

Perkes, Scott

From: Aleta Cobabe
Sent: Friday, July 31, 2020 8:31 PM
To: Perkes, Scott
Subject: [EXTERNAL]nightly rental meeting Aug 4th.

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I have received a notice that a public meeting is scheduled for Aug 4th via Zoom. I am able to watch a zoom meeting but can not get my microphone to connect so I can not participate. I would like to give you my opinion on this if possible. I live at 4374 Snowflake Circle. There are homes in the area that do nightly rentals at this time, although not permitted. I feel that with all the rental units that exist at Wolf Creek that a single home neighborhood should not be needed for nightly rentals. I own rental units that are at Powder Mountain so I am not opposed to vacation rentals, but not in a neighborhood where the homes are lived in by year around residents. Please do not suggest that this zoning change is approved. The houses around us that do nightly rentals can be of concern to us when there may be 10 cars plus boats with people coming and going that the neighbors don't know. I live in a subdivision with single home dwelling for a reason. I like to know who my neighbors are and what is going on for safety, if nothing else. Aleta Cobabe 801-745-2422

Perkes, Scott

From: Burton,Steven
Sent: Tuesday, July 28, 2020 4:01 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Fwd: [EXTERNAL]potential change to rental policy for single family homes in the Ogden Valley

I think Rick meant to send this to you. ?

From: Grover,Rick
Sent: Tuesday, July 28, 2020 1:32 PM
To: Burton,Steven
Subject: FW: [EXTERNAL]Fwd: [EXTERNAL]potential change to rental policy for single family homes in the Ogden Valley

FYI

From: Betty Manaster
Sent: Tuesday, July 28, 2020 10:39 AM
To: Grover,Rick
Subject: [EXTERNAL]Fwd: [EXTERNAL]potential change to rental policy for single family homes in the Ogden Valley

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Begin forwarded message:

I sent the following message to the commissioners but neglected to send it to you as well. Here it is:

It is my understanding that you are considering changing the rental policy for Ogden Valley single family homes to allow single day renters. This would significantly devalue our property and result in unhappy repercussions with our neighbors. I happen to live near a home that is rented out (advertising that it can hold 19 renters, though this is ridiculous). The owners and management company advertise single day rent availability, despite the Weber County 30 day rule. We are deluged with loud people who do not observe reasonable quiet hours and who have boats and too many cars overwhelming the neighborhood. See below:











This is not why we built our home here. Our taxes are high and we expect a modicum of protection from our commissioners.

Perkes, Scott

From: SANDY FARR
Sent: Monday, August 3, 2020 9:51 AM
To: Perkes, Scott
Subject: [EXTERNAL]Ogden Canyon Nightly Rentals
Attachments: 601 Og Canyon.pdf

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Weber County Planning and Zoning

We live in the Valhalla Camp in Ogden Canyon. We are having a big problem with the nightly rentals that are listed on the VRBO sites which have a big impact in the whole neighborhood.

3 are very close to several houses including us.

Our largest problem is with the house at 601 Ogden Canyon.

We have had to call Weber County Sheriff several times for the last 15 years.

We have had so many problems with the nightly renters disturbing the peace, shooting guns onto our property, fireworks, ATV's, fights, loud music, large parties going on until early morning, unattended children by the river, trash, the list goes on....

We have made a list of renters and issues who have rented the house at 601 Ogden Canyon from just Mar-July that we have spoken with. The house is poorly managed and maintained, the owner lives out of state and is not on-hand to control any of the situation. He is very aware that it is illegal to do nightly rentals in the canyon. His house is booked for the summer and more.

These rentals have been a big burden and impact on our lifestyle and privacy.

Our neighbors at 579 Ogden Canyon also have had problems they are out of town so they won't have time to get a letter into you. Their house is approx. the same distance as our house, so we all suffer from the noise and inconvenience of this situation. We have lived here since 1987 and this situation in the canyon is not acceptable. Please put yourself in our shoes....

PDF File attached is just a few of the issues we have had since March of this year.

Thank You for your help
Brent and Sandy Cunningham
591 Ogden Canyon
801.710.8868

601 Ogden Canyon Rentals

3.27.2020

Electric Guitar with amp with mic ALL afternoon and someone singing
it was VERY LOUD I called the caretaker Don it did not stop until around 8pm

3.28.2020

Loud Pounding Music - the music was so loud it was rattling windows
Neighbors across street also complained the booming sound of the
loud music all afternoon

3.30.2020

Same people were still there with 2 small children playing unsupervised by river

5.1.2020

Children screaming there were at least 3 talked with parents said they were staying
2 nights. They were from Salt Lake City.

Mid May

Group having a naked cocktail party with loud music in the backyard.
In mid May there are NO LEAVES on the trees. We could see it all

6.3.2020

Children were screaming like someone was hurt. Brent ask to talk to their Dad
he came out yelling at him to Shut the **** up he could do anything and be as noisy
as he wanted until 10 pm, that he was a friend of Miles (the caretakers son)
and that he was going to call the cops. Brent said great go ahead.
At 9:15 pm Brent called Weber County Sheriff, suddenly the lights went out
(the usual trick) The advertisement says NO CHILDREN

6.5.2020

Family from South Jordan said they found house on Google they were staying
1 night they said it was NOT what was advertised, it was a dump.

6.14.2020

Couple from California staying 2 nights NOT HAPPY with the conditions of house
and property very rundown, TRASH in the extra bedroom (which they charge extra for)
They said it looked like someone was squatting there it was full of beer cans and
garbage. They pointed it out to Don (the caretaker) he said he knew nothing about it
they also had 2 large dogs, the advertisement says NO DOGS. They had an encounter
with 2 young men coming over the bridge with cases of beer during their stay.

July 7-10 Southwick House

4 Children with parents said they were staying 3 nights

7.7.2020

Renters 3 nights. Caretaker Don had passed away, Miles (the son) was in charge.

Miles is a NIGHTMARE he has more parties and noise when he and friends are there.
We have to call the Sheriff every time. They party until all hours of the morning.
There are fights, gunshots, loud music, screaming and yelling continues.

Perkes, Scott

From: B C
Sent: Monday, August 3, 2020 2:32 PM
To: Perkes, Scott
Subject: [EXTERNAL]Opposition to Nightly Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I oppose changing the rules on nightly rentals.
I bought a house in a residential neighborhood, not a rental neighborhood.

The County has the right to limit the use of personal property by limiting areas that allow nightly rentals. HOAs cannot really do this - numerous studies have been published by HOA management companies explaining the almost impossible task of imposing (and enforcing) nightly rentals. This is the role of the County - maintain the current rules.

If it is about the money, then you are putting the welfare of the majority behind the wishes of a small minority.

If it is about enforcement, there are many ways to solve it.\
One would be to contract with a third party collection agency to track the postings and respond/cite the homeowners. They could be paid on a commission basis.
I am sure there are many ways to solve this.

You also might consider an anonymous hotline for neighbors to report violations.

Again, I am OPPOSED to changing the rules on nightly rentals.
Better enforcement, not loosening the rules is what is needed.

Regards,
Brian See
Huntsville, Utah

Perkes, Scott

From: Brian Smith
Sent: Monday, August 3, 2020 6:18 AM
To: Grover,Rick; Froerer,Gage; Jenkins,Scott; Harvey, Jim H.
Subject: [EXTERNAL]nightly rentals

Commissioners,

I am writing to voice my belief that allowing short term rentals in Ogden Valley is a bad idea! I have lived in the Valley for 31 years and during that time I have contributed to the community in many ways: coaching kids soccer, nordic skiing, and 4-H, volunteering to help with math and reading weekly in the elementary school for six years, volunteer ski patrol and avalanche control, trail building, public horse arena maintenance and donating thousands of dollars to the community projects. My wife and I protected the first piece of land in the Valley with our 16 acre conservation easement donated to the Ogden Valley Land trust in 1997. I believe that nightly VRBO type renters will not contribute to our community in anyway close to that! I am not against folks moving to the valley and contributing to the community but nightly renters will just use our trails, recreation facilities, roads and infrastructure and contribute little to the community as a whole. I realize that some folks such as second homeowners and realtors can benefit but I believe the costs to the community are greater than these benefits to a few. I believe this also with regards to any tax or fees generated from short term rentals.

There are some that believe short term rentals are already happening in the Valley so lets just make it legal. I disagree with that philosophy. A large percentage of my patients in the ER are illegally smoking meth and to just legalize meth would also be a grave mistake!

Please do not change the short term rental policy!

Sincerely,
Brian Smith, MD
801-791-6242

Perkes, Scott

From: Bruce Keswick
Sent: Friday, July 31, 2020 8:23 AM
To: Perkes, Scott
Cc: Bruce Keswick
Subject: [EXTERNAL]Comments opposing short term rentals

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To: Weber County Commissioners and Planning Division

I write to express opposition to allowing short term rentals in Ogden Valley and Nordic Valley in individual residences. Nordic Valley is a residential community and we want to retain that character. The experience with short term rentals has been negative with loud parties, speeding and parking problems (parking on private property and blocking the small streets to accommodate large noisy gatherings).

Nordic Valley is a quiet residential area and we want to keep it that way. We oppose turning this into a commercial area. This is even more critical as Nordic Valley Ski Resort is allowed to expand, the residents do not want to have an area where most people live and work full time turned into a party house area. Rental possibilities encourages absentee owners who only want to make a fast buck and do not care about the community.

We already need a noise ordinance as construction (Nordic Valley Ski Resort construction running 6:30 AM to 10:30 PM), loud vehicles and illegal rentals repeatedly demonstrate.

I recommend you not allow short term rentals. Please remember to protect the existing communities and property owners.

Bruce Keswick

Perkes, Scott

From: Bryan Globke
Sent: Sunday, August 2, 2020 10:17 PM
To: Perkes, Scott
Subject: [EXTERNAL]No nightly rentals please

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Please do not allow nightly rentals. Our neighborhood currently does not have any. However, if they become legal I know there will be multiple house that will probably take advantage of the situation. I have seen personally in other parts of the county, the degradation that legal nightly rentals does to the community. Please don't let that happen to the Ogden Valley.

Thank you for your time,
Bryan Globke

Perkes, Scott

From: Grover,Rick
Sent: Monday, August 3, 2020 9:45 AM
To: Perkes, Scott
Subject: FW: Letter RE: Short-Term Rentals & HOAs
Attachments: Weber County Letter RE Short-Term Rentals & HOAs (8-03-20).pdf

From: Clark Duellman
Sent: Monday, August 03, 2020 9:20 AM
To: Grover,Rick
Subject: [EXTERNAL]Letter RE: Short-Term Rentals & HOAs

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Good morning Rick, hope you and your family are doing well, and you've been staying healthy and safe.

I've attached a letter regarding the Commission's apparent plan to lift the ban on short-term rentals (STRs). I'm sure many Ogden Valley residents have already expressed their concerns regarding the usual list of STR-related issues.

My letter focuses on my genuine concern that the Commissioners apparently expect homeowner associations (HOAs) will somehow effectively regulate STRs without the county's assistance. I'm particularly concerned about those communities with no functioning HOA, which includes my neighborhood.

Based upon what I'm hearing and reading, it's obvious that major changes to the County's STR policies are inevitable. I would like to offer my time and my experience as a HOA attorney to assist with reviewing and finalizing the county's STR ordinance, particularly regarding the role that HOAs would be expected to serve.

Thank you for all the time and effort you are undoubtedly putting into this task.

I would be very appreciative if you would please confirm you've received this email and the attached letter.

Best regards,
Clark

Clark Duellman
Attorney at Law
5354 E Elkhorn Circle
Eden, UT 84310
Office (801) 896-3336
Cell (949) 244-2779

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Clark J. Duellman, Esq.

5354 E Elkhorn Circle • Eden, UT 84310

August 3, 2020

VIA EMAIL (rgrover@co.weber.ut.us)

Rick Grover, Weber County Planning Director
Weber County Planning Division
2380 Washington Blvd #240
Ogden, Utah 84401

Re: Proposed Change to Short-Term Rental Ordinance
HOA Regulation & Enforcement

Dear Rick:

It's my understanding that the Commissioners feel there would be no problem with lifting the ban on short-term rentals (STRs) throughout unincorporated Weber County largely due to their belief that residents could (A) simply prohibit STRs through neighborhood homeowner associations (HOAs) and (B) effectively regulate STRs minus any support from Weber County. The Commission apparently believes individual HOAs could and should act with the same level of authority as local government – assuming complete control over STRs at the neighborhood level.

As an attorney who has practiced HOA law in multiple states over the past 25 years, including working with nearly 20 different Ogden Valley HOAs over the past 10 years, I respectfully urge the Commissioners to take a careful look at the legal and practical reasons why HOAs, particularly those located in Ogden Valley, cannot and should not be required to regulate and police STRs without the county's assistance.

Neighborhoods Lacking Functioning HOAs

As a crucial preliminary matter, the Commissioners need to please consider those neighborhoods that have absolutely no HOA or barely-functioning HOAs, including Elkhorn, Wolf Circle, Elkhorn Circle, Hidden Oaks and Patio Springs, to name just a few. The residents of those communities will have absolutely no means of dealing with STRs, especially if the County refuses to take an active role in policing the problems often associated with STRs. I've encountered this scenario numerous times, both as an attorney and as a resident of a neighborhood that has no HOA.

The illegal STR home in my neighborhood often had large, loud groups and was burglarized at least twice over a two-year period. The homeowner lives in California and visited the house just once during the 5-year period he offered the house as a vacation rental. During that time he made no effort to control noise and trash problems, and didn't even bother to maintain the house's exterior and landscaping, while he continued to generate STR income. At one point his home honestly looked like a bank foreclosure – significantly degrading the appearance of the neighborhood and undoubtedly diminishing the value of surrounding homes. **Because my neighborhood has no HOA, the only effective legal recourse was to contact Weber County's lone code enforcement officer, Iris Hennon.** After a months-long legal process, Iris eventually succeeded in stopping the illegal STR activity. The owner now engages in periodic longer-term rentals of 30 days or longer.

It's very important to note that it is extremely difficult, if not impossible, to form a new HOA in a community that currently has no HOA. In order for an entire neighborhood to be administered by a new HOA, each and every owner of a lot or home located in that community would need to agree to the HOA's formation and authority.

If STRs are allowed in neighborhoods with no functioning HOA, how does the Commission propose that residents of those neighborhoods will have any chance of effectively dealing with STR-related problems, especially without any county support?

HOA-Administered Communities

As you know, STRs are currently allowed in certain subdivisions where the developer obtained a Conditional Use Permit prior to breaking ground on those projects. Those STR communities include Trappers Ridge, Fairways, the Bridges, and Fairway Oaks. Under the Weber County Land Use Code, STRs are also allowed in condominium projects such as Moose Hollow, Wolf Lodge and Lakeside Village. The HOAs that administer the STR communities are relatively large, well-organized and adequately funded – especially compared to several other Ogden Valley HOAs. Nevertheless, even the relatively well-organized HOAs periodically struggle to deal with STR-related issues, despite spending a great deal of time and money attempting to enforce very reasonable STR rules and regulations, and despite being assisted by professional management companies.

It should be noted that nearly every Ogden Valley HOA struggles to find members who are able and willing to serve on the HOA's Board of Directors and actively participate in administration of the HOA, including enforcement of HOA rules. This is especially true for the smaller HOAs. It's my understanding that this is a significantly bigger problem for Ogden Valley neighborhood HOAs than it has been for suburban neighborhood HOAs located along the Wasatch Front, including the unincorporated parts of Western Weber County.

Considering how the larger and relatively well-organized STR community HOAs have struggled to manage STRs, how do the Commissioners reasonably expect neighborhoods with much smaller or barely-functioning HOAs to effectively regulate or police STR-related problems?

HOA Enforcement Without County Support

The Commission is frankly mistaken if they believe HOAs can realistically enforce HOA-imposed bans on STRs without any backing from Weber County. Although Utah's HOA laws ostensibly give HOAs the right to adopt and enforce certain rental restrictions, from a practical standpoint HOAs usually find their hands are tied.

Currently, if a homeowner engages in STR activity in a HOA neighborhood where STRs are not allowed, the HOA can either attempt to enforce HOA rules regarding STRs, threaten to contact Weber County Code Enforcement, or both. As a HOA attorney, I can assure you that, nine times out of ten, an offending homeowner will be motivated to cease STR activity not by the HOA's rules, but by the County's ordinance prohibiting STRs coupled with the threat of action by Weber County Code Enforcement. Particularly when it comes to STR-related issues, many people are simply unintimidated by the HOA's supposed legal authority. It's not unusual for the offender to either ignore the HOA or respond with five simple words: "Go ahead and sue me."

The reality is HOAs have little or no effective legal ammunition to fight these types of battles since Utah's HOA laws, including the judicial process, ultimately impose a lengthy, complex and largely futile enforcement process. Most HOAs simply aren't able or willing to incur the legal fees associated with any concerted attempt to stop illegal STR activity, especially if the offending homeowner fights back, since those costs would have to be shared by all HOA members – collected through a special assessment that requires approval by at least 50% of the HOA's members. Even if the HOA were to impose fines and/or successfully place a lien on the STR home, the HOA cannot collect on that lien unless and until the home is sold. Meanwhile, the chance of any HOA attempting to foreclose on that type of lien is absolutely nil.

It's ironic that HOA members – whose property taxes currently help pay the cost of enforcing a long-standing and broadly-supported ordinance banning STRs – could soon discover their only chance at preserving the quiet enjoyment of their neighborhood is by reestablishing that very same STR ban themselves, then paying the enforcement costs out of their own pocket.

Neighborhood Impact of STR Disputes

As the Commission contemplates the possibility of lifting the county's ban on STRs, and forcing individual residents to deal with STR regulation and enforcement, I implore each Commissioner to please consider the very personal impact of STR-related disputes – not just on neighbors but entire neighborhoods. Whenever I've been asked to help resolve disagreements between neighbors, especially within HOA neighborhoods, I'm struck by the emotional toll often inflicted by those disputes. If the Commissioners allow STRs throughout Ogden Valley – with little or no enforcement or dispute resolution mechanism at the county level – I promise you the end result will ultimately pit neighbors against neighbors in otherwise quiet and peaceful Ogden Valley communities. Many of the Ogden Valley HOAs, particularly the smaller and disorganized HOAs, simply are not equipped to effectively deal with STR-related disputes. Meanwhile, the residents of neighborhoods with no functioning HOA will have absolutely no means of addressing or resolving these disputes.

Long-Term Rentals

In addition to the issues surrounding HOAs, I would also like to briefly address the impact that STRs will likely have on Ogden Valley's long-term rental market. It has been well-documented in numerous other communities similar to Ogden Valley (relevant examples including Crested Butte, Telluride and nearby Park City) that STRs significantly reduce the number of affordable long-term rentals. This is an absolute and irrefutable fact. It's absurd to think that STRs will somehow boost the local economy while affordable housing – which is desperately needed by those employed by the local services industries – is essentially squeezed from existence. Meanwhile, the notion that STRs will significantly boost taxes collected by the state and county is dubious at best, since it's doubtful that most owners of STRs will even report most of their STR-related revenue.

