain amount of time.

Attachment E Code Evaluation (977)	Suggest add "small scale and recreation tourist uses," after "Maintain natural environment features that support and enhance natural resource-based economic activities,"	• This suggested language was added into (11.88.290 1(C)(iii) L 155) after TF recommendations. • Language used should be similar or identical to avoid conflicti messaging. • Possibly just an oversight and needs adjustment.

Chelan County Short-Term Rentals

BOCC Draft May 2021

Introduction

A short-term rental refers to a residential dwelling rented out on a nightly basis for less than 30 days to individual guests. It could be a whole home or just part of it. Short-term rentals have increased rapidly since 2014, especially in Leavenworth and Manson areas. See maps in Attachments A and B illustrating operating short-term rentals across the county as of early 2020, and data on short-term rentals in Attachment C.

Chelan County has been considering how to best address short-term rentals to allow for property owner income while protecting the character of residential communities across the county. In 2019, Chelan County considered draft regulations, and ultimately did not carry forward a draft at that time. The Board of County Commissioners desired to look at new code options in 2020. Between March and December 2020, the Planning Commission held meetings and hearings and made a recommendation, and the Board also held meetings and a hearing.

Due to the diverging interests of residents and short-term rental operators, the Board of County Commissioners established a Task Force comprised of three neighborhoods residents, three short-term rental operators, and three Planning Commission representatives (two current and one former member). The Task Force met between February and April 2021, and their recommendations presented to the Board in May 2021 are included in Attachment D.

Based on the results of the Task Force, prior draft codes before the Board of County Commissioner in December 2020 are amended in this document.

Summary

The bullets below and flow chart highlight key features of the proposed code.

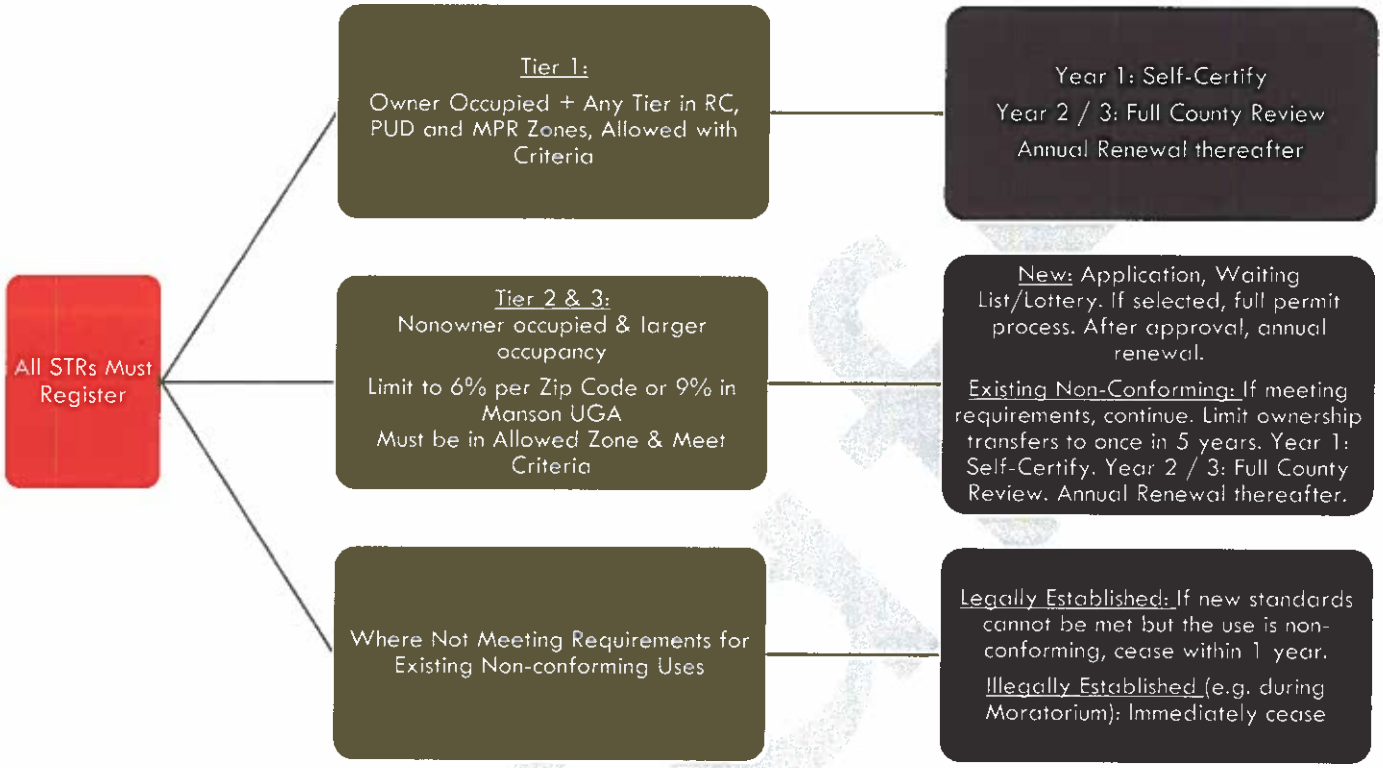
- **Zones Allowed:** The County Code includes a chart by zoning district identifying where permitted or conditionally permitted short-term rentals are allowed. Tier 1 owner-occupied short-term rentals are permitted in most zones as an accessory use in unincorporated County lands provided they meet operational standards and obtain a land use permit. Tier 2 short-term rentals are non-owner occupied, and are permitted in most zones but are further restricted based on lot size and distance. Tier 3 short-term rentals are those with larger occupancies (over 12 total guests) and would require conditional use permits in selected zones, must take highway access, and have similar restrictions on locations and numbers as Tier 2.
- **Number Allowed:** New non-owner-occupied units (Tier 2) and larger occupancy short-term rentals (Tier 3) could locate in unincorporated areas except for zip codes and Urban Growth Areas (UGAs) with more than 6% short-term rentals as a share of total units, or up to 9% in the Manson UGA. Also, due to community preferences, new short-term rentals would be limited in Peshastin UGAs and only

allowed in commercial zones. Developments specifically designed for short-term rentals (e.g. Planned Unit Developments and Master Planned Resorts) are not subject to the cap.

- **Operational Standards:** Tier 1, 2, or 3 units would be required to meet standards such as occupancy, parking, noise, solid waste, adequate sewer and water, fire preparedness, access to a qualified person within 60 minutes, establishing a property management plan, etc.
- **Existing Units:** Existing Short-Term rentals would need to show they were operating prior to the moratorium and over 2019 or 2020 paid taxes consistent with state requirements. The date of the moratorium is August 25, 2020.[1] Existing short-term rentals would need to meet criteria regarding historic use as a short-term rental, proper payment of taxes, and compliance with operational standards. Permits would need to be obtained as well. Where non-conforming requirements cannot be met, there is a 1-year grace period and then the use must cease. If a short-term rental was established after the moratorium it is not considered non-conforming.
- **Permit Process:** All Tier short-term rentals must register and provisionally self-certify. Tier 2 and Tier 3 Short-Term Rentals that can comply with the rules fully can enter either a waiting list or a lottery up to the 6% cap; those selected would apply for a full permit with required inspections. To allow time to set up the permit review system, the first permit would include self-certification regarding compliance. Within the first or second year the County would require inspections and more detailed review. Thereafter, annual renewal would be based on self-certification and a more abbreviated review. Fees would be set to recover costs of permit reviews and inspections such as by the fire marshal, health district, etc.

[1] Resolution 2020-86: https://www.co.chelan.wa.us/files/community-development/documents/STR/Short-term%20Rental%20Moratorium.pdf

Figure 1. Proposed Short-Term Rental Regulation Process



Chelan County
Draft Short-term Rental Code

DRAFT May 2021 | BOCC Review Draft

Use Allowance Amendments

CHAPTER 11.04 DISTRICT USE CHART

11.04.020 District Use Chart

(1) The use chart located on the following pages is made a part of this section.

(2) The following acronyms and notes apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

P — Permitted use

P(1) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards

P(2) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards, except for on parcels that are twelve thousand square feet or smaller, the use/structure must be located on a lot with an existing single-family residence

P(3) For short-term rentals newly permitted and first established after XXX, 2021 the minimum lot size requirement to establish a short-term rental is as provided in 11.88.290(2)(D).

A — Accessory use

A(1) — Accessory use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards

CUP — Conditional use permit—Subject to development standards in Chapter 11.93 and/or within this chapter

(3) Short-term rental land uses are commercial uses subject to all provisions of 11.88.290 except where expressly stated otherwise in this section.

District Use Chart

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
Short-Term Rentals Tier 1	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	A(1)	P(2)			A(1)	A(1)	
Short-Term Rentals Tier 2	P(1)(3)	P(1)(3)	P(1)(3)	P(1)(3)	P(1)(3)	P(1)(3)	P(1)(3)	P(2)			CUP		
Short-Term Rentals Tier 3 ()	CUP P(3)	CUP P(3)	CUP P(3)					P(2)					

CHAPTER 11.22 PESHASTIN URBAN GROWTH AREA

11.22.030 Permitted, Accessory and Conditional Uses

(1) A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a use district that is not listed in the use chart as either permitted, accessory or conditional use, unless the administrator determines, by a written administrative interpretation that may be appealed to the hearing examiner, that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and all other applicable provisions.

(2) Short-term rental land uses are commercial uses subject to all provisions of 11.88.290 except where expressly stated otherwise in this section.

(3) The following acronyms apply to the following use chart:

Uses:
PRM = Permitted use
ACC = Accessory use
CUP = Conditional use—Subject to development standards in Chapter 11.93 and/or within this chapter
Where a cell is empty, the use is prohibited in that zone. All of these assume compliance with any and all development standards.

Districts:

R-1 = Low Density Residential

R-2 = Medium Density Residential

R-3 = High Density Residential

C-D = Downtown Commercial

C-H = Highway Commercial

I = Industrial

I-C = Campus Industrial

P-U = Public Use

Land/Activity Uses	R-1	R-2	R-3	C-D	C-H	I	I-C	P-U
Boarding~~/Lodging House~~[3]	ACC	ACC	ACC	ACC[1]	ACC[1]			
Short-Term Rentals Tier 1 or Tier 2[2]				PRM	PRM			
Short-Term Rentals Tier 3				PRM	PRM			
Hotels/Motels/Lodging Facilities				PRM	PRM	PRM	PRM	

[1] In existing single-family residences only, as of July 1, 2008.
[2] Indoor facility only.
[3] Per CCC 11.88.170 (4) In any district that permits single-family residences, the renting of rooms to not more than two boarders, roomers, or lodgers is permitted as an accessory use.

[2] Removed prior proposal showing "PRM" in R-1, R-2, and R-3 zones.

CHAPTER 11.23 MANSON URBAN GROWTH AREA

11.23.030 DISTRICT USE CHART.

(1) The use chart located on the following pages is made a part of this section. The following acronyms apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

UR1	Urban Residential-1
UR2	Urban Residential-2
UR3	Urban Residential-3
CT	Tourist Commercial
CD	Downtown Commercial
MLI	Manson Light Industrial
UP	Urban Public

P	Permitted use—Subject to development standards in Chapter 11.88 and/or 11.93
A	Accessory use—Subject to development standards in Chapter 11.88 and/or 11.93
CUP	Conditional use permit—Subject to development standards in Chapter 11.93 and/or within this chapter

(2) Short-term rental land uses are commercial uses subject to all provisions of 11.88.290 except where expressly stated otherwise in this section.

Table 9.1 – District Use Chart

USE/ACTIVITY	UR1	UR2	UR3	CT	CD	MLI	UP
~~Vacation~~ Short-Term Rentals Tier 1 or Tier 2	P[1]	P[1]	P[1]	A[1]	A[1]		
Short-Term Rentals Tier 3				P[1]	P[1]		
Lodging Facilities[3]				P	P		

P[1] = Permitted with Standards

11.23.040 STANDARDS.

(3) ~~Vacation~~ Short-Term Rentals. Subject to 11.88.290 Short-Term Rentals. ~~Vacation rentals, any unit being rented for less than thirty consecutive days, shall be permitted as identified in Section 11.23.030, District use chart. All vacation rentals shall receive an annual permit from January 1st to December 31st, under Title 14 limited administrative review, documenting conformance and agreement to conform to the following provisions.~~

~~(A) Vacation rentals shall maintain the character of the surrounding neighborhood by:~~

[3] Through the Task Force process, the report indicated "Lodge permitted by CUP only in commercial zones." However the focus of the Short-Term Rental code is to address these as commercial uses in residential zones primarily, and the proposal was not vetted with the Planning Commission.

~~(i) Providing year-around solid waste receptacles and pickup service. Trash cans, on the right-of-way, should be removed within twenty-four hours of pickup; and~~

~~(ii) Provide at least one off-street parking space, outside of the required setbacks for each two rented bedrooms. Where off-street parking requirements cannot be met the number of rented bedrooms shall be limited; and~~

~~(iii) Noise emanating from any use shall be in conformance with Chapter 7.35; and~~

~~(iv) Occupancy. The maximum number of occupants permitted to stay overnight shall be two people for each bedroom plus two additional persons, excluding children under the age of six; and~~

~~(v) Placing, adjacent to the front door (outside), a legible sign clearly visible to the general public listing the maximum number of occupants permitted to stay overnight, the maximum number of vehicles allowed to be parked on site, and the name and contact information of the local contact person.~~

~~(B) Vacation rentals shall provide a local contact person (within a forty-mile radius) twenty-four hours a day seven days a week. Contact information shall be provided to the adjacent properties, the Manson community council, District 5 fire chief, and the Chelan County sheriff.~~

~~I Enforcement. Any violation of the provisions of this chapter is punishable pursuant to Title 16. Enforcement actions may be brought against the owner of the vacation rental home for the conduct constituting the violation.~~

Short-Term Rental Standards

CHAPTER 11.88 SUPPLEMENTARY PROVISIONS AND ACCESSORY USES

11.88.290 Short-Term Rental Regulations

(1) PURPOSE

(A) The purpose of this section is to establish regulations for the operation of short-term rentals as defined in Chelan County Code (CCC) 14.98, within the unincorporated portions of Chelan County, except short-term rental properties within the Stehekin valley area portion of Chelan County. This chapter also establishes a short-term rental land use permit.

(i) Stehekin Valley short-term rental code development. Stehekin valley is a remote portion of Chelan County accessible by only horse, foot, water, and air travel. It also lacks modern communication infrastructure and has other comprehensive planning, infrastructure, economic, natural resource, and other land ownership and land use considerations. Because of these and other considerations, an additional public process will be needed to specifically develop regulations applicable to short-term rentals in this location. That code will be developed at a later date.

(B) The provisions of this chapter are necessary to promote the public health and safety by protecting year-round residents' enjoyment of their homes and neighborhoods by minimizing the nuisance impact of short-term rentals on adjacent residences and by minimizing the detrimental impact of excessive short-term rentals on the affordable housing supply.

(C) The provisions of this chapter are necessary for consistency with the goals and policies of the Chelan County Comprehensive Plan including but not limited to,

(i) Land Use Element considerations of commercial and residential development that provides sustainable economic opportunity while limiting localized sprawl, maintaining community character, and providing employment opportunities for residents, and anticipating future needs,

(ii) Housing Element goals and policies including, but not limited to, appropriate placement of vacation rentals to avoid impacting neighborhood character[4] and housing stock, accessibility to affordable housing for all residents, providing for a variety of residential housing types and densities, and supporting regulatory changes that promote affordable housing options in all locations in the county,

(iii) Rural Element goals and policies including, but not limited to, maintaining natural environment features that support natural resource-based economic activities including small scale recreation and tourist uses, wildlife habitats, traditional rural lifestyles, outdoor recreation, and open space.

(2) TYPE, NUMBER, AND LOCATION

(A) Type. Short-term rentals are distinguished in three tiers.

(i) Tier 1: Owner-occupied short-term rentals where either (a) rooms are rented and the owner is personally present at the dwelling during the rental period, or (b) the short-term rental is located within the same parcel as the owner's principal residence and the owner is personally present at the dwelling during the rental period, or (c) the entire dwelling is rented no more than 15 total days in a calendar year provided that an on-site qualified person is there during the owner's absence. Portions of calendar days shall be counted as full days.

(ii) Tier 2: Short-term rentals at a dwelling that is not a Tier 1 or Tier 3 short-term rental.

(iii) Tier 3: Short-term rentals exceeding occupancy limits applicable to Tier 1 and Tier 2 units as identified in CCC 11.88.290(3) or containing group facilities designed to host events such as weddings, gatherings, or retreats subject to the provisions of CCC 11.88.290 (3)(B)(iii), provided they obtain conditional use permits to operate pursuant to the applicable provisions of 11.88.290(3)(B)(iii) and (4)(D)(ii) before operation as a Tier 3 short-term rental. No short-term rental may operate as a Tier 3 short-term rental without meeting all Tier 3 provisions as applicable to their property under the requirements found within this chapter.

