

TO: Yachats Mayor and City Council

FROM: Kathy Hubbell

Owner, Chickadee Cottage Vacation Rental

RE: Proposed vacation rental actions, July 12 City Council Meeting

July 11, 2017

Please accept this memo to be included in remarks for the Mayor and City Council to consider at the July 12, 2017 City Council meeting.

I can only speak for myself, not for other vacation rental homeowners, but I do want my voice to be heard and to count in this process. The vacation rental I own, the Chickadee Cottage at 181 Reeves Circle, is a tiny 485 sq. ft. cottage, with a large deck on a 70' X 100' lot. There is parking on a gravel area adjacent to the street, and there is also parking for the cottage at the top of the driveway shared with the yellow house next door, called the Sea Star. There has never been a complaint lodged with this city against the Chickadee Cottage, either during the 11 years that I've owned it, or the 13 years or so before that when Tom and Anita Morris owned it.

I'll take your questions one at a time:

1. Should we limit the number of vacation rentals? Given the city's oft-repeated complaints that the character of Yachats is changing for the worse as the number of vacation rentals grows, this might be a good idea. It needs to be weighed against the city's revenue needs, however, since vacation rentals make up about 70 percent of the city's general fund – at least that was the case when I last did my research about two years ago. I would assume that those of us who already own vacation rentals would be allowed to continue our operations.
2. Should we increase the annual license fee? You just did a little while ago. In one year, you increased it from \$40 to \$100 – a sudden increase of 250 percent. No gradual increase; no step-by-step over a period of years. Just a 250 percent increase all at once. No, you should not increase the annual license fee. What for? I suspect it's because of the love/hate relationship the city has with the vacation rentals. You see them as a source of needed revenue, and at the same time create punitive measures for the homeowners. You can't have it both ways. We are not bottomless pits full of cash. Many of us can only afford to keep our properties by renting them out – and we hang onto the properties in hopes of being able to retire there and become permanent citizens. A good way to discourage long-term, permanent residents of the city is to discourage them at every turn from hanging on to their vacation rentals. An increase in license fees will do nothing to encourage better vacation rentals. Wealthy individuals do not necessarily correlate with better behavior or compliance with the laws. See next answer for some ideas.
3. Are current fine amounts sufficient to encourage compliance? I have no idea, having never been fined. However, I don't believe the answer necessarily lies in fines. I believe there are two other areas which might help ensure compliance: 1), proper training and screening procedures should be provided to third-party property managers, so that they can encourage proper behavior by their renters, and 2), the same system of training, fines and any other part of a compliance system should be applied to permanent homeowners as well. Included in any compliance training should be training on what makes Yachats the special place that it is. Every community undergoing change is wise to make sure all its residents, both temporary and permanent, have

an introduction to, and updated information about, the community itself, renewed every so often. The newsletter alone won't do it; vacation renters don't get the newsletter.

I make that last point because it's not normally vacation renters that cause a compliance problem in my neighborhood on Reeves Circle. The house on my north side, on the other side of the Reeves Circle loop, is one I've reported to authorities about three times so far. One was for a party that extended quite loudly until about 3 a.m.; I called the sheriff's department. The second was for a rooster that was crowing at 4 and 5 a.m. And the third was for chickens running loose. Yes, I've gone over there and talked to the residents in person (two young women, one a single parent, renting from a father). But the problems persist. What rules apply to them? Are they the same rules that apply to vacation rental owners?

The other neighborhood noisemaker happens to be the Yachats Inn, when they allow outdoor parties at their facility – often complete with fireworks. The noise carries right up the hill. Sleep is impossible. I've called the sheriff about those fireworks as well.

A couple of times I've had to confront vacation renters at the Sea Star house next door, which shares the driveway with the Chickadee. There is a hot tub at the Sea Star, and every so often, a hot tub party will extend into the small hours of the night. It's not often, but it does happen. I usually just go out and talk with them directly; only once in 11 years have I had someone deliberately ignore a request to quiet down. I don't consider that to be a general nuisance to the neighborhood or the city, and I haven't reported that house to authorities.

To repeat: I do understand about the need for compliance, but in my neighborhood, it's not the vacation renters who are the consistent problem.

I do have one other strong complaint about compliance, and that is weed control. The Sea Star has had a terrible weed problem for several years. A once-beautiful yard is now pretty well trashed through neglect. Likewise, the empty lot directly below the Chickadee is completely overrun with blackberry bushes and cucumber vines. There seems to be absolutely no one at the city enforcing any kind of compliance with property upkeep and weed abatement, and my neighbor across the street, Don Groth, and I have both complained about this. Both these properties – the Sea Star and the vacant lot – are owned by trusts for estates, as far as I know, so it will probably take some extra effort to get compliance. But not only are both properties an eyesore, they are a hazard during any time of drought. The last thing any of us needs when the weather is too dry is a spark on a very brown patch of ground.

During the summer months, I pay \$400/month and more for upkeep on my property, including weed abatement, trimming and mowing; and at least \$200/month in the off season. My philosophy is that when people see the property is well cared for in the yard as well as inside the house, then renters are more likely to take good care of it – and that seems to be born out quite well. Will there be enforcement of the rules with these other properties?

4. Is licensure process adequate and efficient? It's very convenient and easy at my end.
5. How do we identify homes that are operating outside the Code? When I was researching this issue of vacation rentals a couple of years ago, it seemed that there were only a few vacation rentals out of the lot that were really causing problems, and these particular properties were well known to the city. It seems to me that recorded complaints with the city will be a pretty clear indication as to which homes are operating outside the Code. But once again, I would note and request that permanent homeowners are also scrutinized as to whether they are abiding by applicable codes and laws.

6. What process can differentiate between “family use” and “renters?” Well, again, isn’t everyone going to be held to the same standards? If they are, there is no need for this. But if there are two different sets of standards at work here, then you really can’t differentiate. For example, my property managers know when I’m at the Chickadee. But I also allow certain friends and family members to use it for free at various times throughout the year – so they aren’t renters. They are my guests, even if I’m not there, and would be considered “family use.” Whether it’s me there, or my guests, or renters, we all adhere to the same set of standards. I’m lucky in that the Chickadee is so small that it’s not a “party” house and can’t accommodate more than four people at a time. As a result, we don’t have the problems others have. Still, it seems only logical to hold everyone to the same standards. The old idea of requiring people to register license plates with the city is not only impractical, but laughable. What if I had family members from out of state at the cottage – with out-of-state plates? Would you then assume they were renters? Probably. Is it any of your business whether they are my friends or family members? No.
7. How do we get better compliance from owners to control noise and parking violations? Again – work through the property managers where possible; and provide training to owners, renters and property managers as to what is expected. AND apply the same standards to permanent homeowners, because they are not necessarily less of a problem. Assuming that permanent renters are always in compliance and understand what is expected in the community is a dangerous assumption: remember the lady who fed the bears?

There needs to be a community-wide effort at better communication, more understanding, and neighborliness extended to and from all parties in this issue. This mentality of acting with punitive measures toward vacation rentals is itself causing ongoing problems and resentment; and the lack of applying the same standards to permanent homeowners perpetuates an “us vs. them” mentality that does no one any good. My neighbors and I make it a point to know each other and quite often, to know the renters. It makes a huge difference in people acting as genuine neighbors. It’s like social media in a way: you say stuff on social media you’d never say to someone face-to-face. Likewise, when you see people as the “other,” you’re more likely to act or talk against them. Face-to-face, however – a welcoming attitude with needed information for a successful visit – results in a far different attitude.

Thank you for your time and consideration.

Sincerely,



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