

**CITIZEN TESTIMONY
SUBMITTED FOR
JANUARY 10, 2024
CITY COUNCIL MEETING**

Saturday, February 3, 2024; The Future of Jetty Creek: A Community Event

North Coast Communities for Watershed Protection invites you to attend our upcoming in-person meeting about the current status and future of the Jetty Creek watershed, the source of surface drinking water for the City of Rockaway Beach, Oregon. This meeting will take place on **Saturday, February 3, 2024, at 2:00 p.m. at St. Mary by the Sea Parish Hall; 275 S. Pacific St.; Rockaway Beach, OR 97136.** (*Please note that this is the revised date for the meeting.* A Zoom link will be available, should in-person attendance be inconvenient for you.) Light refreshments will be available.

(While it is not necessary to RSVP in order to attend, it would be helpful so we can approximate the number of participants.) **You can RSVP at www.healthywatershed.org**

While it is anticipated that this meeting will be of particular interest to those who drink water that comes from Jetty Creek, anyone interested in drinking watershed issues is more than welcome to attend. Since in the near future, there may be changes in the management and ownership of the Jetty Creek watershed, NCCWP would like to engage the public in this critically important dialogue. If you drink the water, you'll learn why you should care about the future of that watershed.

The featured speaker at this event will be Chuck Willer, the longtime director of the Coast Range Association, a grassroots organization. He said, "I'll be there to contribute whatever I know about watershed protection, purchasing forestland, and conservation easements." Chuck is committed to forest reform and forming community forest organizations. He has worked on a number of grassroots efforts regarding forest water issues at the Oregon Coast. **Chuck will lead a discussion about safeguarding and protecting drinking water sources, as well as the importance of community ownership and management of drinking watersheds that is based on local, democratic control. The program will conclude with ideas about how people can get involved in protecting their drinking watershed.**

During the meeting, NCCWP will provide updates about the current status of the Jetty Creek watershed, in addition to providing background on various types of watershed ownership and management. While participating in this conversation about Jetty Creek, you will get to hear from your friends and neighbors, as well as experts in the field of water resource management and watershed health.

Comments or questions?

Nancy Webster rockawaycitizen.water@gmail.com

As a matter of necessity and regardless of land ownership, NCCWP demands no more logging and no more pesticide spraying within our drinking-watersheds. Safe drinking water and clean air are part of the public trust that we all are entitled to have. Please help North Coast Communities for Watershed Protection safeguard and restore our drinking watersheds. healthywatershed.org | www.facebook.com/

From: Mary Kay Campbell <[REDACTED]>
Sent: Wednesday, January 10, 2024 2:08 PM
To: City Manager <citymanager@corb.us>
Subject: Question on New STR Ordinance

Hello Luke,

I am the 2024 President of the Tillamook Board of Realtors, I live in the Barview area and I will be at the meeting this evening. As a Realtor, I understand this subject very well, and I also know it can be a contentious one! There are valid - and emotional - arguments on both sides. I was very involved in the long and difficult journey the County took to find a solution.

Rockaway has been one of the very few options where STRs were welcomed since the moratorium and the caps were applied to so much of the County. It's understandable that the City would want to find a reasonable and equitable management system.

There are a few questions I have from the standpoint of our clients who are both Buyers and Sellers (many Rockaway residents). Attached please find a list of PENDING (7) and ACTIVE (8) homes currently listed in the City of Rockaway.

PENDING homes are homes that have an signed offer and are in the process of closing. There is more than a good chance that many of these Buyers bought their home with the intention of Short Term Renting. In fact, many Buyers cannot make their dream of a beach home come true unless they can have the revenue from STRs. This means that if these transactions cannot close before the new rules are implemented, their transactions will likely terminate and the Seller will have to start over and may have a more difficult time selling their home.

ACTIVE listings are homes where Sellers are trying to sell their home. Many of these Sellers need to sell their home for medical or family reasons, or death. Several of us have Buyers who are waiting to make an offer, but they need to be assured that they can obtain an STR license - or they cannot make it work.

1. Since you are exempting those who are "under construction", I implore you to consider exempting the PENDING and ACTIVE listings which are "under a Listing or a Sales contract" . If the new Ordinance is enacted today and will be implemented in 30 days, that does not give the majority of us enough time to service our clients and complete a transaction.

2. Perhaps you could include in the Ordinance that the transactions (currently 15) that were established *before the vote is taken on enacting the Ordinance*, will also be exempt. . Any new listings after the vote will be subject to the new Ordinance caps. At the very least, allow the current Active and Pending listings an additional 60 days to sell and close.

