

Aven, Heather M.

From: Liz Marshall <lizardmarsh@gmail.com>
Sent: Wednesday, March 14, 2018 2:43 PM
To: Koch, Christopher J.; Grp.PL.Planning And Development Commission
Subject: Short-term rental ordinance

I don't think that vacation rentals should be permitted in the City of Bellingham.

Liz Marshall
Bellingham

March 14, 2014

Bellingham Planning Commission

Bellingham City Council

Mayor Kelli Linville

Planning Director Rick Sepler

Re: Comments on Vacation Rental Draft Ordinance process and substance

Dear Bellingham City Council and Planning Commission:

Thank you for the opportunity to comment on this vacation rental ordinance.

Many of you already know of the stressful experience that I have had in my own neighborhood with a vacation rental that was located on 19th Street. It was the poor response, lack of foresight, leadership and planning on the part of the City in dealing with the growing problem of vacation rentals that brought me back into the public planning arena. I strongly feel that the draft ordinance that has taken multiple months to produce is not even worth the paper and the staff time that was designated to produce it. This draft ordinance does absolutely nothing to protect the nearby residents of vacation rentals from what is a basic expansion of commercial zoning into single family residential zones. It simply sickens me that the Planning Commission and City staffs have literally written an ordinance that protects the right to profit for a select few over the interests of the public well being and totally ignores the fact that profiteers control the housing stock in this community.

The impacts of the Vacation Rental ordinance should be borne by those who stand to make the big money off the ambiance of their single family neighborhoods, not the taxpaying residents many of whom have invested their life savings into their homes. The Planning Commission seems to be far more concerned with turning otherwise quiet neighborhoods into hotel zones by simplifying procedures and allowing an actual increase in the number of the Type 1 units. Once again the public interests are being ignored in favor of the misplaced priorities of the Planning Commission which appear to be profit. People are being left out of process, and in their zeal to pass this sad ordinance, the Planning Commission has ignored the fact that Washington Courts have determined fairness, due process and reasonable certainty to be guidelines in protecting citizens from property rights violations.

It is my suggestion that this draft ordinance be returned to the Planning Commission to clean up the inconsistencies in sections 4 and 5 as well as to include exactly how this ordinance is to be monitored and enforced. It does not make good sense to add an enforcement piece after the ordinance has been accepted because it won't happen. It is quite difficult to get the sheep back in the barn after the door has been opened, so to speak. As per my experience with the vacation rental on 19th Street, there was

little effort put into enforcement. This ordinance was supposed to change that outcome, so what exactly are the behaviors that would trigger the Nuisance violation?

Additionally, I am concerned by the cumulative impacts of all the currently proposed City of Bellingham ordinances. I submitted a letter on January 18, 2018 about this matter and requested that the January 2, 2018 Determination of Non-Significance (SEP2017-0045) be reversed and that a full environmental Impact Statement (EIS) of the probable cumulative impacts be conducted on the proposed four ordinances that have been or will be brought before the Planning Commission. There is no way these multiple ordinances are environmentally non significant when grouped in the manner the City is promoting.

Sincerely,

Roberta L Vollendorff

1119 20th Street
Bellingham, WA

TO: Bellingham Planning Commission
Bellingham City Council
Mayor Kelli Linville
Planning Director Rick Sepler
CC: Planner Lisa Pool
DATE: March 15, 2018

RE: Short Term Rental Ordinance

I am writing to urge the Planning Commission to suspend its decision on Short Term Rentals until an Environmental Impact Study can be completed by the City of Bellingham that addresses the multitude of Land Use changes being brought before the City Council in 2018. Approval for these changes should not be made without a comprehensive environmental study of how these Land Use changes will impact neighborhoods and our environment.

The Short Term Rental Ordinance, more appropriately referred to as the Vacation Rental Ordinance, does not stand alone. It is part of a package, which I refer to as the "Upzone Package" to destroy single-family neighborhood zoning in Bellingham. This package of Land Use revisions includes the Vacation Rental Ordinance, the Subdivision Ordinance, the Rooming House Ordinance, the Infill Toolkit Ordinance, and the Accessory Dwelling Unit Ordinance.

The Planning Commission has already forwarded its poorly conceived ADU Ordinance to the City Council for consideration this month. It is an ordinance that attempts to overrule the contract the City has made with its citizens to protect single-family zoning and undermines decades of deliberate neighborhood-based planning. Bellingham's former grassroots, democratic process of engaging citizens at the neighborhood level has been replaced by a top-down process led by appointed Planning Commissioners who are aligned with a small group of **anti-single-family zoning activists**.