I realize the term “affordable housing” is often a controversial topic in many communities. In this instance, no one is asking the Commissioners to endorse government-subsidized housing or some other allegedly radical plan. By maintaining the ban on STRs, the Commission will simply avoid making the current shortage of affordable long-term rentals even worse.

Thank you for taking the time to present my comments and concerns to the Commission.

Sincerely,



Clark Duellman

Perkes, Scott

From: Grover,Rick
Sent: Monday, July 27, 2020 12:55 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Vacation Rentals in Weber County/ Gravel Pit

FYI

-----Original Message-----

From: Froerer,Gage <gfroerer@co.weber.ut.us>
Sent: Monday, July 27, 2020 12:51 PM
To: Grover,Rick <rgrover@co.weber.ut.us>
Subject: FW: [EXTERNAL]Vacation Rentals in Weber County/ Gravel Pit

-----Original Message-----

From: Cody Wilson (Bidcallers) <wilsondcody@gmail.com>
Sent: Saturday, July 25, 2020 10:44 PM
To: Froerer,Gage <gfroerer@co.weber.ut.us>; Harvey, Jim H. <jharvey@co.weber.ut.us>
Subject: [EXTERNAL]Vacation Rentals in Weber County/ Gravel Pit

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Commissioners,

If we allow vacation rentals up in my neighborhood, which is in Eden, my opinion is it will bring our property values down. The entire appeal of spending the money to live up here is to escape the hustle and bustle. If allowed, I'd expect quite a few residents to start appealing the rising cost of our property taxes. Especially since I'm sure Weber County will apply a nightly rental tax to these nightly renters that will be visiting our neighborhoods. Most predominantly in the winter months, while our children are in school, and we are of course working still daily. Although it may be the visiting party's vacation, it's just another day for a working family up here. And us who reside here that will have to deal with the traffic, parties and other nuisances brought by the measure of allowing any home to become a hotel by night. Thus, making it less attractive to potential buyers to purchase a home for sale, if any home can be a nightly rental. This will happen most definitely, since it has already started with the County laws in place to deter them from currently renting. WE NEED MORE SHERIFFS EITHER WAY!! Our crime rates have drastically risen in just the past year. And with only two, maybe three Sheriffs up here rotating currently, the nuisances to follow if this measure passes will increase even more. HOW ABOUT WE GET SOME INFRASTRUCTURE FIRST, BEFORE ALLOWING EVERY PROPERTY INVESTOR FROM CALIFORNIA TO RHODE ISLAND TO RENT THEIR SECOND HOMES OUT, WHILE DRAGGING OUR VALUES DOWN!! They don't care!! They'll be paying their mortgages off with other people's rental income. AND BEGGING TO BUY MORE TO DRAIN OUR ALREADY SCARCE RESOURCES. While we, the locals, pay ours the old fashion way. And keep the community running.

Now on to the Levanta project. Didn't we already cover this topic last year. The proposed site isn't appropriate for Industrial/Manufacturing zoning. And we all know Levanta isn't in the business of storing motor homes and boats. The END GAME is the SAME!! And yet another reason to appeal my/our rising property taxes. We pay a premium to live

here, and people come up here for the quiet enjoyment of the outdoors from all over the County. Are we really going to jeopardize our beautiful valley, so an out of state(Minnesota)company, whose is setup out of Delaware to come up here to pollute our air, water and locale with their hazardous business. WE FOUGHT IT LAST YEAR! And WE WILL FIGHT IT AGAIN!!

WE DO NOT WANT LEVANTA IN THE VALLEY!!

Cody Wilson

CDW

Bidcaller's Auction Consultants

Perkes, Scott

From: Dawn Lowery <dawnski99@yahoo.com>
Sent: Sunday, August 2, 2020 10:02 PM
To: Perkes, Scott
Subject: [Unjunked by User] [EXTERNAL]Ogden Valley rentals

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Please keep the short term rentals in the PRUD's and Condos!

They are not appropriate in established neighborhoods where long term families live and contribute year round to the community. Short term renters are disruptive and irresponsible with their trash and noise. They don't have to care about noise or destruction, they move on quickly.

We are working people here with families struggling to keep our neighborhoods safe. We have to listen to them in the middle of the night, watch them race by our children during the day and deal with them keeping non dark sky lighting on all night.

It is inconsiderate of anyone temporary in a neighborhood to say "fuck off" when asked to alter behavior that is disruptive or dangerous.

Consider the families who already have to put up with overcrowding on the roads and waterways.

Ogden Valley GEM committee has a general plan, can't we stay on course with that?'

Dawn Lowery
Radford Hills

From: Deborah Haller <dhaller@wsd.net>
Sent: Sunday, July 26, 2020 7:52 PM
To: Harvey, Jim H. <jharvey@co.weber.ut.us>
Subject: [EXTERNAL]Short Term Rentals

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County Commissioner Harvey:

I am writing to you to voice my concern regarding the consideration of allowing residential homes in the Ogden Valley to be rented on a nightly / short-term basis.

My neighborhood in Nordic Valley is comprised of families that work towards the achievement of a community that supports one another, offering help when needed and respect for others.

My experience with short term rentals is that the renters are there on holiday, to have fun. The renters are not concerned with managing traffic, noise, or contributing to the community. There are already several illegal short term rentals on my block and these homes are a detriment to the community. They frequently do not adhere to noise ordinances, bans on outdoor fires, or firework restrictions. They are there to have fun and pay little attention to community values.

Ogden Valley has numerous legal short term rentals that were built specifically for overnights. Do not let my community and others in Ogden Valley be inundated with overnight renters that detract from the peaceful neighborhoods that comprise Ogden Valley.

Sincerely,
Deborah Haller
2627 North 3750 East
Eden

Perkes, Scott

From: Dwaine Harrington <dphare@icloud.com>
Sent: Sunday, August 2, 2020 5:03 PM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd: short term rentals in Ogden canyon

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Sent from my iPhone

Begin forwarded message:

From: Dwaine Harrington <dphare@icloud.com>
Date: August 2, 2020 at 2:19:00 PM MDT
To: sperkes@webercounty.gov
Cc: Patty Harrington <ladyharr@aol.com>
Subject: short term rentals in Ogden canyon

To whom it may concern:

We are residents of Ogden canyon and have owned a property in Valhalla for the past 17 years.

Two years ago a realtor bought the home across the street from us informing us that he was going to live there.

We realized that was not the truth when he proceeded to rent the home.

The neighborhood sent him a petition signed by all of us that we were not comfortable with his rental and that it was not legal in the canyon. We asked him to consider our request and that we would like to hear from him.

We heard nothing and he continues to rent his home.

Our issues are as follows:

1)we are concerned about the safety of our neighborhood with rentals in it . We have no idea who would rent it but we have seen people that work up at snow basin rent it and have U-Haul trucks in the driveway. Others just come and go. Obviously we get traffic that is coming and going to look at the property should they wish to rent.

2)this illegal precedent reduces our property values and why should we be subject to that?

3)Just this week there was an incident in Herriman with a renter shooting up the house he was in

and shooting at the house next door. Not unusual since we had incidents involving firearms and theft in several places in Eden last summer.

4) this is a close knit community with few properties. We take care of each other and our respective properties. This rental property does not participate with us nor live by the same standards we have set for this community.

5) at the end of the street though technically not Valhalla there is an "island house" that sits in the river. From this property we have huge parties, gunshots, excessive noise and abuse when we try and ask for less noise.

Our homes are precious to us. We would appreciate your consideration in this matter to protect us. We have personally spoken to Mr. Scott Jenkins but felt we need to put this in writing.

Dwaine and Patty Harrington
435-862-1074

Perkes, Scott

From: Ellen O'Keefe <ellie1861@gmail.com>
Sent: Sunday, August 2, 2020 8:35 PM
To: Perkes, Scott
Subject: [EXTERNAL]

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear County and Planning Commissioners,
Please consider the possibility that the short term rentals problem you are trying to fix, could have unintended consequences arising from your proposed solution of legalizing rentals more broadly:

1. There is already a shortage of affordable housing in the upper valley. Increasing short term rentals will almost certainly make this worse. The shortage increases commuting of lower wage folks from Ogden and canyon-traffic, in particular. This is both summer and winter.
2. A There are many more jobs associated with hotel accommodation and restaurants in Ogden, which will potentially be lost to rentals, than jobs that will be gained in the Valley. The majority of rental-associated jobs are low wage (e.g. cleaning), making the affordable housing issue worse.
B. Further, the issues the county commissioners have previously raised about kids and grandkids being unable to afford the valley will also be made worse, due to lower cost housing being short-term rented.
3. A clear beneficiary of extending short term rentals to more properties is the county, through increased transient tax revenue, which does not find its way back to the valley. Instead, it gets spent on encouraging more tourism, when the valley is already over-loaded. Is this a county revenue grab, at the expense of permanent residents?
4. The issues around enforcement of behavior of renter's will likely become dispersed, and more numerous, unless you simultaneously increase enforcement presence, including law enforcement. This is a cost to general funds, not tourism tax supported.
All of these issues have become worse since the number of deputies was reduced about four years ago. This staffing level needs to be increased again. We need to have certainty that nuisance laws will be enforced timely, not in one or more hours.
5. I believe the property rights of permanent residents are being threatened. We bought our property with the understanding that rentals were in specific areas, not on our doorstep. HOAs should not have this responsibility dumped on them.

Please consider these issues carefully, and consider getting enforcement of existing rules fine-tuned before increasing the scale of the problem.
Sincerely,

Ellen okeefe
3911 Zermatt St
Eden, Ut

Perkes, Scott

From: ELLIOT LEWIS <ecarson83@aol.com>
Sent: Monday, August 3, 2020 7:41 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short-Term Rental Feedback

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Hello,

We live in a safe, quiet neighborhood on the East Bench in Ogden. We just recently found out that several of our neighbors are using portions of their homes for short term rentals. They have them registered and are following the existing protocols, I feel however, that these protocols may need to be reviewed and enhanced.

Not only are there people in our neighborhood who are not from here and that we know nothing about, but also with the prevalence of the coronavirus these people are not required to quarantine or limit their actions and could enhance the ability for the virus to spread.

Owners and operators of short term rentals within a neighborhood should be required to post some kind of notification that it is being used as such and be held responsible for the actions that occur there.

Also, there should be limits on the amount of time in a month in which a short term rental can be occupied. A minimum number of days that it can be occupied at a time and a limit in the number of visitors that can be accommodated. Any violations need to be followed by swift fines. The fines should increase as violations do. There should also be a website where violations can be reported and a visitor log as well.

All of these are suggestions, but I feel worthy of consideration.

Thank You,

Elliot Lewis

Perkes, Scott

From: Gail Breeze <nbreeze@comcast.net>
Sent: Monday, August 3, 2020 10:56 AM
To: Perkes, Scott
Subject: [EXTERNAL]Nightly Rentals in Ogden Canyon

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Weber County Commissioners,

We have lived in Ogden Canyon for 36 years. My husband also grew up in here, we love it.

We are very opposed to nightly rentals in this area. We have had that going on in our neighborhood for a while. Not a good experience!

1-In our area we have single lane roads that we use as one way. They are narrow and in some places steep. When not used as one way, someone has to backup.

Not easy on these roads and it becomes a safety issue.

2-They are private right of ways. As neighbors we work together to remove snow and maintain them.

3-We do not have garbage pickup.

4-We have had trouble lately getting homeowners insurance because of wildfires. Will the owners of these rentals advise their insurance company the homes are used for nightly rentals?

5-We have very limited parking for most homes.

6-Investors and realtors should not be able to push an agenda just so they can make more money. We live in these neighborhoods, they do not.

We have had many issues with these rentals. They seem to be used for parties and large groups. Fireworks, cars parked everywhere blocking our road to get out. Lots of alcohol and drug use. Garbage left everywhere. Neighbors are left to clean up.

The canyon has the Alaskan Inn for nightly rentals. I hate to see them lose the business. Also, plenty of condos up the canyon are used for this purpose.

Years ago we formed the Ogden Canyon Club for the restoration and preservation of Ogden Canyon. We all believe in protecting this canyon.

We are not opposed to nightly rentals in the right location. Ogden Canyon is not the right location.

Thank you for your time,

Nick and Gail Breeze
374 Ogden Canyon
801 627 2777

Perkes, Scott

From: Gary Goodnuff <gggoodnuff@gmail.com>
Sent: Sunday, August 2, 2020 6:45 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals

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I appreciate the opportunity to comment on Weber County's policy regarding short-term rentals. Following are my thoughts and concerns.

I believe expanding the areas and types of properties permitted for short term rentals, specifically single family homes, is not in the best interest of Weber County residents for the following reasons:

- As mentioned in the July 27 Weber County commissioners meeting on this topic, a majority of short term rentals in the County are illegal with current laws in place. Removing current laws that act as a deterrent may result in a further proliferation of short term rentals into neighborhoods comprised of single family homes.
- The ban on short term rentals may be a factor on a resident's purchase of a particular property. Changing the law is a betrayal of the resident's expectation of a short-term rental-free neighborhood.
- Short-term rentals in single-family home neighborhoods may negatively impact property values...which will in turn reduce tax revenue to the county.
- In the July 27 meeting, it was mentioned that more short-term rentals could bring in more tax revenue, which could be used to hire more enforcement officers. That presumes that all rental operators will remit taxes due, which seems less than likely given the number of rentals currently operating illegally. In addition, opening up the door to more short-term rentals and the likely proliferation may put the County in a constant state of playing catch-up on enforcement.
- There is currently a significant inventory of legal short-term rentals in Ogden Valley, in condo properties such as Wolf Creek, Moose Hollow and Lakeside. Many of those rentals go unoccupied even during peak seasons. Opening the door to short-term rental of single-family homes may penalize current legal rental operations by further adding to inventory..and creating more competition.
- In the July 27 meeting, it was stated that HOAs may establish rules prohibiting short-term rentals even if permitted in the area by the County. My neighborhood (The Preserve at Sheep Creek) HOA has such rules in place. In spite of those rules and the current county regulations, we have at least three illegal short-term rentals currently operating in single-family homes. The HOA is essentially powerless to prevent these short-term rentals. Our only tools are lawsuits and property liens, both which are costly for residents to implement.
- And of course there are the day-to-day concerns which I am sure will be voiced by several other county residents:
 - Parties, noise, large gatherings and crime in quiet neighborhoods, allow which erode residents' quality of life and put additional pressure on public safety resources
 - Parking of multiple vehicles, trailers, toy haulers etc. in areas outside of the private property of the rental

- Renter's use and disregard of community property, leaving behind trash and in some cases committing vandalism

I strongly urge the commissioners to support the current prohibition against short-term rentals in single-family homes and in those areas where such rentals are prohibited. I would also like to see the County implement a permitting/licensing system for permitted short-term rentals. Such a system would help the County to be more effective at collecting tax revenue on rentals, to better hold legal rentals accountable and to more easily identify illegal rental operations.

Thanks for your consideration.

Gary Goodnuff
4134 E 4500 N
Eden, UT 84310
801-528-2979

Perkes, Scott

From: Gordon Auchincloss <gordonauchincloss@gmail.com>
Sent: Monday, August 3, 2020 3:33 PM
To: Grover,Rick; Perkes, Scott; Froerer,Gage; Jenkins,Scott; Harvey, Jim H.; John Lewis
Subject: [EXTERNAL]Short Term Rentals

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Dear County and Planning Commissioners:

I am requesting that you legalize short term rentals in Weber County. The United States Constitution provides in the 14th amendment:

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; **nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.**

While due process may be satisfied by an administrative proceeding, our Constitution, at the same time, our founding principles recognize the imperative of preserving property rights.

I am a firm believer that all residential neighborhoods should be able to enjoy the quiet and peaceful use of their property. However, a government proscriptive ban on responsible neighbors who respectfully use their property as they see fit is simply overkill.

Allow neighborhoods, homeowners associations, and CC&Rs to directly address bad actors who don't respect their neighbors when renting their property. But please do not take away property rights of property owners by putting in place a blanket proscriptive ban.

Thank you for your service.

--

J. Gordon Auchincloss
Property Owner in Weber County

From: Jackie Norton <jackienorton3@gmail.com>
Sent: Monday, July 27, 2020 9:16 AM
To: Harvey, Jim H. <jharvey@co.weber.ut.us>
Subject: [EXTERNAL]overnight rentals in single family homes

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I am opposed to allowing overnight rentals in single family homes in the Ogden Valley area.

home owner
780 N Radford Lane
Eden, Ut

Perkes, Scott

From: Diane Evans <peachyface@digis.net>
Sent: Monday, August 3, 2020 11:15 AM
To: 'Lee Schussman'; Perkes, Scott
Cc: 'Ron Gault'; 'Sedgwick Lil'; 'John Ambrey'; sbird28@aol.com; 'Greg Booth'; a.casel@ovalley.net; jfullmer1@aol.com; 'John Markle'; 'Joe and Mary Marcello'; 'Karen Rosie Smith Brian'; 'Christopher Thomas'; fredtissue@gmail.com; 'Carolyn Robertson'; 'James Evans'
Subject: [EXTERNAL]RE: Short term rentals in Ogden Valley NO

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Dear County Commissioners,

We live across the street from Lee and Brenda Schussman and agree completely with their assessment of short term rentals in the Ogden Valley.

We'd like to add that, when we purchased our property 23 years ago, if short term rentals had been approved at that time, it very likely would have changed our decision to buy a house in this neighborhood. We believe that rental properties generally degrade a neighborhood and property values as well.

Short term rentals should ONLY be considered during the planning phase vs. being allowed after a neighborhood has been established for many years. People must know, up front before purchasing, that their home is in a transient neighborhood.

Again, we concur with Lee and Brenda Schussman that short term rentals should NOT be allowed in the Ogden Valley.

Respectfully,

James and Diane Evans
Eden, UT

Perkes, Scott

From: Grover,Rick
Sent: Monday, July 27, 2020 11:25 AM
To: Perkes, Scott; Ewert,Charles
Subject: FW: [EXTERNAL]Potential Change to Weber County Residential Home Rentals

FYI

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Monday, July 27, 2020 10:11 AM
To: Harvey, Jim H. <jharvey@co.weber.ut.us>; Froerer,Gage <gfroerer@co.weber.ut.us>; Jenkins,Scott <sjenkins@co.weber.ut.us>
Cc: Halacy, Shelly <shalacy@co.weber.ut.us>; Grover,Rick <rgrover@co.weber.ut.us>
Subject: [EXTERNAL]Potential Change to Weber County Residential Home Rentals

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Dear Commissioners:

You will be discussing the aforementioned subject at your work session today, and on behalf of my neighbors and several single family residential home communities in Ogden Valley (OV), can you please consider the following:

1. The current Weber County ordinance which specifies a minimum of 30 days for rental of single family residential homes continually has been violated by realtors in Ogden Valley. There has been a very frequent promotion of single family home sales as great revenue generators for rentals (indicating nightly rentals can easily be accomplished via AirBNB or VRBO). Two realtors recently promoted the sale of building lots in a Wolf Creek single family home development as great investments to build a second home and indicated rental income (including nightly rentals) can off set the mortgage expenses. (Commissioner Froerer, please note that this includes realtors affiliated with Century 21. It is the Realty organization's responsibility to ensure those realtors affiliated with their organization understand the county rules, ordinances and also exhibit ethical sales behavior.)

