



Save Helvetia
13260 N.W. Bishop Road
Hillsboro, Oregon 97124

www.SaveHelvetia.org

March 5, 2023

Senate Committee on Housing and Development

RE: SB 648 - Prohibits counties from allowing use of certain new dwellings on resource lands as vacation occupancies.

OPPOSE with -1

Honorable Members of the Senate Committee on Housing and Development:

On January 25 2021, we submitted the following testimony to the Washington County Board of Commissioners in response to their Issue Paper No. 2020-01, which focused on short term rental issues and considerations, primarily in URBAN unincorporated Washington County.

We chose to respond with the following issues that addressed short term rental issues and considerations in RURAL unincorporated Washington County. Much of the issues we addressed in 2021 are still valid for 2023.

The Figure I map included with the Issue Paper showed STR listings in the unincorporated areas. While the map lacked specificity, it did show activity in the **RURAL** unincorporated county and especially in the close-in area of Helvetia.

The Helvetia area has had a 20 year history of grappling with activities such as corporate picnics, wedding events, and quasi-winery event centers. Some of these issues have been brought to the Board of County Commissioner's attention through time: Roloff Farms; Garden Vineyards. Due to serious community conflict, the group "Keep Helvetia Safe and Livable" successfully took a case to LUBA appeal, but unfortunately without the support of the county.

A number of Helvetia residents participated in the Agri-Tourism TAG and then the morphed advisory group under the Rural Tourism rubric.

We were surprised that these earlier county efforts were not referenced in this issue paper.

Many of the community impacts and county capacities overlap into this current issue area. **We therefore encourage staff to summarize the community impacts and county capacities issues coming from those prior study processes.**

On page 4, the paper states: "The use of some rural dwelling types as STRs, however, may constitute a land use violation, particularly in the rural resource districts." **We recommend that this be fleshed out so that residents in the rural unincorporated county have a clearer context of Short Term Rentals in Rural Unincorporated Washington County: what is legal, what is not, and what recourse rural residents have to lodge concerns or complaints.**

There was an extensive effort undertaken by the CPO/CCI system that resulted in the 2004 report: Improving Community Livability Through Effective Noise Control, authored by the volunteer Noise Control Task Force. This was presented to the then -BOCC in work session, July of 2005. www.wcnctf.org. It pointed out the weaknesses of our antiquated ordinance that remains in effect to this day. When the county seeks to address issues of Agri-Tourism, Rural Tourism, and now Short Term Rentals, noise issues quickly come to the fore and it again shows our noise ordinance as out-of-date with the kind of county that we have become. For example, our ordinance requires a deputy witness noise for any enforcement, after hours, yet the deputy FTE outside of the Enhanced Sheriff Patrol Districts is too thin for a Tier 4 complaint to become a priority. The ordinance lacks any decibel level standard. It only identifies Sunday as a day of no noise. **We recommend that the BOCC revisit our noise ordinance for the benefit of all unincorporated county residents, irrespective of the short term rental issues.**

Washington County relies on a complaint-based system for code violations. When this is accompanied with inadequate county resources and/or lack of response, it leaves neighbors exposed and in conflict.

Deputies repeatedly alert rural residents to the types and locations of crimes in their areas and remind us to be aware of unfamiliar vehicles. Short term rentals in the rural unincorporated county should generate calls to county dispatch. Will dispatch know where the STRs are and what an authorized vehicle might look like?

Rural farm and forestry districts have particular vulnerabilities to the casual use of those not familiar with the practices of agriculture and forestry. Fire in a rural environment is a distinct threat that could readily destroy crops, forests, and homes. (Somebody torched the Grossen hay stack several years ago, late at night along Helvetia Road.) Out in the country, a bonfire might seem like a good idea. Rural residents keep current with fire dangers while casual urban users might not. **Reach out for comment from the Fire District.**

Gravel road dust on crops can be damaging: going slow on a gravel road in the dry season becomes an economic issue to farmers. The importation of noxious weeds into grass seed growing areas can be quite costly. Grass seed processors require a high degree of purity before they will buy seed from fields. Urban car users can become unwitting carriers of noxious weeds into grass seed growing areas. **Reach out to the state Department of Agriculture and Farm Bureau for comment.**

Rural agricultural areas have narrow roads with gravel shoulders and drainage ditches. Catching a tire in the shoulder gravel can cause a quick rollover. Locals may know the blind curves and elevation changes but even then one can come face to face with a convoy of combines, a deer, or a herd of elk. There is no street lighting. Traffic enforcement is minimal to absent: the deputy FTE for the rural area is insufficient to enforce traffic infractions. Locals generally understand the “basic rule” for their areas. Casual urban drivers on rural gravel roads might be in for a first-time, steep learning curve.

It is legal to discharge a firearm in the rural unincorporated area, but no longer in the urban unincorporated areas. The county should be cautious about facilitating any urban firearms use in the rural districts. Hunting on private land might also become an issue: short term “elk hunting” rentals for example. **Reach out to Oregon Department of Fish and Game.**

As our population grows, the search for recreational and event venues is heightened. Short term rentals in the rural area will beget event venues. Events usually celebrate something. Celebrants often imbibe. When you add in the use of alcohol/drugs, the dangers to the participants, to residents, and to the agricultural and forestry practices of these areas goes up. Will STRs be required to maintain liability insurance? Will this reach beyond the property to damages in the community? **In previous studies of Agri-Tourism and Rural Tourism, the issues of impaired driving did not get adequate analysis. Please include it here and now.**

As you sort out which approaches to take with the urban unincorporated county, **we recommend providing the rural unincorporated county with the tools that it needs to protect the practices of farming and forestry, the livability and safety of rural residents, and the unwitting casual urban users from harm.**

When citizen participants have provided comment re Agri-Tourism, Rural Tourism, Soil Fill, and other issues, the typical Board of Commissioners’ response has been that the county has enough rules, and has budget constraints for any staffing for compliance or enforcement. This message served to discourage further comment by concerned citizens from the rural unincorporated lands of Washington County. **Washington County should not facilitate any added burden to the rural unincorporated areas.** Should you be willing to assess our ordinances and

practices, we stand ready to be of any assistance in support of solutions for rural unincorporated Washington County.

Respectfully submitted,

Robert Bailey
Member, Board of Directors
Save Helvetia