(iv) Existing non-conforming short-term rentals must comply with the provisions of Subsection (3)(B) below.

(B) Tiered Permits and Numbers Allowed.

(i) Tier 1: New Short-term rentals are allowed where permitted per Subsection (C).

[4] Relates to Policy H 2.4 that is directly relevant to this proposed code.

(ii) Tier 2 and Tier 3:

(a) New Tier 2 and 3 short-term rentals cannot be located where short term rentals make up more than the maximum share of the total housing stock in residential zoning districts listed in the table below. This is the maximum share of short-term rentals in residential zones within zip codes or within urban growth areas where the use is expressly allowed. Leavenworth subareas are identified based on the boundaries in Attachment B. If the share equals or exceeds this level, no new short-term rentals are allowed until the total number falls below this maximum limit.

Maximum Share of Short-Term Rentals

Area	Name of Area	Maximum Share of Short-Term Rentals*
Zip Code 98826	Leavenworth	6%
Subarea 1	Lake Wenatchee	6%
Subarea 2	Plain	6%
Subarea 3	Leavenworth	6%
Other Zip Codes	Each individually	6%
Urban Growth Area	Manson	9%
Urban Growth Area	Peshastin	0%
City Assigned Unincorporated Urban Growth Areas	Each individually	6%

** Maximum Percent Share of Short-Term Rentals in Residential Zones as part of Total Housing Stock.*

(b) To calculate the maximum share of short-term rentals in subsection (B)(ii)(a), total dwelling units must be determined based on the latest annual count of total housing units by the State of Washington Office of Financial Management, or another state or county agency that tracks Chelan county housing inventory. Short-term rental percentages must be determined at the time the number of allowed short-term rentals is determined per Subsection (4) of this section.

(c) Tier 2 and Tier 3 short-term rentals in the following zones are not subject to the maximum cap in (a): Rural Commercial zoned Districts, Manson and Peshastin Urban Growth Areas Commercially zoned districts, Planned Unit Development Overlay Districts expressly permitting short-term rentals, or Master Planned Resorts Overlay Districts.

(iii) Existing non-conforming short-term rentals of any Tier level are not subject to the limitations in Subsection (2)(B) provided they comply with all the provisions of Subsection (2)(F) below.

(C) Zones Allowed. In order to operate, short-term rentals must be allowed pursuant to:

(i) Section11.04.020 applicable to all Rural and Resource Designations, except as limited in Subsection (2)(B).

(ii) Section 11.22.030 applicable to the Peshastin Urban Growth Area, except as limited in Subsection (2)(B).

(iii) Section 11.23.030 applicable to the Manson Urban Growth Area, except as limited in Subsection (2)(B).

(iv) The Board of Chelan County commissioners adopts the cities of Cashmere, Chelan, Entiat, Leavenworth, and Wenatchee land use regulations, development standards and land use designations, as they apply to short term or vacation rentals of 30 days or less, within the county adopted unincorporated urban growth area respecting each city as it is now or is hereafter amended for the cities of Cashmere, Chelan, Entiat, Leavenworth, and Wenatchee, provided that, any city regulation requiring acquisition of a business license is not adopted nor incorporated as a county regulation and that instead a Conditional Use Permit may be required, and the County's review procedures in this Subsection 11.88.290 must control.

(v) Existing non-conforming short-term rentals of any Tier level are not subject to the limitations in Subsection (2)(C) provided they comply with all the provisions of Subsection (2)(F) below.

(D) Lot Size and Lot Location Standards

(i) Minimum lot sizes for new and conforming short-term rentals set forth in this Subsection are the minimum necessary and shall not be subject to reduction pursuant to Chapter 11.95 variances, Chapter 11.97 non-conforming lots, structures, and uses, Chapter 11.98 reasonable use, nor subject to administrative modification, provided that a lot size may be increased by acquiring fee title to adjoining parcels or segments of adjoining parcels and completing any required boundary line adjustments and associated recording and tax payment processes, prior to permit application. The following minimum lot sizes shall be required to establish a Tier 2 or Tier 3 short-term rental in zoning districts where short-term rentals are permitted or conditionally permitted:

Minimum Lot Area (Acres) Required to Accommodate New Short-Term Rental

Zone	Tier 2	Tier 3
RR20	10	10
RR10	~~5~~10	10
RR5	5	~~10~~5
RR2.5	2.5	Not allowed
RRR	0.275	Not allowed
RW	~~1~~0.275	Not allowed
RV	0.275	Not allowed

(ii) New and conforming Tier 2 short-term rentals in all residential zones cited in subsection (D) and within the Manson UGA shall be located a minimum of 200 feet apart as measured from all points of the existing short-term rental structures to proposed short-term rental structures. This distance shall not be subject to reduction pursuant to Chapter 11.95 variances, Chapter 11.97 non-conforming lots, structures, and uses, Chapter 11.98 reasonable use, nor subject to administrative modification.

(iii) Proposals for new and conforming Tier 3 short-term rentals shall be located on sites with direct access off of functionally classified highways consistent with the Chelan County Transportation Element of the Comprehensive Plan. Access shall be consistent with CCC 15.30.330. Direct access means either parcel frontage or driveway access from the highway right of way.

(iv) Existing non-conforming short-term rentals of any Tier level are not subject to the limitations in Subsection (2)(D) or (2)(E) provided they comply with all the provisions of Subsection (2)(F) below.

(E) Number of Short-term rentals.

(i) Short-term rental use is a commercial use. Where excess rental units exist in residential communities, it has been shown to be detrimental to the affordable residential housing inventory and adversely affect the residential character of those neighborhoods.

(a) New Tier 2 and Tier 3 short-term rentals may be established in the locations cited in Subsection (2)(B) and (2)(C) if the combined percentage of Tier 2 and Tier 3 short-term rentals as a share of total dwelling units is less than the share cited in Subsection (2)(B) and the applications meet all requirements of 11.88.290 as determined by the Director.

(F) Existing Short-Term Rentals:

(i) A short-term rental use shall not be considered lawfully established and existing, and allowed to continue to operate as a legally non-conforming use unless the owner proves all of the following:

(a) That a location was actually, physically used for short-term rental purposes during the periods specified in (F)(i)(b) and (f). Proof of rental listing, income generated, and tax payment is also required. The Director may permit dwellings with approved unexpired building permits issued before August 25, 2020 where the applicant noted on the building permit application form that it was intended to be used as a short term or vacation rental, and was constructed and issued a certificate of occupancy within six months of the effective date of this ordinance to be considered as an existing short-term rental; and

(b) That ~~all applicable state and local~~ taxes required under RCW 64.37 were fully and timely paid for all short-term rental use between July 28, 2019 and August 25, 2020; and

(c) That the short-term rental meets all requirements of Subsection (3) within one year of the effective date of this ordinance, provided that all health and safety provisions are met within 90 days of the effective date of this ordinance, except that in the Manson Urban Growth Area, all health and safety provisions shall be met on the effective date of this ordinance; and

(d) That the short-term rental operator has obtained the required land use permits within the time requirements in Subsection (4); and

(e) Liability insurance shall be obtained within 90 days of the effective date of this ordinance (XXX 2021) per Subsection (3)(N); and

(ef) If located inside of the Manson Urban Growth Area, documentary evidence that the short-term rental was properly registered as a vacation rental with Chelan County per 11.23.040 as of August 25, 2020, or that the short-term rental owner held a vacation rental license at any time since inception of the Manson UGA vacation rental licensing process and actually operated as a short-term rental in

the years 2019 or 2020. For short-term rentals without a consistent vacation rental permit history, but which operated in the years 2019 or 2020, the County shall require the payment of double permit fees for each prior year of rental operation without a vacation rental license within the Urban Growth Area. This documentary evidence also satisfies the requirements found in (F)(i)(a) above.

(ii) Non-conforming Short-Term Rental Units Restricted Zones, or by Parcel Size, Numbers Allowable, or Rental Standards.

(a) Except as provided in (2)(F)(iii) and (iv) below, where a zone, parcel size, or percentage of overall housing inventory cap by zip code or urban growth area does not expressly allow new short-term rental units as of XXX, 2021 according to CCC Sections 11.04.020, 11.22.030, 11.23.030, 11.88.290(2)(B), (2)(D), and (3) only those short-term rentals that existed pursuant to (F)(i)(b) and (f), will be allowed to operate consistent with all criteria in Subsection (F)(i) above and meet the occupancy requirements of Subsection (2)(A), they may continue to operate as legally non-conforming.

(b) Non-conforming short-term rental properties may not otherwise be changed, altered, extended, or enlarged in a manner requiring a permit issued under Chelan county codes, without first ceasing rental operation and surrendering to the county any current existing short-term rental permits, and in doing so losing legal non-conformance status as a short-term rental. Properties found in violation of this Subsection may be subject to immediate revocation of all short-term rental permits and shall lose any legally non-conforming status as a short-term rental, except a permit may be issued to repair unexpected damage from a natural or human caused event provided the repair is that which is minimally required to maintain the former conditions of the rental as it existed prior to the damage. Appeal provisions within Title 16 and Chapter 14.12 apply.

(c) If the non-conforming short-term rental cannot comply with criteria, grace period, and timelines in Subsection (F)(i) above, it must cease operating, no later than one year from the effective date of this Ordinance (XXXX, 2021), subject to appeal under Title 16 and Chapter 14.12. Short-term rentals that began operation after the Moratorium in Resolution 2020-104 must cease immediately per subsection (e).

(d) After expiration of the permit or revocation of the permit authorizing a non-conforming short-term rental, no operator shall operate a short-term rental, subject to appeal under Title 16 and Chapter 14.12.

(e) Any short-term rental property that has an unresolved written notice of violation for short-term rental use, received on or before August 25, 2020, or that operated as a short term rental contrary to the August 25, 2020 Chelan County short-term rental moratorium Resolution 2020-86, or subsequent rental moratorium resolutions 2020-104 and 2021-20, shall not be considered a legally non-conforming use. Such short term rental is not subject to a grace period for continued operation and must immediately cease all short-term rental uses of the property on the effective date of adoption of this code and are subject to the

provisions of Title 16 CCC, provided that the appeal provisions of Title 16 and chapter 14.12 apply.

(iii) Nonconforming Short-Term Rental Units in Manson UGA. Where a short-term rental is located in the Manson UGA, only those short-term rentals that were properly registered as a vacation rental and meet criteria in Subsection (i), shall be considered legal nonconforming according to Chapter 11.97 CCC, provided the short-short term rental is allowed a grace period of operation in which to fully attain compliance with all current rental standards as provided in Subsection (F)(i) above. Those vacation rentals that cannot meet criteria in Subsection (F)(i) by the end of the grace period of one year from the effective date of this ordinance (XXX, 2021) shall be subject to permit termination under the grace period provisions found in paragraph (ii) above, and lose their legally non-conforming status subject to appeal provisions under Title 16 and Chapter 14.12.

(iv) Non-conforming Short-Term Rental Units in Peshastin UGA. Existing non-conforming short-term-rental units of any Tier are not an allowed use within the residential zones in the Peshastin UGA. Any existing non-conforming short-term rental in the Peshastin UGA must immediately cease operation upon adoption of this code.

(3) SHORT-TERM RENTAL STANDARDS

(A) Primary or Accessory Residence.

(i) Short-term rentals must be operated out of an owner's main house or a legally established accessory dwelling unit. In no case, shall an owner or operator make available a recreational vehicle, tent, or other temporary or mobile unit for short-term rental.

(ii) A short-term rental owner may operate only one short-term rental per parcel, which may be in either the main house or the accessory dwelling unit but not both. If the short-term rental occurs in a multifamily dwelling the same owner may not rent more than one unit in the development.

(iii) A short-term rental owner may exceed the limits placed on short-term rentals in (ii) above on a parcel subject to the district zoning requirements of a Rural Commercial county zone or similar Urban Growth Area commercial zone, provided the short-term rental must comply with the provisions of 11.22.020, 11.22.030, or 11.23.030.

(B) Occupancy.

(i) The number of bedrooms shall not exceed the number approved in relation to the on-site sewage system approved by the Chelan-Douglas Health District, or strictly follow the requirements of any sewer district or other waste management provider that is being utilized by the rental.

(a) All conforming and non-conforming short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period.

(ii) Tier 1 and Tier 2 Occupancy limits.

(a) Overnight Occupancy. The owner or operator must limit overnight occupancy to no more than two guests per bedroom, not to exceed:

Tier 1: a total of 8 guests including children, but excluding owner

Tier 2: a total of 12 guests including children.

Tier 3: a total of 16 guests including children.

(b) Daytime Occupancy.

Tier 1: At no time shall the total number of persons at a short-term rental exceed 8 persons, including children, but excluding owner.

Tier 2: At no time shall the total number of persons at a short-term rental exceed 12 persons, including children.

Tier 3: At no time shall the total number of persons at a short-term rental exceed 16 persons, including children.

(c) A Tier 1 or Tier 2 short-term rental owner that wants to exceed this daytime occupancy limit must apply for and receive a Conditional Use Permit and satisfy all the Conditions of Approval, becoming a Tier 3 short term rental for purpose of this Chapter, and must complete all the requirements as provide in Paragraph (3)(B)(iii)(b) below.

(iii) Tier 3 Occupancy limits.

(a) Exceeding Daytime Occupancy. In order to exceed total daytime occupancy limits contained in section (3)(B)(ii) above, an operator must first obtain a Conditional Use Permit and satisfy all the Conditions of Approval before operation, provided that the zone allows short-term rentals as a permitted, or conditionally permitted use and meets all other short-term rental requirements of this section provided that overnight occupancy is limited to 16 persons including children, and shall not have more than two guests per bedroom. All applicable criteria of CCC Chapter 11.93 shall be met.

(b) Short-term rentals may exceed occupancy limits of 11.88.290(3)(B)(ii) above and may contain group facilities designed to host events such as weddings, gatherings, or retreats provided an operator must either take access from a highway consistent with 11.88.290(2)(D)(iii), or be located in a commercial zone. In addition, the Tier 3 applicant must first obtain a Conditional Use Permit and satisfy all Conditions of Approval consistent with CCC 11.93.315.

(c) Facilities exceeding overnight occupancies of 16 persons are considered lodging facilities that must meet the requirements of that zone and use.

(C) Parking.

(i) One off-street patron parking space in addition to the residential parking requirements, not located within a setback, shall be provided for each bedroom consistent with the provisions of Chapter 11.90.

(ii) The number of vehicles allowed at the short-term rental must be limited to the number of bedrooms plus one; this requirement must be included in the Property Management Plan per Section (3)(K) provided that a Tier 3 rental may exceed these limits for hosted events

if a Conditional Use Permit has been obtained and all Conditions of Approval have been satisfied consistent with CCC 11.93.315.

(iii) Unlawful or unsafe parking by short-term rental tenants and guests, owner joint liability if violation not abated. Qualified Persons or Owners of short-term rental properties notified of unlawful or unsafe complaints related to their short-term rental tenants, or their guests are responsible to promptly abate the parking complaints emanating from their property for non-compliance with (i) and (ii) above, or for parking on the property of a neighbor without express permission, or blocking the access to that neighboring driveway, or preventing their unobstructed use of that neighboring property. If the owner fails to cause the parking complaint to be abated within 60 minutes of notification of the complaint, he is subject to the enforcement penalties jointly and severally with the renter, or guest creating the parking violation under this Chapter and Title 16.

(iv) Repeat violations. Repeated parking violations on or adjacent to the same property may be subject to additional penalties under Chapter 16.20, up to and including revocation of the short-term rental land use permits under 16.20.030.

(D) Garbage.

(i) Trash containers must be provided. Trash must be in proper containers on collection day. Trash must be managed in compliance with CCC Chapter 4.04 Garbage. This requirement must be included in the Property Management Plan per Section (3)(K) and good neighbor guidelines per Subsection (3)(M).

(E) Noise.

(i) Short-term rentals must be operated in compliance with Chapter 7.35 Noise Control. This requirement must be included in the Property Management Plan per Section (3)(K).

(ii) Public disturbance noise complaints. Renters are subject to the provisions of Chapter 7.35. Owners of short term rental properties notified of complaints are responsible to promptly abate public disturbance noise complaints on their property. If the owner fails to cause the noise to be abated within 60 minutes of notification of the complaint, he is subject to compliance with Chapter 7.35 and the enforcement penalties jointly and severally with the renter creating the public disturbance noise.

(iii) Repeat violations. Repeated public disturbance noise violations on the same property may be subject to additional penalties under Chapter 16.20, up to and including revocation of the short term rental land use permits under Section 16.20.030.

(F) Trespass.