In addition, several realty organizations in Ogden Valley provide management of second homes, including managing rental engagements. So, it is in these realty organizations' best financial interests to simply ignore current Weber County ordinances.

2. The roads in many of the OV residential developments are narrow. It is very cost effective for large groups to rent a larger, single family home in lieu of renting multiple units in a Condo or PRUD development. Roads are jammed with multiple cars, trailers with boats, RVs, etc. which inhibits passage of ambulances and fire trucks. Neighbors have tried to address the situation with renters and owners (without trying to create any type of serious conflict), but the situation is rarely corrected.

3. Last summer there was an incident in Eden (an unincorporated area) where a very large group rented a single family home very near Carlos & Harley's restaurant. An argument occurred followed

by gun shots. The Weber County Sheriff was contacted, but given the amount of territory the Sheriff's deputies have to cover, their arrival was long after the fact.

4. Given the large groups that have rented single family residential homes, how could some of these homes legitimately house so many people? If the 30 day rental minimum remains, it is highly unlikely that large groups will rent (and pay) for a long rental period. However, if the ordinance remains unchanged, it still has to be enforced.

5. Several communities in OV have reported nightly rentals in their development, with related pictures and ads noting the violation. But what type of effective enforcement has Weber County provided?

6. Weber County may have an incentive to change the ordinance to allow nightly rentals to be able to collect revenue from rental agreements via organizations like AirBNB and VRBO. But what about the private ads for vacation rentals that are in local, out-of-state community papers where the owner just handles the rental on their own? And yes, this has indeed occurred.

Please give the above facts some serious consideration. With respect to Ogden Valley, there is a significant number of Condominium units and PRUD units that can support nightly rentals.

And one other fact to please consider -- the notice on this work session you are having today was issued on Thursday, 7/23. No details could be obtained on Friday, 7/24 given the holiday. In addition, there was not sufficient time for folks to realize what was going to be discussed. The meeting NOTICE email that was distributed also did not indicate if this was just a work session, would there be a vote on the items, etc. Having more lead time for these types of meetings would be helpful to your constituents.

Kind regards,
Jan Fullmer

Perkes, Scott

From: Grover,Rick
Sent: Tuesday, July 28, 2020 1:35 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Comments & Concerns on Potential Ordinance Change for Short Term Rentals

FYI

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Tuesday, July 28, 2020 12:18 PM
To: Grover,Rick <rgrover@co.weber.ut.us>
Cc: Harvey, Jim H. <jharvey@co.weber.ut.us>; Froerer,Gage <gfroerer@co.weber.ut.us>; Jenkins,Scott <sjenkins@co.weber.ut.us>
Subject: [EXTERNAL]Comments & Concerns on Potential Ordinance Change for Short Term Rentals

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Rick,

I updated this list to include a few more comments and concerns. Please include this feedback in any upcoming related meetings. And if there are future meetings facilitated via ZOOM, could you try to ensure that the audio is consistent and any slides presented at the meeting will also be able to be seen by the ZOOM attendees.

Thank you,
Jan Fullmer

1. The current Weber County ordinance which specifies a minimum of 30 days for rental of single family residential homes continually has been violated by realtors in Ogden Valley (OV). There has been a very frequent promotion of single family home sales as great revenue generators for rentals (indicating nightly rentals can easily be accomplished via AirBNB or VRBO). Two realtors recently promoted the sale of building lots in a Wolf Creek single family home development as great investments to build a second home and indicated rental income (including nightly rentals) can off set the mortgage expenses. (Commissioner Froerer, please note that this includes realtors affiliated with Century 21. It is the Realty organization's responsibility to ensure those realtors affiliated with their organization understand the county rules, ordinances and also exhibit ethical sales behavior.)

In addition, several realty organizations in Ogden Valley provide management of second homes, including managing rental engagements. So, it is in these realty organizations' best financial interests to simply ignore current Weber County ordinances.

2. The roads in many of the OV residential developments are narrow. It is very cost effective for large groups to rent a larger, single family home in lieu of renting multiple units in a Condo or PRUD

development. Roads are jammed with multiple cars, trailers with boats, RVs, etc. which inhibits passage of ambulances and fire trucks. Neighbors have tried to address the situation with renters and owners (without trying to create any type of serious conflict), but the situation is rarely corrected. Note that all of the condominium and PRUD developments in Ogden Valley do provide off-road parking.

3. Last summer there was an incident in Eden (an unincorporated area) where a very large group rented a single family home very near Carlos & Harley's restaurant. An argument occurred followed by gun shots. The Weber County Sheriff was contacted, but given the amount of territory the Sheriff's deputies have to cover, their arrival was long after the fact.

4. Given the large groups that have rented single family residential homes, how could some of these homes legitimately house so many people? There are AirBNB and VRBO ads for Ogden Valley residential homes indicating the home can sleep 18 - 20 people. If the 30 day rental minimum remains and is enforced, it is highly unlikely that large groups will rent (and pay) for a long rental period.

5. Several communities in OV have reported nightly rentals in their development, with related pictures and ads noting the violations. But what type of effective enforcement has Weber County provided?

6. Weber County may have an incentive to change the ordinance to allow nightly rentals to be able to collect revenue from rental agreements via organizations like AirBNB and VRBO. But what about the private ads for vacation rentals that are in local, out-of-state community papers where the owner just handles the rental on their own? And yes, this has indeed occurred.

7. There is no doubt that there is a market for rentals in Ogden Valley because of its recreational resources - far more of a market than other areas of Weber County. But there are also a lot of hotels, restaurants, etc. that provide tourism/visitor support in the city of Ogden, and Ogden has been doing an excellent job of promoting its related facilities. A lot of work and planning has also been accomplished between the Ogden Valley ski areas and UTA to provide public transportation from Ogden to these resort areas. Use of UTA has definitely increased over the last 2 years, and this has helped promote related businesses in the city of Ogden. If there are more nightly rentals allowed in Ogden Valley, specifically in residential single family homes, this can definitely impact businesses in the city of Ogden, which is certainly part of Weber County.

Please give the above facts some serious consideration. With respect to Ogden Valley, there is a significant number of Condominium units and PRUD units that are zoned to support nightly rentals.

Perkes, Scott

From: Grover,Rick
Sent: Monday, August 3, 2020 2:36 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Nightly VRBO rentals in Ogden Valley

-----Original Message-----

From: Jed Southwick <jedsouthwick@icloud.com>
Sent: Monday, August 03, 2020 1:33 PM
To: Grover,Rick <rgrover@co.weber.ut.us>; Froerer,Gage <gfroerer@co.weber.ut.us>; Jenkins,Scott <sjenkins@co.weber.ut.us>
Subject: [EXTERNAL]Nightly VRBO rentals in Ogden Valley

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Director Grover,

As a resident of the Ogden Valley, I'm writing to express my opposition to the proposal that would allow for short term rentals in Weber County (especially in the Ogden Valley). As a resident of Eden I see this change as one that would be harmful to a community that already struggles to have adequate resources for its inhabitants (water, internet, gathering places, parking places, and traffic management). Appropriate daily usage of the recreation locations in the valley by local area residents already overwhelms these resources. Additionally, nightly rentals would lead to an influx of home owners that would buy in order to rent that property, but not live there. Along with resource depletion, this would additionally deplete the Ogden Valley of the permanent residents that currently keep it functioning through their daily volunteer work and community involvement in adult and youth programs.

My hope is that you will vote against any proposal to allow for these nightly rentals that would harm the Ogden Valley and its residents.

Thank you for your time and for your hard work to help Weber County!

Jed Southwick

Perkes, Scott

From: Grover,Rick
Sent: Monday, August 3, 2020 9:41 AM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Short Term Rentals

-----Original Message-----

From: Jeremy Booth <jjctbooth@yahoo.com>
Sent: Sunday, August 02, 2020 11:01 AM
To: Grover,Rick <rgrover@co.weber.ut.us>
Subject: [EXTERNAL]Short Term Rentals

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I am a resident of Eden writing to voice strong opposition to the proposal to allow short term rentals in the county. Ogden Valley has been stressed to the brink this summer. This "Covid stress test" shows how damaging it will be to do anything that increases the density of visitors here. Our quiet neighborhoods don't need to include rental properties. Thank you,

Jeremy Booth
6133 E 1800 N
Eden, UT
801-745-2628

Perkes, Scott

From: Grover,Rick
Sent: Wednesday, July 29, 2020 4:40 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]STOP nightly rentals

From: Froerer,Gage <gfroerer@co.weber.ut.us>
Sent: Wednesday, July 29, 2020 3:30 PM
To: Grover,Rick <rgrover@co.weber.ut.us>
Subject: FW: [EXTERNAL]STOP nightly rentals

From: Jeremy Young <blue1light1@gmail.com>
Sent: Monday, July 27, 2020 1:33 PM
To: Harvey, Jim H. <jharvey@co.weber.ut.us>; Froerer,Gage <gfroerer@co.weber.ut.us>
Subject: [EXTERNAL]STOP nightly rentals

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Dear Commissioners,

Thank you for taking the time to read my email. Please do not allow nightly rentals in the Ogden Valley. I understand that nightly rentals are allowed in the condos and some zoned areas. I chose to live in an area that was not zoned for nightly rentals intentionally. I want the safety and security of knowing my neighbors. I do not want the potential problems and overcrowding of my neighborhood. Our roads, lakes and trails cannot handle more people! We do not need strangers in our backyards.

Nightly rentals cause problems for those of us who live here and want to enjoy our beautiful Valley. Please protect the reasons we live and love it here instead of destroying them!

Sincerely,

Perkes, Scott

From: Grover,Rick
Sent: Friday, July 31, 2020 2:54 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Weber County Commissioners' Meeting Monday August 4
Attachments: Question to WCCommissioners July 2020.docx

From: Jim Bird <jabird47@gmail.com>
Sent: Friday, July 31, 2020 1:42 PM
To: Grover,Rick <rgrover@co.weber.ut.us>
Subject: [EXTERNAL]Weber County Commissioners' Meeting Monday August 4

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Dear Mr. Grover,

In response to the request that the meeting will only be taking written comments, I have attached a letter for the meeting on August 4. Please contact me if I need to provide additional information, or if you have any questions. Thank you.

Jim Bird
jabird47@gmail.com

July 31, 2020

Dear Weber County Commissioners,

This letter is in regards to the Weber County Commissions' (WCC) meeting on August 4, 2020 regarding Short Term Rentals (STR). I am sending this to Rick Grover, Director of Weber County Planning Department (PD) as instructed to do prior to the meeting.

First, I am against the expansion of STR into residential areas of the Valley that currently prohibit them. I attended the July 27, 2020 meeting that the Planning Department presented their study to the Commissioners. What I observed was the Commissioners discussed information that only supported expanding STR into the unincorporated areas.

Gage Froerer started the meeting by stating the problem was enforcement because Weber County only has one enforcement officer. However, during the 45-minute meeting there was no discussion about enforcement. Scott Jenkins made a statement that the County could require STR to have multiple trash receptacles. He did not state how that would be enforced. Jim Harvey made an off hand comment that maybe some of the tax revenue from the STR could be used to hire another enforcement officer. However, it was clear that there had been no planning regarding the ability to actually enforce any changes.

Below, I will present my questions and the concerns that they stem from.

1. Enforcement: *If you allow STR to expand into the Zones that they are currently prohibited, how will you enforce the issues and problems that may be associated with the new growth?*

Because no data was presented regarding a clear strategy for enforcement, it still leaves the initial problem of enforcement. Enforcement comes in two major forms, Code and Civil.

Code Enforcement:

One is the enforcement of the County Codes. This includes making sure the STR are licensed, they have adequate parking, they meet occupancy standards, and they have adequate trash receptacles, etc. Enforcement of these issues will be the role of the County Enforcement Officer.

It is likely that those STR that are violating the current Code will not volunteer to get licensed or pay taxes. Actually, it will make the enforcer's work more difficult because residents will not be able to complain about STR in their neighborhood. The Code Enforcer will still need to determine if the STRs are not doing nightly rentals, are licensed, are complying with trash codes, etc. How will the County

find out about STR? It is likely that the change will not generate the revenue the County anticipates.

- *Will another Code Enforcer be hired?*

Civil Enforcement

The second is Civil enforcement. This will include responding quickly to loud noise, partying, over-parking, vandalism, and, I might add, shootings at STR (e.g., Eden-June, 2019, Herriman-July, 2020).

Presently, there is minimal Sheriff patrol in Ogden Valley. Last week a friend called the Sheriff's office at night to obtain some help. She was told it would take an hour for them to arrive at her house because they had to come from Ogden. Three years ago, I was informed by two Sheriffs that only one Sheriff officer patrolled the entire Valley at night.

- *Will the County assign more Sheriff's to be available to patrol the Valley at night?*

2. Exponential Growth. *How will relaxing the standards address exponential growth?*

The Planning Commission presented a chart showing that STR listings have grown 15 times since 2011 and continues to grow exponentially year over year. The WCC seemed to view this as justification for relaxing their current restrictions. However, they have no data to indicate what will happen if they relax them. It seems logical that there will be even a larger growth, as more areas will be available. This will result in need for more, not less, enforcement.

According to the Planning Department's map of STR in unincorporated areas, only one STR is located outside of the Ogden Valley. This is a Valley issue. To pretend otherwise is not addressing the real problem. The locations of the STR in the Valley appear to be primarily in areas that are currently zoned for them. This includes Ski Lake and The Escapes at Edgewater, in the South, and the Wolf Creek and Moss Hollow in the North. There does not seem to be a large proliferation of them in HOA communities or residential areas. Changing the Codes will increase the STR into those areas.

3. Housing Stock. *What are the Commissioners plans to reduce the likelihood that STR will not substantially reduce the Housing Stock?*

As more homes and condominiums are converted to STR, there will be an equal decrease in family homes and long-term rentals. Both Brandi Hammon and Rick Southwick, two realtors, expressed concerns to the PD that the "housing stock" in the Valley would disappear. They reported this has happened in Moab where

the housing available for permanent residents have disappeared. It is also a concern in Park City.

A 2016 Park City housing needs assessment showed the availability of affordable owner occupied housing is almost non-existent in Park City. And, no single-family home is affordable to households with income below the median income.

This is a likely significant problem in the Valley because it relies heavily on the service industry to operate the local businesses. These workers will either need to drive from the Ogden area or reside with friends and/or family. There was no data in the PD study that addressed this problem. Presently, Ogden Valley is a family centered community, with an excellent history of residents whose family settled the area.

- *How will allowing STR impact the nature and atmosphere of the community?*

4. Exclusion of Incorporated Areas and HOAs. Would the new code prohibit licensing STR in those HOAs that do not permit them? If not, then that will put an extra burden on the HOA trying to enforce their CC&R.

The WCC indicated that HOAs would be excluded from allowing STRs if it is in their CC&Rs. However, HOAs have a difficult time enforcing this provision. As an owner in our HOA told me, the fine that an HOA can levy, which in our HOA's case is \$500/month, is simply the "cost of doing business."

It is likely that a few HOAs did not include this provision because the County already had the ruling. This is probably also true for a lot of non-HOA residential areas that people purchased homes as their primary residence. There was a law that restricted STRs to protect them. My belief is that when people purchased their lot or house, they knew if STRs were allowed. If they were not allowed, then they should not have purchased the home if their intent was to use it as a STR.

Interestingly, Huntsville Mayor Truett, informed the PC that he was not opposed to short-term rentals (he also added that enforcement would be key to ensuring compliance), however, in their July 30, 2020 agenda, the Town Council will present this amendment:

Only one single-family dwelling is allowed on an approved R-1 building lot. No dwelling, or a portion shall be rented for a term less than 30 days.

This suggests that Huntsville and the Mayor do not want STRs in R-1 areas. Why does he believe it is suitable for residents in the unincorporated areas of Huntsville?

Conclusion

A main problem with STR is both with the owners and renters. In most cases they do not live in the Valley. Their children do not attend our schools, they do not shop regularly at our businesses, and they do not attend our churches. They have no commitment or investment in the community. It is very likely that a proliferation of STR will change the community, and that should be addressed.

Additionally, I do not understand the logic behind the idea that the County needs to allow STRs in all unincorporated areas because they can't enforce the current code. There are a lot of laws that are only enforced on a complaint bases, but it provides a legal way to limit problems. If someone is operating a STR that is in a prohibited area, and there are problems, the County can shut them down quickly.

Some believe it is a matter of property rights. The county has numerous zoning laws and codes that prevent people from using their property for a variety of purposes. I cannot turn my house into a fast food restaurant, I can't raise horses on a small lot, and it goes on. If some of the Weber County Commissioners believe this is about property rights, then they need to also consider eliminating zoning laws because all zoning laws regulate property rights. This change would still require a license, thus it is a business and zoning laws regulate businesses.

Finally, if the County had spent as much money and time in trying to solve the problem of enforcement as they have in trying to determine how to expand STRs, then there would be a completely different discussion. To implement a new code without addressing the primary problem of enforcement does not serve any purpose; enforcement will still be the problem.

Respectfully,

James A. Bird
1052 Meadowlark Ln
Huntsville, UT 84317

Scott Perkes
Planner, Weber County Planning Division
2380 Washington Blvd,
Suite 360
Ogden, Utah
84401

May 14, 2020

To Scott Perkes,

I received a copy of the information you sent to World Creek Master HOA in Eden Utah. It referenced that Weber County Planning Division is looking at developing additional short-term rental provisions and regulations in Ogden Valley. Essentially, it appears that the County wants to expand short-term rentals into other residential areas.

I am on the Board of Trustees for the Chalets at Ski Lake in Huntsville and would not want our zoning changed. Our CC&Rs specifically state that short-term rentals are prohibited. I would hope that any changes in the zoning would not cause problems with our desire to keep short-term rentals out of our community.

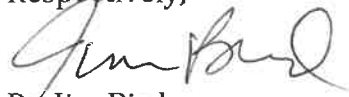
As you state in your May 11, 2020 letter, this provision is designed "to protect the health, safety, and welfare of owners, neighbors, and visitors." That quote is taken directly from your letter. It focuses on the standard of living for homeowners, which the Chalets at Ski Lake promote. What is disturbing is your last sentence regarding the "benefits" of short-term rentals. Essentially, it seems to be stressing the advantage of a source of income for the County, without a clear analysis of the costs that can be associated with short-term rentals. The costs to the County in order to reduce the possibility that the short-term rentals are not a detriment to the community would include increases in Sheriff patrol, and need for inspection by the health department fire marshal. I want to emphasize the need for more Sheriff patrol. Short-term rentals increase the likelihood of loud noise, congested neighborhood traffic and parking. Presently, it is difficult to get a Sheriff to respond at night in any reasonable time. In fact, when Eden had the shooting at a short-term rental, officers from Roy had to be called.

I doubt if permanent residents of Ogden Valley have been asking the Commissioners to have more short-term rentals in order to increase the "capacity and diversification" of the Valley. However, I do know that relators have been pushing for it. In fact, some relators have requested meetings with homeowners in Ski Lake. They inform the owners about "loop holes" in the restrictions for short-term rentals - how to get around the law. Furthermore, It is likely that the "exponential year-over-year growth" in these rentals stem from relators informing part-time owners how to get around the law, and to break the zoning requirements. I would prefer the

costs that would be associated with increasing short-term rentals would be spent towards enforcing the current zoning requirements.