3. Out of the 15 transactions listed on the attached PDF, 3 of them (highlighted) are in Commercial Zones. I did not see anywhere in the Ordinance where it addressed Commercial property? I know Manzanita exempts Commercial property from the STR wait list. Much of the property along the coastline of Rockaway is commercial. Commercial lends itself to being a money making venture, so how will that be handled?

Thank you so much for your attention and your efforts. I wanted to make you aware of these concerns, as our clients are good people who love Rockaway Beach, and most of them have been coming here for many decades: *"I grew up coming to my Grandmother's house in Rockaway"*. I can't tell you how many times I have heard that! 😊 And many of our Sellers are sad to leave, but must sell. I wanted to make sure their voices were heard and considered.

Thank you and I will see you this evening!

Best,
Mary Kay Campbell

Mary Kay Campbell, Oregon Broker

CIPS Certified International Property Specialist

Berkshire Hathaway Leading Edge 2022

Office: 503-207-4165 **Mobile:** [REDACTED]

web: mkcampbell.bhhsnw.com

email: [REDACTED]

Berkshire Hathaway Homes Services NW Real Estate

P.O. Box 193 (1355 Phelps) Netarts, OR 97143



[Click Here](#) For my client testimonials

To review Oregon Real Estate Agency Relationships [Click Here](#)

ANTI-FRAUD: If you receive an email message requesting you wire funds, do not respond and immediately notify fraud@bhhsnw.com or call 503-783-6835.

From: Carol Bolton <[REDACTED]>
Sent: Wednesday, January 10, 2024 12:30 PM
To: City Manager <citymanager@corb.us>
Cc: City Hall <cityhall@corb.us>
Subject: ORD 2024-01

Good afternoon,

I was planning to attend today's meeting but am unable to do so at the last minute. I am submitting my objections to the short-term rental restrictions for the following reasons:

City Council should consider the financial benefits that short term rental taxes and license fees have brought to the city. This tax provides funds for special programs that enhance the livability in and around Rockaway Beach for all. By limiting the number of licenses issued you are in essence limiting the funds available to the residents of the city as well tourism dollars that benefits the business owners. This also limits the availability of potential secondary homeowners and their ability to offset expenses associated with their second home at the coast. Secondary homeowners also offer an option that brings families to Rockaway Beach for many events, in a family friendly dwelling that includes kitchens, washers and dryers and beach toys that makes them feel they are home.

Recently I discovered that the Sea Treasures Inn is operated as a short-term rental property managed by Vacasa. Sea Treasures does not pay \$500.00 per unit as do other short term rental owners, because they are registered as a hotel, even though they are operating as a short-term rental. I feel City Council should look closely at this situation as this does not seem to be an equitable business decision as respects to others that are operating short term rentals. As I understand this Sea Treasures pays Tillamook County \$400.00 per year for the hotel license. They have 19 doors in this facility. That equals \$9,500.00 in business license fees to the City at this time, if they were charged based on operating a short-term rental.

I hope that the decision at tonight's meeting will be fair and equitable for all in Rockaway Beach. Again, I apologize for not submitting this sooner.

Sincerely,

Carol Bolton
President
Rockaway Shores Condominiums

From: Toby Walker <[REDACTED]>
Sent: Wednesday, January 10, 2024 11:00 AM
To: City Hall <cityhall@corb.us>
Cc: City Manager <citymanager@corb.us>; Anthony McNamer <[REDACTED]>; Rachelle Rhoe <[REDACTED]>
Subject: Feedback on ORDINANCE 2024-01

Hello,

I'm writing to express my concerns regarding Ordinance 2024-01.

My business partners and I own 9 long term rental units in Rockaway and well as a couple short term rentals. We have a full time property manager as a direct employee who lives in Rockaway beach and indirectly employ at least several other locals for housekeeping, maintenance, yard service, etc.

We try to keep out long term rentals affordable to local service industry workers and the rents are generally near or below the HUD fair market rents. We rely on having a diversified portfolio of short and long term properties to be able to keep long term rents at reasonably affordable levels and our employee and contractors gainfully employed.

We live in the Portland but come to town often to work on our properties and we have a family vacation house that we stay in when we are here. My elderly father also lived in Rockaway full time for 7 years until he passed away a few months ago. We are a few friends that got together and invested in Rockaway and have invested back into the community by providing affordable housing and starting local business. We are definitely NOT a big corporation or greedy people from the city trying to maximize our profits at the expense of the community.

We have been heavily engaged in the local community for the past 10 years and have a good understanding of the local STR, long term rental and business environment in Rockaway. A cap on STRs will do no good for the community and will make it more difficult for us to run our business, keep rents affordable and keep our local staff gainfully employed.