(i) Owners or operators must provide rules in rental contracts restricting occupants from trespassing on neighboring private property and identify proper routes to public places such as easements to shorelines. Such trespass rules must be included in the property management plan in (3)(K) and good neighbor guidelines per Subsection (3)(M).

(ii) Trespass by short-term rental tenants and guests, owner joint liability. Qualified Persons or Owners of short-term rental properties notified of trespassing complaints related to their short-term rental tenants, or their guests are responsible to promptly

abate trespass complaints emanating from their property. If the owner fails to cause the trespass to be abated within 60 minutes of notification of the complaint, he is subject to the enforcement penalties jointly and severally with the renter, or guests creating the trespass under Chapter 7.32.030 and Title 16.

(iii) Repeat violations. Repeated trespass violations on or adjacent to the same property may be subject to additional penalties under Chapter 16.20, up to and including revocation of the short term rental land use permits under 16.20.030.

(G) Signs.

(i) All owners or operators must display and maintain the address of the residence so that it is clearly visible from the street or access road in compliance with CCC 10.20.520 requirements. The rental must also display and maintain an additional sign outside identifying the property as short-term rental and displaying the name and contact phone number of the qualified person listed in Subsection (4)(J) below. The sign must be made of natural materials not exceeding two square feet in area and if illuminated, must be indirectly illuminated, and letters and numbers must at a minimum four inches in height.

(ii) Placement of the sign.

(a) For short-term rental structures located fifty feet or less from the primary road, the sign text shall be displayed on the side of the structure facing the road and shall be visible from the road designated in the assigned address.

(b) For short-term rental structures located fifty feet or more from the primary road, or for buildings not visible from the road, the sign text shall be posted inside the owner's property line at the access point to the road designated in the assigned address.

(iii) If the permanent contact information changes during the permit period, the new information must be changed on the sign. Renewal applications must provide evidence of the sign.

(iv) The Director may allow annual mailings to neighboring properties and an interior posted notice for tenants in lieu of an exterior sign where a property's size and visibility make an exterior sign ineffective.

(H) Consumer Safety.

(i) All Consumer Safety requirements of RCW 64.37.030 must be met by the owner or operator. Violations are subject to Title 16. Requirements must be included in the property management plan in (3)(K).

(I) Fire Safety and Outdoor Burning.

(i) Each owner or operator must include a fire protection plan in their property management plan in Subsection (3)(K) to alert renters to respect firewise efforts on a property, or to comply with travel or activity restrictions of CCC Chapter 7.52, Fire Hazard Areas. The fire protection plan shall demonstrate consistency with a Ready Set Go program or equivalent; this includes, but is not limited to, restricting the use of fireworks, outdoor fires, open flame devices, portable fireplaces, fire pits, chimeneas, or BBQ

devices. All permanently installed outdoor flame devices, as well as portable burning devices shall have the ability to be secured from use in accordance with CCC 7.52 Fire Hazard Areas and these devices must be secured during all periods of regulated burning restrictions banning the use of that device.

(ii) At least one 2A:10BC fire extinguisher, charged, maintained, and in serviceable condition shall be prominently available in the common living space.

(J) Qualified Person.

(i) The owner or operator must provide the name, telephone number, address, and email of a qualified person (which can be a person or company) who can be contacted concerning use of the property and/or complaints and can respond to the property within 60 minutes to complaints related to the short-term rental consistent with the requirements of this section. The owner or operator must provide a valid telephone number where qualified person can be reached 24 hours per day, every day the property is rented.

(ii) Failure to have a Qualified Person available to respond when contacted, or a failure to abate any complaint regarding a rental code standard under Subsection 3 of this Section by the Qualified Person or owner within 60 minutes is a violation under this Subsection and subjects the owner to the civil penalties provided in 16.20.030.

(ii) Repeat violations. A second subsequent violation within 12 months of the previous violation of failing to have a qualified person available or to respond to a complaint, is grounds for revocation of the short-term rental permit under 16.20.030.

(K) Property Management Plan.

(i) Short-term rentals must maintain an up-to-date property management plan on file with the Chelan County Community Development Department. The property management plan must include the following:

(a) Provide a floor plan and site map clearly depicting the property boundaries of the short-term rental, and the escape route in case of an emergency. The map must indicate if there is an easement that provides access to a shoreline; if so, the boundaries of the easement must be clearly defined. If there is no access, this must be indicated together with a warning not to trespass;

(b) Provide the unified business identifier number, and the names and addresses of the property owner;

(c) Designate a qualified person and provide contact information consistent with (3)(j) ; and

(d) Provide information required for Consumer Safety per (3)(H) and RCW 64.37.030 and fire protection plan per (3)(I).

(e) All units must have an operable landline or Voice Over Internet Protocol (VOIP) telephone installed to aid in emergency response, and the dwelling recorded in "Rivercom" data base. The address and phone number of the property and the contact phone number for the qualified person shall be prominently displayed near the phone. If land line or VOIP is not available at the site, the Director may

at his discretion allow the owner or operator of the short-term rental to use an alternative means of direct phone communication, as long as the communication device is fixed at the location and the phone number is not changed within the annual permitting period. This phone number shall be noted on the permit application and the property management plan. Renter-owned or possessed mobile phones shall not be used in place of this requirement.

(f) The plan must identify the method by which the owner/operator will notify renters of emergency or temporary conditions such as burn bans.

(g) The plan must specify the maximum number of guests and number of bedrooms.

(h) The plan must include the maximum number of vehicles allowed, and the designated parking space locations allocated for each vehicle.

(i) The plan must be kept up to date at the time of the annual permit and include the annual permit number per Subsection (L).

(j) The plan must include the Good Neighbor Guidelines per Subsection (M).

(L) Annual Permit Number.

(i) The owner or operator must include the Chelan County land use permit number for the short-term rental in all advertisements (AirBnB, VRBO, Craigslist, poster, etc.) and marketing materials such as brochures and websites.

(M) Good Neighbor Guidelines.

(ii) Owners and operators must acknowledge receipt and review of a copy of the good neighbor guidelines. Owners and operators must provide evidence that the good neighbor guidelines have been effectively relayed to short-term rental tenants, by incorporating it into the property management plan, and rental contract, posting it online, providing it in a conspicuous place in the dwelling unit, or a similar method.

(N) Liability Insurance.

(i) A short-term rental owner or operator must maintain primary liability insurance consistent with RCW 64.37.050.

(O) Taxes.

(i) The owner or operator must comply with CCC Chapter 6.30 Lodging Tax, and other local sales taxes and state hotel/motel and sales taxes in accordance with the Department of Revenue.

(4) LAND USE PERMITS

(A) Land Use Permit Required.

(i) No short-term rental owner or operator may advertise, offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use as a short-term rental without a valid short-term rental administrative land use permit issued by the Director or a Conditional Use Permit approved by the Hearing Examiner

pursuant to Chapter 14.10. All dwelling units on a single parcel shall be reviewed concurrently in the same application.

(ii) All uses on the property must fully comply with CCC Title 11 and the property may not have existing unresolved Chelan County code violations under Title 16 in order to be eligible to apply for a short term rental land use permit under this chapter.

(B) Annual Renewal. Annual renewal of the short-term rental land use permit is required.

(i) The department shall by September 1 of each year, mail a renewal reminder notice to the permitted owner or operator, sent to the postal address or the email address on file reminding of the renewal requirement of the rental permit requirement.

(ii) A permit expires on December 31 of each year, regardless of when it is issued.

(iii) All permitting fees are not pro-rated.

(iv) All permit renewal applications must be received by October 31 of the preceding year.

(a) At their discretion the Director may, upon showing of a hardship reason for applicant's delay, accept permit renewal applications received after October 31 but before December 31of the same year and may assess double the normal fees for permitting, provided the short-term rental may not continue operation past December 31 until the permit application is approved and a permit issued.

(b) Permit renewal applications received after December 31 will not be accepted, and the short term rental must immediately cease operations on January 1of the following year. The owner and property loses any vesting to continue operation as a legally conforming or non-conforming short term rental under this chapter. Expired short term rentals under this Subsection are then subject to the housing cap provisions of 11.88.290(2)(B) and must apply as a new short term rental if all other provisions of 11.88.290 allow.

(C) Permit Applications.

(i) Short-term Rental owners must apply for an administrative land use permit to establish compliance with this code. Fees consistent with CCC 3.24.010 must be paid. Applicable fees shall reflect costs for review, inspections, and permitting of different short-term rental tiers, and inspections at the appropriate stage. All other permit costs apply. Fees are due at the time permit application.

(D) Application Acceptance and Evaluation.

(i) All short-term rentals operating as of dates established in (2)(F) and subject to Resolution 2020-104, shall pay a fee and register on a department registration form by January 31, 2022. Those owners and properties failing to register within this time period will not be considered as an existing and non-conforming short-term rental use under this Section and forfeit any claim of non-conforming short term rental use status under this Section, subject to appeal provisions under Title 16 and Chapter 14.12.

(a) All short-term rental owners wishing to continue short term rental land use operation past the registration, shall also apply for a short term rental permit for the current year on a provisional self-certification form no later than January 31, 2022. This self-certification form serves as the first provisional short term rental permit application.

(ii) Within the first calendar year of implementation or not later than December 31, 2022, the Director may upon review for accuracy, completeness, and code compliance, provisionally approve a Tier 1 short-term rental property, or any existing non-conforming Tier 1, 2, or 3 short-term rental property as provided in 11.88.290(2)(F), for an initial short-term rental administrative land use permit subject to the owner completing a self-certification form in (i)(a) above provided that inspections in Subsection (4)(H) are accomplished prior to the first renewal thereafter.

(a) Non-conforming Tier 3 short term rentals must also apply for any required conditional use permit within the first calendar year of provisionally permitted operation. At the discretion of the Director, a Tier 3 short term rental requiring a Conditional Use Permit may obtain a provisional land use permit for a second consecutive year if the owner can demonstrate that they have an accepted complete Conditional Use Permit application under review and consideration by October 31 of the first year.

(b) At the discretion of the Director a non-conforming Tier 3 short term rental may receive a third and final provisional land use permit if a Conditional Use Permit has been issued, but the owner is currently in the process of complying with all the conditions of approval, provided all Conditions of Approval of the use permit must be satisfied by October 31 of the third year of operation in order to be eligible to apply for subsequent year short term rental land use permits.

(iii) New compliant Tier 2 and Tier 3 land use permit applicants may apply to obtain a new short-term rental permit pursuant to the provisions and limitations of 11.88.290(2).

WAITING LIST OPTION

(a) Permit applications, or reservations for application appointments, will be taken on a first come, first served basis at the Community Development office starting at 9:00 AM on the published date allowing permit submission. The number of permit applications accepted will not exceed the number of short-term rentals allowed per the applicable housing cap within each zip code and Urban Growth Area as provided in Subsection (2)(B). Once the limit on the number of applications has been reached, the window of time for submission shall be closed for that year.

(b) The Director shall annually by March 15 determine the share of short-term rentals to the overall housing stock in each of the unincorporated zip codes and urban growth areas, and accordingly schedule a permit application time window, to be held only once annually between June 1 and July 31, to allow new short-term rental applications for the following year in each zip code and urban growth area where the cap in Subsection (2)(B) is not exceeded.

LOTTERY OPTION

(a) The Director shall annually by March 15 determine the share of short-term rentals to the overall housing stock in each of the unincorporated zip codes and urban growth areas. To allow new short-term rental applications for the following year in each zip code and urban growth area where the cap in Subsection (2)(B) is not exceeded, the Director shall accordingly schedule an application period for new short-term rentals for April 1 to May 31.

(b) Permits submitted in (a) will be entered into a lottery. The lottery shall be scheduled annually between June 15 and July 31. The lottery must be conducted at a public meeting after the publishing of a legal notice a minimum of 10 days prior to the lottery. The number of issued permits selected by lottery will not exceed the number allowed per the applicable cap in subsection (2)(B). Selected permits remain valid until such time as an annual renewal is required.

(c) If the number of applicants for the available number of permits is less than the number of permits available, the permits will be issued on a first come first served basis.

(d) A completed permit application does not guarantee that the applicant will receive a permit to operate a short term rental. Application acceptance only guarantees participation in the permit application process and a review for subsequent permitting under the regulations in existence at time of selection.

(e) Any applicant who does not complete the required application forms, complete any required inspections or other processes contained within this chapter, and fully submit any required supplemental information requested by the department by any required deadlines, including application for any required Conditional Use Permits, or upon application review is found to have knowingly provided false information, or the applicant or property is found to be out of compliance with this or other titles of Chelan County land use or development codes, is ineligible for a short term rental permit. The applicant shall not receive any further processing of their application. -Once denied, the applicant shall not be eligible for rental permit application until such time as the owner can show compliance with Chelan County regulations.

(f) All application fees are non-refundable.

(E) Term.

(i) A short-term rental land use permit must be issued for a period of one calendar year, with its effective date running from the date the application is due as set forth in Subsection (4)(D) above and must be renewed annually by the owner or operator provided all applicable standards of this section are met.

(F) Forms and Procedures.

(i) Applications for short-term rental land use permits must be on forms provided by the County, demonstrating the application meets the standards required by this section. Permit review procedures and appeals must be consistent with Title 14.

(G) Nonuse.

(i) All short-term rentals must operate under a current short-term rental land use permit regardless of nonuse. If a property has not been rented in a twelve-month period, renewal of short-term rental land use permit must still be met to maintain the validity of the permit.

(H) Fire, safety, health, short term rental standards, and building codes compliance, and inspections.

(i) Fire and Emergency Safety and Short Term Rental Standards. Prior to approving the initial short-term rental permit, the applicable fire district or community development personnel must perform a life-safety and applicable short term rental or conditional land use permit standards inspection, except as provided under Subsections (H)(iv) and (H)(v).

(ii) Wastewater. Each applicant shall demonstrate to the satisfaction of the Director they have a proper and permitted onsite sewage system meeting applicable Health District permitting and standards for the occupancy.

(iii) The Director may waive inspections under Subsections (H)(i) and (H)(ii) associated with the initial short-term rental permit if the owner provides a notarized affidavit from the applicable fire district or fire marshal or Chelan-Douglas Health District that the short-term rental complies with applicable requirements in Subsections (H)(i) and (H)(ii).

(iv) After the unit is approved and permitted for rental, a completed self-certification checklist for health and safety is required to be submitted by the owner with each annual short-term land use permit renewal consistent with forms provided by the Director.

(v) Owner Responsibility. It is the owner's responsibility to ensure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.

(vi) Owners applying for or receiving a valid short term rental land use permit or a Conditional Use Permit for short term rental or event venue use must allow the Director or designee to inspect or reinspect the property at reasonable times to determine initial compliance with Subsections (3) and (4)(H) of this chapter. If complaints are received, or evidence is encountered indicating non-compliance with this chapter the department may reinspect the property at reasonable times. Denial of entry for inspection is grounds for immediate permit denial or revocation of all permits for short term rental land use under this chapter pursuant to CCC Title 16.20.030.

(I) A short-term rental permit for conforming code compliant short-term rentals permitted according to (4)(D) is transferable to a new owner under the provisions below.

(i) With a conforming short term rental, the new owner must obtain a new short-term rental permit compliant with this section following expiration of any existing short-term rental permit or cease operation. New owners must certify compliance with the conditions of permit approval within 90 days after the closing date of the sale of the property. Written certification must be submitted to the Community Development Department on forms specified by the Director. New owners must apply for a new permit by the annual deadline.

(ii) A non-conforming short term rental permitted according to the provisions of Subsection (2)(F), is allowed to transfer to a new owner one time within five years of the effective date of the ordinance (XXXX, 2021) consistent with (I)(iii) below.[5]

(iii) A transfer occurs when the property is sold to a person or when officers of corporations are changed to remove former officers and add new officers, except that a transfer does not occur when officers are changed due to death where title is held in survivorship with a spouse or a transfer on the owner's death to a trust which benefits only a spouse or child(ren) for the lifetime of the spouse or child(ren). The survivor may not sell or transfer title, except that title may transfer among the survivors. A transfer also does not occur when due to divorce a former spouse's name is removed from the deed or corporation.

(J) Approval Criteria.

(i) To receive approval or renewal, an owner or operator must demonstrate to the satisfaction of the Director that all approval criteria listed below have been satisfied:

(a) The short-term rental is located in a base or overlay zone that allows its use pursuant to this section.

(b) The short-term rental is consistent with density limitations of this section.

(c) The short-term rental is consistent with short-term rental standards of this section.

(d) The short-term rental is consistent with all applicable health and safety requirements of this section.

(e) The short-term rental is not the subject of outstanding code violations per Title 16.

(f) The short-term rental is considered non-conforming and is in full compliance with Subsection (2)(F) above.

(g) The short-term rental has not been transferred in violation of Subsection (4)(I) above.