The point of my letter is to try to dissuade the Commissioners from changing the current zoning law. A simple question they should ask themselves, "Would I want short-term rentals next door to me?" If they say "yes," then the County knows where to put them - in the Commissioners and Planning and Zoning personnel neighborhoods. This way the County can leave the Valley neighborhoods alone where people like getting to know each other, participate in activities together, feel safe, and develop a sense of community with each other without the disruption of short-term rentals. The Commissioners should support the Valley neighborhoods that dislike late night partying, potential shootings (e.g., Eden), strangers wandering their streets, and groups that have no attachment or commitment to the neighborhood. Plus, it is likely to be less costly to the County.

Respectively,

A handwritten signature in black ink, appearing to read "Jim Bird", written over a horizontal line.

Dr. Jim Bird
1052 Meadowlark Ln
Huntsville, UT
84317

We should like to express out opposition to a zoning change allowing nightly rentals in our neighborhood. We built 5b years ago in part because of the fact that nightly rentals are not allowed. Had we wanted to live in a rental rather than residential neighborhood we would have purchased or built in a neighborhood such as Trappers Ridge.

There are presently illegal nightly/weekend rentals in our neighborhood. We have been subjected to renters having little or no consideration for the ,permanent homeowners. Renters' children have been allowed to drive unregistered, unmuffled dirt bikes up and down local streets, into driveways and across properties. On one day, the Sheriff was called on 3 separate times because of disturbances. I have approached renters asking that they cease, but heard the response that they come here because they cannot do these things in their own neighborhoods.

The renters have held loud, late night parties without regard to disturbing neighbors. One property, renting to several families at once, has had vehicles parked on both sides of a street, effectively reducing the roadway to a narrow opening so that fire trucks and ambulances could not pass.

We do not need our property values reduced because of nightly renters.

Yours,

Jim Brown and Karen Bartholoma
5467 E. Buckhorn Dr.
EDEN

Perkes, Scott

From: joe Del Beato
Sent: Monday, August 3, 2020 10:12 AM
To: Perkes, Scott
Subject: [EXTERNAL]My viewpoint on Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Thank you for the opportunity to give my viewpoint on the short term rental issues being discussed for Ogden Canyon. This year it has been brought to everyone's attention that it is a illegal activity here in Ogden Canyon. I believe it is also understood why myself and others have been operating this business. We are part time residents and it is an easy way to keep the home maintained and offset some of the expenses of having a second home. Some of the other benefits for Weber County, which may not be understood, in the short time I have owned my home here I have paid over \$100,000 dollars in taxes with minimum impact on county services, my kids do not attend school here etc, and of course I don't vote. While bringing in affluent people who are on vacation primed to spend money to fuel the local economy. This added revenue stream is important to county and local residents who don't want to see there property taxes increase as the county struggles for funding in this economic crisis we are in.

There are many other positive aspects to bringing in guests to our area. Now of course, there are many, many people in Canyon who are uncomfortable with Human activity, upsetting the serene natural beauty of the canyon. I myself understand and enjoy this prejudice of human activity disrupting our tranquility, from the constant drone of traffic, to unwanted noise of human activity. My viewpoint is this moment in time is an opportunity, all parties to come together and create a better environment for all. I do understand that many different strong viewpoints are held by owners in the canyon and the county. But hope my positive viewpoint can be heard and understood.

Because it is NOT mandated that the canyon can only be occupied by land owners, rentals of a month or more are allowed with no restrictions. It is my viewpoint, that in creating an opportunity for legal short term rentals, strict restrictions can be put in place ie. no children, no pets, no exterior electric noise, no, no no, whatever is decided to be non disruptive to others including no parties, parking etc.... To get a license to operate. My point is now and in the future there is no county restriction on behavior for long term rentals and creates an opportunity for local residents of this beautiful place to supplement there incomes while traveling or vacationing and also will create an opportunity for friends and relatives a place to stay close by. If in the future I am allowed to get licensed to operate, I plan to offer a substantial discount to neighbors that wish to take advantage of my place. Also it is a benefit to the county creating fees and income streams for the county and local businesses.

This next part of my statement is about my personal present situation, but it is relevant to this issue. I have been operating my vacation rental for most of the 15 years, since I have lived here. Mostly renting 7 to 8 months and staying here around 4 months. I have been doing this with the cooperation of the county paying my taxes quarterly, sales and transient around 11-12 % until last October when VRBO started paying the taxes directly. So, the taxes were double paid because I was unaware of the change. I received a refund in January of around \$760. I am getting off point excuse me.

I do plan to shut down my home rental but since the Covid outbreak my business has changed completely, I am now booked solid with just local business unlike before, mostly SLC trying to escape the lock down. I have had no notice to shut down, but plan to and am hoping that my economic partner for the last 15 years, the county, if you give me a notice will act responsibly and reasonably and allow me 45 days to close down and not punish innocent guests who will now have to change their plans. I also would like to add that I love my home here and enjoy the many wonderful reviews I receive, but the harassment I receive from activists, placing false ads on craigslist for a year lease trying to force me off property is uncalled for and is having the opposite effect.

Thank You, Joe Del Beato, 601 Ogden Canyon

Perkes, Scott

From: Fremont Heating & Air
Sent: Monday, August 3, 2020 10:48 AM
To: Perkes, Scott
Subject: [EXTERNAL]Nightly Rental Policy

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Members of the Weber county Planning commission,

I'm am writing you today to express my opposition to the potential change in county policy regarding short term rentals. I absolutely do not support the idea of short term rentals in my neighborhood, or any residential area with single family dwellings in Weber county. Further more, I would argue most full time county residents would agree with me 100%. I want full time neighbors who are equally invested in the neighborhood, and community. Please do not allow this policy change.

Thanks, Jon Neeley
Liberty, UT

Sent from my iPhone

Perkes, Scott

From: Julie Etringer
Sent: Monday, August 3, 2020 11:49 AM
To: Perkes, Scott
Subject: [EXTERNAL]Against expansion of STR

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I am against expansion of STR into residential areas of the Valley.

I strongly support the letter Jim Bird, my HOA representative submitted regarding expansion of STR into residential areas of the Valley that currently prohibit them.

My home is located between two homeowners choosing to do STR. I won't go into how much I dislike this situation. Both homeowners live out of town. The HOA intervened and hopefully they will abide by the HOA rules which do allow for a minimum 30 day rentals. If the county changes the zoning it seems it would be even more difficult to control homeowners not following the HOA rules on renting. My husband and I bought our home with current zoning in mind and find it unacceptable to change it.

Thank you for accepting public comments.

Julie Etringer, Huntsville

Perkes, Scott

From: Julie Etringer
Sent: Monday, August 3, 2020 11:49 AM
To: Perkes, Scott
Subject: [EXTERNAL]Against expansion of STR

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I am against expansion of STR into residential areas of the Valley.

I strongly support the letter Jim Bird, my HOA representative submitted regarding expansion of STR into residential areas of the Valley that currently prohibit them.

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Thank you for accepting public comments.

Julie Etringer, Huntsville

Perkes, Scott

From: Grover,Rick
Sent: Monday, July 27, 2020 12:53 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Fwd: Zoning Letter
Attachments: Zoning Letter.docx

FYI

From: Froerer,Gage
Sent: Monday, July 27, 2020 12:51 PM
To: Grover,Rick
Subject: FW: [EXTERNAL]Fwd: Zoning Letter

From: Vickie McKenney
Sent: Monday, July 27, 2020 9:31 AM
To: Froerer,Gage
Subject: [EXTERNAL]Fwd: Zoning Letter

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----- Forwarded message -----

From: **Kathy Grandin**
Date: Fri, May 22, 2020, 8:09 AM
Subject: Zoning Letter
To: Vickie McKenney

Hi Vickie,
Attached is the letter I composed for the County Commission to protect zoning in the Valley.
Let me know what you think,

Kathy

--

Kathy Grandin, Real Estate Professional
Realtor, ABR, GRI, CDPE, SSN Pro, SFR
Mountain Luxury Real Estate and Development

May 22, 2020

Weber County Commissioners

To Whom It May Concern:

As a resident of the Elkhorn Subdivision, Phase 1 in the Eden Wolf Creek Development, we purchased our home as a primary residence with the understanding that it was zoned as a Residential property that prohibited the possibility of other property owners in this neighborhood from renting their homes out as vacation rentals for less than 30 days. We have watched over the past 14 years as the development has been built out and some of the homeowners purchase their homes with the intent of renting them as vacation rentals via VRBO and Air B&B. In our neighborhood alone within a block of our home, multiple families rent the homes illegally to multiple families at the same time who bring multiple vehicles, off road vehicles and boats. They are on "vacation" and ride their loud off road vehicles on neighborhood roads illegally, have parties until early morning hours and show little respect for the full time residents who live here. One home was rented out for a long weekend and hosted an Indian Wedding which brought in guests in an actual tour bus. The wedding lasted for 3 days and the neighborhood congestion was unbelievable. They also do not understand the "Dark Sky" designation we have so cherished here and turn on all of the outside lights around the homes they are renting (many of which are not night sky compliant) and leave the lights on all night when they leave. They also leave overflowing garbage cans on the street all week.

Ogden Valley is close to many amazing outdoor recreational resorts and understand why people want to recreate here. There are multiple neighborhoods in the Valley zoned for rental to vacationers, **OUR NEIGHBORHOOD IS NOT ONE OF THEM!** and we don't want our quiet residential neighborhood to become one. If we had wanted that option we would have purchased a home in an area zoned for that. Please do not change the zoning laws to allow individual homeowners to rent their homes as vacation rentals.

Thank you,

Kathy Grandin

Perkes, Scott

From: Kay Hoogland
Sent: Monday, August 3, 2020 8:27 AM
To: Perkes, Scott
Cc: Grover,Rick
Subject: [EXTERNAL]Short Term Rental Comments for Commission Meeting 8/4/90
Attachments: Nightly Rental_MHOA Letter Final.pdf

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Please include this letter from the Wolf Creek Master Home Owners' Association in the materials reviewed for Tuesday's meeting.

Thanks for your hard work!

Kay

Via Email

August 2, 2020

Weber County Commissioners
Ogden Valley Planning Commission
Western Weber Planning Commission
C/O Weber County Planning Division
2380 Washington Blvd #240
Ogden, Utah 84401

Re: Proposed Change to Short-Term Rental Regulations

Dear Commissioners:

We submit this letter on behalf of the Wolf Creek Master Home Owners' Association with respect to possible changes in the current limitations on short-term rentals ("STRs").¹ Our comments are with specific regard to liberalizing STRs in the Ogden Upper Valley.

Last year, when increasing the fee for Pineview public access points, County Commissioners stated that "some of our outdoor gems are on the verge of being loved too much or loved the wrong way." *Ogden Standard Examiner*, 5/19/19. Expanding STR's would confirm the Commissioners' well-founded fears.

We oppose liberalizing the current 30-day ordinance and urge the County to pursue better enforcement of current regulations. The adage of being able to walk before you can run applies. Expanding STRs at this time without proof of effective enforcement would be reckless.

Even with more enforcement, liberalizing the regulations would damage the careful balance between residents and recreators that has been achieved in the long-term Ogden Valley Plan, which the Commission has affirmed. Such changes will undercut the property rights of owners who bought in reliance upon that plan and existing regulations. Accordingly, we oppose the proposed revision.

Better Enforcement, Not Expansion

Current code violations are notoriously common. Enforcement has been ineffective. At best, nightly rentals create a fraternity-row environment. At worst, there have been episodes of gunfire, illegal drug use, and alcohol abuse. It takes only one bad "party house" to destroy a neighborhood.

Current regulations should be enforced. If this is not cost-effective, then enforcement resources and options need to be revisited. These problems should be fixed *before* STR expansion.

Possible changes to achieve better enforcement could include:

- Escalation of fines with each violation
- Injunctive relief against repeat violators (a court order directed at the owner, punishable by contempt of court proceedings against the individual, as well as fines and court costs)

¹ The Master HOA represents the following communities: Bridges of Wolf Creek, Fairways, Highlands, Hidden Oaks, Trappers Ridge, Retreat, and Eagles Landing. Some of these neighborhoods are Planned Residential Unit Developments ("PRUDs") where nightly rentals were allowed as part of a development plan.

- Warning notices and citations imposed on renters who are in violation of current regulations
- Utilization of a third-party property management firm or more enforcement personnel
- More active HOA monitoring, notices and fines to violators
- Monitoring of common on-line rental sites for postings by violators (a third-party firm with appropriate software capabilities could assist)
- Postings in neighborhoods of rental restrictions
- Notices as a condition of sale advising buyers of applicable short-term rental regulations
- Better communications by realtors regarding the different options available across the valley with respect to rental and non-rental areas

Expanding STRs Will Damage the Valley, Owners, and Weber County Residents

We firmly believe in free enterprise and respecting the rights of property owners. It may be suggested that expanding STRs beyond their current limitations recognizes owners' property rights. Nothing could be farther from the truth.

Expanding STRs where previously prohibited actually *harms property rights*. Landowners buy a bundle of rights when they purchase. Those rights *include* limitations on nightly rentals for their own property and surrounding neighborhoods. Arbitrarily removing those limitations would retroactively deprive owners of the benefit of their bargain. For those who bought where nightly rentals are permitted, expanding STRs will change the market mix. The values for existing lawful nightly rental units will fall, given the increase of a new market of nightly rentals. Owners where nightly rentals have been prohibited will also see a decline in the nature of the neighborhood in which they purchased.

Abruptly expanding STRs also cuts against the process the County embraced in the Weber County Land Use Code. The Code acknowledges that nightly rentals are so disruptive to a community that they must be identified with extreme particularity in the development plans for PRUDs and reviewed and approved in advance. *See Weber County Code, Sec. 108-5-4-(d) (Use Requirements)*

No such advance planning is possible by expanding STRs now. Doing so would require retrofitting previously prohibited areas with new nightly rental options. Such after-the-fact regulations fly in the face of Code requirements and residents' expectations for consistent and prudent county management.

Liberalizing these regulations also will subject the valley to rampant speculation. Many Valley residents already get blind calls from out-of-state speculators seeking to acquire properties to create a rental pool. This will only intensify if current limitations are removed. This increased speculation will drive up prices, making property ownership less affordable to Weber County families.

This predictable speculation will also harm the long-term rental market. It has been well-documented in numerous other communities around the country (with relevant examples including Crested Butte, Telluride and nearby Park City) that **STRs significantly reduce the number of affordable long-term rentals**. It would be short-sighted to believe that STRs will somehow boost the local economy while excluding service-industry employees and others who need to both work and live in the valley.

Expanded STRs also will degrade the quality of life and recreation sought by all Weber County residents, whether they live in the Valley or travel here to recreate. Current well-documented problems will only worsen, resulting in:

- Increased traffic congestion and insufficient parking

- Burdens on already stressed water, sewer and septic systems
- Greater demands on law enforcement
- Overcrowding and decline of existing natural resources
- Increased trash and waste disposal problems
- Youth parties lacking responsible oversight
- Property damage to homes and public property by irresponsible tenants
- Hollowing out of the school district population
- Loss of community environment to transitory neighborhoods

Who Stands to Benefit?

The beneficiaries of expanded STRs will be wealthier outside investors and firms seeking to create a Park City or Aspen experience. Current Valley residents, Weber County constituents, and tax payers certainly will not benefit. Valley owners have made their property decisions – be they to buy in rental areas or neighborhoods where nightly rentals are prohibited. Weber County residents will face unaffordable markets and more congestion when visiting the Valley.

It has been suggested that some single-family owners want this change because they bought believing their property could be a nightly rental. Such buyers suffered from a mistaken assumption or bad information from an over-zealous seller. Whatever the case, the Valley should not be punished by liberalizing the rules to satisfy uninformed buyers.

The County will also suffer. It is speculative to believe that revenues from nightly rentals will enrich County coffers. Many (and probably most) people who engage in STRs *fail to report the majority of their STR revenue*. The mechanisms are not in place to secure revenue due from existing nightly rentals. Yet, the County will face additional enforcement demands and administrative costs if nightly rentals are expanded.

Conclusion

We seek better enforcement and measured changes, rather than wholesale revision of current regulations with blind hope of better enforcement. Liberalizing STRs is not the change that the Valley needs. It is not in the interest of the residents, nor in the long-term interest of other constituents in Weber County.

Sincerely,

Kay A. Hoogland

Kay A. Hoogland
President, Master Wolf Creek Homeowners' Association

Perkes, Scott

From: KRISTEN FLOYD
Sent: Monday, August 3, 2020 2:15 PM
To: Perkes, Scott
Subject: [EXTERNAL]Public comment

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hello,

I realize I am a little late in submitting my comments but was hoping to get them through. I own several businesses and reside in Ogden. Regarding the short term rentals I have the following comments:

- A case was made that the city is missing revenue. Those of us that are signed up through formal sites pay taxes to the city every time someone stays at our homes.*
- Many people have short term rentals inside their own homes for which they currently live so issues with the tenants are mitigated and minimal*
- The tourist revenue increases for the city when we are able to host individuals that would perhaps stay outside of our city while traveling to Utah*
- We increase local dollars by referring guests to local businesses while they are here*
- Having tourists stay at these homes utilizes space in our city more effectively, instead of trying to find land to build additional hotels or not having anywhere for them to stay.*
- Many travelers do not want to stay in hotels and seek out options like AIRBNB. It provides them a different experience and those seeking those type of accommodations will find them in adjacent cities if we don't/won't offer it*
- We will lose out on tourist revenue without offering these options*

Thank you for considering and submitting my comments for the meeting tomorrow

*Kris Floyd
Ogden resident*

Perkes, Scott

From: Kirsten Healey
Sent: Sunday, August 2, 2020 10:50 PM
To: Perkes, Scott
Subject: [EXTERNAL]nightly rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hi-

Please keep nightly rentals in the areas where they are already allowed. Our HOA (Patio Springs in Eden), has been struggling with the issues stemming from nightly rentals already- noise, people driving too fast, extra cars, and partying. We would MUCH prefer to see neighborhoods vote to amend their bylaws to ALLOW rentals than have to try to amend the bylaws to BAN them. Amending the bylaws is a lengthy process that opens a can of worms that many HOAs would rather not deal with. Forcing every HOA in the county to undertake this process is unwarranted. Nightly rentals simply don't belong in family neighborhoods.

If this is a play to collect more money, I would MUCH rather see the county raise the fees for illegal rentals to something more than a slap on the wrist and actually collect it than making them all legal, thus rewarding all the people who have been operating illegally for years. Hire an enforcement agent for a few months and actually enforce the rules- maybe that would cut down on people renting with impunity.

You were voted into power by residents of Weber County. Please don't cave to pressure from out-of-state wealthy owners or other part-time residents who want to make money off their second home, while ignoring the preferences of people who live, work, and raise families here. The people who bought houses and condos that are not in nightly rental areas did so with full knowledge that nightly rentals were illegal. Just because now that they own it, they want to rent it out, doesn't change the fact that they knew what the deal was when they bought it.