I want to make 3 main points:

1. Those in support of a STR cap are generally basing their position on anecdotal information are completely baseless, or are not specific to STRs and equally apply to any type of residence. Short term guests, long term renters, second home owners and primary home owners can all cause the problems that the STR cap proponents are citing.
2. It will not help the housing situation. Houses will sit empty rather than provide any long term rental options for locals. If you want to help the housing situation, then you should incentivize the building of apartments east of 101, as these type of properties are more affordable and will never make good STRs.
3. If you must cap STRs, you should strongly consider making an exception for all properties west of 101 as these are prime locations for vacationers but don't function well for most other purposes. It makes no sense to cap STRs and have large ocean front houses sitting empty through the year, and they will sit empty if they are not able to get STR permit.

I strongly support regulating STRs but it needs to be done in a way that will help the community, not hurt it.

Thanks for listening.

-Toby Walker

From: Barbara Carbone <[REDACTED]>
Sent: Tuesday, January 9, 2024 5:31 PM
To: City Manager <citymanager@corb.us>
Cc: Barbara Carbone <[REDACTED]>; Noah Carbone <[REDACTED]>
Subject: Regarding Public Hearing: Short term rentals

Hi Luke,

I am writing you as a concerned home owner/ short term rental license holder in the city of Rockaway regarding the public hearing tomorrow. I read the brief in full.

One. I am concerned that the city council will vote to restrict the number of short term licenses without first inquiring with concerned citizens. Without first advertising the change - how can concerned citizens give their feedback? As it is written now it's an arbitrary number. I'd like to know the suggested max number of rentals proposed.

Two. As an experienced Oregon Realtor I have serious concerns about the inability to transfer the license with sale of the property. I know from experience that this seriously affects home resale value. Individuals that purchased a home originally with an established business, reputation, and sales price as a vacation rental will lose major equity (value \$\$\$) in their home when they go to sell. This could put those home owners at risk of a short sale or foreclosure. I am also concerned about how this would affect existing future reservations. As hosts we rent our home in advance- sometimes a year in advance. When selling you'd have to cancel all of your future reservations because a license is not guaranteed...this effects tourism numbers, local income for businesses, sale-ability of the home, and has to break some state hospitality laws...

Thank you for taking the time to read my email. Feel free to reach out to discuss further. I hope my concerns are shared at the meeting tomorrow.

Barbara

Barbara Carbone
REALTOR
KW Portland Premiere
Cell: [REDACTED]
Email: [REDACTED]

****For a quicker response, send me a text****

From: [REDACTED]
Sent: Monday, January 8, 2024 11:18 PM
To: City Manager <citymanager@corb.us>; City Hall <cityhall@corb.us>
Subject: ORDINANCE 2024-01

Our parents bought our vacation home in Rockaway almost 20 years ago. The extended family and our friends have loved Rockaway all these years and consistently pour money into the local economy. Some of our favorite memories are in this home and town, at all times of the year. The home was recently passed down us and our children. The expense is not easy to cover and we do not want to sell. We've even discussed living here full time when we retire. We've been planning for 2 years while remodeling to apply for a STR so we can rent it occasionally to friends and family on our own, and will not use rental agency. Now we have apply due to the cap. We are not looking to make a significant amount of money, just enough to help cover some of our yearly costs so we can keep our home that we love in our little beach town. We would of course pay the lodging taxes and employ a local housekeeper which gives money to the city and a local resident. Our guests would follow our rules, shop and eat out. All of these things bring money into Rockaway. The alternative - it's sits empty unless we are there. No money invested in local businesses. At all. How does this help Rockaway or anyone local? If we decide we can't afford to keep the home because we can't occasionally rent it to our family and friends, we don't believe it would be listed for sale at an affordable price point for a local family to buy. So

that means it probably wouldn't provide any long term housing and we could end up selling it to someone who could bring all the things locals complain about - cars, traffic, hot tubs, fire pits, fireworks, etc. Someone who wants to STR it every week of the year and not continue to be owned by a family that uses it and has been invested in and loved Rockaway for almost 20 years. We care about this community and our neighbors. Driving us out by refusing our right to STR the property we own does not help the workers down at the market, restaurant or coffee shop find affordable housing - our property isn't suited for that. The city needs low income subsidized housing and STR code enforcement. No matter how much full timers hate it, Rockaway is a vacation town. Don't drive people like us, who care about it and are invested in it's success, out. It's a heavy risk to the local community that must be considered.