(K) Appeals of the denial or conditions of short-term rental land use permits or annual renewals must be filed in compliance with Title 14 CCC.

(5) ENFORCEMENT

(A) Within Chelan County jurisdiction, a short-term rental must not operate without an approved and valid Short-Term Rental Permit. Evidence of operation includes, but is not limited to, advertising, online calendars showing availability, guest testimony, online reviews, rental agreements, or receipts.

(B) Enforcement of this section will be in accordance with Title 16 CCC.

[5] After the Task Force Process concluded the County received input that the Manson Community Council had been wishing to have a 3 year period for transfers as a tradeoff for going to 9% share of short term rentals in the UGA. As this post-dates the Task Force process and the County staff wish to have a more aligned process countywide we have noted 5 years universally here.

(6) MONITORING

The Director shall report to the Board of County Commissioners on the status of short-term rental regulation implementation annually at the time the existing short-term baseline is reported per (4)(D). The County may initiate a review or amendment pursuant to Chapter 14.13.

11.90.060 Required off-street parking.

(1) Parking space shall be provided as shown in Table 11.90-3 for the land uses listed. The number of required parking spaces shall be rounded upward to the nearest whole number if the calculation results in a fractional space requirement of one-half space or more.

(2) When parking standards require ten or more parking spaces twenty-five percent of the spaces may be compact spaces and shall be marked "COMPACT ONLY."

Table 11.90-3

Land Use	Required Off-Street Parking
Residential	
Single-family, two-family, and manufactured home parks	2 spaces per dwelling unit
Accessory dwelling unit, guest houses	1 additional space
Multifamily (3 or more units)	1-1/2 spaces per dwelling unit
Bed and Breakfasts and Guest Inns, and Tier 1 and Tier 2, and Tier 3-overnight-lodging use-only, Short-Term Rentals	1 space per bedroom and 1 space for manager
Institutional or group homes: nursing home, correctional, retirement	1 space per 5 beds and 1 space per staff person
Medical Facilities	
Hospitals	1-1/2 spaces per bed
Medical or dental clinics and offices	1 space per 200 square feet
Public Assembly	
Auditoriums, gyms, clubs, lodges, Tier 3 short term rental event venues	1 space per 4 seats or 8 feet of bench
Churches, funeral homes	1 space per 4 seats or 8 feet of bench
Libraries, museums, galleries, municipal	1 space per 300 square feet
Schools	
Pre-school, daycare, kindergarten	0.07 pickup/drop-off spaces per enrolled student and 1 space per staff person
Elementary schools	0.05 parking spaces and 0.07 pickup/drop-off spaces per enrolled student
Junior high schools	0.08 parking spaces and 0.06 pickup/drop-off spaces per enrolled student
High school, vocational schools, colleges	0.20 parking spaces and 0.03 pickup/drop-off spaces per enrolled student
Commercial and Public Recreation	
Archery, gun, swimming and tennis clubs or similar use	0.3 parking spaces for every attendee

Table 11.90-3

Land Use	Required Off-Street Parking
Bowling alleys	5 spaces per lane
Golf courses	2 spaces per each 100 yards length plus 1 space per 200 square feet of club house
Hotels, motels, resorts, lodging facilities	1 space per guest room or suite and 1/2 space per employee
Outdoor amusement area	0.3 spaces for every attendee
Sports field	1 space per participant (est. 45 participants per ball field)
Stadiums, arenas, theaters, race tracks	1 space per 4 seats or 8 feet of bench
Swimming pools, skating rinks, dance halls	0.3 spaces for every attendee
Commercial	
Banks, personal and professional services	1 space per 300 square feet of floor area
Eating and drinking establishments	1 space per 100 square feet of floor area
Retail	1 space per 300 square feet of floor area
Retail handling bulky merchandise	1 space per 600 square feet of floor area
Service and repair shops	1 space per 600 square feet of floor area
Industrial	
Auto salvage yard	5 spaces plus 1 space per each 2 acres
Manufacturing, assembly, freight terminal, wholesale, packing, storage, warehouse	1 space per employee at peak shift and 1 space per 300 square feet office space
Transportation terminals	1 space per 100 square feet waiting area

Chapter 11.93 Conditional Use Permits

11.93.450

All short-term rental applications requiring a conditional use permit shall comply with and are subject to the provisions of this chapter in addition to chapter 11.88.

Chapter 3.24 Community Development Department Fees

3.24.010 FEE SCHEDULE.

(a) Planning.

Application Type	Fee
Conditional use permit	$1,520
Short-term rental registration.	$75

Application Type	Fee
Short-term rental (Tier 1, first permit)	$500
Short-term rental (Tier 2, inspection not required, provisional first permit)	$500
Short-term rental (Tier 2, inspection required second provisional permit and first time new Tier 2 permits)[1]	$900
Short-term rental if CUP required (Tier 3 first permit, includes CUP application)	$2,270
Short-term rental (Tier 1 annual renewal)	$500
Short-term rental (Tier 2 annual renewal, no inspections)	$500
Short-term rental (Tier 3 annual renewal, if no new CUP is required)	$750

1 If an owner requests inspections with the first permit or inspections are waived by the Director, the fee shall be equivalent to the annual renewal.

Definitions

14.98 DEFINITIONS

14.98.1410 Person.

"Person" means any individual, firm, association, partnership, corporation, or any entity, public or private. For the purposes of short-term rental regulations, person is defined consistent with in RCW 82.04.030.

14.98.265 Bed and breakfast.

"Bed and breakfast" means a facility in which one kitchen, a shared dining area, and not more than a total of three lodging units are available within a single-family residence providing short-term lodging and food services, for paying guests. This definition excludes Short-Term Rentals.

14.98.625 Dwelling unit.

"Dwelling unit" means one or more rooms designed, occupied or intended for occupancy as a separate living quarters with sleeping, sanitary facilities and kitchen facilities provided within the dwelling unit for the exclusive use of a single household.

14.98.915 Guest inn.

"Guest inn" means a facility with one kitchen, a shared dining area, with not more than a total of six lodging units, which are available within a single-family residence and/or cabin outbuildings providing short-term lodging and food services for paying guests. This definition excludes Short-Term Rentals.

14.98.1105 Lodging facilities.

"Lodging facilities" means establishments providing transient sleeping accommodations and may also provide additional services such as restaurants, meeting rooms and banquet rooms. Such uses may

include, but are not limited to, hotels, motels, and lodges greater than six rooms, and any overnight accommodation that is rented nightly for 30 days or less and has an occupancy of greater than 16 persons, including children.

14.98.1110 Lodging unit.

"Lodging unit" means one self-contained unit designated by number, letter or some other method of identification.

14.98.1632 Bedroom

For the purposes of CCC 11.88, a "bedroom" means either enclosed or open areas within a structure being used as a Short Term Rental that provides sleeping accommodations such as mattresses, beds, sofa sleepers, roll away beds, day/trundle beds, bunkbeds, murphy beds, etc. Any space used as a short-term rental bedroom under this section shall have a door or window of egress to the outside meeting that meets the International Residential Code standard for a bedroom, and must be equipped with a working smoke alarm in the room.

14.98.1691 (Short-Term Rental) Grace Period

"Grace Period" means, the additional time allocated to continue operation as a short term rental until the set date that the short term rental use must establish code compliance under this Chapter, or must cease operation.

14.98.1692 Short-Term Rental

"Short-Term Rental" means a commercial use utilizing a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights, by intent or net effect of days rented. They are commonly referred to as vacation rentals. They are a form of commercial tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. They are rented as a single lodging unit, do not provide food service, and retain the form and function of a dwelling unit. For the purpose of administration and enforcement of this title, the terms "overnight rental," "nightly rental," and "vacation rental" are interchangeable with short-term rentals. Subleasing or subletting of units for short-term rental is prohibited if the underlying zone prohibits such use.

14.98.1693 Short-Term Rental Operator

"Short-term rental operator" means any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term rental unit, or their authorized agent including a property management company or other entity or person who has been designated by the owner, in writing, to act on their behalf.

14.98.1694 Short-Term Rental Owner

"Owner" means any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or

control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

14.98.1695 Owner Occupied

"Owner occupied" means a rental unit is the principal residence of the owner for at least six-months in the calendar year, and the owner is present in the dwelling or is present on the same parcel while the residence is being used as a short term rental.

16.20. SHORT-TERM RENTAL ENFORCEMENT AND VIOLATIONS

16.20.010 Compliance

Short-term rental owners, operators, and properties must comply with the provisions of this code including but not limited to the short-term rental regulations in Titles 11 and 14 CCC. Violations and enforcement must be in accord with Title 16 CCC.

16.20.020 Enforcement Procedures, Notices, and Citations

(1) Enforcement Procedures. Unless specified otherwise in this chapter, all enforcement procedures in this title apply to short-term rental owners, operators, and properties.

(2) Notice of Violation for Consumer Safety by County Attorney. If an owner or operator is suspected of violating Consumer Safety requirements of RCW 64.37.030, the County Attorney must issue a warning letter to the owner or operator for the first violation. Other procedures or requirements with regard to the warning letter must be consistent with Title 16. For any repeated violations, the County will employ its standard code compliance process consistent with Title 16.

(3) Citations must be issued consistent with Chapter 16.08, provided that citations may be issued on-site at the discretion of the code compliance officer if a violation of Short-Term regulations in Titles 11 and 14 CCC occurs. Alternatively, the citation may be accomplished in another manner consistent with Title 16.

16.20.030 Civil Penalties

(1) Civil penalties must be consistent with Title 16 including Chapter 16.16. except as identified in (2) below.

(2) Any additional violation of 11.88.290(3) Standards within 12 months of any preceding violation of the same type of standard within that same subsection, is subject to a penalty of double the prior violation penalty amount.

(2) The first violation of Consumer Safety requirements of RCW 64.37.030 is a class 2 civil infraction under chapter 7.80 RCW with a fine of one hundred twenty-five dollars ($125). The fine for repeated violations must be consistent with CCC 16.16.010 Assessment Schedule.

16.20.030 Revocation

(1) Repeated failure of the owner or operator to timely and reasonably respond to a complaint(s) relayed by code compliance officers are grounds for civil fines, revocation, or other penalties consistent with Title 16.

(2) The following conditions may result in denial of issuance or revocation of land use permits granted under short-term rental regulations in Titles 11 and 14 CCC:

(A) Failure to renew a short-term rental land use permit pursuant to CCC 11.88.290 short-term rental regulations and Title 14 is grounds for immediate revocation of the permit.

(B) Failure to meet the criteria of CCC 11.88.290 Short-Term Rental Regulations is grounds for immediate denial of issuance or revocation of the short-term rental land use permit.

(C) The discovery of material misstatements or providing of false information in the short-term rental land use permit application or renewal process is grounds for immediate revocation of the permit.

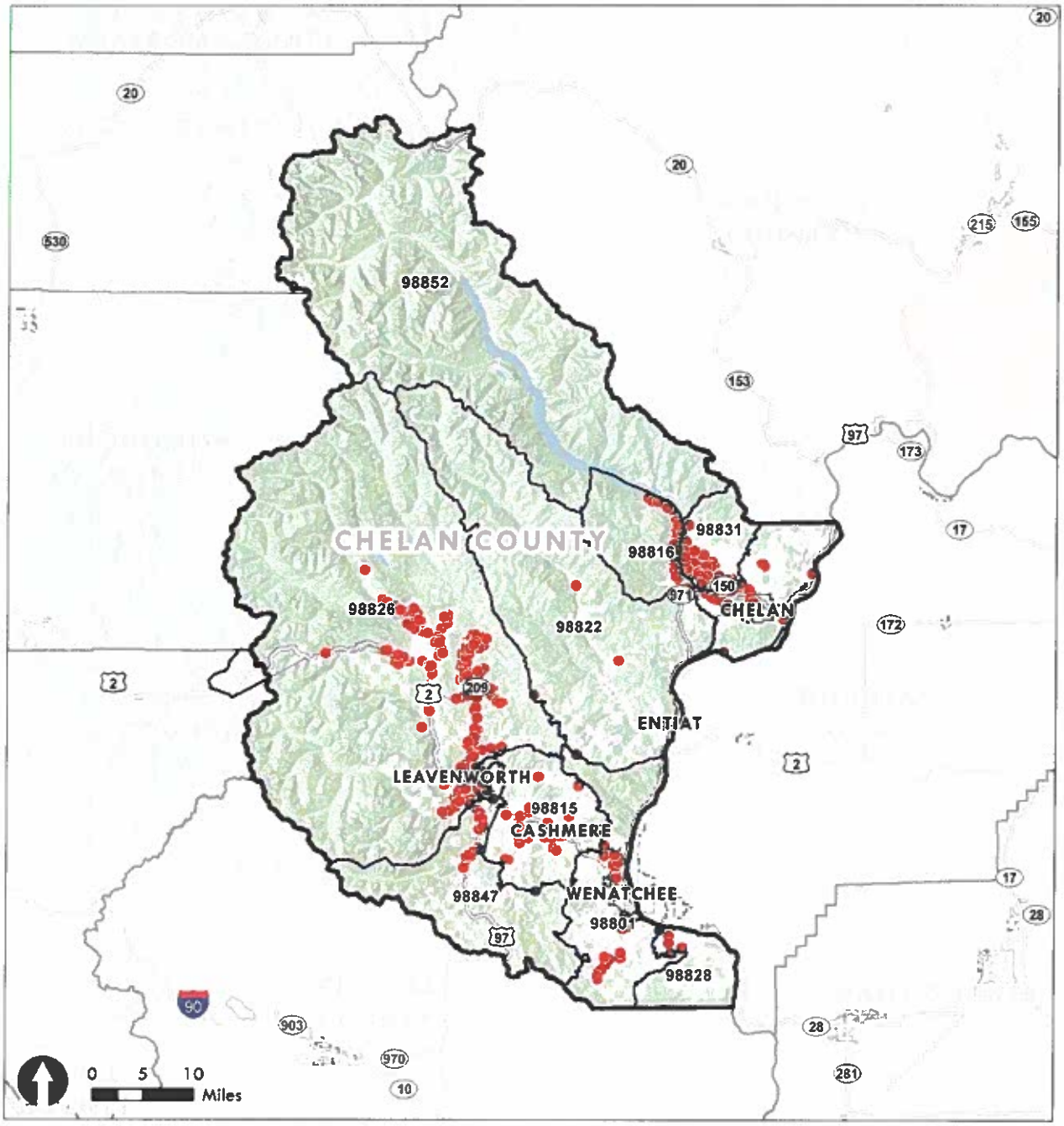
(D) Such other violations of Titles 11, 14, and 16 of sufficient severity in the reasonable judgment of the Administrator,[6] so as to provide reasonable grounds for immediate revocation of the land use permit.

(E) If three violations are verified under Subsection (D) at any time during a twelve-month period, the penalty shall be revocation in addition to any required civil penalties under 16.20.030.

(F) Denial of entry for required inspection, reinspection, or interference with an inspection or reinspection of a short term rental property under CCC 11.88.290 is grounds for immediate denial of issuance or revocation of the short term rental land use permit.

[6] In Title 16, reference is made to "Administrator" whereas in Title 11 reference is made to "Director". Both have a similar meaning in Title 14 definitions.