Thanks-

Kirsten Healey

Perkes, Scott

From: Yahoo
Sent: Monday, August 3, 2020 10:14 AM
To: Perkes, Scott
Subject: [EXTERNAL] Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Hello Im Kurt, I live at Wolf Lodge in Eden, Im looking to buy a condo here, what Im see is some of the owners are renting out these units like its a Hotel and having no respect for the people living here, Im in a year lease for now and checking out the area , if the owners had some rules it would help out the people living here, thank you, Kurt Strommer

Perkes, Scott

From: Grover,Rick
Sent: Monday, August 3, 2020 2:35 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]nightly rentals are bad for Weber County

From: Laura Southwick
Sent: Monday, August 03, 2020 12:37 PM
To: Grover,Rick
Cc: Froerer,Gage Jenkins,Scott Harvey, Jim H.
Subject: [EXTERNAL]nightly rentals are bad for Weber County

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Dear Commissioner,

As a resident of Weber County, I appreciate the work you do on behalf of the citizens. It has come to my attention that the commission is considering allowing nightly rentals for the entire county.

This is a huge concern for those of us that live in Ogden Valley. There are plenty of places that already allow for nightly rentals. Allowing every neighborhood to rent homes to vacationers puts our families and communities at unnecessary risk.

Nightly rentals outside controlled properties like Wolf Creek and Moose Hollow create a lot of potential problems and solve none. Just last year such a rental (although it was illegal) in Eden resulted in gunshots and damage to property.

Please help us keep our neighborhoods safe for families and visitors alike by **rejecting** this proposal.

Thank you for your consideration,
Laura Southwick

Perkes, Scott

From: Lee Schussman
Sent: Sunday, August 2, 2020 11:12 AM
To: Perkes, Scott
Cc:

Subject: [EXTERNAL]Short term rentals in Ogden Valley NO

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear County Commissioners,

Please do NOT allow short-term rentals in the Ogden Valley. Short-term rentals are directly antithetical to many of the basic concepts in the General Plan.

SHORT TERM RENTALS GO DIRECTLY AGAINST THE GENERAL PLAN

The Plan calls for clustering of uses. Short term rentals spreads “hotels” over the entire valley.

The Plan calls for clustering of commercial areas. Short-term rentals spread commercial use all over the valley.

Residential areas are primarily for “residences”: That is they are designed and intended to be a place in which to LIVE. We have many units of commercial and/or higher density areas in the valley already zoned for short-term rentals. We also have Resort Zoning areas specifically designed for short-term visitors.

INFRASTRUCTURE IS NOT IN PLACE FOR SHORT TERM RENTALS

The transportation and sewer facilities in many valley neighborhoods are not adequate for the increases that short-term rentals may bring.

Owners can maximize profit by having several (or even a number of) couples stay in a three to five bedroom house. Such arrangements can be made attractive to many guests to the valley for both summer and (especially) winter recreation. Neighborhoods are not designed for PARKING, TRAFFIC, or SNOW REMOVAL for three to five couples frequently moving into and out of private residences.

Many valley homes are on septic systems. Many of those are not adequate for the demands that would be put on them by short-term rentals.

SHORT TERM RENTALS ARE UNFAIR TO THE NEIGHBORHOOD AND TO COMMERCIAL LODGING

All “commercial” landlords (hotel owners, owners of lodging in condominium complexes, etc) must pay commercial tax rates for land and services. Short-term rentals are unfair to both the neighbors of the rental property (as they WILL degrade the neighborhood) and to all commercial lodging operations. As a private homeowner, if short-term rentals are allowed, I can rent out my home for many weeks a year and still have it zoned and taxed as a primary residence.

Please stand by the first two basic tenants of the General Plan:

1. Promote the community character.
2. Protect the historical, natural, recreational resources in harmony with existing residential uses.

PLEASE DO NOT ALLOW SHORT-TERM RENTALS.

Lee and Brenda Schussman

Perkes, Scott

From: Lisa Arbogast
Sent: Monday, August 3, 2020 1:39 PM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd: input regarding short term rentals for meeting Aug 4
Attachments: image001.png; ATT00001.htm; to WCC on STR.pdf; ATT00002.htm

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See below submitted to commissioners.
Kindly

Lisa
Sent from my iPhone

Begin forwarded message:

From: Lisa Arbogast
Date: August 3, 2020 at 11:57:47 AM MDT
To:
Cc:
Subject: input regarding short term rentals for meeting Aug 4

Please see the attached input for tomorrow's meeting pertaining to short term rentals

August 3, 2020

Dear Weber County Commissioners,

I am writing to provide input for the WCC meeting scheduled to take place on August 4, 2020 to discuss Short Term Rentals (STR).

I am strongly opposed to the expansion of STR into residential areas of the Upper Ogden Valley (UOV) that currently prohibit them. I realize that you stated that the issue was being addressed for all of unincorporated Weber County(UIWC) . However, it seems that no one attended the meetings from anywhere except Upper Ogden Valley, the appointed focus group members were from or representing interests in the UOV, and the data seems to indicate that the locations at issue and currently operating illegally are in the UOV. Possibly, it would be prudent to address this issue based on the areas of UIWC but regardless, this issue has greatest relevance to UOV as do the facts and concerns relevant to the discussion.

During the last meeting, it seemed that all three commissioners favor allowing STR. It was mentioned near the end of the meeting that all of the concerns could be addressed if STR were allowed. I am very concerned with this statement. It seems that Weber County should address the significant concerns of UOV residents before adding more to the plate.

I recognize that you suggested that the revenue from STRs should provide revenue for another zoning enforcement person. However, these STRs have been operating for quite some time illegally without cost to them thus widening the profit margin. Why would these owners who have successfully profited illegally decide that now they want to operate legally and cut into their own profit.

Currently, there is not enough law enforcement to address rapidly growing problems in UOV.

- Weber Co is attempting to cite those parking illegally to access Pineview Reservoir especially near Middle Inlet. This effort is greatly appreciated. You have also indicated that you would be adding parking around Pineview and Causey Reservoirs. It seems that you would consider paid parking in the current and proposed lots in order to provide some revenue for law enforcement of the parking.
- Monitoring of dangerous driving in general. Roads in UOV are becoming very dangerous due to erratic, aggressive and illegal driving practices. Speeding is rampant on the road going around Pineview. Vehicles pass illegally on the double yellow lines.
- While pulling our horse trailer, using my blinker and a hand signal, I am unable to turn left into my own driveway, where a double yellow line exists, without cars passing me illegally across a double yellow line. My teenage daughter has also been hit multiple times. trying to turn into the driveway with me in the passenger side teaching her how to pull our 25 foot gooseneck horse trailer.
- Vehicles also swing onto the pedestrian and bike pathway at great speed to go around when we are stopped to turn into our driveway. We are not the only ones with this problem.
- Recently, a neighbor's son was hit by a woman who was passing him on a turn while he was driving his motorcycle. The offending driver did not even stop.
- On at least 3 occasions, I have had drivers drive around me on the turn as I turned from Rainbow Gardens to come up the Canyon in order to race up the Canyon at breakneck speed.

Also to pass me as I turned to cross the dam after coming up the Canyon – I have had vehicles race around me to get around the turn first.

- Many more accidents in the Canyon due to drivers speeding and passing on double yellow.
- When law enforcement is requested for emergencies, they do not arrive for two hours or more if at all.
- This is all relevant to STR because the first responders for problems with STR would be law enforcement. You will recall that, not too long ago, there was a STR party situation that resulted in a drive by shooting. How are we, as residents supposed to feel safe to report parties or dangerous activities at STRs when there is not enough law enforcement to respond.

Weber County needs to address the significant problems already at issue in UOV BEFORE adding to the problems with legalizing STRs. Once these problems are taken care of, then, and only then, should we be discussing the parameters of STRs.

Kindly,

Lisa and Richard Arbogast

From: lorrie

Sent: Sunday, July 26, 2020 8:00 PM

To: Jenkins,Scott

Froerer,Gage

Harvey, Jim H.

Subject: [EXTERNAL]Please vote no to single family home rentals in Ogden Valley

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Dear County Commissioners,

I understand the 1st agenda item for your meeting on Monday July 27th is a propisal to allow the rental of single family homes in Ogden Valley for shorter than the current 30 day minimum.

I strongly object to this change in the current policy.

These transit visitors will bring increased traffic and noise pollution into our neighborhoods.

I live in Nordic Valley and a nearby home illegally rents short term. Routinely there are loud parties that last well into the night. In the summer months this happens frequently and we cannot sleep with the windows open.

Neighbors nearby have reported their garage being broken into, and attempts to ask for respectful community behavior have been met with anger and belligerence. Reports to the police and the county commission were been met with no action to curb this behavior.

Currently this is one home nearby, I cannot imagine being surrounded with more homes allowed to do this.

People are on vacation to have fun, which is well and appropriate, but not at the expense of the rights of the people that live in these areas long term.

There are currently a growing number of short-term rental options in the Ogden Valley.

Please let these facilities meet the needs of short-term visitors and allow the Ogden Valley neighborhoods to reflect the peaceful, supportive communities that encourage people to live here long term.

Respectfully,
Lorrie Harper

Perkes, Scott

From: Angelika
Sent: Monday, August 3, 2020 8:14 AM
To: Perkes, Scott
Subject: [EXTERNAL]No legal enforcement of occupancy limits then No nightly rentals please!

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Please do not vote yes to Weber wide nightly rentals until all stakeholders have submitted their estimates of cost to implement this policy. All residents must know the real cost to the County before any further action is taken

True enforcement of occupancy limits is very expensive. The actual cost is not known as there is no enforcement now and we cannot call the Sheriff to assist in disputes. The current fines are too small to be a deterrent. Why don't our residential zoning safeguards protect county residents from this type of lifestyle disruption?

If we actually study the cost of implementation and enforcement we may find that the risks far outweigh the tax revenue to Weber County. Investors from outside the state will benefit the most as will big corporations such as Airbnb and REITS. Also, there is no social distancing or ability to do contact tracing as there is no record of actual occupants available.

We have 3 airbnb houses surrounding my house and every few days there is a different group of up to 15 people with 6-8 trucks and boats and ATV's per 3-4 bedroom house. Trash, noise and no regard as to HOA rules is the result of this policy. This has gotten worse since many people are not working or working remotely.

All of these issues and more have been documented by many localities so please don't invite chaos into our County at a time when we are in an extreme crisis. Don't rezone for nightly rentals until we can fully explore these issues!

Marc Spaey

Revenue to the county from tax on rentals they are missing out on (currently estimated there are 600 illegal rentals), revenue from fines for illegally running a short term rental, or revenue for enforcing higher tax rate for second homes.

Required maintenance on rental properties

Fire protections for rental properties

Limit on rental of property after multiple complaints from neighbors

Does the home need to be owned for a period of time (5 years is the rule in Maui) before the home can be turned into a rental property?

In a rural setting, where the infrastructure (parking, law enforcement response time, enforcement of ordinances, etc) is not in place, short term rentals can NOT be put in place either. Enforce and collect revenue on the ordinances already in place. Please vote no to making short term rentals legal in Weber County.

Thank you,

Marlene Wright

Perkes, Scott

From: Marlene Wright
Sent: Monday, August 3, 2020 7:34 AM
To: Perkes, Scott
Subject: [EXTERNAL]Comments for Public Meeting

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Which regards to short term rentals, especially in Ogden Valley, please consider -

- Noise of renters that might affect neighbors, children, and animals
- Safety of children in what are supposed to be neighborhood as new, different, multiple cars and people come in
- Parking for Renters (is it okay to park on the street?, etc)
- Time for law enforcement to respond when called
- Revenue to the county from tax on rentals they are missing out on (currently estimated there are 600 illegal rentals), revenue from fines for illegally running a short term rental, or revenue for enforcing higher tax rate for second homes.
- Required maintenance on rental properties
- Fire protections for rental properties
- Limit on rental of property after multiple complaints from neighbors
- Does the home need to be owned for a period of time (5 years is the rule in Maui) before the home can be turned into a rental property?

In a rural setting, where the infrastructure (parking, law enforcement response time, enforcement of ordinances, etc) is not in place, short term rentals can NOT be put in place either. Enforce and collect revenue on the ordinances already in place. Please vote no to making short term rentals legal in Weber County.

Thank you,

Marlene Wright

Perkes, Scott

From: Meagan Gmail
Sent: Monday, August 3, 2020 10:05 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short term rentals

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Why I vote no to short term rentals !!

I don't think the county will want to add more man power to the law enforcements to stop all the break ins and that will only rise with houses going on sites known for short term rentals. It's a danger to our community knowing the houses next door to us do not have full time occupants . It puts those houses and our families at risk for more criminal activity in our neighborhoods .

Neighborhoods also do not need visitors that have no ties to the area because they will not care about the extra traffic , increased trash , late night noise or even parking .

It's a disadvantage for the permanent residents and their ability to find affordable housing.

In many locations short term rentals generate income for operators but not tax revenue for the community . Short term rentals might simply ignore lodging taxes where hotels and inns will not . That being said short term rentals could take Over those hospitality businesses .

Please take action to keep our community safer and cleaner by not allowing short term rentals .

Meagan Colonna

From: Mike Ostermiller
Sent: Monday, August 3, 2020 11:12 AM
To: Perkes, Scott
Subject: [EXTERNAL]Comments regarding short term vacation rentals

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On behalf of the Northern Wasatch Association of Realtors, we would like to voice full support for changes to allow some sort of short term vacation rentals within Weber County. We also fully support reasonable restrictions that would allow the County the ability to oversee the use of these properties to assure they are used in a responsible manner that will positively impact property rights and property values for all Weber County residents. Short Term Vacation Rentals (STVR's), when done properly are a positive net gain for any community. They are beneficial to the economy, support local business, help prevent foreclosures and distressed sales, minimize vacant properties, attract future home buyers and business owners, allow for investment in real estate and the exercise of private property rights. In addition, well run STVR's help maintain and enhance the appearance of homes and surrounding real estate and provide economic incentive and the ability for property owners to invest money into improving the safety and aesthetics of their property. Additional considerations and reasons for supporting the conditional legalization of certain short term vacation rentals are summarized as follows:

1. Allowing some STVR's will allow the County to more effectively enforce reasonable restrictions aimed at maximizing safety, as well as balancing the interests of private property rights, both for STVR owners and surrounding properties.
2. Legalizing the use of STVR's will allow the County to license and register these properties to assure that they are adequate to be used as STVR's and to accomplish the following objectives: collect TRT from property owners, inspect for safety and to establish a maximum occupancy, assure the compliance of all nuisance ordinances including trash pick-up, noise, lights, parking etc.
3. It is no secret that property owners throughout Weber County are already using their property as STVR's. Modifying county ordinance to allow for this use will enable the County to carefully and accurately monitor the use, collect appropriate fees and taxes and to make sure that the property is being rented and managed in a responsible, professional way that will benefit surrounding properties. This sort of structure will also help limit disputes between adjoining property owners.
4. We also support a reasonable limitation on the number of nights allowed to be used as a STVR if the County feels that is appropriate and will help accomplish the County's objectives.
5. We also support the ongoing legal ability of homeowners associations to limit, restrict or even prohibit the use of STVR's within that HOA, provided that they comply with existing state law and their own internal processes in order to create such a restriction.

Perkes, Scott

From: Miranda Menzies
Sent: Sunday, August 2, 2020 2:50 PM
To: Grover,Rick; Perkes, Scott; Froerer,Gage; Jenkins,Scott; Harvey, Jim H.; John Lewis; Shanna Francis
Subject: [EXTERNAL]Short Term Rentals

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Dear County and Planning Commissioners,

Please consider the possibility that the short term rentals problem you are trying to fix, could have unintended consequences arising from your proposed solution of legalizing rentals more broadly:

1. There is already a shortage of affordable housing in the upper valley. Increasing short term rentals will almost certainly make this worse. The shortage increases commuting of lower wage folks from Ogden and canyon-traffic, in particular. This is both summer and winter.

2. A There are many more jobs associated with hotel accommodation and restaurants in Ogden, which will potentially be lost to rentals, than jobs that will be gained in the Valley. The majority of rental-associated jobs are low wage (e.g. cleaning), making the affordable housing issue worse.

B. Further, the issues the county commissioners have previously raised about kids and grandkids being unable to afford the valley will also be made worse, due to lower cost housing being short-term rented.

3. A clear beneficiary of extending short term rentals to more properties is the county, through increased transient tax revenue, which does not find its way back to the valley. Instead, it gets spent on encouraging more tourism, when the valley is already over-loaded. Is this a county revenue grab, at the expense of permanent residents?

4. The issues around enforcement of behavior of renter's will likely become dispersed, and more numerous, unless you simultaneously increase enforcement presence, including law enforcement. This is a cost to general funds, not tourism tax supported.

All of these issues have become worse since the number of deputies was reduced about four years ago. This staffing level needs to be increased again. We need to have certainty that nuisance laws will be enforced timely, not in one or more hours.

5. I believe the property rights of permanent residents are being threatened. We bought our property with the understanding that rentals were in specific areas, not on our doorstep. HOAs should not have this responsibility dumped on them.

Please consider these issues carefully, and consider getting enforcement of existing rules fine-tuned before increasing the scale of the problem.

Sincerely,

Miranda Menzies

3807 N Elkridge Trail, Eden, UT 84310.

Perkes, Scott

From: Misty Neeley
Sent: Monday, August 3, 2020 11:38 AM
To: Perkes, Scott
Subject: [EXTERNAL]X-Mlf-Threat: policy

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Members of the Weber county Planning commission,

I'm am writing you today to express my opposition to the potential change in county policy regarding short term rentals. I absolutely do not support the idea of short term rentals in my neighborhood, or any residential area with single family dwellings in the county. Further more, I would argue most full time county residents would agree with me. I want full time neighbors who are equally invested in the neighborhood, and community. Please do not allow this policy change.

Thanks, Misty Neeley
Liberty, UT

Sent from my iPhone

Perkes, Scott

From: Vickie McKenney
Sent: Friday, May 22, 2020 7:35 AM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd: Nightly Rentals i the Ogden Valley

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Hi Scott,

Several neighbors of 2 main rentals in our neighborhood ask if they could write a letter against the idea. I am forwarding these to you prior to our meeting.

Thanks & see you @ 9.

Vickie

----- Forwarded message -----

From: Nancy Dubenezic
Date: Thu, May 21, 2020, 9:29 PM
Subject: Nightly Rentals i the Ogden Valley
To: Vickie McKenney

To Whom It May Concern: Living in a residential area of Eden, UT, (5568 East Elkhorn Dr.) for the past 14 years, we have been disturbed for the last 1 1/2 years by people doing nightly rentals in the house next to us @ 3732 Elkridge Trail. We live in an area of single family homes worth between \$600 - \$1,000,000 -- which brings up a question -- why would anyone who paid about \$1 million for his home, have to rent it out to make money?

The home in question has had people renting out the home from 3 days to one week at a time, at least 7 times in the last year. We have had children running through our yard, trash thrown onto our property, loud noise from the outdoor speakers all times of the day and night, people shouting in the hot tub at 1 - 2 a.m., and other disturbances. I have called the local Sherriff's Department several times, along with a neighbor, to have them come to break up loud outdoor partying.