J&S, [REDACTED] Ave

From: Winchester Dane <[REDACTED]>

Sent: Monday, January 8, 2024 6:22 PM

To: City Hall <cityhall@corb.us>

Subject: Testimony on STRs

I am not a fan of telling people what they can or can't do with their own property – taking rights away from property owners should be considered very carefully, be absolutely necessary, and a last resort. In this situation, the effect of limiting STRs will have little to no effect on the availability of affordable long-term rentals.

Rockaway Beach is a resort/vacation town. It has been for over a century. Anyone living here should have known that. Those of us that live here full-time also rely on the tourists that stay in STRs to keep the stores and restaurants busy, there certainly isn't enough full-time residents to support them adequately – and we need those restaurants and stores. These tourists are good for our little town.

The idea that limiting STRs will increase the number of “affordable” (cheap?) long-term rentals is just bad logic – and at what cost? First, many of those STRs are family beach houses – they aren't going to be added into the rental inventory, they will just sit empty most of the year. That's not good for anyone. Second, long-term rentals have become very risky – rents need to be high enough to account for the risk, which drives up rental costs. Third, the cost to build is just plain high which is the primary driver of high rents and therefore rental availability. Rental income on a long-term rental needs to have a reasonable rate of return for the rental owner, just like any investment. Let's go a little bit into the cost to build – by the time you buy property, pay for permits, get utilities run to the property, excavate, concrete, frame, side, roof, insulate, sheetrock, pay for plumbing/electrical/mechanical, do all the finish work, get appliances, etc. then the builder gets paid, a 1,500 SF house is a minimum of \$500K. That's very conservative, probably going to be more than that. Just to break-even vs putting that \$500K in a CD at 5.5%, the rent would need to be \$2,600/mo. Take into account maintenance, property taxes, risk, etc. rent would be expected to be over \$3,000 a month for a 1,500 SF house or it's better to put the money in a CD. Economically, it doesn't make sense to build a house as a long-term rental because the rental market here can't bear those rents, which leads to a lack of supply. The cost of existing houses as alternatives to new development is driven largely by the cost to build, again leading to low inventory.

Limiting STRs will not have a significant affect on availability of affordable long-term rentals. More houses will sit empty as family beach houses. Less opportunities for folks to come and spend money in our town, and you will have successfully taken away the property rights of owners without accomplishing anything. Yes, there are issues with availability of long-term rentals, but it's not driven by STRs, it's driven by the cost of real estate which is in high demand and ultimately the cost to build is high. It would be far better for the city to actually do something to incentivize building long term rentals and more specifically multi-family housing. It may not be as easy as this “show” of doing something. Things that are easy rarely work, and this will be no different.

Dane Winchester

[REDACTED]

Rockaway Beach, OR 97136

**CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 2024-01
AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF
ORDINANCES CHAPTER 113 RELATED TO SHORT-TERM RENTALS**

January 8, 2024

To: City of Rockaway Beach
City Councilors
Mayor
City Manager
City Planning Manager
Affected City Staff Members

DESTRUCTION OF OUR NEIGHBORHOODS

An entire home rented out as a short-term rental is a hospitality business with no neighbor with whom to speak or share a neighborly friendship. Unfortunately, STR's create a hole in the fabric of the community that is exploited by both the visitors and STR owners.

Short-Term Rentals can generate significantly more revenue than a long-term rental. This business model attracts wealthier individuals and corporate investors who buy and rent homes based on financial modeling. They can afford to pay cash for homes at top dollar and move much more quickly than private individuals such as retirees and first-time home buyers are able. The average price of homes then increases, locking out more people and raising the property tax valuations for neighbors. These investors have little regard for the culture of the community except insofar as they might commodify it to increase their revenue.

The loss of housing to hospitality use intensifies the lack of affordable housing for workers, families, younger first-time home buyers, and retired persons alike. Limiting or capping STRs is a clear way to make some homes available for permanent residents, which would restore the social fabric of the neighborhoods.

Vacationers come to Rockaway Beach to have fun and party, unfortunately to the detriment of next-door families. Large groups of visitors throwing

house parties and backyard events generate much more trash and noise than a family of permanent residents. Moreover, the visiting vacationers do not know the neighbors and therefore have little concern for disrupting their peace since they will be gone within a day or two.

STR operators often furnish their properties with a firepit, barbeque, outdoor hot tubs, saunas, and other amenities to attract more business. These encourage the guests to spend more time outdoors where noise travels into neighboring properties, often late into the night disturbing younger school aged children and elderly folks with disabilities or medical issues. Unsupervised strangers with unknown backgrounds provide security risks for nearby families. If the home is rented out for a party, then the street becomes crowded with many more cars and RV's than would be permitted for a single-family home. These additional vehicles may occupy the street for the entire weekend, making it inconvenient for permanent residents, their guests, and visiting family members.