Attachment A: Countywide Zip Code Map



LEGEND

- Short-term Rentals (est. 1,200 active)
- ZIP Code Boundaries

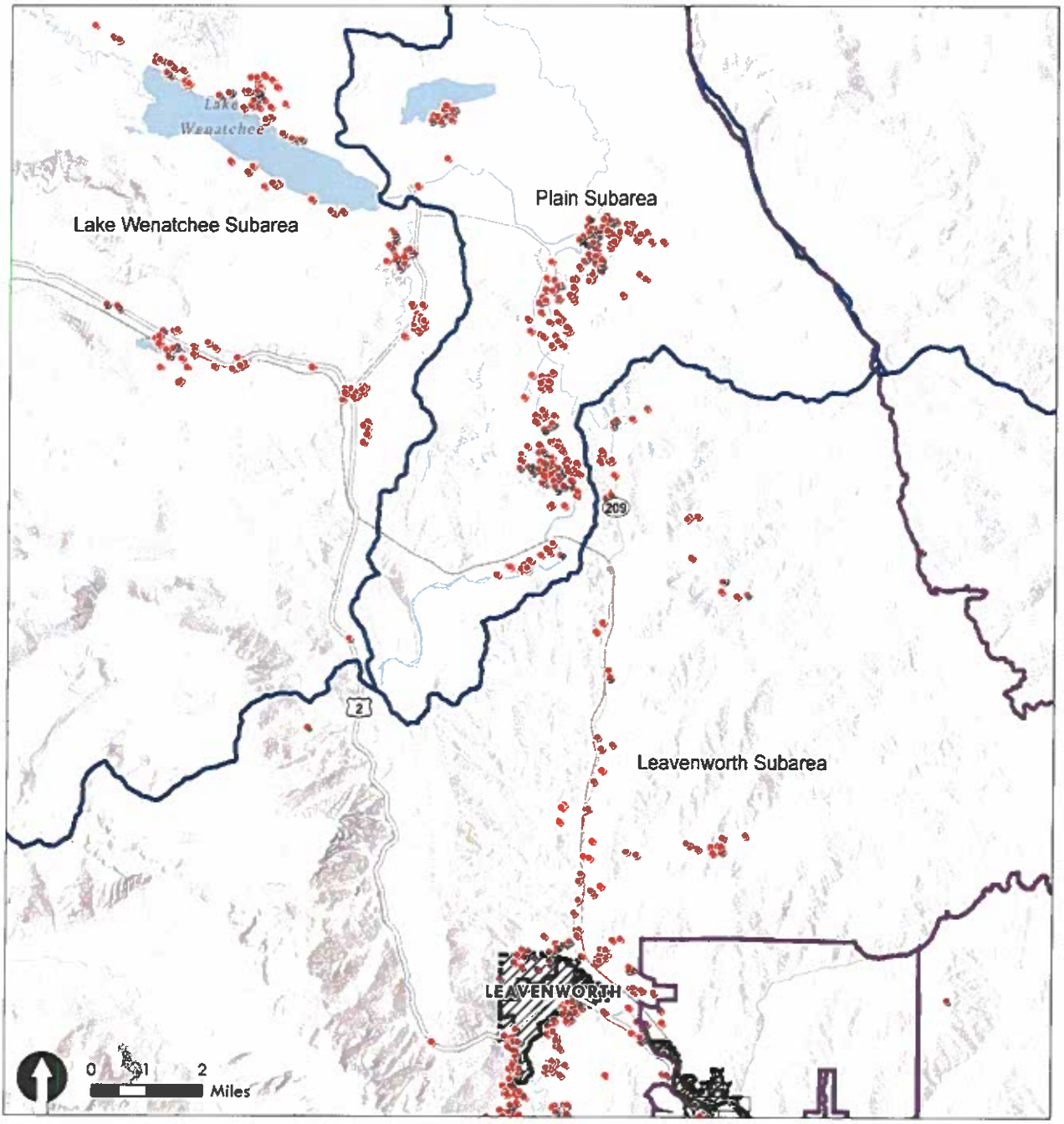
BERK

Map Date: March 2020

Source: AirDNA, 2020.
Data notes: This data tracks individual short-term rental property level from AirBNB and HomeAway. The location data on individual properties is within 500 meters of accuracy. It shows only properties that are assumed to be in unincorporated areas and are listed as an entire home/apartment.

Sources: Chelan County GIS, 2020. BERK 2020. Powered by AirDNA: https://www.airdna.co, 2020.

Attachment B: Leavenworth-Lake Wenatchee Subareas



LEGEND

- Urban Growth Areas
- Short-term Rental
- STR (on tribal land)
- Preliminary Boundaries
- ZIP Code Areas

BERK

Map Date: May 2020

Source: AirDNA, 2020.
Data notes: This data tracks individual short-term rental property level from AirBNB and HomeAway. The location data on individual properties is within 500 meters of accuracy. It shows only properties that are assumed to be in unincorporated areas and are listed as an entire home/apartment.

Sources: Chelan County GIS, 2020. BERK 2020. Powered by AirDNA: https://www.airdna.co, 2020.

Attachment C: Short-Term Rental Data

Short-term rental regulations would apply in unincorporated areas of the county. Based on AirDNA property data, January 2020, there are about 1,247 whole home short-term rentals (generally typed as Tier 2 and 3 short-term rentals) and about 92 private rooms (generally Type 1 short-term rentals), for a total of about 1,339 short-term rentals. Since regulations often focus more on whole home rentals (Tier 2 and Tier 3 depending on occupancy) they are often a focus of the published tables.

The AirDNA information is based on two types of data – property based data and monthly based data which means some records are attached to the property and some records are attached to the monthly account.

Some data is through January 2020 (last month where full records were pulled by AirDNA – sometimes called "last scraped" date). Some data is presented by other years (e.g. December each year is chosen as a comparison to see growth in short-term rentals over time.

The table below illustrates short-term rentals by urban/rural status and by zip code compared to total dwellings.

Table 1. January 2020 AirDNA Property Data by Urban/Rural Status and Rental Type

Location	Whole Home (Tier 2 and Tier 3)	Private Room (Tier 1)	Total Whole Home & Private	% Share
Rural	970	78	1,048	49%
Cashmere				
City Limits	3	0	3	0%
UGA	5	0	5	0%
Chelan				
City Limits	477	12	489	23%
UGA	10	0	10	0%
Leavenworth				
City Limits	208	21	229	11%
UGA	29	3	32	1%
Wenatchee				
City Limits	67	22	89	4%
UGA	8	6	14	1%
Manson UGA	218	5	223	10%
Peshastin UGA	7	0	7	0%
Unincorporated Rural	970	78	1048	49%
Unincorporated UGA	277	14	291	14%
All Unincorporated	1,247	92	1,339	62%
Incorporated Cities	755	55	810	38%
Total Unincorporated and City	2,002	147	2,149	100%

Note: Geographic location is accurate for most properties with some locations within 500 meters for privacy.
Sources: Chelan County Assessor; AirDNA February 2020; BERK 2020

The table below illustrates the share of short-term rental dwellings as a share of the total housing units in the zip code or county including or excluding short-term rentals on tribal land.

Table 2. Tier 2 and Tier 3 Short-Term Rentals (Property January 2020) as Share of Total Dwellings (OFM April 2019) by Zip Code

Zip Code Community Name	Zip Code	Total Dwellings 2019	Total Unincorporated Dwellings 2019	January 2020 Active STRs	% short-term rentals - Unincorporated	Zip Codes Excl Units on Tribal Land (Wapato)	Alternative %
Leavenworth	98826	6,099	4,811	749	15.6%	749	15.6%
Manson	98831	2,519	2,519	281	11.2%	198	7.9%
Chelan	98816	5,333	2,492	97	3.9%	97	3.9%
Peshastin	98847	956	956	53	5.5%	53	5.5%
Wenatchee	98801	17,989	3,607	30	0.8%	30	0.8%
Cashmere	98815	2,977	1,785	28	1.6%	28	1.6%
Malaga	98828	908	908	5	0.6%	5	0.6%
Entiat	98822	1,138	551	4	0.7%	4	0.7%
Various	Various	836	836	0	0.0%	0	0.0%
	Total	**38,672**	**18,466**	**1,247**	**6.8%**	**1,164**	**6.3%**

Note: Geographic location is accurate for most properties with some locations within 500 meters for privacy.
Sources: Chelan County Assessor; AirDNA February 2020; BERK 2020

The Leavenworth zip code has been considered together and in three subareas as noted in Attachment B. a count of the Tier 2 / Tier 3 short-term rentals that are visualized on the map on the following page:

Table 3. Tier 2 and Tier 3 Short-Term Rentals by Leavenworth Zip Code Subarea, Unincorporated Lands

Subarea (See Attachment B)	Tier 2/3 Count
Lake Wenatchee	183
Leavenworth	311
Plain	255
Grand Total	**749**

Note: Geographic location is accurate for most properties with some locations within 500 meters for privacy.
Sources: Chelan County Assessor; AirDNA February 2020; BERK 2020

The Manson UGA share of short-term rentals as a part of the housing stock is presented below.

Table 4. Manson UGA Tier 2/Tier 3 Short-Term Rental Units (January 2020)

Type	Number
Whole Home Short-Term Rentals (February 2019)	218*
Housing Units (OFM April 2019)	1,350
Share of Short Term Rentals	16%

Note: Geographic location is accurate for most properties with some locations within 500 meters for privacy.
** 2 units are zoned UR2 but mapped outside the UGA. It would not change the 16% share of short-term rentals in the UGA.*
Sources: Chelan County Assessor; AirDNA February 2020; BERK 2020

By zone, the short-term rental information is presented. The share is based on the proportion of short-term rentals by zone by geography (rural or UGA) and by total in the county. It is not a share of short-term rentals as a proportion of housing stock in that zone.

Table 5. Tier 2 & 3 STRs by Zoning District Share (Rural or UGA)

A. Rural Chelan County

Zone	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC	Total
STR #	61	83	183	178	272	126	55	12	0	4	27	19	0	1,020
Share	5%	7%	15%	14%	22%	10%	4%	1%	0%	0%	2%	2%	0%	82%

B. Manson UGA

Zone	UR1	UR2	UR3	CT	CD	MLI	UP	WAPATO	Total	Total Excl. Wapato
STR #	18	62	33	0	22	0	0	83	**218***	**135**
Share	1%	5%	3%	0%	2%	0%	0%	7%	17%	11%

** 2 units are geolocated outside the Manson UGA but are noted as UR2. If included the whole homes would be 220 and the share of county short-term rental units would be 18%.*

C. Peshastin UGA

Zone	R-1	R-2	R-3	C-D	C-H	I	I-C	P-U	Total	Share
STR #	3	0	0	1	0	0	1	2	7	1%

NOTE: Geographic location is accurate for most properties with some locations within 500 meters for privacy.
*Source: AirDNA Property Data, Whole House Rentals Jan 2020 AirDNA STRs: **1,247***

Attachment D: STR Task Force Report

The Task Force Report and its attachments are available at the links below;

- FINAL STR Task Force Report to the BOCC (5/11/2021)
- STR Task Force attachments and addenda from the participating groups (05/11/2021)

For more information, please see the project website: https://www.co.chelan.wa.us/community-development/pages/short-term-vacation-rentals-str-code-development.

Attachment E: Code Evaluation

Chelan County Code Section 14.13.040 includes evaluation criteria regarding the decision to approve, modify, or deny a development regulation amendment application, whether initiated by private applicants or the County. Each is listed below with discussion of concurrence with the criterion:

(1) The amendment is necessary to resolve a public land use issue or problem.

The short-term rental code addresses a public land use issue or problem identified by the County and community to address land use compatibility, rural character and economy, and housing affordability and availability. The community concerns are reflected in the public record for the project with hundreds of residents and landowners participating including testifying at hearings, providing letters, or participating in the Task Force. Various studies, papers, and reports on the impacts to housing stock, economic, social, and other implications of short-term rentals in communities from several locales were researched by staff and consultants, along with those provided within public commenting, and were subsequently considered in formulating several of the regulatory strategies used within the rental code.

(2) The amendment is consistent with goals of the Growth Management Act, Chapter 36.70A RCW.

The short-term rental code balances Growth Management Act goals and requirements to locate growth in urban and rural areas in a manner that encourages the preservation of existing housing stock, encourages the availability of affordable housing, allows for economic development consistent with the Comprehensive Plan, protects rural character, ensures appropriate public services, protects environmental quality, and provides for fair/timely permits. Zones that limit short-term rentals continue to provide a range of reasonable uses consistent with the district intents such as long-term residential uses, compatible home occupations, and others. (See RCW 36.70A.020 and 070)

(3) The amendment complies with or supports comprehensive plan goals and policies and/or county-wide planning policies.

The amendment is consistent with the following County Comprehensive Plan policies:

Policy H 2.4: Encourage appropriate placement and use of vacation rentals.
Rationale: Vacation rentals impact the character of a neighborhood and impact housing stock.

Goal H 3: Encourage the appropriate preservation of existing housing stock.

Goal ED 2: Encourage the retention and growth of recreational and tourist based industries consistent with the comprehensive plan.

Goal RE 2: Maintain natural environment features that support and enhance natural resource-based economic activities, wildlife habitats, traditional rural lifestyles, outdoor recreation, and open space.

Countywide Planning Policies promote interlocal land use cooperation: "City and county planning efforts will be coordinated within urban growth areas."

(4) The proposed amendment does not adversely affect lands designated as resource lands of long-term commercial significance or critical areas in ways that cannot be mitigated.

Short-term rentals are limited in resource zones and treated similar to similar uses such as bed and breakfasts and guest houses.

(5) The amendment is based on sound land use planning practices and would further the general public health, safety and welfare.

The short-term rental code is meant to protect residential quality of life balanced with appropriate locations for economic uses that do not unduly limit affordable housing, or conflict with rural character and environmental quality. See the proposed purpose statement in CCC 11.88.290.

Wendy Lane

From: STRACC Admin <info@straccwa.org>
Sent: Sunday, June 6, 2021 12:00 PM
To: Jim Brown
Cc: Sean Lynn; Don MacKenzie
Subject: Grandfathering in New Code

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

Hi Jim

First of all, THANK you for all the hard work you've put into the task force process and with Lisa translating the consensus recommendations into new draft code. I can imagine it wasn't easy...

After reading the code, I have a few questions that we hope you can help clarify...

- Will existing high-occupancy lodges like ours with plenty of septic and parking capacity to host more than 12 guests be "grandfathered in" as Tier 3s even though we're in a zone (RW) that will no longer allow new Tier 3s?
- Will we need to obtain a CUP to host up to 16 guests or only if want to host more than 16 guests?
- What will the process look like for getting a CUP? Is it the same general CUP process for "Lodging Facilities" which would require retrofitting sprinkler systems etc.? Or will it be a lighter-burden process which only needs to meet the new STR operating standards?

As written, the new code could be interpreted as effectively denying grandfathering to many existing "Tier 3" operators like us. We're obviously praying that's not the case since the intent of the intent of the task force was to grandfather all existing STRs who have been playing by the rules.

Also, in our particular case, we live full-time on the property so we're also wondering why Tier 1 (owner-occupied) would have a lower occupancy limit (8 guests) while Tier 3 is allowed up to 16 guests.

Thanks for clarifying...

Hernan

Wendy Lane

From: Rob Shurtleff <rob@shurtleff.org>
Sent: Friday, June 4, 2021 3:42 PM
To: CD STRComment
Subject: Short term rentals

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

We appreciate all the effort that has gone into coming up with a plan to manage STRs. I would specifically like to see the following in the regulations

1: A stiff fine and enforcement mechanism for operating an un-permitted STR.

2: A mechanism for residents to report un-permitted STRs

3: A mechanism for operators to loose their license if they have repeated violations of the regulations

4: A mechanism for potential future owners (see Omni Lodge...) from being sold a property that is prohibited from being a rental

5: A per night per person modest fee to support the recreational activities that many of the visitors are coming to take advantage of...

thanks

rob shurtleff
N Shore
Lake Wenatchee

Wendy Lane

From: Jim Brown
Sent: Friday, June 4, 2021 11:09 AM
To: CD STRComment
Subject: FW: Suggested Clarifications/Corrections to Draft STR Code

Dialogue captured.

Many edits make sense from clarity standpoint, and do not change the substantive direction. Flagged in the draft for further BOCC consideration in track changes.

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Matthew Carlisle <carlislematthew@hotmail.com>
Sent: Friday, June 4, 2021 8:41 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Lisa Grueter <Lisa@berkconsulting.com>; Kirvil Skinnarland <kirvil213@outlook.com>
Subject: Re: Suggested Clarifications/Corrections to Draft STR Code

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Hi Jim,

Much appreciated and very much understood.

We attempted to provide some alternate verbiage rather than just asking for general changes, in order to try and reduce the burden on you.

Best regards,

Matthew.

> On Jun 4, 2021, at 8:31 AM, Jim Brown <Jim.Brown@co.chelan.wa.us> wrote:
>
> Hello-

Thanks. This is a huge amount of editing to consider. And after reviewing it I think there are good edits, deletions, and a few not so good because there is some intent behind the text used. I will see how we may incorporate what seems to work best. So I do appreciate it. That said, I do not have time to do that AND reply to you directly on each point. Responding to your well-researched document would itself take me a half day or more. So you will just have to look at the next draft and see if I captured what you were saying needed attention.

Thanks-

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us
<image001.png>
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From: Matthew Carlisle <carlislematthew@hotmail.com>
Sent: Friday, June 4, 2021 8:21 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; 'Lisa Grueter' <lisa@berkconsulting.com>
Cc: Kirvil Skinnarland <kirvil213@outlook.com>
Subject: Suggested Clarifications/Corrections to Draft STR Code

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

Good morning Jim,

Please find attached a letter relating to the draft STR code. We know you are actively working on the code and hope our feedback is useful and timely.

Best regards,

Matthew Carlisle and Kirvil Skinnerland
RUN Board Directors

Wendy Lane

From: Jim Brown
Sent: Friday, June 4, 2021 11:07 AM
To: CD STRComment
Subject: FW: Suggested Clarifications/Corrections to Draft STR Code
Attachments: Corrections and Clarifications to draft STR code 6.4.2021.pdf

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Matthew Carlisle <carlislematthew@hotmail.com>
Sent: Friday, June 4, 2021 8:21 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; 'Lisa Grueter' <lisa@berkconsulting.com>
Cc: Kirvil Skinnarland <kirvil213@outlook.com>
Subject: Suggested Clarifications/Corrections to Draft STR Code

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

Good morning Jim,

Please find attached a letter relating to the draft STR code. We know you are actively working on the code and hope our feedback is useful and timely.