We have had to call Rob Thomas from the Wolf Creek water and Sewer Department three times to go turn off the home's outdoor hot tub, which renters have left running, leaving water running onto our property and down our driveway -- we're concerned about possible damage to our property as a result. I have also called Iris, the Rental Code Agent three times to complain about the nightly renters being unruly and loud. Iris has said that she has sent a letter to the owner regarding this matter, since nightly rentals ARE illegal in our residential area of single family homes. In the summertime, we worry about possible fires spreading from a firepit from negligent renters.

Our understanding is that realtors are promoting the idea of nightly rentals when they sell homes in the Ogden Valley; if that is true, it is negligent and must be stopped.

Please consider the nature of our Ogden Valley -- it should not allow nightly rentals in residential areas, which can devalue the prices of existing homes, cause various deleterious problems in the Ogden Valley (such as the drive-by shooting at one home), endure speeding and parking problems, and commercialize areas that have private homes. Thank you for your consideration.

Sincerely,

Nancy and Charles Dubenezic
5568 East Elkhorn Drive
Eden, UT 84310
(H) Phone: 801-745-6662

From: Nancy/William Taylor

Sent: Sunday, July 26, 2020 5:30 PM

To: Jenkins, Scott

Froerer, Gage

Harvey, Jim H.

Subject: [EXTERNAL]Ogden Valley nightly rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

To our Weber County Commissioners:

We are writing in protest of rentals less than 30 nights for any Ogden Valley properties that have not previously been legally allowed to do so. As full time residents of Eden, this has the potential to negatively impact our lives in a major way. Having lived in residential/agricultural neighborhoods in other states where such rentals were not prohibited, our lives were negatively impacted by the noise and added traffic from visitors who vacationed in what would otherwise have been a peaceful neighborhood. To this point, the restriction of short-term rentals to condos and PRUDS here in the Valley seems to have worked well, and there are certainly adequate numbers of rental properties currently available.

If there is sufficient demand, wouldn't it be more appropriate that a hotel be built in the Valley? Why not encourage visitors to stay in Eden's commercial center where they have convenient access to restaurants/groceries and public transportation to Powder Mountain? Traffic and parking at the lake become greater issues with each passing year. Why add to those burdens by encouraging higher occupancy of residential properties currently used on a more limited basis as second homes?

We'd very much like to know who supports this proposed change and whether their quality of life will potentially be negatively impacted, as ours would be. It makes no sense that the quality of our lives should suffer for the benefit of someone who purchases a rental/investment property. We purchased a home in Elkhorn

subdivision knowing that short term rentals would not be permitted and feel it would be patently unfair for this change to be made after the fact!

As John Lewis, a local Valley builder and developer, would say--we need "More Park, Less City" rather than having the Ogden Valley become another Park City!

Respectfully yours,

Nancy Stukan and William Taylor
PO Box 1176
5499 E. Elkridge Circle
Eden, UT 84310
(801) 866-2848

Perkes, Scott

From: Holly Drew
Sent: Monday, August 3, 2020 8:29 AM
To: Perkes, Scott
Subject: [EXTERNAL]Input for August 4 meeting regarding short term rentals .

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Greetings from Eden,

My wife and I have been full-time residents of Eden for the last 9 years, living in one of the PRUD developments in Wolf Creek. The growth in popularity of VRBO and other online applications has had a great impact on our neighborhood and not in a good way. We deal with very large groups of people crowding into homes causing noise, parking issues along with overuse and abuse of our amenities. Our HOA has developed and adopted strict but fair CC&R's, rules and regulations to try to address these issues. While many of our neighbors who rent their homes do a fine job of self regulating, some do not. Those who don't, shift the burden of managing their property to their neighbors, our HOA and all too often the Sheriff. This is not a fair solution.

I am encouraged that the county is willing to take action. I ask that the county strictly and diligently enforce the following:

- Licensing and collection of room tax.
- Requiring a local contact, rental agency or individual, to be on file with the county and HOA for each rental home.
- County and HOA parking and noise ordinances and rules.
- Occupancy numbers for homes with clear definitions of what constitutes bedrooms.
- Create and staff a hotline with the county, once this is in place nuisance homes will become apparent.
- At least 3 nights minimum rental time. Overnight party rentals are simply a disaster.

Our HOA has worked hard to self regulate but we need your help, this is a huge problem that only together we can solve.

Thank you,

Neil and Holly Drew
541-891-4818

Perkes, Scott

From: Paul Warmoth
Sent: Monday, August 3, 2020 9:20 AM
To: Perkes, Scott
Subject: [EXTERNAL]Weber County Rental Property Rules

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To whom it may concern,

I am a victim of a neighbor who uses an adjacent home for short term (daily/nightly) rental.

I have a wife, 3 year old daughter and pets, and I am constantly concerned for their safety. I do not know who my "neighbor" is going to be on any given day. When they wander into my property (yard) I do not know who to contact, nor if it is safe for me to confront them directly. Did I mention I have a 3 year old who has every right to play in her yard without fear?

A separate issue, perhaps unusual or isolated, but the driveway to access this rental is literally through and on my property, by way of a right of way. I do not give my consent for people from who knows where, usually with 4-6 or more vehicles to traverse my property and then party late at night, set off fireworks (where they are illegal) etc. The right of way was established before my ownership, but I would assume it was not intended for business use, rather for personal use. Do I petition for some fees from the rental property owner for the income she generates from my property? The people using my property are not the owners of the home being accessed.

Something needs to be done to limit short term rentals, particularly in residential neighborhoods. The problems that are generated by these homeowners are both tangible and intangible in nature, but the fear and disruption to the daily lives of the people who have purchased homes in Weber County and who do their best to be good neighbors and citizens is worth something.

An unhappy neighbor of a daily rental property,

Paul Warmoth
6069 S 2900 E
Ogden UT 84403
(801) 389-8297

Perkes, Scott

From: Peggy Dooling-Baker
Sent: Sunday, August 2, 2020 3:08 PM
To: Perkes, Scott
Subject: [EXTERNAL]Please!! No short term rentals in neighborhoods

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Dear Commissioners,

We are writing to ask that you consider the property owners who do live in the Valley year-round before you allow any nightly rentals. We live on Nordic Valley Drive in Eden and currently have two homes that apparently are rentals. One house across the street has 11 bedrooms and has rented to large groups. The parking is a hazard, the noise was horrendous and the traffic speeding by has increased greatly. It has been so loud we have been driven out of our yard into our house to escape.

Now another house about 200 yards just rented out for a wedding. We heard the guests over the amplified systems they use for the event.

We have a realtor friend who said the first question people ask her when they call about real state in the valley is, can they rent it out. The owners would be absent and don't have to deal with the traffic, noise, and garbage. They make the profit and those of us that live here have to suffer.

We believe you will destroy neighborhoods by allowing nightly rentals. The people coming and going are not invested in our community, they are here to have fun, and in many cases, do not show consideration for others. Please support the homeowners of the valley who did not move into an area that allowed nightly rentals.

Sincerely,
Peggy and Mark Baker

Perkes, Scott

From: Peggy Turner
Sent: Sunday, August 2, 2020 8:48 PM
To: Perkes, Scott
Subject: [EXTERNAL]Ogden Valley short term rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Please keep the short term rentals in the PRUD's and Condos!
They are not appropriate in neighborhoods where families live. They can be very disruptive and irresponsible with their trash and noise.
There are working people here with families struggling to keep their neighborhoods safe.

Consider the families who already have to put up with overcrowding on the roads and waterways.
Ogden Valley GEM committee has a general plan, can't we stay on course with that?

Peg Turner
cell 801-389-4514
classyutahhomes@gmail.com

"Live where you Play!"

From: Peter Turner
Sent: Monday, July 27, 2020 6:59 AM
To: Harvey, Jim H.
Subject: [EXTERNAL]NO to Short Term Rentals

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Mr. Harvey,

I am completely against any change in our home rental time frames ordinance if it reduces the minimum time frames. I understand the first item on the agenda is referring to allowing single family homes, not specifically in PRUD's or condos, to have overnight rentals.

I strongly object to short term rentals being allowed for the following reasons:

- This goes against existing ordinances already in place.
- I do not want changes in current neighborhoods to allow more rentals or short term rentals.

- I do not want an air-bnb type community that destroys the family and residential characteristics.
- I don't want the focus of short term rentals to be in any residential communities that will increase traffic in and out of them to get basic services. The focus should be towards hotels and restaurant locations that provide services to short term renters. Or focus them directly at the resorts away from the residential communities.
- This will increase traffic which is already skyrocketing in density before the valley is anywhere near its buildout.
- It will densify the area. What is the end game here, anyway? Do we want to pave every open space over and ruin the very character everyone wants up here and dramatically reduce areas for wildlife? I DO NOT want another park City up here. I want our rural character Ogden Valley.
- It will encourage building for spec building opportunists. This never makes an area better quality living. It only degrades the quality.
- Degrade the feel of live-in residential neighborhoods with all the transient traffic.
- Increase noise in otherwise quiet neighborhoods.

Who wants it changed? I seriously doubt it is from anyone who lives in the Valley. More likely outside influences or a few builders, developers, realtors, or resort owners that don't mind negatively affecting the lives and home values of the majority. It will not benefit those residents who live in their homes and their neighborhoods.

NO to Short Term Rentals

Best Regards,

Peter Turner
 828 Radford Lane
 Eden, Utah 84310
 cell 801.675.1711
 Skype: skidesigner

Perkes, Scott

From: Grover,Rick
Sent: Monday, August 3, 2020 9:41 AM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Feedback on nightly rentals

From: menziesrm
Sent: Sunday, August 02, 2020 12:49 PM
To: Grover,Rick
Subject: [EXTERNAL]Feedback on nightly rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hi Rick,

Please register my strong disapproval for the proposal to allow nightly rentals everywhere in Weber County. I consider this a severe infringement of my property rights.

Admittedly, this issue was not at the top of our minds when we bought our land in 2002 but it was very much an issue we did consider. We bought the first lot in the Highlands at Wolf Creek rather than a home in Trappers Ridge precisely because we intended to retire and live here permanently and did not want to live in an itinerant neighborhood. We carefully examined the Wolf Creek Master plan and even provided editorial comments to various HOA CCRs. We were impressed by the thoughtful development of neighborhoods where people who wished to rent could buy properties and the development of other neighborhoods where this was not allowed. These factors absolutely influenced our buying decision.

The Ogden Valley Master Plan clearly expresses residents desire for sensible development of the Valley and as the Commissioners seem to be fond of saying "Not loving the Valley to death". Allowing nightly rentals throughout the Valley is not consistent with sensible development. Weber County currently chooses not to enforce the existing rental ordinance, consequently, I have no confidence that the County would or could address all the well known downsides to allowing nightly rentals.

In conclusion, I consider allowing nightly rentals throughout the Ogden Valley to be a terrible idea.

Sincerely yours,

Richard Menzies

Perkes, Scott

From: Rick Southwick
Sent: Monday, August 3, 2020 11:56 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short term rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I am writing in support of legal, licensed, regulated short term rentals. There are many positives to be gained by permitting short term rentals in Weber County.

- 1) It creates tax revenues for the county through TRT, income tax, and increased tourism.
- 2) It creates a mechanism to regulate, fund and support enforcement of occupancy requirements.
- 3) It is consistent with supporting and enhancing private property rights.
- 4) It reduces vacant properties.
- 5) It supports and enhances tourism.
- 6) It allows homeowners to supplement their incomes.
- 7) It reduces foreclosures and delinquencies in a down economy.
- 8) It incentivizes property owners to maintain and enhance their homes and landscaping.
- 9) Creates multiple service sector job opportunities.
- 10) Allows future residents the opportunity to more fully experience the area before making a decision to move here.
- 11) Supports short term recreational events by allowing greater temporary capacity than our existing hotel/motel infrastructure can support.

The planning process can put reasonable controls in place to restrict occupancy, ensure building safety and maintenance, restrict size of gatherings, require off street parking, and enforce noise ordinances.

My family and I have enjoyed vacation rentals for years across the country. The experiences have always been positive. I support your efforts from the multiple perspectives of a property owner, a taxpayer, a Realtor, as Chair of the Ogden City Planning Commission, and chair of the Real Estate Commission.

Thank you for your thorough consideration of the issue.

Sincerely,

Rick Southwick, CRS
2015 Utah Realtor of the Year
2014 President Utah Association of Realtors
Principal Broker
eXp Realty
801-391-7425 C
801-396-8628 F

Perkes, Scott

From: Grover,Rick
Sent: Monday, July 27, 2020 12:52 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Nightly rentals Ogden Valley

FYI

From: Froerer,Gage
Sent: Monday, July 27, 2020 12:50 PM
To: Grover,Rick
Subject: FW: [EXTERNAL]Nightly rentals Ogden Valley

From: rita orkin
Sent: Monday, July 27, 2020 10:30 AM
To: Harvey, Jim H. Froerer,Gage Jenkins,Scott
Subject: [EXTERNAL]Nightly rentals Ogden Valley

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Dear Mr Harvey, Mr Froerer, Mr Jenkins

I am unable to zoom the commission's meeting this afternoon but would like to include my comments regarding the discussion of nightly rentals in the valley.

My opinion along with a wide group of people I've spoken to is that the valley is underserved on lodging. We have few hotels and rental properties are a way to preserve the influx of people that come visit our valley. It brings in money and support to local businesses that rely on the uptick in revenue during busier months. Otherwise they will just go to Park City Or Salt Lake. To deny some growth in this valley is simply short sided and stifling.

We understand there are areas where zoning permits nightly rentals amongst full time residents. It doesn't seem equitable that only a small section of town is allowed this option. It also shows that this area is blowing up and real estate prices have outpaced other areas in the valley. The nightly rental zoning has unfairly propped up home values in a certain area compared to other parts of the valley. Is it the commissions intent to create a party central around wolf creek, as this is the sentiment from most nay sayers rejecting short term rentals.

There are many of us, myself included, that have large parcels of land and attract a different group of people to the valley. We wouldn't rent our homes out often but would do so to offset some of the holding costs of home ownership. We are responsible, diligent and our homes are our full time

residence. We wld pick our renters, mostly families that want to all be together but still have a rural feel. It is unfair to not allow residents, such as us, the ability to request a business license and offer our properties for rent. The current 'zoning' is simply punitive and selective.

We had our property up for sale last year and LOST a home sale because the buyers heard about postcards that were sent out regarding rentals and zoning, unbeknownst to us.

All in all, a consistent policy should be applied for the entire valley allowing all valley residents the same privilege with a proper process and accountability.

I appreciate your consideration

Perkes, Scott

From: Robert Lowe
Sent: Sunday, August 2, 2020 12:06 PM
To: Perkes, Scott
Subject: [EXTERNAL]Weber County short term rentals

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I would like to comment on short term rentals in the Ogden Valley. I feel any short term rentals should not be allowed. Short term rentals do not fit into a residential atmosphere. The rentals are noisy, cause parking problems, and generally a nuisance to residential neighborhoods. I know of nightly rentals with people hanging out of windows yelling at the top of their lungs. Drinking and carrying on like there is no one else around. Fireworks are discharged in extremely dry areas. There are condos where nightly rentals are available. Those have management to control the tenants. In residential subdivisions the neighbors have to call the sheriff. There is no way to control the nightly rentals.

Religious retreats in residential subdivisions should not be allowed in private residence.

Count me as against any short term rentals. If you want to make changes increase the fines for violations to short term rentals

Robert Lowe
Liberty Utah
8015439056

Sent from my iPhone

Perkes, Scott

From: ROBYN JONES
Sent: Sunday, August 2, 2020 6:14 PM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd letter with concerns, comments and questions for the 4/2/20 meeting
Attachments: Short Term Rental Comments & Concerns.docx

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TO WHOM IT MAY CONCERN:

See attached letter. Your consideration of this information is appreciated.

Respectfully,

Robyn Jones

ROBYN A. JONES
569 OGDEN CANYON
OGDEN UT 84401
(801) 710-4033
Robyn56.jones@comcast.net

August 1, 2020

Via email: sperkes@webercountyutah.gov

Weber County Planning Division
Weber County Commissioners

TO WHOM IT MAY CONCERN:

In anticipation of the meeting on 8/4/20 regarding short-term rentals (STR's) in Weber County, I submit the following concerns:

Weber County's current ordinance re: STR's and enforcement:

- Deceitful tactics and a blatant disregard for authority are being exercised by numerous property owners in Ogden Canyon to avoid the ordinance.¹
- This practice is setting a precedent for transient rentals and a 'pseudo hotel' mentality.
- Absentee-owner[s] are renting their properties in increments of less than 30 days numerous times per month / year.
- Short-term rental properties exist in Ogden Canyon in areas zoned as residential vs. commercial or multi-use areas.
- We've been advised that fines are being imposed, but *what is being done to collect on the fines?*

Integrity of our Valhalla Community:

- Safety concerns due to:
 - *Unknown individuals* coming in and out every few days;

¹ See data submitted to Iris Hennon re: 573 Ogden Canyon aka Rick Southwick residence.

- In the last year, we have experienced ***crime*** in our neighborhood for the first time in 21 years, ie ***car theft and break-ins***.²
- Disregard by breaking local laws and restrictions (intentional or not) regarding ***campfires and/or fireworks***.
 - Discussion: Are property owners letting their insurance provider know that they are operating a STR? If not, the ***insurance coverage could be invalid***.³ If there was a fire that threatened adjoining homes, what then?? This is a real fear for canyon residents!!
- ***Frequent criminal activity*** (ie ***gunshots, noise, public nudity, criminal mischief, intoxication, parties in excess of 100 people***, etc.) resulting in subsequent law enforcement involvement.⁴

Unavoidable challenges associated with Ogden Canyon:

- The very nature of any given camp in Ogden Canyon includes:
 - ***Narrow roads***;
 - ***Extremely limited parking***;
 - ***Dead end streets***;
 - ***Shared driveways***;
 - ***Fire concerns, ie evacuation*** ; and
 - ***Right of ways***.
- Homeowners are consistently being exposed to:
 - ***Increased traffic***;
 - ***Increased people***;
 - ***Increased noise***;
 - ***Increased trash***;
 - ***Speeding*** / disregard for slow travel in camps;
 - ***Congestion***;
 - Snow removal contractor's ***inability to perform snow removal*** due to excessive vehicles stacked in small spaces;
 - ***Trespassing***, including renters trying to access the river and trails via private property, exposing homeowners to ***liability for injury / drowning***; and

² See police report[s] for 583 Ogden Canyon aka Charlee Urbancic residence.

³ Insurance provided by VRBO, AIRBNB, etc. may also be invalid if the property owner is not forthcoming with their primary insurance company as to the intended use of the property.

⁴ I would challenge the planning commission and/or commissioners to research police records for the Isle of View located at 601 Ogden Canyon aka Isle of View.

- ***Lack of proper regulation or limited enforcement of existing ordinances is causing tension and hostility between short-term landlords and neighbors.***

Our peaceful residential communities are changing into a ‘community of transients’ where people are less interested in neighborly interaction. It appears that short-term landlords are more interested in conducting business and making revenue at any cost. What is it doing to our property values?