Like the ADU Ordinance, the Vacation Rental Ordinance represents a "new vision" for Bellingham that focuses on housing as profit centers, a city economy driven by tourism, a revolving door of visitors rather than invested home owners, a conveyor belt of strangers in the neighborhoods rather than permanent residents who can be relied on to make long-term investments through their property ownership in city infrastructure, parks, schools, and quality of life. This "new vision" is pushing more people to the bottom and putting home ownership out of their reach.

Cities like Bend, Oregon and Boulder, Colorado have been used by our Planners as good examples of how city ordinances can manage the phenomenon of commercializing single-family neighborhoods through Vacation Rentals; but our Planners have failed to share the facts of what those cities spend to enforce, monitor, or inspect these Vacation Rentals. Nor are we told about the uproar, citizen revolt, and opposition that has poured down on those city officials in Bend or Boulder by citizens who do not like their neighborhoods being used as commercial zones.

The process used by the City to introduce its "Upzone Package" has not been inclusive. A public notice in *The Bellingham Herald* is sadly inadequate. A mailed notice to MNAC reps or neighborhood association presidents is not a substitute for the City doing its job to educate, inform, listen to, and consult with its citizens. A three-minute speaking opportunity at a Planning Commission or City Council meeting for citizens is not dialogue. The "Upzone Package" deserves as much publicity and time for meaningful citizen engagement as the Neighborhood Plan Updates and Planning Academies conducted a decade ago.

Why have we thrown that process out? Why are the personal travel preferences of individual Planning Commissioners even considered as part of the discussion about Vacation Rentals? Why are identity politics more influential than the social contract between the City and the neighborhoods to protect single-family zoning? Why aren't we discussing an economic analysis about disparity and the impacts on our permanent residents' ability to buy or rent housing? Instead, the proposals coming out of the Planning Commission and Planning staff appear to be sending us further down the road where housing is used as an income-producer for the few.

Why hasn't the discussion focused on a true inventory of Vacation Rentals rather than an overview of what can be seen online? How, or were, these properties permitted when built? What specifics have been provided about costs to enforce regulations or bring into compliance this currently illegal commerce? We are told time and again by City officials that enforcement of housing rules in Bellingham is based on complaints, only, which pits neighbor against neighbor rather than laws against violators.

And, again, I ask why hasn't there been an investigation about the environmental impacts of this "Upzone Package"? We need an Environmental Impact Study of the 2018 five Land Use proposed changes. What are the long-term economic impacts on Bellingham's housing availability when we turn more and more of our housing into rentals either for college-aged tenants or vacationers?

On October 22, 2017, in *The Bellingham Herald*, Planning Director Rick Sepler was quoted in a story about illegal vacation rentals. He stated, "We don't want to make them businesses, and we certainly don't want to lose housing stock we need for residents."

It appears Seplers' concerns are being thrown under the bus by the Planning Commission on both the ADU Ordinance and the Short Term Rentals Ordinance.

Sincerely,
Anne Mackie
1351 Humboldt St.
Bellingham, WA 98225

Aven, Heather M.

From: S Jones <thebestforbellingham@gmail.com>
Sent: Thursday, March 15, 2018 4:48 PM
To: Grp.PL.Planning And Development Commission; S Jones
Subject: Short Term Rentals -

March 15, 2018

Bellingham Planning Commission,

My name is Scott Jones. My family and I live in South Hill. As a father and a traveler, I am conflicted regarding the legalization of Vacation (Short Term) Rentals in Bellingham. I do know though that Bellingham needs good policy and a blanket legalization of an ordinance that helps some and hurts many is not good policy, as Vacation Rentals will.

So, if Vacation Rentals are not legalized outright, what next? The decision must not be made in a vacuum. There are those who want to visit Bellingham and have an Air B&B experience instead of a hotel room. There are those who want or need to make money on their properties. Then there are the concerns of Housing Stock and Neighborhood Character in Bellingham.

Housing Stock is in short supply in Bellingham, and with expected growth will continue to be. Other ordinances are being considered such as the legalization of Detached Accessory Dwelling Units, illegal rooming houses and more. We should not negatively affect our housing stock, by taking entire homes off the market for short term use, simply for those who want an experience or for those who want to make money off their property. **Housing for our residents must be kept available.**

Neighborhood Character is also a concern. Does a traveler's need for an experience trump the quality of life for tens of thousands of residents? I strongly answer, "NO". Changes that may occur due to Vacation Rentals being legal throughout Bellingham are: crime, traffic, parking, loss of community, and more. To alleviate these concerns, it is entirely possible to have any home that desires to be a Bed and Breakfast to do so. The Conditional Use Permit process is proven and welcome in Bellingham.

Due to these important concerns I hope that the Planning Commission recommends to the Bellingham City Council to **not** allow Vacation Rentals in Bellingham.

Thank you,

Scott Jones