Best regards,

Matthew Carlisle and Kirvil Skinnerland
RUN Board Directors

Dear Jim,

We have read the draft code and found several items that are potentially confusing, were accidentally included from previous drafts and are no longer relevant, or incorrect. The items and suggested modifications below are wholly within the boundaries of the Task Force agreement. We will be submitting a separate comment letter regarding changes that are of a policy nature.

Line 203 Zones Allowed: Rather than using the verb "must be", we think it would be preferable to use the verb "may be" since there are restrictions including minimum lot sizes, distance separations between STRs, and other standards that may preclude a STR on a particular lot.

Line 219 Existing non-conforming short term rentals: Language should be added that states they must conform to all the other provisions of this ordinance (i.e., Section 3, 4, 5, etc.) The way it is worded, it could be interpreted as existing STRs only have to comply with the provisions of Subsection 2F.

Line 223: Replace "minimum lot size for new and conforming STRs" with "minimum lot size for new conforming STRs".

Reasoning: The "*and*" seems to imply that there are non-new (existing) conforming STRs where in fact there will not be. This appears to be a throwback to earlier drafts in which existing STRs could be conforming based on zone and lot size.

Lines 226-229: Remove ", provided that a lot size may be increased by acquiring fee title to adjoining parcels or segments of adjoining parcels and completing any required boundary line adjustments and associated recording and tax payment processes, prior to permit application."

Reasoning: This appears to be a throwback to earlier code in which STR owners could quickly become a conforming existing STR by merging with an adjacent parcel to get a bigger lot. This is no longer applicable as there will be no conforming existing STRs. For new STRs, they already have the option of increasing their lot size to meet minimum requirements and it does not need to be stated in this ordinance.

Lines 258-260: Replace "A short-term rental use shall not be considered lawfully established and existing, and allowed to continue to operate as a legally non-conforming use unless the owner proves all of the following" with "A short term rental use shall be considered lawfully established and existing and allowed to continue to operate as a legally non-conforming use only if the owner proves all the following".

Reasoning: The language should be improved to contain less negatives and be less ambiguous as the sentence after the comma could be interpreted as either allowed or not allowed.

Lines 261-268: Remove section (a).

Reasoning: The Task Force agreement did not allow for "building permit" STRs to be grandfathered in and this provision is against the consensus agreement of the Task Force. The agreement was to grandfather "**established**" STRs.

Line 274 Subsection Fi(c): "All health and safety standards" need is to listed or there will be ambiguity. We suggest Occupancy (Section 3 B), Garbage (Section 3D), Noise (Section 3E), Consumer Safety (Section 3H), Fire Safety and Outdoor Burning (Section 3I), and Property Management Plan (Section 3K). It should also be clarified that the provision to allow one year to come into compliance with the other standards, including parking, does not entitle an

owner to violate any provision of existing zoning code. The requirements for a Qualified Person and Signage should be in effect within 6 months of the adoption of the ordinance.

After Line 344: Add *"(v) Non-conforming short-term rental properties cannot become conforming through any process, except by first ceasing rental operation and surrendering to the county any current existing short-term rental permits, and applying for a new permit subject to the provisions of this chapter"*

Reasoning: The code should explicitly state that all existing STRs can only ever be non-conforming and that there is no process for them to become conforming outside of reapplying and being subject to caps, density, etc.

Lines 363-364: Replace "All conforming and non-conforming short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period" with "All short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period."

Reasoning: There will be no conforming existing STRs, and thus no reason to imply that they exist. This appears to be a throwback to old drafts where conforming existing STRs could exist. Also, any *new* conforming STRs should meet the standard immediately and not require any grace period. It is clearer to just state that all STRs must meet the standard immediately.

Line 379 Section 3Biic: This section is problematic because you essentially are allowing Tier 1 and Tier 2 to become Tier 3's in violation of the District Use Chart. We will be commenting separately on the wisdom of allowing daytime occupancy to be exceeded in any Tier 1 or Tier 2 STR in residential zoning.

After Line 383: Insert provision: "(d) All short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period. "

Reasoning: Without this provision there is a **significant** loophole in that the septic bedroom limit is enforced immediately but the number of persons per bedroom and total occupancy is not enforced until perhaps a year later. The code could reasonably be interpreted in a way that this specific provision is not "health and safety" as it is not labeled as such and no specific timeline is provided. For example, a 3 bedroom STR (by septic system) could host 24 guests at 8 guests per bedroom for a year following the passing of the code. This renders pointless the septic bedroom limit provision and its supposed immediacy, to the detriment of the health and safety of neighbors and the environment.

Line 590 Section 4B iv b: In the last sentence, please add the requirement to comply with the provisions of the applicable District Use Chart.

Line 631: Replace "new short-term rental permit" with "new conforming short-term rental permit".

Reasoning: This process is the only way to become a conforming STR.

Line 699 Section 4 H iii: The language should be changed to read "they have a properly functioning and permitted...." We are aware of STRs that have permitted septics but they are no longer functioning, e.g., the drain field is saturated.

Line 742 Section 4 J I a: - Which overlay zones are being referred to?

Line 768: Table 11.90-3 - This is confusing especially in relation to the Parking section of the Standards. For Tier 2 and 3, it sounds like you are requiring a space for the manager in addi-

tion to one space per bedroom. For Tier 1, there would need to be 2 spaces for the owner and then 1 space per bedroom and you wouldn't need a space for a manager.

Line 823 Section 14.98.1692: Subleasing or subletting of units should be prohibited outright.

Line 879 Section 16.20.030 2D and E: Residents have been promised that there would be strict enforcement and that three violations of any type could result in revocation of a permit. By putting in the words "sufficient severity", this opens the door for debate on what constitutes a severe violation. Subsection E should not reference Subsection D. Three verified violations of any part of the code within a 12 month period should be sufficient to revoke a permit. Without this, residents are in the same situation as prior to the ordinance—calling Rivercom time after time with no consequences for a bad operator.

Thank you for considering these clarifications to the draft ordinance.

Sincerely,

Matthew Carlisle and Kirvil Skinnarland
RUN Board of Directors

Wendy Lane

From: Jim Brown
Sent: Friday, June 4, 2021 11:07 AM
To: CD STRComment
Subject: FW: error in code

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kirvil Skinnarland <kirvil213@outlook.com>
Sent: Thursday, June 3, 2021 12:03 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Lisa Grueter <Lisa@berkconsulting.com>; Ken Longley <kenlongley66@gmail.com>; E John Agnew <ejohnagnew@gmail.com>; Matthew Carlisle <carlislematthew@hotmail.com>
Subject: error in code

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

Hi Jim,
I am going through the code and have found one major item that is not what the Task Force agreed to. One line 719, section li, the language appears to allow transfers for code compliance STRs. The Task Force agreement limited transfers to existing STRs only and then only one transfer within 5 years of code adoption. New permits were non-transferable. Please refer to p. 6 of the Task Force report.

As you recall, transfers were a major issue so I assume this is a mistake.
Thanks.
Kirvil

Wendy Lane

From: Jim Brown
Sent: Friday, June 4, 2021 11:07 AM
To: CD STRComment
Subject: FW: another inconsistency with Task Force Agreement

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kirvil Skinnarland <kirvil213@outlook.com>
Sent: Thursday, June 3, 2021 7:35 PM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Cc: Lisa Grueter <Lisa@berkconsulting.com>
Subject: another inconsistency with Task Force Agreement

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

Hi Jim,

We found another section in the draft ordinance that is inconsistent with the Task Force Agreement.

Lines 261-268: Section F I (a). The first two sentences are fine but everything after "The Director may permit..." should be deleted.
The Task Force agreement did not allow for non-existing STRs to be grandfathered. The agreement clearly states on page 6 that grandfathering is for "established STRs". As you probably remember, Sean Lynn pushed really hard to include STRs that might have had building permits but were not constructed as well as others where the owner had made inquiries to management companies, cleaning services etc. The Residents' Group strongly opposed grandfathering of any STR that was not existing and in operation at the time the moratorium went into effect and this was made part of the final consensus.

We checked this issue with Ken Longley and he agrees with the above.

Kirvil

Wendy Lane

From: John Zipper <jzipper@zippergeo.com>
Sent: Thursday, June 3, 2021 12:05 PM
To: CD STRComment
Subject: STR regulations, Fire safety

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

Commissioners:
The recent growth in number of STR's along Cedar Brae Road, south side of Lake Wenatchee, has provided evidence of a few problems that are unique to the Cedar Brae Road area. I hope the new regulations can address the following fire safety problem that has occurred due to STR overuse of access roads that were built 50 or more years ago:

1. Because of the steep topography and narrow lots along Cedar Brae Road, most properties are accessed by narrow shared easements. Most of these easements were established decades ago and did not envision the access and parking requirements created by short term rentals. Overuse of the access easement that serves my property has occasionally blocked my access to Cedar Brae Road and, more often, has caused choke points on the easement that would prevent fire truck access. This overuse is caused by tenants at a 4 bedroom "party chalet" that is located adjacent to a hairpin curve on our shared road. When this curve is blocked by tenants, there are 8 properties with no fire truck access.
2. Although easements are a private matter, my experience with the County (I built in 2006) is a County enforced easement width of 15 feet for the purposes of permitting construction adjacent to the easement. In other words, I had to leave a 15 foot width open where the easement crossed my property, regardless of the language on the easement agreement filed with the County years ago.
3. I request the County to add a requirement to the STR regulations something like this: "Where an access easement crosses a STR parcel, a minimum width of 15 feet shall be open and accessible at all hours for the users of that easement." Most importantly, parking should not be allowed to block this 15 foot minimum width.
4. Specific to Cedar Brae Road, most of the steep parcels are subject to the code provisions for critical areas, which limits our remedies if we need to widen access roads, build new parking pads, or otherwise maintain safe access to our properties. STR properties should be held to the same standards by the permitting process: If an existing or proposed STR or its access/parking is located in a designated critical area, the owner should be required to go through the critical areas permits and review to confirm that their impacts to the steep slopes for maintaining access is legally permitted.
5. Neighboring properties on steep parcels with shared access roads will be well protected if the County would outlaw STR's that do not have direct access to the public roadway. If that is not feasible, STR's that share access roads with their neighbors should be held to strict standards to maintain safety, namely 24/7 fire truck access to neighboring properties. A 15 foot unimpeded access width will ensure fire safety.

Thank you,
John Zipper
15840 Cedar Brae Rd.

Get Outlook for iOS

Wendy Lane

From: feibi mao <maofeibi@hotmail.com>
Sent: Wednesday, June 2, 2021 11:46 AM
To: CD STRComment
Subject: Grandfathering on the Short Term Rentals in Chelan County

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

To whom it may concern,

I understand the current draft recommends grandfathering in for STR who were active between July/2019-8/2020. However due to covid, a lot of property owners did not feel comfortable to continue operating in 2020. Would appreciate if you could look into possibly extending the grandfather period to at least 2018 and 2019? It wouldn't be fair to exclude all the rentals due to this special circumstance.

Thank you for your time and consideration.

Feibi Mao
206-658-3667

Wendy Lane

From: Jim Brown
Sent: Wednesday, June 2, 2021 7:48 AM
To: CD STRComment
Subject: FW: research paper on the impacts of short term rentals
Attachments: How Short Term Rentals In Residential Areas Harm Communities May 20, 2021.pdf

Jim Brown
Director
Chelan County Community Development
316 Washington Street, Suite 301
Wenatchee, WA 98801
Phone: Direct (509) 667-6228 Main office (509) 667-6225
Jim.Brown@co.chelan.wa.us

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From: Kirvil Skinnarland <kirvil213@outlook.com>
Sent: Tuesday, June 1, 2021 5:42 PM
To: Bob Bugert <Bob.Bugert@CO.CHELAN.WA.US>; Kevin Overbay <Kevin.Overbay@CO.CHELAN.WA.US>; Tiffany Gering <Tiffany.Gering@CO.CHELAN.WA.US>
Cc: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>; Lisa Grueter <Lisa@berkconsulting.com>; Brian Patterson <bcpatters@yahoo.com>
Subject: research paper on the impacts of short term rentals

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

Dear Commissioners,

We are submitting to you a thorough examination of the positive and negative impacts of short term rentals (STRs), with a focus on Chelan County. As you know, there is a lot of available research on the impacts of STRs, some of it better quality than the rest. We have relied on studies from credible institutions in preparing this paper.

What we have found is that the positive economic benefits touted by the STR industry (owners, Airbnb, realtors, etc.) are overstated in most cases. And, the harms to communities can be significant. The negatives include loss of community cohesion, loss of access to housing, and tourist visitation which exceeds local capacity. These harms are not offset by commensurate economic benefits. The inescapable conclusion based on the evidence is that, although STRs may benefit STR owners and the tourists who use them (most of whom live outside of Chelan County), they do not achieve an overall public benefit in terms of the goals laid out in the County's Comprehensive Plan.

The root cause of many of the negative impacts is the location of absentee owner STRs within residential neighborhoods. The experience of communities throughout the United States demonstrates that commercial lodging is rarely compatible within residential zones even with regulations that aim to control many of the nuisance issues.

As you proceed to adopt an ordinance to regulate STRs in Chelan County, we hope that you will give protection to residents and neighbors the higher priority. We believe public policy decisions should be made based on facts and evidence. The attached paper provides this evidence for you to consider.

Thank you.

Kirvil Skinnarland, Leavenworth
Brian Patterson, Manson

How Short-Term Rentals In Residential Areas Harm Communities[1]

Prepared by Kirvil Skinnarland, MS, MBA, and Brian Patterson, Ph.D.
May 2021

Executive Summary

There is a growing body of research and case studies of communities that documents the impacts, both positive and negative, resulting from the growth of short-term rentals (STRs) in cities and counties in the United States and throughout the world. Companies such as Airbnb and VRBO, and owners of short-term rentals, emphasize the contributions that increased tourism and diversity of tourist accommodations play in supporting local economies, especially in areas where tourism is a significant contributor to the economy. But there are costs and negative impacts that must also be considered. These include negative effects on community cohesion and quality of life for residents, as well as impacts on housing accessibility and affordability.

Social capital is a term used to describe those assets of a community that are hard to measure but vital for its health and resilience—such as relationships among neighbors and the voluntary contributions made by individuals to the betterment of their community. Every time a home that otherwise would be occupied by a full-time resident is converted into non-resident use, there is a loss of social capital in the community. If the home is subsequently rented out as transient lodging, there can be additional impacts on the neighborhood such as noise, trespassing, and upward pressure on housing prices.

Growth in STRs in unincorporated Chelan County has the effect of increasing accommodations for tourists. As noted in the BERK Reports, active listings for STRs increased from 76 in 2014 to over 1,400 in 2019 (unincorporated portions of the County). Other studies have reported higher estimates of STRs, e.g., over 1,700. While tourism in the Leavenworth and Manson/Chelan areas has increased due to the expansion in accommodations available, the infrastructure (e.g., roads, parking) and amenities (e.g., restaurant capacity, parking at popular trailheads and beaches) have not significantly changed. The result is decreased quality of experience for tourists and decreased quality of life for residents due to overcrowding, traffic congestion, and inability to access nearby recreational resources.

When homes are removed from the available overall housing inventory through conversion into second homes for non-residents or into STRs, the local market for home purchase or long-term rentals is narrowed unless this loss is compensated for by new construction. But in the touristed areas of Chelan County, conversion of homes is far outpacing new construction.

The option to convert a single-family residence into a short-term rental increases the sales price of a home in the tourist areas of Chelan County by $100,000 or more. With the average rate for an overnight rental in Chelan County being $362 per day, owners can not only cover their expenses but

[1] The focus of this paper is on impacts of whole house rentals where the owner lives elsewhere, also called absentee owner short term rentals. Although there can be impacts from short term rentals when the owner lives onsite, most of these types of rentals are Bed and Breakfasts, rentals of a basement, or a guest house. As long as the occupancy is low, this type of STR can be compatible in a residential neighborhood as long as there are regulations controlling occupancy, ensuring adequate parking, etc.

realize a positive income stream. For many buyers, they get two benefits, a positive income flow and the opportunity to use their house for weekend getaways and vacations. Home prices in the Leavenworth and Manson/Chelan areas are increasing faster than they would if STRs were not allowed in residential neighborhoods. The result is that affordable housing for working residents is increasingly unavailable and/or unaffordable.

STRs have both positive and negative economic impacts in communities. Owners and proponents of the industry point to increased sales and lodging tax revenue, jobs, and increased diversity of tourist accommodations. However, there are also costs including loss of community cohesion, disruption of neighborhoods, upward pressure on housing costs, and increasing tourist congestion.