Other considerations and/or comments:

- STR landlords are allowed to avoid occupancy tax which is unfair to ‘legitimate’ businesses in the tourism industry that are subject to taxation.
- What about the businesses (ie Alaskan Inn) that are zoned for this type of activity? Allowing STR’s results in unfair competition by being unregulated and untaxed, and ultimately reduces the demand for local Bed & Breakfasts, hotels and motels. Does anyone care about that?
- How do you plan to preserve the integrity of single-family residences by allowing this type of activity?
- Restricting short-term rentals does not constitute ‘taking of property.’ The property owner has other economically viable uses of his land, particularly a ***long term rental***.

Regulation and enforcement of short-term rentals have been shown to most often be revenue positive for municipalities as ***the incremental licensing and tax revenue offsets the additional enforcement costs if done correctly***. We’ve been told that Weber County is accruing fines on illegal STR’s, and that some of the offenders have accrued hefty totals, ***but howt do you plan to collect?*** Is it possible that this could be a viable way to procure additional enforcement personnel? What about out-sourcing this task as is done in numerous other municipalities??

Putting municipality revenue aside for a moment, we ***must minimize the numerous negative side effects that can result from uncontrolled growth of short-term rentals in RESIDENTIAL neighborhoods!!*** This is what is important to citizens, property owners and residents of Ogden Canyon. ***Is allowing this practice a case of catering to a ‘few’ at the expense of being detrimental to the ‘whole??’*** I also don’t think that a ‘one size fits all’ is the answer. What works in Ogden Valley does NOT work in Ogden Canyon.

I acknowledge that consideration must be given to short-term rentals ***in areas zoned for this practice***. There are plenty of them. I recognize the need, but feel that emphasis must be given to areas with infra-structure that can support such practices. It is not lost on me the importance of

tourism and the need for lodging, however, *the answer is NOT in single-family residential areas.*

Thank you for your consideration.
Robyn Jones

Perkes, Scott

From: MELISSA MITTS
Sent: Monday, August 3, 2020 10:18 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals Ogden Canyon

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From: Shane and Melissa Mitts
833 Ogden Canyon

We would like to express our preference that short term rentals be permitted in Ogden Canyon. The reasons for this preference include:

1. Short term rentals in scenic, popular areas can greatly increase the value of the homes in the area, as well as the number of potential buyers.
2. The use of short term rentals can contribute positively and in a significant manner to retirement planning for home owners, especially snowbirds that live in the area and want to travel to warmer climates for the winter.
3. Ogden Canyon has prime short term rental potential during the ski season, as well as all year long. This will only increase with the effort Ogden is placing on the outdoor activity sector.
4. Short term rentals contribute to the local economy in dollars brought to the area as well as by contributing to the service sector in property management, cleaning, yard, and maintenance services.
5. Most importantly, it is a fundamental right of property owners to buy, rent, or sell a property. Limiting renting is a way of taking away one of those rights and increasing regulation.

Perkes, Scott

From: Grover,Rick
Sent: Monday, July 27, 2020 12:54 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]short term (daily) rentals
Attachments: A Sense of Place.docx

FYI

From: Froerer,Gage
Sent: Monday, July 27, 2020 12:51 PM
To: Grover,Rick
Subject: FW: [EXTERNAL]short term (daily) rentals

From: Shanna Francis
Sent: Sunday, July 26, 2020 2:01 PM
To: Froerer,Gage Jenkins,Scott Harvey, Jim H.
Subject: [EXTERNAL]short term (daily) rentals

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Dear Commissioners,

In light of your meeting Monday with short-term rentals on the agenda (sadly, I may not be able to attend) please consider the following perspective.

While you may want to skip over the first part of the attachment—more reminiscing than general statistical analysis—the second section deals with the issue at hand—short term rentals.

Thank you for taking the time to consider these findings; and thank you for your public service.

I would respectfully ask that you do all you can to protect the unique “Place” Ogden Valley is and the people who have, for generations, been invested in this beautiful, unique community, and who are still trying to maintain a healthy community in which to rear families and pass on their sacred heritage—a familial, institutional endeavor, sadly, that is rapidly being shattered and lost across America in the name of economic progress.

Best,

Shanna Francis
slfrancis@digis.net
801-745-2688
801-791-4387

A Sense of Place

By Shanna Francis

Twenty years ago, trying to describe an innate sense of affinity with place and time, which I knew little about the mechanics and psychology of—only the emotional tie to—I wrote the following.

“When I was young, time in the valley seemed suspended, marked only by the slow, dreamy passing of seasons. Each day came unexpectedly to an end with the ritualistic stomp of dad’s boots in the breezeway that opened back towards the barn. He made his way to the house each evening after chores with our dog Pup at his side, shaking off of his boots, the remnant of his day’s work and the remnant of my own daily momentous imaginings and adventures. This simple act signaled for the closing scene of each day—slipping into cool sheets and pulling a warm patchwork quilt, with its repetitious colors and design, snug about the chin.

By now, the sun had bowed out, slipping stealthily behind the west lip of the Rocky Mountains that cradle our valley. The accustomed silhouette of the patriarchal mountains standing steadfast and secure, much like my own serendipitous world, against the ever-changing, fickle background of sky whose emotions played out for its audience at the close of each matinee.

On better days, warm and soft hues of orange and pink, catching their cue from the setting sun, blanketed the valley, presenting a magical benediction. On severer occasions, the cold, steel-blue sky, with the moon giving watch, dissolved resolutely into blackness as the lullaby of the crickets ceremoniously began. No longer stifled by the light, other nocturnal sounds began their crescendo—the harried creek, the wondering of the owls prevalent in the river bottoms, the cry of a coyote—sounds of life, rhythms of time that my parents, grandparents, and great- and great-great-grandparents lived by and experienced in their own generations before. Simple monotony... building, strengthening patterns of life—a sense of place, a piece of art.

“The window is left open, welcoming, leaving unrestrained the cool evening mountain air that gently brushes against the curtains, roaming carelessly in and back out, quietly—much like my furry, familiar friend brushing back and forth against small, skinny legs. From the darkness, the evening breeze carries with it the remnant sounds from the day’s closing act, like vagabond burrs hitching a ride on my calico cat.

“Rural sounds ride in—cattle bellowing from across the meadow, an unsettled horse whinnying... soothing, lulling sounds droning on into silence until one pauses to really hear—the calming noise of quietness, serenity... like my warm, familiar blanket.

“Fifty years later, I still fall asleep after a long summer day in my Eden with the windows wide open; however, along with the hum and melody of peace comes a distant staccatoed cacophony of looming, impending growth to this valley. I close my eyes and, for now, am enveloped in peace—the warmth and comfort of home... place... my valley.”

As a young mother, my husband and I, while raising four children, traveled across the United States, living in multiple places—from the east coast, and then back home again to the west; swaddled, enveloped once again by my valley nestled within the tops of the mountains. While living out of state, I yearned to return, to bring my children “home,” to find my way back where I could raise them where they “belonged,” where they were rooted, grounded in place by generations of family, extended family, and friends and loved ones—by a cultural, historical, and experiential DNA... where family had been raised for generations before.

Today, having a degree in Urban Planning, the buzz term in community development has become providing for a “sense of place” in the process of “community design”—an oxymoron. How foreign, awkward, contrived, artificial, and hollow this aim seems—however well-intentioned. Yes, a sense of “place” is definitely a community asset, but “place” is not artificially designed; it brews, foment... is forged by time, cultivated by generational communal experiential bonds before blossoming, bearing fruit, providing the nourishment that oozes from the interconnected warp and weft of life. Sadly, “place” can be threatened by rapid, heavy, marketed development, which brings about a brisk, unnatural social evolution—a disruptive upheaval of community. It’s a phenomenon often driven by political and economic endeavors by community leaders who fail to appreciate the negative long-term social and even economic impacts.

Growing “old” at “home” in a place that, today, has become popular for tourists, Airbnb goers, developers, realtors, “second-home buyers” and speculators provides one a unique perspective. The overarching conundrum, however, when viewing the hundreds of people moving here is in trying to understand the “why.” Why are they moving *here*, some, from clear across the United States? Are they, too, not anchored, drawn to a sense of place of their own? Do they not have the same desires and longings to return to their own “home” where they were lovingly raised, stitched together by family seams and ties that bind, connect, root *them* to place?

At www.thenatureofcities.com we read, “In general, sense of place describes our relationship with places, expressed in different dimensions of human life: emotions, biographies, imagination, stories, and personal experiences (Basso, 1996). In environmental psychology, sense of place—how we perceive a place—includes place attachment and place meaning (Kudryavtsev, Stedman and Krasny, 2012). Place attachment reflects a bond between people and places, and place meaning reflects symbolic meanings people ascribe to places. In short, ‘sense of place is the lens through which people experience and make meaning of their experience in and with place’ (Adams, 2013).”

Wikipedia describes the phenomena as those “characteristics that make a place special or unique, as well as those that foster a sense of authentic human attachment and belonging. . . . Cultural geographers, anthropologists, sociologists and urban planners study why certain places hold special meaning to particular people or animals. Places said to have a strong “sense of place” have a strong identity and character that is deeply felt by local inhabitants

“. . . human geographers and social psychologists have studied how a sense of place develops, including the importance of comparisons between places, learning from elders and observing natural disasters and other events. Of particular note is the importance of childhood

experiences. Environmental psychologists have quantified links between exposure to natural environments in childhood and environmental preferences later in life. Learning about surrounding environments during childhood is strongly influenced by the direct experience of playing, as well as through the role of family, culture, and community. The special bond which develops between children and their childhood environments has been called a ‘primal landscape’ by human geographers. This childhood landscape forms part of people’s identity and constitutes a key point of comparison for considering subsequent places later in life. As people move around as adults, they tend to consider new places in relation to this baseline landscape experienced during childhood.”

Those who study the phenomenon of the importance of “place” and its role for urban, economic, human, and psychological sustainability have found that those environments that foster uniqueness, natural authenticity and environmental sustainability are the healthiest.

Edward T. McMahon, writing in an article titled “Why Sense of Place is Worth Caring About” found “The more one city comes to look and feel just like every other city, the less reason there is to visit,” or, I might add, to live there.

Catherine O’Brien, describing what she calls “sustainable happiness” found that “natural environments—trails, paths, and parks—were the sites of most delightful places. ‘The sounds that people associate with their delightful place most often were: water, the wind, silence, people talking, and birds . . . The most common smells that were mentioned were: the earth, water, flowers, and food.’ O’Brien’s research convinced her that she wanted to raise her children in a more natural environment—the country, where, she explains, “lives can be transformed.”

In the book “The Nature Principle,” author Richard Louv writes, “Until recently, researchers seldom, if ever, considered exposure to nature a factor in avoiding social alienation or as an important ingredient in the formation of social capital. Building on studies suggesting that wilderness adventures increase participants’ capacity to cooperate and trust others, a newer body of research reveals an even broader impact.

“Scientists at the University of Sheffield in the UK have found that the more species that live in a park, the greater the psychological benefits to human beings. ‘Our research shows that maintaining biodiversity levels is important . . . not only for conservation, but also to enhance the quality of life for city residents,’ said Richard Fuller of the Department of Animal and Plant Science at Sheffield. In related work, researchers at the University of Rochester, in New York, report that exposure to the natural environment leads people to nurture close relationships with fellow human beings, to value community, and to be more generous with money. By contrast, the more intensely people in the study focused on ‘artificial elements,’ the higher they rated wealth and fame. . . . More contact with nature within cities can also, in some settings, reduce violence. . . .”

The author, who also wrote “Last Child in the Woods,” explains a phenomenon identified and studied by Australian professor Glenn Albrecht, director of the Institute of Sustainability and Technology Policy at Murdoch University in Perth, Australia. He coined a mental health term called “solastalgia,” which combines the Latin word *solacium* that our related term solace comes

from, and the Greek root *algia* (pain). The term is defined as “the pain experienced when there is recognition that the place where one resides and that one loves is under immediate assault.”

Louv continues, “By any name, we endure this loss at a primal level. Humans living in landscapes that lack trees or other natural features undergo patterns of social, psychological, and physical breakdown that are strikingly similar to those observed in animals that have been deprived of their natural habitat. ‘In animals, what you see is increased aggression, disrupted parenting patterns, and disrupted social hierarchies,’ says Frances Kuo, professor at the University of Illinois, who, with her colleagues, has studied the negative impact of de-natured life on human health and well-being. Among them, they have noted decreased civility, more aggression, more property crime, more loitering, more graffiti, and more litter, as well as less supervision of children outdoors. ‘We might call some of this “soiling the nest,” which is not healthy,’ she says. ‘No organisms do that when they’re in good shape . . . In our studies, people with less access to nature show relatively poor attention or cognitive function, poor management of major life issues, poor impulse control.’”

While one may wonder why there is a very familiar acronym found in the world of urban planning identified as NIMBY (Not In My Back Yard) related to the often heated and visceral reaction to proposed heavy development and rapid change in tight-knit communities—especially in more rural areas and atop pristine watersheds—one shouldn’t be surprised. While development may be a result of growing populations, the reaction to dramatic, community-changing growth is a very instinctual phenomenon—primarily for residents invested in a community and its generational rhythmic patterns of life. Reactions may be physical, psychologically and emotional when “primal landscapes,” “place” seems to be under attack. Certainly, and understandably, a feeling of “solastalgia” may occur. It is the same reason, in some regards, that, for centuries, empires (and nations) have turned to building walls and fortifications, much as the Sumerians’ Amorite Wall that one of the world’s earliest known civilizations built as a defense to keep out Amorite nomadic tribesmen; the Great Wall of China, the wall of the Asiatics in Egypt, the LIMES in Europe built by the Romans—including the Antonine Wall in Scotland and Hadrian’s Wall—“great walls to keep the barbarians out.” For eons, people have built walls to keep from being overrun, exploited, and even exterminated—from losing their sense of place and community, their cultural uniqueness, their sense of being. Today wall building continues, as plans move forward to strengthen, lengthen the wall between the U.S. and Mexico. What a wonder . . . it’s all about that deep-seated, innate human survivalist endeavor to protect this powerful thing called “place.”

Perkes, Scott

From: Stephen Walker
Sent: Monday, August 3, 2020 12:38 PM
To: Perkes, Scott;
Subject: [EXTERNAL]Nightly Rentals Weber County

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Scott/Charlie,

I wanted to provide written comments for Nightly Rentals for Weber County. The county currently requires a Conditional Use Permit and a business license for Bed and Breakfast Dwelling. This is a great way to help the applicant for starting a Home Business of B&B on what is required and if they qualify. The general public probably does not understand this process and what is required to meet the standards. Those who comply with all standard then pay taxes that offset others in the county. They also bring people in who will support the tourist economy that we have, keeping small business with customers. The fact that the residences need to be occupied to operate and follow the Conditional Use Permits keeps things in order and allows neighbors a way to put forward a complaint to the enforcement division.

Its the people who are doing it illegally that are stealing from neighbors, county and state in terms of taxes. They also dont have to abide by permits and license, allowing them to pack houses, not be owner occupied and cause all the bad publicity that the legitimate people have to abide by.

I think by allowing the public to understand what is required and a better enforcement of illegal rentals and have them come into compliance to pay their fair share, it will allow a good symbiosis in the community.

Thanks
Steve Walker
Nordic Valley Utah

Perkes, Scott

From: SYLVIA NEWMAN
Sent: Sunday, August 2, 2020 1:34 PM
To: Perkes, Scott
Cc: Bob Fudge
Subject: [EXTERNAL]short-term rental comments

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Dear Powers-That-Be,

I am writing in the hope that my comments will be considered as you consider ordinances covering short-term rentals in Weber County.

For full disclosure, my husband and I have basement suite in our home in Ogden that we rent over Airbnb (for a really great story about it, see this link:

We have done so for five years and loved every minute of it. We consider ourselves ambassadors for this area. We have accommodated almost 400 people from 11 countries. So, it's probably clear that we think Airbnb is a good thing.

We understand, however, that homes that are NOT owner-occupied can present problems that ours does not. So it is with this understanding that we ask that ANY ordinances that may be passed make the distinction between owner-occupied and non-owner-occupied short-term rentals. We hope that you can see that owner-occupied rentals are very different and do not present the same potential problems as non-owner-occupied.

Our other stake in this issue is that we own a lot in Eden that we hope to build on some day. However, in order for us to afford this dream, we are counting on being able to have an Airbnb suite.

Finally, we also know that non-owner-occupied rentals can be done well and with few problems for neighbors with just a few things in place. A woman around the corner from us rents her entire home on VRBO and Airbnb. She limits the number of occupants to five and has cameras throughout her home so she can verify that this limit is kept.

Please be careful when crafting ordinances. Don't let fear of strangers and the anomalous bad Airbnb story be the guiding "lights." There are millions of Airbnb rentals each night, and only a handful of negative happenings.

Thank you for your consideration of our experiences.

Sincerely,

Sylvia Newman and Robert Fudge
Ogden, UT 84403
801-710-9892, 801-510-7647

Perkes, Scott

From: TERRY MORRIS
Sent: Sunday, August 2, 2020 6:20 PM
To: Perkes, Scott
Subject: [EXTERNAL]Questions / Concerns for Joint Work Session on Nightly Rentals - 4 August 2020

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Weber County Planning Commission & Weber County Commissioners,

The following questions / concerns are being presented for discussion at the Joint Work Session on Nightly Rentals on 4 August 2020.

Question / Concern - Why is the county unwilling to enforce short term rental ordinances? County Code clearly states that Nightly Rentals are prohibited for a time less than 30 days, yet some home owners in the Valhalla camp and Isle of View Camps continue to rent property on a nightly basis. The home owner states that each rental is on a 30 day contract and in every case, the renters have chosen to cancel said contract. As a neighborhood, we have verified proof that different groups of people move in and out of the homes each month. Continuing to not enforce ordinances despite multiple complaints from citizens is unacceptable and needs to be rectified.

Sec 108-7-25 Nightly Rentals

The rental of a sleeping room, apartment, dwelling unit, or dwelling for a time period of less than 30 days is considered a nightly rental. Nightly rentals are allowed only when listed as either a permitted or conditional use in a specific zone or when approved as part of a planned residential unit development (PRUD).

(Ord. of 1956, § 23-25; Ord. No. 2009-14; Ord. No. 2014-18, Exh. A, 6-17-2014)

Question / Concern - Why is the county unwilling to enforce continued violations of Short Term Rental Violations? The Valhalla home owner described above has blatant disregard for the Nightly Rental code or is skirting the intent of the ordinance by using a 30 day contract for each rental and allowing that contract to be cancelled multiple times per month. Despite being cited by the County for violations, the home owner continues to rent out the home on a nightly basis. This blatant disregard of County Ordinance is unacceptable and needs to be enforced.

