

Aven, Heather M.

From: Jodi Broughton <earthchick9@yahoo.com>
Sent: Wednesday, October 18, 2017 9:01 PM
To: Grp.PL.Planning And Development Commission
Subject: short-term rentals and ADUs

Dear Planning Commission members:

I've lived in Bellingham since 1995 and have owned homes in the York and now Lettered Streets neighborhood. When I unexpectedly got divorced in 2013, I took full ownership of my home. I needed help with expenses but at 49 years old, I wasn't excited to have a full-time housemate. I turned to [Airbnb.com](https://www.airbnb.com) to help. I talked with all my immediate neighbors to make sure they felt comfortable. Through Airbnb, I rent out one room in my home on enough occasions to pay all my housing expenses. I have met wonderful people visiting our amazing town: parents of WWU students; relatives visiting family over the holidays; retirees exploring moving to this vibrant community; people on business trips; vacationers leaving on the Alaska Ferry or many other fun trips; music workshop attendees; marathon runners and bike racers; and much more. My life has been enriched through my interactions with these Airbnb guests and I provide a warm, welcoming home base for many people's first experiences in our region.

I believe we need to allow for Airbnb and other short-term rentals, through ADUs or other means, in order to keep our rich community in tact. If my mother was still alive, I would potentially be eventually be trying to build an ADU on my property to house her in her old age. I don't think that would change the character of my neighborhood - only enrich it.

It is disappointing to see articles, such as Emily Weiner's in last week's *Cascadia Weekly*. They only serve to polarize the issue and divide our community. Growth is happening here; that's a fact. Having rules that allow ADUs or short-term rentals can help that situation.

Jodi Broughton
206-304-2312

Aven, Heather M.

From: Rod Burton <rod@rcburton.com>
Sent: Thursday, October 19, 2017 1:36 PM
To: Grp.PL.Planning And Development Commission
Subject: ADU ordinance update

Planning Commissioners and Staff,

I live in a single-family zoned block, near WWU, with many ADUs, including my own. Already a dense neighborhood of small lots, the increased population density from the ADU residence has had no noticeable impact.

In my opinion, ADUs are a great way to add density to any neighborhood.

The proximity between landlord and tenant minimizes "bad renter" issues; The additional income the homeowner receives (and perhaps project help from the younger tenants) helps older homeowners age in place; The cost of the rentals can be at the lower end of the scale, as the homeowner/landlord has less need of profits, and less building debt, than with a traditional rental construction.

As to the concern that all ADUs will become short-term vacation rentals. An increase in housing stock, even if some become short-term rentals, will add to the housing supply, so prices should drop. And operating a B&B is a lot of work, administration, cleaning, laundry, etc. Having a long-term tenant is much easier. Many homeowners with ADUs won't want to go through the hassle, even if it makes more money. (We considered the AirB&B route, and decided against it.)

I urge the passage of regulations that encourage ADUs, detached and attached, city-wide.

Sincerely,
Rod Burton
238 N Forest Street
98225

Sent from my iPhone

Erika Shook

From: andros@rockisland.com
Sent: Wednesday, July 19, 2017 10:11 AM
To: Erika Shook
Subject: Vacation Rentals

I live on Westcott Dr. We are loosing our "neighborhood" to commercial vacation rentals. We now have 7 and I hear of another one that wants to rent. I have had this property for decades and live here because of the beauty and being in a neighborhood. We as neighbors know each other and help each other. Now we have excess traffic, strangers arriving and going at different hours. Not abiding by burn bans or water restrictions. We have to lock up our buildings. I feel there should be a LIMIT on how many are on the water and a LIMIT on the ones across the street....for soon it will turn into "hotel row". That is not a neighborhood.

Sincerely,
Carol Knechtle



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December 21, 2017

Dear Planning Commissioners:

RE: New STR Regulations proposals

In evaluating the STR, Short-term rental, proposal for the City of Bellingham the best comparison I can find is the Home Occupation regulations stated in 20.10.045. "The primary use of the premises shall be residential and at no time shall the home occupation be the predominant use."

If homes can be used only for a vacation rental or STR unit without the owner living on site, then one can conclude the home occupations regulations are really just too restrictive. Why should the residential home not be converted to a doctor's office in every zoning designation and not require owner occupancy? Or the home could be converted to a new brewing facility. Why not open all neighborhoods to mixed-use developments where businesses have equal rights for development?

I thought I knew the answer to these questions but the changes being proposed will need to answer why business use now should be allowed in every neighborhood without owner occupancy. Perhaps planners will need to address why home occupations require owner occupancy but vacation rentals do not. Are there other business models where owner occupancy is not required in residential neighborhoods and simply allowed by a conditional use permit. Is there a list of those types of businesses?