A study done by the San Francisco Office of Economic Development has calculated that removing a single housing unit from the market (so that it can become an STR) would have a total negative economic impact on San Francisco's economy of approximately -$250,000 to -$300,000 per year. The study notes that this greatly exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates. The same is likely true for Chelan County.

When the impacts, positive and negative, of STRs are examined in a comprehensive manner, the conclusions are undeniable. Increasing numbers of STRs in residential neighborhoods lead to declining social capital and less healthy communities; overtourism resulting in declining quality of life for residents and a declining quality of experience for tourists; and environmental degradation due to overuse of natural amenities such as hiking trails and beaches. From a purely economic perspective, the balance sheet is also negative. Increased tourist spending does not make up for loss of spending by displaced residents, the increased costs to locals in terms of increased housing costs, and loss of volunteer contributions of labor and dollars to the community.

Introduction

There is a growing body of research and case studies of communities that document the impacts, both positive and negative, resulting from the growth of short-term rentals (STRs) in cities and counties in the United States and throughout the world. Companies such as Airbnb and VRBO, and owners of short-term rentals, emphasize the contributions that increased tourism and diversity of tourist accommodations play in supporting local economies, especially in areas where tourism is a significant contributor to the economy. But there are costs and negative impacts that also must also considered. These include negative effects on community cohesion and quality of life for residents, as well as impacts on housing accessibility and affordability.

> *Short-term rental accommodations account for more than 20% of the United States lodging market, with annual sales now greater than those of nearly all legacy hotel brands. The rise of companies like Airbnb has created a booming market that provides affordable short-term rentals for travelers and new income for those with an extra couch, spare room, or even an unused home. However, 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.*
>
> *From UW Law Review, "Community Consequences of Airbnb", Allyson Gold*

The Connection Between Growth of STRs and Strength of Communities

What is a community? It is a unified body of individuals that share something in common such as living in the same place. In the case of a town or neighborhood, we share the same government, the same sense of place, and many similar interests, such as a love of the outdoors and nature. There is a sense of cohesion, belonging and safety that comes with knowing and feeling part of one's community.

The networks of relationships among people who live and work in a particular community enable it to function effectively. These relationships and the contributions made by individuals to the betterment of their community are often referred to as **social capital**. "Social capital is the glue that holds societies together and without which there can be no economic growth or human well-being."[2] Social capital is closely linked to the third sector in a society, the first two sectors being the private sector and the government sector. The third sector, which includes charities, social enterprises and voluntary groups, delivers essential services, helps to improve people's well-being, and contributes to economic growth. It plays a vital role in supporting communities at a local level. It also has economic value. The U.S. Census estimated that volunteer activity contributed $167 billion in economic value in 2017.

Many factors determine the health of both individuals and the communities in which they live. These factors include income, social relationships, access to and use of basic services such as water supply and sanitation, the quality of the environment, access to a quality education, availability of arts and cultural experiences, adequate employment, transportation, physical activity, adequate nutrition, and access to quality health care.

Some of these factors are provided by the private sector, such as jobs. Others are provided by government. At the local level, government's role is focused on providing basic services such as public safety, education, water supply, sanitation, parks and recreation, and regulation of land use. The nonprofit sector fills in the gaps in services and also adds to the quality of life in communities through, for example, enhanced social safety nets (e.g., food banks and free medical clinics), increased recreational and educational opportunities for youth and adults, and provision of arts and cultural activities.

All three sectors—private, public, and nonprofit/voluntary—must be healthy for a high quality of life in a community.

It is hard to imagine life in Chelan County without the contributions of residents to volunteer fire departments, youth sports and recreation, environmental protection, senior centers, and social safety nets such as local food banks. Social capital is built through hundreds of actions, large and small, that residents take every day. Communities that have strong social capital have better children's welfare, stronger education systems, and more economic prosperity. In sum, they are healthier, more vibrant, and more resilient.

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[2] Christiaan Grootaert & Theirry Van Bastelaer, The World Bank, Understanding and Measuring Social Capital: A Synthesis of Findings And Recommendations From The Social Capital Initiative 2 (2001).

Because second homes, whether they are rented out at STRs or not, displace full-time residents, they have the potential to diminish the social capital in a community. This is a major factor in the housing market in the 98826 (Leavenworth area) and 98831 (Manson area) zip codes. (See Section on Housing below)

Another impact of absentee owner short term rentals in communities is experienced in the form of a never ending stream of unknown people occupying residences for short periods of time. Most Americans say they know at least some of their neighbors, according to a survey by the Pew Research Center. Neighborly bonds are more likely to be deeper in rural areas, where 40 percent of Americans say they know all or most of their neighbors. In contrast, 24 percent of those who live in urban areas and 28 percent in suburban areas say they know all or most of their neighbors. Feelings of safety and familiarity decline when homes in neighborhoods are occupied by transients. There is also a weakening of the community's safety net as it is often neighbors who pitch in when someone is sick by bringing meals, or helping elderly neighbors with heavier chores.

Numerous studies from communities around the country show that as short-term rentals increase, they change the character of neighborhoods. And, as residents are displaced by the influx of tourists, social capital declines.[3]

The negative impacts of absentee owner short term rentals in residential neighborhood include:[4]

- Decrease in affordable housing for purchase and long-term rental
- Increase in property taxes
- Displacement of tenants
- Constantly changing neighbors and hostility toward or distrust of tourists
- Decline in quality of life in neighborhoods because of noise, partying, trespassing, and visitors' inappropriate or disruptive behavior
- Loss of sense of community

At the community level, impacts include:

- Employers finding difficulty hiring good employees because they can't find or afford housing [5] [6]
- Increase in the cost of living
- Increased risk of fire due to tourists' ignorance of local fire risk
- Increased pollution and litter
- Traffic congestion
- Overcrowding of public recreational resources such as trails and beaches
- Declining school enrollment

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[3] Community Consequences of Airbnb, Allyson Gold, University of Washington Law Review, 2019

[4] The Sharing Economy and Sustainability of Urban Destinations in the (Over)tourism Context: The Social Capital Theory Perspective, Piotr Zmy´slony, Grzegorz Leszczynski, Anna Waligóra, and Wiesław Alejziak

[5] Letter signed by 23 local businesses in the Leavenworth area to the City of Leavenworth, July 23, 2019 and letter signed by 21 local businesses in the Leavenworth area sent to Chelan County December 17, 2020. Both letters cite the challenges they are having in recruiting and retaining employees due to the lack of available and affordable work force housing.

[6] See also Leavenworth 2021 Housing Action Plan Draft, January 14, 2021

Studies from well-respected universities, think tanks, and cities and counties around the world have documented the fact that there is a strong relationship between declining social capital in communities and the growth of absentee owner short term rentals in communities.

The Connection Between Growth of STRs and Overtourism

Overtourism describes the situation in popular destinations where locals and tourists feel that there are too many visitors and that the quality of life in the area, or the quality of the tourist experience, has deteriorated to an unacceptable level. Signs of overtourism include pressures placed on local resources and facilities due to growth in numbers of visitors, changes in culture and loss of authenticity, deterioration of quality of life for the host community, and feelings of irritation and annoyance due to the presence of too many visitors.

Small tourist destination communities are likely to experience the effects of overtourism more quickly than larger cities due to the constraints of parking, street capacity, restaurants, and recreational resources. One of the measures of overtourism is the ratio of visitors to residents. Venice, one of the most popular destinations in the world, has a visitor:resident ratio of 33,333% (20 million visitors annually compared to 60,000 residents). The numbers for the two major tourist destinations in Chelan County are similarly off the charts. The number for Leavenworth is 30,000%. (1.5 million visitors to 5,000 area residents).[7] The Lake Chelan Valley (primarily Chelan and Manson) has a visitor:resident ratio of about 28,500% (2 million visitors to approximately 7,000 total residents).[8]

In Chelan, the impact of tourism is exacerbated because much of it is packed into the summer months due to the presence of Lake Chelan. The City of Chelan estimates in its 2017 Comprehensive Plan that its permanent population of 4,500 persons swells to 25,000 in the summer. The city's infrastructure is strained every summer due to overwhelming levels of traffic, crowds at the limited number of public beaches and boat launches, and demand for services such as restaurants. This strain is similarly seen in Manson, located at the "end of the road" just seven miles uplake from Chelan.

The magnitude of the increase in summer visitors in Chelan and Manson has been significantly increased due to the rapid growth of STRs; BERK Consulting estimates that the number of STRs in unincorporated Chelan has grown from 1 in 2014 to 75 in 2019 and in Manson from 6 in 2014 to 229 in 2019 (and these numbers keep rising rapidly).[9] Tourism in Leavenworth is more year-round, but BERK Consulting estimates the number of STRs in Leavenworth has grown from 59 in 2014 to a staggering 868 in 2019. Anyone who has observed the impact of tourism in Chelan, Manson, or Leavenworth during peak periods will understand that the level of tourism in these areas has overwhelmed the available infrastructure, e.g., roads, parking in the downtown area, and parking at access points to popular recreational sites.

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[7] www.friendsofleavenworth.org

[8] Annual visitors to the valley estimated by the Lake Chelan Chamber of Commerce. Combined population of Chelan and Manson is approximately 7,000.

[9] See: https://www.co.chelan.wa.us/files/community-development/documents/Public%20Notice/Short-Term%20Rentals_PC%20Hearing_2020_0617.pptx.

Both the cities of Leavenworth and Chelan share similar challenges and constraints in accommodating the many visitors who seek the charm of a small town and access to our mountains, rivers and lakes. One of the most significant constraints in both towns is road access to and from the town. One of the three major east-west highways in Washington, US 2, passes through the middle of Leavenworth. In Leavenworth, this is a 2-lane highway with stoplights and pedestrian crossings. Bottlenecks exist at both the western and eastern entrances to the town causing lengthy delays to visitors and others who are just passing through during the summer, weekends and holidays.

In Chelan, Highway 150 between Chelan and Manson (which are separated by about seven miles) is constrained to the shoreline where the two-lane highway is tightly sandwiched between the lake and steep rocky cliffs. There is no feasible way this highway could be expanded with additional lanes in the future. An alternate route between Chelan and Manson does not currently exist and building one in the future would require going over steep hills and traversing a large number of privately-owned properties. This highway is already significantly congested in the summer months and will only become more so as additional developments near the highway (such as the Lookout) are built out.[10]

> The Washington Department of Transportation rates segments of highways by Level of Service (LOS) using an A to F rating. During the summer months, US 2 in Leavenworth has sections rated D, E, and F. Limited options are available for future mitigation. (City of Leavenworth, Draft Transportation Element, 2020)
>
> The 2017 Chelan Comprehensive Plan estimates that a number of key intersections for highways leading in and out of the city will be at LOS ratings of D, E, and F by 2037 even with planned traffic system improvements.

Available parking in the towns of Chelan, Manson and Leavenworth cannot meet the demand generated during periods of peak tourism, e.g., the summer, holidays, and weekends. The City of Leavenworth has been studying options to solve its parking problems for over three years. According to its consultant, "Data suggests the on-street and off-street supplies are heavily used and constrained."[11]

Access to popular hiking destinations and beaches at both rivers and lakes is becoming increasingly constrained. Some destinations are showing environmental damage from overuse such as the Enchantments area near Leavenworth. There are many reported problems of illegal parking, damage to trails and vegetation and garbage. Due to overuse, the Enchantment Wilderness Area now holds a lottery for overnight permits.[12] In 2019, there were 18,835 applications for overnight trips to the Enchantments and only 364 permits awarded. River use by tubers on the Icicle and Wenatchee Rivers in the Leavenworth area also has grown dramatically. On average, there are 1,130 people

[10] Issues Associated with Short-Term Vacation Rentals in the Chelan Valley, Brian Patterson, Ph.D., April 2018
[11] City of Leavenworth, Washington Downtown Strategic Parking Management Plan, August 17, 2018
[12] https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd568443.pdf

floating Icicle Creek on a typical weekend day in July and 1,552 people floating the Wenatchee River in Leavenworth on a typical weekend day in August. [13] The US Fish and Wildlife Service now closes the Icicle Creek boat and rafting launch by August due to the volume of river rafters and inner tubers disrupting the spawning salmon egg redds (nests). Residents along the Icicle and Wenatchee Rivers report increasing problems of trespass, public drunkenness, obscene behavior, noise, illegal parking, and damage to riparian habitats.

> In the past decade, however, visits to the Enchantments have increased significantly. Combined day and overnight use has increased from 19,678 visitors in 2009 to 45,810 visitors in 2018. The number of day hikers (who are not limited in numbers by the permit system) has increased from 14,224 in 2009 to 30,358 in 2018. Currently, day use accounts for approximately 70% of visits to the Enchantments. Increased visitation is taking a toll. In the past seven years, U.S. Forest Service (USFS) staff have observed an upswing in many recreational impacts, including crowding, human waste, social trails, trampled vegetation, erosion, and habituated wildlife.

Growth in short term rentals in unincorporated Chelan County has the effect of increasing accommodations for tourists. As noted in the BERK Reports, active listings for STRs increased from 76 in 2014 to 1,400 in 2019. Other studies have reported higher estimates of STRs, e.g., over 1,700. Most of these listed rentals are for single family homes with the owner living elsewhere. According to a report prepared by Michael Luis and Associates for the North Central Association of Realtors in 2020 (hereafter, the MLA Study), 90% of the owners of STRs in Chelan County live outside the county.[14]

While tourism has increased due to the expansion in accommodations available, the infrastructure (e.g., roads, parking) and amenities (e.g., restaurant capacity, parking at popular trailheads and beaches) are not significantly changed. The result is decreased quality of experience for tourists and decreased quality of life for residents due to overcrowding, traffic congestion, and inability to access recreational resources.

The Connection Between Growth of STRs and the Housing Crisis

Adequate, affordable housing is key to ensuring stable, healthy communities and a high quality of life for residents. And, housing is the top need identified by residents in our community. The region's housing crisis has impacted all socio-economic groups in one way or another. In many cases, people are paying significantly more for housing than they can afford. The median price of a house in Chelan County has risen from $264,100 in 2017 to $364,700 in 2019, a rise of 38%.[15] During this period, median household income in the County has declined from $61,615 to $59,161.[16] The availability of long-term rentals also has declined because owners find short term rental much more lucrative. It isn't just low-income residents who are being affected; residents who have good-paying jobs are priced out of the marketplace. Business owners in Leavenworth, including large employers such as

[13] https://www.co.chelan.wa.us/files/natural-resources/documents/FinalReportJan2021.pdf
[14] Luis & Associates, *Economic Impact of Short Term Rental Properties in Unincorporated Chelan County*, September 2020, https://drive.google.com/file/d/1iuSGm2Z9Vzbhb58OE-3FeD6EQXk1Rn8R
[15] EWU Institute for Public Policy and Economic Analysis 2020 and US Census Bureau
[16] EWU Institute for Public Policy and Economic Analysis 2020 and US Census Bureau

the Cascade School District and Cascade Medical Center, are finding difficulty attracting and keeping employees because of the cost of housing. (See footnote #5)

"The conversion of a residence (or a residential lot) to seasonal housing reduces the overall housing inventory (or land) available for residential use, thereby impacting the options for local home buyers and renters, driving up the demand for housing."[17]

Overall, the estimates of the number of short-term rentals (entire home or apartment) in unincorporated Chelan County range from 1,247 to 1,747 homes.[18] In the unincorporated area around Leavenworth (zip code 98826), 15.6% of the housing inventory is now in use as short term rentals. In the Manson area (zip code 98831), the percentage is 11.6% according to BERK Consulting. A study done in Oregon found that when the percentage of short-term rentals exceed 4% of the housing inventory, there is likely a negative impact on housing available for purchase or long-term rental by residents.[19]

Not all second homes are rented out. Some are just used as vacation homes by the owners. But even in this case, there is an impact on the community because homes that could be purchased or rented by full time residents are removed from the housing inventory. STRs just exacerbate this issue.

The following tables, compiled from US Census data and the Leavenworth Housing Needs Assessment (March 2017)[20] shows the percentage of homes in Chelan, Leavenworth, Manson, and the Cascade School District that are vacant relative to the total number of housing units.