The thought that visitors staying in STR's contribute considerable revenues to our local businesses, especially restaurants, bars, and grocery stores may not be entirely correct. Almost every STR offers their renters the use of a complete kitchen outfitted with all amenities including an oven, cook top, microwaves dish washer, refrigerator, and a complete selection of cooking utensils. Most visitors use these kitchen areas to prepare their own meals to help save money. They also purchase most of their groceries, beverages, and provisions at lower costs before they arrive here to vacation.

Property rights are not absolute, i.e., your property rights don't have priority over mine. For example, you cannot open bars, restaurants, gas stations and hotels in residential neighborhoods.

Let's face it, STR's are businesses! More specifically, they are hotels. I don't want a hotel next door to me, for a number of reasons that have been discussed. Zoning ordinances exist for a reason. For residential areas, they exist to preserve the integrity of the neighborhood and provide for the quiet enjoyment thereof.

People buy in residential areas to provide safe and secure places to raise their families - where they can walk the dog, send their kids to school, develop friendships with neighbors and become part of the community - all away from the noise, traffic and disruptions of commercial businesses.

I don't think it's opposition to STR's per se, any more than opposition to a fast-food restaurant, cannabis shop, or any other commercial entity. But

residential areas zoned R-1 are typically off limits for commercial enterprises of any kind. And when you start making exceptions, the livability of your established residential neighborhood goes to pot.

It is OK to have thriving businesses properly located within commercial areas zoned as such, however it is not OK to violate code and impose it on others who didn't sign up to be neighbors with it.

I have opinions, thoughts, and concerns which I would like to share with our Rockaway Beach City Council Members, Mayor, City Manager, City Planner, and any others that may be involved in the decision-making process during the meeting on January 10th with reference to Ordinance 2024-01 and its modification to Chapter 113. Obviously, many questions and topics need to be asked and considered before any motions are made toward STR caps or regulation. Here are some to consider...

1. If an STR cap is imposed, how will it be tied (if at all) to the current number of full-time permanent residences already in place?
2. If the STR cap is voted on by a majority of current city council members via a **non-permanent resolution**, how long will the cap be in place before another modified resolution "cap" is enacted?
3. Can undeveloped land tracts be added to the "Under-Construction Waiting List" or "New Construction Waiting List" prior to the March 2026 deadline if they are intended to become future STR's?
4. Should current councilors be recused from voting on 2024-01 and any future STR resolutions if they own or invest in short term rental properties within the city limits?
5. Should STR's be limited to certain specific areas of Rockaway Beach, or should they be permitted anywhere within the city limits?
6. How will future STR placement affect livability in established neighborhoods with full time residents?
7. Should STR "businesses" be zoned for placement closer to the core Rockaway Beach commercial areas, beachfront, and major highway access to preserve established full time residential neighborhoods, and offer vacationers easier access to our local businesses?

Thank you in advance for taking a few minutes to read my letter and considering my points of view before your motions and votes are taken.

Please feel free to contact me if any of you need clarifications or wish to discuss these issues further.

Cordially,

Ted Hewitt
██████ Necarney St
POB ██████
Rockaway Beach,
OR 97136
██

(503) ██████

**CITY OF ROCKAWAY BEACH, OREGON
ORDINANCE NO. 24-xxx
AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH CODE OF
ORDINANCES CHAPTER 113 RELATED TO SHORT-TERM RENTALS**

December 13, 2023

**Rockaway Beach City
Council Members
Mayor
City Manager**

Greetings to All!

Concerning the conditions outlined in this Short-Term Rental Cap, I have a few comments and questions that I would like you to address if possible.

- 1. If the City Council is to decide the STR Cap in numbers, how will the initial cap limitations be determined?**
- 2. Will the STR caps be evaluated periodically on a set regular basis or schedule? What will the schedule be? Monthly, Semi-Annually, Annually, or some other basis?**
- 3. Will a quorum of city councilors be required to alter the STR cap, a majority, or a lesser number of councilors?**
- 4. What will be the official cut-off filing period for under-construction waiting list applications? Can bare land without homes under construction be placed on the under-construction waiting list, without an occupancy permit?**
- 5. Should the STR cap be limited to existing factual resources such as a percentage of existing households in Rockaway Beach, rather than some random number?**

Thanks for giving me the opportunity to ask these questions, and for your time in considering them.

Cordially,

**Ted Hewitt
Necarney St
Rockaway Beach, OR 97136
(503)**