I have spent many hours examining the San Juan Island conditional use permits for vacation rentals. Permits are never rejected. The Hearing Examiner always dismisses any concerns neighbors have, since all problems are conditioned by the regulations governing vacation rentals. Covenants are ignored much in the same way the City of Bellingham currently does. Unlimited conditional use permits in residential neighborhoods is a gift to the real estate profession. Conditional use permits assume the use will have a minor impact to the current zoning. Do STR's in every neighborhood meet the definition of conditional use in City Code? Limiting one per owner can be avoided by multiple LLC ownerships.

"Conditional use" means a use, so listed in the appropriate section, which because of its unusual size, infrequent occurrence, special requirements, possible safety hazards, or other possible detrimental effects on surrounding properties, may be approved only by the board after a public hearing." Definitions City Code

The San Juan County model of development regulations has resulted in small and large homes being purchased by investors from other Washington state cities and out of state investors who then convert homes into lodging businesses.

I am attaching a letter written to the San Juan County Commissions regarding how vacation rentals have changed her neighborhood. Is this the new model for the City of Bellingham?

My view is that vacation rentals or STRs can be located in mixed use development or commercial zoned areas when not owner occupied. If an investor wants multiple units or even one without owner occupancy that unit should be located where zoning allow business uses. More simply, when conducting a legal business operation, zoning should mean what it says.

Thank you for this opportunity to comment on the Planning Commission's agenda for Short-term Rentals.

Tani Sutley

Notes:

“Home occupation” means an occupation carried on within the main residential building by the occupant thereof consistent with the provisions of BMC 20.10.045.

“Home occupation; exempt” means a home occupation which can be considered an accessory use and permitted outright. Exempt home occupations shall be limited to those which involve only bookkeeping for a business conducted elsewhere, shall have no outward manifestation of the business and shall have no customers or employees coming to the home.

20.10.045 Home occupations.

A. Authority. The director is authorized to approve home occupation permits consistent with the regulations and provisions herein.

B. Regulations.

1. Home occupations must be conducted within the main residential building by the occupant. The occupation may include such uses as personal, business, or professional services, or offices and repair shops for household items; however, veterinarian offices and clinics, hospitals, mortuaries, major and/or minor automotive repairs, eating and/or drinking establishments, stables, or kennels are prohibited.
2. There shall be no exterior modification of the building in order to accommodate the occupation, nor shall there be any outward manifestation of the occupation. No home occupation shall be located anywhere but in the main building. The primary use of the premises shall be residential and at no time shall the home occupation be the predominant use.
3. No more than one assistant or employee, in addition to the resident(s), may engage in the occupation on the premises. One off-street parking space shall be provided for the use of the employee.
4. A flat, unlighted sign flush against the building is allowed. Such sign shall not exceed two square feet in area. The sign shall state only the name/address/phone number of the occupant and the occupation.
5. No retail sales of goods in connection with the home occupation shall occur on or about the subject premises.

December 28, 2017

To Planning Commission Members:

RE: STR changes to City Code January 4th Planning Commission Meeting

After a review of the current documents for the January 4, 2018 I have found an expansion of use for Type III-A conditional use permits for STR units to include Events. As written, it appears to be included as incidental to the whole house rental business used as overnight lodging under Part D Standards. See Page 15 of Agenda Packet.

However, the Planning Commission discussed this issue on September 21, 2017 and the minutes for that meeting indicate no parties or events would be allowed. (Page 3) Attached.

House rules posted in STR: These would be mandatory rules that must be followed for the duration of the stay, including:

- Quiet hours
- Parking requirements
- Prohibition on large parties and events
- No overnight use of RV or campers on site or in adjacent street right-of-way

I was not able to locate any definition or inclusion of Events as a zoning allowance in current City of Bellingham code.

I would suggest this provision be eliminated. Unlike the County's zoning where Events are allowed for Cottage Industries on acreage to prevent impacts to neighbors, City of Bellingham has few if any lots large enough to prevent impacts to neighborhoods.

If the Planning Commission approves this provision, I would like to see a definition of Events added to City code with guidelines for impacts before the measure moves to the Council. I really do not see Events as an incidental use to vacation rentals unless in mixed use or commercial zoning districts.

If City planners conclude Events are incidental to STR units or vacation rentals in all zoning districts then City Planners should provide some supporting documentation showing how Events are incidental and any current references to Events in City code before presenting a DRAFT ordinance to City Council.

Thank you,

Tani Sutley