Vacant Housing

	2014	2014	*2014*	2019	2019	*2019*
	Total Housing Units	Vacant Housing Units	*% Vacant*	Total Housing Units	Vacant Housing Units	*% Vacant*
Chelan	2426	776	*32%*	2744	1116	*41%*
Leavenworth	1418	311	*22%*	1422	371	*26%*
Manson	1020	384	*38%*	1220	643	*53%*

2016	Total Housing Units	% vacant
Cascade School District	4,185	42%

The increase in the housing inventory from the construction of new homes has not kept pace with the conversion of housing units into short term rentals. In the 98826 zip code (Leavenworth area)

[17] Chelan County Comprehensive Plan, Housing Element, p. 6, 2017
[18] BERK Consulting, 2020 and Luis and Associates 2020
[19] SADIE DINATALE, Assessing and Responding to Short-Term Rentals in Oregon, University of Oregon, 2017
[20] https://cityofleavenworth.com/col-assets/uploads/2017/03/Leavenworth-Housing-Needs-Final-03.13.17.pdf

between 2015 and 2019, there were approximately 250 new homes constructed and 750 homes converted into short term rentals.[21]

The connection between the growth in STRs and the impact on affordable housing (for both renters and owners) varies depending on the dynamics of the local housing market. For example, if STRs represent only a very small percentage of the overall housing stock, the effect will be very small. However, in areas such as Leavenworth and Manson, where STRs represent an appreciable percentage of the housing stock (i.e., over 15% and 11% respectively), the impact will be significant. Studies that look at the impact of STRs on rental rates and housing prices that are based on national averages or large metropolitan areas with relatively low fractions of STRs are simply not comparable to areas such as Leavenworth and Manson.

The 2017 study titled *The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb* (hereafter, the "2017 Study") took a detailed look at the impact of the increase in STRs on home rental rates and prices.[22] Comprehensive Airbnb and housing data from across the U.S. for the years 2011 through 2016 were reviewed and statistically analyzed. The researchers determined that for every one percent increase in Airbnb rentals in an area, rental rates and home prices increased by predictable percentages.[23] The researchers also found that the higher the existing homeowner occupancy in an area, the less likely new owners would be to turn a home into an STR.

The results of the 2017 Study allow for a customized look at the predicted impacts in areas such as Leavenworth and Manson.

The following table uses these equations and estimates for STR growth (cited previously) and homeowner occupancy from BERK Consulting[24] to estimate the additional increases in rental rates and home prices in Leavenworth and Manson due to the rapid rise in STRs in these two areas:

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[21] https://www.co.chelan.wa.us/files/community-development/documents/STR/PC%20STR%20Recommend_2020_1223%20BOCC_DRAFT%20for%20posting_ORIGINAL_2_formcln.pdf.

[22] The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb, Kyle Barron (National Bureau of Economic Research), Edward Kung (California State University, Northridge - David Nazarian College of Business and Economics), Davide Proserpio (Marshall School of Business, University of Southern California), July 2017, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3006832.

[23] For each one percent increase in Airbnb rental units, rental rates increased by a percentage equal to 0.044 minus the quantity 0.036 times the area Home Occupancy Fraction and home prices increased by a percentage equal to 0.077 minus the quantity 0.071 times the area Home Occupancy Fraction.

[24] See: https://www.co.chelan.wa.us/files/community-development/documents/Public%20Notice/Draft%20Code_2020_0605_Hearing%20PC(2).pdf.

Predicted Increase in Housing Prices as a Result of Increasing Density of STRs

Area	No. STRs 2014	No. STRs 2019	Percent Increase in STRs	Increase in Rent per 1% Increase in STRs	Total Increase in Rent	Increase in Home Price per 1% Increase in STRs	Total Increase in Home Price
Leavenworth	59	868	1,371%	0.0206%	28.2%	0.0309%	42.3%
Manson	6	229	3,717%	0.0192%	71.2%	0.028%	104.1%

Based on the calculations presented in this table, the data from the 2017 Study suggest that home rental rates in Leavenworth and Manson increased 28 and 71 percent, respectively, more that they would have in the absence of STR growth between 2014 and 2019. The data also suggest that home prices in Leavenworth and Manson increased 42 and 104 percent, respectively, more than they would have during this same period. Although these predicted increases in rental rates and home prices in the above table are expected to be overestimated due to the extremely high percentage increases in STRs (above the range of growth rates considered in the 2017 Study), they clearly indicate that the rapid growth in the number of STRs is expected to be a significant driver of increased rental rates and home prices in these areas.

Data from Zillow on actual increases in homes prices in the Manson and Leavenworth areas are shown in the table below. Data for Wenatchee is also included for comparison purposes.

Zillow Single Family Home Price Increases (2014 to 2019 and 2014 to 2021)
Prices in Thousands of $

Location	Jan 2014	Jan 2019	%		Jan 2021	%
Manson	$323	$497	53.9%		$589	82.4%
Leavenworth	$337	$497	47.5%		$635	88.4%
Wenatchee	$234	$335	43.2%		$389	66.2%

It is interesting to note that the data in the above table does show a significant difference in the increase in the prices of homes sold in the Leavenworth and Manson areas compared to Wenatchee, which is not a hot spot for STRs. The findings cited above in the 2017 Study (The Effect of Home-Sharing on House Prices and Rents: Evidence from Airbnb, see Footnote 22) suggest that the majority of the difference in the home price growth rates in Manson and Leavenworth, compared to in Wenatchee, is likely due to the rapid increase in STRs in these areas.

The option to convert a single family residence into a short term rental increases the sales price of a home in the tourist areas of Chelan County by $100,000 or more.[25] With the average rate for an overnight rental in Chelan County being $362 per day, owners can not only cover their expenses but realize a positive income stream.[26] For many buyers, they get two benefits, a positive income flow and the opportunity to use their house for weekend getaways and vacations.

INSIDER TIP from the vacasa.com website (2021): *High-end Leavenworth homes range from $800,000 to over $1 million. Proximity to town or the Wenatchee River drive up home costs (and rental revenue), but doesn't necessarily impact demand [for overnight accommodations], which is steady across the region. To maximize ROI, consider buying close to nearby Plain or Lake Wenatchee, where you can get a more affordable home with great rental potential and fewer short-term rental restrictions. In Leavenworth, occupancy and amenities dictate rental revenue. It's better to have five small bedrooms than three big ones, and adding a hot tub can increase your*

Economics of STRs in Communities

Short term vacation rentals have both positive and negative economic impacts in communities. Owners and proponents of the industry point to increased sales and lodging tax revenue, jobs, and increased diversity of tourist accommodations. Other stated benefits include: the ability of property owners to augment their income with short term rental of their homes since internet marketing platforms provide all of the advertising, booking of tenants, and collection of rents; an increased supply of short-term rentals for travelers, which can restrain the growth of accommodation costs; increased visits and local spending by tourists; and increased local employment such as local managers and cleaners.

Studies done by pro-STR groups imply that all of the estimated dollars of spending by these tenants of STRs would be lost to the local economy if the STRs did not exist. However, some studies indicate that only 2 to 4 percent of those using Airbnb say that they would not have taken the trip were Airbnb rentals unavailable.[27] This supports the conclusion that STRs are merely substitute accommodations for hotels. If STRs did not exist, hotels would be built to satisfy the lodging demand. Hotels, unlike STRs, are located in commercial zones precisely to isolate their impacts from residential communities. Furthermore, STR guests contribute less to the local economy than do hotel guests. STRs have kitchens and are often distant from restaurants. Hotel visitors eat out. In Hawaii, it has been found that travelers staying in STRs contribute 20% fewer dollars to the local economy than do travelers staying in hotels.[28]

A study done by the Economic Policy Institute concluded "that the economic costs Airbnb imposes likely outweigh the benefits. While the introduction and expansion of Airbnb into U.S. cities and cities

[25] At the May 23, 2017 Chelan County Commissioners meeting then-director of Community Development Hank Lewis is on record as quoting Cheri Farivar, a real estate appraiser, that the ability to rent short-term adds $100,000 to a house's sales price.

[26] Luis and Associates, September 2020

[27] The Economic Costs and Benefits of Airbnb (pg 2), Economic Policy Institute, Josh Bivens, January 30, 2019. References to the surveys: Surprising Airbnb Adoption Slowdown in US/EU, and What It Means for Hotels and OTAs - PDF Free Download (financedocbox.com), Morgan Stanley (Pg 31, Exhibit 71), Guttentag_Daniel.pdf (uwaterloo.ca) pg 145

[28] One Year Later: The Effects of Hawaii's Illegal Short-Term Rental Ban, Honolulu Magazine, September 2020. https://www.honolulumagazine.com/one-year-later-the-effects-of-hawaiis-illegal-short-term-rental-ban/?fbclid=IwAR0L1OD1HpiFKka776cYVb2jekcAJEJ7fBh2_Jlmh2HzlVOgCXjIKc8uBQg

around the world carries large potential economic benefits and costs, the costs to renters and local jurisdictions likely exceed the benefits to travelers and property owners."[29]

The Short Term Rental Alliance of Chelan County (STRACC) attempts to justify the many negative impacts to residential neighborhoods and the quality of life for residents caused by STRs by asserting that they are worth having due to the positive impacts to the overall economy in Chelan County. STRACC points to a 2020 MLA Study[30] to support such assertions.

However, this study is filled with wildly inflated claims that don't hold up to scrutiny. For example, the MLA study claims that from September 1, 2019 through August 31, 2020, there were 24,542 nightly rentals in Manson, Washington and the parties renting these accommodations spent $1,244 on food and beverages, entertainment, and other retail each day. This would total $30,530,248 of expenditures subject to sales tax. However, this is roughly equal to the <u>total</u> taxable retail sales in Manson from all sources.[31]

But that $30,530,248 of retail sales would not include the taxable cost of lodging itself in Manson (estimated at $11,970,090 by the MLA Study), local materials supplied to the exploding home building industry and other businesses in Manson, and retail sales to the over 2,000 Manson residents. So, retail sales from STR customers would have to be much, much less than projected in the MLA Study. The point being that the numbers in the MLA Study are clearly inflated to levels completely detached from reality, yet they are cited frequently as justification for the STR industry in Chelan County.

Perhaps more closely tied to reality is a study of STR economic impacts conducted by the San Francisco Office of Economic Analysis.[32] This study used economic modeling to estimate that the net increase in spending per STR unit in San Francisco per rental day was $177 and the total economic impact of all daily spending at businesses, including multiplier effects, was $376. This is a significantly lower number than the $1,244 cited by the MLA Study. Using the San Francisco data, if the STR unit was rented out 91 days per year (the average for Chelan County based on data from the MLA Study), this equals a positive economic impact of $34,216 per STR in terms of local spending. But this figure does not include the negative impact resulting from the removal of a long-term residential household from the economy.

The same economic modeling from the San Francisco study calculated that removing a single housing unit from the market (so that it can become an STR) would have a total negative economic impact on the San Francisco's economy of approximately -$250,000 to -$300,000 per year. The study notes

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[29] The economic costs and benefits of Airbnb, Economic Policy Institute, Josh Bivens, January 30, 2019

[30] *Economic Impact of Short Term Rental Properties in Unincorporated Chelan County*, September 2020, https://drive.google.com/file/d/1iuSGm2Z9Vzbhb58OE-3FeD6EQXk1Rn8R/view.

[31] Washington State Department of Revenue, Research & Fiscal Analysis Division, provided via email on December 20, 2017 for the 2016 fiscal year. Accounting for growth since then based on increases in retail sales in the City of Chelan and Chelan County in general, total retail sales in Manson in 2020 would be on the order of $34,000,000.

[32] *Amending the Regulation of Short-Term Residential Rentals: Economic Impact Report, City and County of San Francisco*, May 18, 2015 (p. 8). Available at http://sfcontroller.org/sites/default/files/FileCenter/Documents/6458-150295_economic_impact_final.pdf?documentid=6457

that this greatly exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates.

When pro-STR persons speak only of the economic benefits from STRs, while ignoring the economic negatives resulting from removing a permanent residential household, their arguments are clearly one-sided.

One of the overlooked economic impacts of displacement of local residents by absentee owner houses is the loss of volunteer labor and residents' contributions of labor and dollars to local nonprofits. A dollar value can be calculated for volunteerism. The average resident in Washington volunteers 54.5 hours per year.[33] In 2019, the estimated value of volunteer hours in Washington was $33.02 per hour.[34] On average then, each Washington resident provides volunteer time valued at $1,800. Assuming that the majority of these hours are donated within the local community and each household has two people volunteering time, this results in an estimate of up to $3,600 of volunteer labor benefit for the local community per household per year. Assuming that 90 percent of STR owners reside outside of Chelan County (per the MLA Study), the use of a home as an STR causes the local community to lose out on $3,240 of volunteer labor benefit. When this is multiplied by 2,002 whole-house STRs in Chelan County, including the STRs in the incorporated cities (data from BERK Consulting [35]), STRs cause Chelan County to lose $6,486,480 in volunteer labor benefit every year.

Approximately one in four Chelan County households reported an average of $6,980 in charitable contributions in 2017.[36] Although it is difficult to estimate what percentage of this charitable giving is to charities within the county, the charitable giving by Chelan County residents lost due to the 2,002 STRs in Chelan County (from BERK Consulting, cited previously) is estimated to be $3,493,490. If even half of this amount would have been to charities within the county, this is still a significant loss of charitable benefit.

Conclusion

When the impacts, positive and negative, of STRs are examined in a comprehensive manner, the conclusions are inevitable. Increasing numbers of STRs in residential neighborhoods, lead to declining social capital and less healthy communities; overtourism resulting in declining quality of life for residents and a declining quality of experience for tourists; and environmental degradation due to overuse of natural amenities such as hiking trails and beaches. From a purely economic perspective, the balance sheet is also negative. Increased tourist spending does not make up for loss of spending by displaced residents, the increased costs to locals in terms of increased housing costs, and loss of volunteer contributions of labor and dollars to the community.

There isn't consensus across the literature about the exact tipping point—that is, when the density of STRs in a community reaches a level that these negative impacts become apparent and measurable. A complicating variable is that not all second homes are rented out. But a vacant home that

[33] See: https://www.nationalservice.gov/pdf/VIA/VIA_rankings_national.pdf.
[34] See: https://independentsector.org/wp-content/uploads/2018/04/value-of-volunteer-time-state-historical-2001-2019.pdf.
[35] See: https://www.co.chelan.wa.us/files/community-development/documents/STR/Short-Term%20Rentals_BOCC_SS_2020_0824_sub.pdf.
[36] See: https://www.irs.gov/statistics/soi-tax-stats-county-data-2017.

otherwise could be occupied by a full-time resident still reduces the housing stock and thus the availability of homes for purchase or rental. There is one study in Oregon of communities smaller than 100,000 people that suggests that STRs should be limited if they account for more than 4% of total housing stock.[37] Many cities are going much further and either banning absent owner STRs outright in residential zoning or setting the percentage limits as low as 1%.

What we do know is that the density of STRs in the 98826 (Leavenworth area) and 98831 (Manson area) zip codes are over 15% and 11%, respectively.[38] If one looks at the data for all vacant homes, the percentages skyrocket, e.g., the percentage of vacant homes in the Cascade School District is 42%. The Manson, Chelan and Leavenworth areas are experiencing most, if not all, of the predicted negative impacts of too many STRs including loss of social capital; employers finding difficulty hiring employees due to the cost of housing; signs of overtourism, and so on.

Clearly, action is needed by Chelan County to reduce the overall number of STRs and limit or ban their location in residential neighborhoods.

[37] Assessing and Responding to Short-Term Rentals in Oregon, Sadie Dinatale, University of Oregon, 2017
[38] BERK Consulting Presentation, *Short Term Rentals*, August 11, 2020, https://www.co.chelan.wa.us/files/community-development/documents/STR/Short-Term%20Rentals_BOCC_SS_2020_0811_sub.pdf.

Wendy Lane

From: Jim Brown
Sent: Tuesday, June 1, 2021 12:04 PM
To: CD STRComment
Subject: FW: [Possible Spam] STR

Sending to comment box

Jim Brown
Director
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From: TLKS <dana@tlks.biz>
Sent: Friday, May 28, 2021 10:47 AM
To: Jim Brown <Jim.Brown@CO.CHELAN.WA.US>
Subject: [Possible Spam] STR

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

Mr. Brown,

I realized my note to you on STR is past the deadline for comment. My situation didn't come about until after the 15th of January.

My father has dementia and this year it has started to get worse. My mom needs help managing him. I am in a position I could move back with them while my employee runs my business here in Leavenworth.

There is a real possibility I would have to sell my house. I don't want to lose my home because I have a parent who needs medical assistance at this time.

I know there are long term rental options but I need the flexibility of a place to stay for business. And as I am sure you know, the rules in Washington State make it virtually impossible to evict and taking them to court is costly.

The best option with the most flexibility would be short term rental. When I need to be in the area for my business I have a place to stay. Or if my mom needs to get away from the stress of watching her husband slowly deteriorate for a bit with her friends she can stay in my home. Then when my dad passes I have a home to return to.

I have worked hard on my business in Leavenworth to finally be able to be a home owner.

Please pass my concerns on to the commission. I don't know if they have considered situations like mine arising where a temporary relocation due to a sick family member is needed.

Thanks,

Dana Schafer
The Little Kitchen Shop
The Personalize Shop
900 Front St. Suite L
Leavenworth WA 98826