Sec 102-4-4 Code Enforcement

1. General penalty; continuing violations.

1. In this section, "violation of this Land Use Code" or "violation of any provision of this Land Use Code" means:
 1. Doing an act that is prohibited or made or declared unlawful, an offense, or a misdemeanor by the Land Use Code or by rule or regulation authorized by the Land Use Code;
 2. Failure to perform an act that is required to be performed by the Land Use Code or by rule or regulation authorized by the Land Use Code; or
 3. Failure to perform an act if the failure is declared a misdemeanor, an offense, or unlawful by the Land Use Code or by rule or regulation authorized by the Land Use Code.
2. In this section, "violation of this Land Use Code" or "violation of any provision of this Land Use Code" does not include the failure of a county government officer or county government employee to perform an

official duty unless this Land Use Code specifically provides that failure to perform the duty is to be punishable as provided in this section.

3. Unless more specifically provided for in this Land Use Code, the violation of any provision of this Land Use Code may be punished as a class C misdemeanor or by imposition of a civil penalty, or both.
4. If prosecuted as a misdemeanor, each day any violation of this Land Use Code continues shall constitute a separate offense. Any violation of this Land Use Code that constitutes an immediate danger to the health, safety, and welfare of the public may be enjoined in a suit brought by the county for such purposes, or addressed through any other lawful action.
5. The imposition of a criminal or civil penalty under the provisions of this Land Use Code shall not prevent the revocation or suspension of any license, franchise, or **permit** issued or granted under the provisions of this Land Use Code.
6. The provisions of this Land Use Code may also be enforced and violations punished by any of the following methods:
 1. To remedy a violation of this Land Use Code, the county may order discontinuance of the use of any land, body of water, or building; the removal of any building, addition, or other structure; the discontinuance of any work being done; or any lawful act.
 2. Specific provisions of this Code may provide for additional remedies.
2. *Authorization of code enforcement official, powers and duties.* The county's planning director or designee is designated as the code enforcement official and is, empowered, and directed to enforce this Land Use Code by injunction, mandamus, abatement, civil penalty, or any other remedy provided by law. The county's code enforcement official is hereby authorized empowered, and directed to make inspection of properties within the unincorporated area of the county to determine whether there is any violation of this Land Use Code. This authorization extends to all methods of inspection allowed under the state and federal constitutions.
3. *Notice of violation, time to comply.* When a violation is found, before taking any other enforcement action the code enforcement official shall serve notice of the violation in writing to the owner or occupant of the land. The notice shall:
 1. Be delivered personally or by certified mail to the owner or occupant at the last known post office address as disclosed by the records of the county recorder or assessor;
 2. State the specific code or codes being violated and explain the nature and extent of the violation; and
 3. State that the owner or occupant, as the case may be, shall correct or remove the violation no later than 14 days after notice of the violation has been delivered personally or mailed.
4. *Alternative time to comply.* Within the 14 days as specified in section 102-4-4(c), the owner or occupant may arrange an alternative remedial schedule with the Code enforcement official. The alternative remedial schedule shall be no greater than is reasonable and necessary given the extent of the violation and the owner or occupant's ability to cure.
5. *Single notice sufficient.* One notice shall be deemed sufficient on any lot or parcel of property and the subsequent lapse of the notice period shall empower the county to take other and further action as may be lawful.
6. *Administrative citation and fines.* After issuance of a notice of violation, as specified in Section 102-4-4(c), and at the discretion of the code enforcement official, an administrative citation and fine may be issued for any violation of this code.
 1. The fine schedule is as follows:
 1. First administrative citation: \$100.00 per violation per day.
 2. Second administrative citation: \$200.00 per violation per day.
 3. Third or subsequent administrative citation: \$400.00 per violation per day.
 2. An additional administrative citation specified by this section 102-4-4(f) occurs in circumstances when an earlier administrative citation has:
 1. Not been resolved to the satisfaction of the code enforcement official for a period of 60 days from the date of the previous administrative citation; or
 2. Been resolved to the satisfaction of the code enforcement official but the same violation reoccurs within 12 months of the first administrative citation.
 3. If a property owner or occupant fails to pay a fine issued under this section, the county may take reasonable steps to collect the fine. If the fine remains unpaid, the county may petition the applicable court for a judgment against the owner or occupant in the amount of the unpaid fine. If the county also files a petition under section 102-4-4(g), the two petitions may be combined into one action.
7. *Abatement.* If a property owner or occupant fails to correct or remove the violation from the property after receiving an administrative citation, the county may petition the applicable court for a judicial order enabling the county to

remove some or all violations from the property and ordering the property owner or occupant to pay all costs associated with correcting the violation. If any violation of this Land Use Code constitutes a nuisance under the provisions of State Law, the county may take any action as authorized by law in addition to any other penalty imposed pursuant to this section.

8. *Judgment lien.* Once a judicial order has been obtained under this section, ordering a property owner or occupant to pay fines or abatement costs, the code enforcement official shall record a judgment lien against any real property owned by the responsible party, to the extent allowed by law.
9. *Removal of judgement lien.* Once payment is received for all outstanding fines, costs, and penalties, including the county's cost for abatement if applicable, and the terms of the judicial order are deemed satisfied, the code enforcement official shall record a notice of satisfaction of judicial order and shall release the lien as required by law.
10. *Appeals.* A violation determination under this section shall only be appealable to district court.

(Ord. of 1956, § 30-5; Ord. No. 33-78; Ord. No. 22-2001; Ord. No. 2009-28; Ord. No. 2015-13, Exh. A, 8-25-2015; Ord. No. 2019-14, Exh. A, 7-30-2019)

Sec 1-1-7 General Penalty; Continuing Violations

1. In this section, the term "violation of this Code" or "violation of any provision of this Code" means:
 1. Doing an act that is prohibited or made or declared unlawful, an offense, or a misdemeanor by ordinance or by rule or regulation authorized by ordinance;
 2. Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance; or
 3. Failure to perform an act if the failure is declared a misdemeanor, an offense, or unlawful by ordinance or by rule or regulation authorized by ordinance.
2. In this section, the term "violation of this Code" or "violation of any provision of this Code" do not include the failure of a county government officer or county government employee to perform an official duty unless this Code specifically provides that failure to perform the duty is to be punishable as provided in this section.
3. Whenever in this Code or any other ordinance of the county, an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such Code or ordinance the doing of an act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not to exceed the maximum fine of \$1,000.00 for a class B misdemeanor under U.C.A. 1953, § 76-3-301, imprisonment, or by both fine and imprisonment. An offense designated a misdemeanor, either in this Code or any other ordinance of the county, without specification as to punishment or category, is a class B misdemeanor.
4. A person who has been convicted of a misdemeanor may be sentenced to imprisonment as follows:
 1. In the case of a class A misdemeanor, for a term not exceeding one year;
 2. In the case of a class B misdemeanor, for a term not exceeding six months;
 3. In the case of a class C misdemeanor, for a term not exceeding 90 days.
5. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense. Any violation of any provision of this Code of Ordinances which constitutes an immediate danger to the health, safety, and welfare of the public may be enjoined in a suit brought by the county for such purposes. If any violation of this Code is designated as a nuisance under the provisions of this Code, such nuisance may be summarily abated by the county in addition to the imposition of a fine or imprisonment.
6. The imposition of a penalty under the provisions of this Code shall not prevent the revocation or suspension of any license, franchise or permit issued or granted under the provisions of this Code.

State Law reference— Penalty for violation of county ordinance, U.C.A. 1953, § 17-53-223; classification of misdemeanors, U.C.A. 1953, § 76-3-104; term of imprisonment for misdemeanor conviction, U.C.A. 1953, § 76-3-204.

Question / Concern - It is unclear whether or not the Valhalla and Isle of View home owners have submitted and received approval for a land use permit or a business license for nightly rentals. All Valhalla residents affected by the failure to abide by County Ordinances and failure to enforce County Ordinances would like to receive verification that all required permits and licenses have been approved and are being followed.

Question / Concern - The homes being used for nightly rentals in Valhalla and Isle of view have multiple unresolved violations of county ordinances yet home owners continue to be allowed to rent out the property for less than 30 days. When is the County going to take action and enforce its ordinances?

Sec 102-4-1 Purpose And Intent

The purpose of this chapter is to establish the requirements for land use permits from the planning division and building permits from the building division. This chapter identifies the responsibilities for enforcing the requirements of this Land Use Code and the penalties for violating this Land Use Code.

(Ord. of 1956, § 30-1; Ord. No. 33-78; Ord. No. 22-2001; Ord. No. 2009-28; Ord. No. 2015-13, Exh. A, 8-25-2015; Ord. No. 2019-14, Exh. A, 7-30-2019)

Sec 102-4-2 Land Use Permit Required

1. In order to verify compliance with applicable regulations, all land uses that require a land use permit or conditional use permit by this Land Use Code are prohibited until a land use permit or conditional use permit has received final written approval from the appropriate land use authority.
2. No structure, including agricultural structures, shall be constructed, **changed in use**, or altered, as regulated by this Land Use Code, until and unless a land use permit or, if applicable, a conditional use permit, has received final written approval from the appropriate land use authority.
3. No application for permits or approvals governed by this Land Use Code shall be approved for any lot or parcel until all unresolved zoning, subdivision, building, business license, nuisance, or other violations on the lot or parcel, or on any parcel included in any manner as part of the application, are resolved, unless approval of the application will resolve all of the existing violations.

(Ord. of 1956, § 30-4; Ord. No. 33-78; Ord. No. 22-2001; Ord. No. 2009-28; Ord. No. 2015-13, Exh. A, 8-25-2015)

Sec 102-4-5 Building Permit Required

Building permits, as specified by the county, are required for any construction, alteration, repair, removal, or occupancy of any structure. Construction shall not be commenced, except after the issuance of a written permit by the county building official.

(Ord. of 1956, § 30-2; Ord. No. 33-78; Ord. No. 22-2001; Ord. No. 2009-28; Ord. No. 2015-13, Exh. A, 8-25-2015)

Sec 14-1-1 Purpose

This title is designed and enacted for the purpose of promoting the safety, health and prosperity, improving the morals, peace, good order, comfort and convenience of the county and the inhabitants thereof, protecting property therein defined and raising revenue therefrom.

(Code 1985, § 5-3-1)

Sec 14-1-2 License Necessary

It shall be unlawful for any person to engage in or carry on or operate any business in the county referred to in this title, or use any property for any such business, without first making application of and obtaining a license from the county for such business, and by paying in advance the license fee required therefor as set forth in title 16, the county fee schedule.

(Code 1985, § 5-3-2)

Sec 14-1-3 License Nontransferable

1. No license granted or issued under any of the provisions of any ordinance of the county shall be in any manner assignable or transferable or authorize any person other than the person therein mentioned or named to do business, or authorize any other business than is therein mentioned or named to be done or transacted, provided that any person to whom one or more licenses have been issued to transact or carry on some business at a definite location in the county may, except as hereinafter provided, make application of the transfer of any or all of his said licenses for the sole purpose of transacting or carrying on the same business as is therein mentioned at some other definite location in the county by himself, by filling said application with the license director.

2. The commission, after receiving reports furnished by the license director, the sheriff and the board of health, may in its discretion, deny or grant the transfer of any or all of the licenses strictly within the limitations of subsection (a) of this section.

(Code 1985, § 5-3-3)

Sec 14-1-4 Business Ineligible For License

It shall be unlawful to peddle or offer for sale in any place but a duly licensed business establishment any medicine, nostrum or remedy of any character or description, and no license shall be issued for such purpose, except that this shall not apply to the sale of medicines, nostrums or remedies, packaged or labeled in compliance with the requirements of the Federal Food, Drug and Cosmetic Act and regulations thereunder, and similarly applicable laws and regulations of the state.

(Code 1985, § 5-3-4)

Sec 14-1-5 Rules And Regulations

Rules and regulations covering health, safety, morals, peace, good order, comfort and convenience of the general public with respect to any business covered hereunder shall be adopted by the commission and copies of such rules and regulations shall be made available to and displayed by the licensees affected thereby in a conspicuous place upon the licensed premises.

(Code 1985, § 5-3-5)

Terry W. Morris
Valhalla Resident

Sent from [Mail](#) for Windows 10

From: Tina

Sent: Sunday, July 26, 2020 10:29 PM

To: Harvey, Jim H.

Froerer,Gage <

Jenkins,Scott

Subject: [EXTERNAL]NO Nightly Rentals

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Dear County Commissioners,

Please restrict nightly rentals in Ogden Valley! I have heard and experienced so many problems with nightly rentals. There have been several problems with loud late night parties by nightly renters. Intoxicated people showing up to the wrong house in the middle of the night trying to get in. Door bell ditching. Illegal fireworks at 2am. Drug dealings. We all remember the shooting last summer. Intoxicated strangers appearing in our own backyards. Drones being flown and looking in our windows. Beer bottles scattered around yards. These are just the problems that I personally am aware of, I'm sure there are many many more.

As you are aware, the lake already attracts gangs and causes problems. The last thing we need are more gang and drug problems due to nightly rentals. Currently, our Valley is so overcrowded that those of us who live here do not get to enjoy the beautiful amenities. We do not want anymore visitors or the problems that come from having them in our neighborhoods.

We pay a high price for living in the beautiful Ogden Valley. We love it here because of the quiet small mountain town. This experience is being ruined by nightly rentals and way too many visitors.

Having nightly rentals takes away our safety and security. I cannot let my kids outside to play when there are different strangers present in our neighborhood and walking paths by my backyard.

We chose to live in the Valley and in a nice neighborhood where we would know our neighbors and feel safe. Nightly rentals takes that away!

Please stop nightly rentals in my neighborhood!

Thank you for your time all you do for our community.

Sincerely,

Perkes, Scott

From: Vickie McKenney
Sent: Friday, May 22, 2020 7:36 AM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd: Letter to Weber County Commissioners

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----- Forwarded message -----

From: Valerie Fowler
Date: Thu, May 21, 2020, 9:00 PM
Subject: Letter to Weber County Commissioners
To: Vickie McKenney

Dear Commissioners,

We understand that you are considering a motion to allow nightly and weekly rentals in our neighborhood in Wolf Creek, reportedly at the request of a few of the residents -- including or perhaps spearheaded by realtors who wish to profit by a change in the regulations.

As full time residents on Wapiti Circle, we strongly oppose allowing short-term rentals. Each property owner in our neighborhood purchased our land and/or our homes with the understanding that Weber County rules prevail, specifically that nightly and weekly rentals ARE NOT PERMITTED. That rule is part of the valuation of our properties. Everyone buying in this neighborhood knew that such rentals are illegal, and could have purchased in areas nearby (e.g., Moose Hollow) where such restrictions do not exist had they wished to offer their residence for short-term renters.

Changing the rules now to the detriment of residents for the benefit of a few is not fair, nor is it in the best interests of the neighborhood.

We'll give you one example of how such rentals negatively affect the quality of life in our neighborhood. On Wapiti Circle, the Quintons routinely rent their home for weekend and weekly rentals, flaunting the law. Many neighbors have protested, and are working with Rick and Iris in the County office to document the disruptions caused by these renters. One weekend last summer, the Sheriff came three times to warn the Quintons' renters about use of illegal street bikes, use by minors as young as six years old, issues of excessive noise (e.g., at 11:30 pm revving 6-8 motorbikes in the driveway for an hour after the Sheriff said he would impound them if used illegally again on the streets), and trespassing on other properties. These same folks have rented from the Quintons for a number of years; two years ago, they used our driveway and backyard as a motocross course when we were not at home. We protested such behavior to the Quintons, and received no reply -- the same response they have (not) given to Rick and Iris in the County office despite many efforts to reach them. We have documented all the additional trash resulting from the Quintons' renters (often 4-6 vehicles), as the garbage bin is usually left overflowing on Sunday and animals get into it by the Wednesday pick-up. This is not sanitary at any time; in the time of Covid, it is unsafe for neighbors to have to pick up garbage left behind by illegal renters.

We will close with this question: why should the regulations be changed to enable rentals to the benefit of (1) property owners who bought in this neighborhood knowing the law does not permit short-term rentals, and (2) short-term renters who behave with utter disregard for those of us who live here, acting in ways that they would not behave in their own neighborhood?

With best regards,

Valerie and Charles Fowler
5466 Wapiti Circle
Eden, Utah

Perkes, Scott

From: Valerie Fowler
Sent: Monday, July 27, 2020 12:12 PM
To: Grover,Rick
Cc:
Subject: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Nightly rentals on Wapiti Circle

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Rick,
We greatly appreciate your update and thoughtful reply.

I have heard that it is likely the Commissioners will change the zoning to permit short term rentals throughout the Valley, perhaps with restrictions on the number of residences and number of nights permitted. Such a change in zoning would of course be distressing for this of us who purchased homes specifically in areas that prohibit such rentals.

I would like to underscore our desire that if such a decision to change zoning rules is made, any homes that have repeatedly engaged in illegal and documented rentals should be disqualified from renting in the future. After all, those owners have demonstrated that they do not follow the existing regulations - why should they be trusted to follow any new guidelines? Such a restriction would send a strong signal of responsibility and accountability.

With best regards,
Valerie

On Mon, Jul 27, 2020 at 12:00 PM Grover,Rick

wrote:

Valerie,

I appreciate your comments that you have given us and we include this in our studies as we go through this process. The purpose of this 1:00 meeting today is to discuss with the Commissioner's how we should notice for the August 4th combined joint work session with the County Commissioners and the Ogden Valley and Western Weber Planning Commissions regarding short term rentals. Today we will also update the Commission on the meetings that we have had with various stakeholders in the County over that last few months. The last several months Planning Staff has also been researching various communities in the northwest to find out what has worked for their communities regarding short term rentals. Please let me know if you have questions.

Thank you,

Rick

From: Valerie Fowler
Sent: Monday, July 27, 2020 11:15 AM
To: Grover, Rick Hennon, Iris M.
Cc:
Subject: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Nightly rentals on Wapiti Circle

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Rick,

From the agenda, I see that you are speaking at 1 pm today during the work session. I regret that the Commissioners will not be taking comments from the public; my neighbors and I look forward to the opportunity to join a dialogue with the Commissioners before any decision is made.

In the interim, please consider this input that I would have expressed today if given the opportunity:

It makes no sense to disregard the carefully crafted Valley master plan - which does allow for the purchase of rental-permissible homes/units in designated areas - for the financial benefit of a few who are currently operating illegally. This is the very definition of rewarding bad behavior.

The permanent residents who purchased property in part because of the rules (e.g., we did not look at Trappers because it does not prohibit short-term rentals) lose the quiet and sense of neighborhood we chose. One weekend renter told us that they came to ride their not-street-legal bikes here because they could not do it at home - and the Sheriff visited three times during that rental to address noise issues, threatening to impound their bikes because of the egregious behavior.

And in the era of Covid, the Commissioners would be putting financial gain for a few above the increased health risk for all (by bringing more outsiders into our valley, grocery store, shops...). When the renters leave over-stuffed garbage bins in the street on Sunday, days before mid-week garbage pick-up, it is not the renters who have to clean up the strewn garbage after animals get into the trash. Moreover, the houses on our street that illegally rent do not have a health certificate to do so, another way they are operating with impunity and endangering law-abiding, tax-paying residents.

I hope you will consider sharing this perspective with the Commissioners today.

Best Regards,

Valerie

Perkes, Scott

From: Vickie McKenney
Sent: Monday, August 3, 2020 11:22 AM
To: Perkes, Scott; Grover, Rick
Subject: [EXTERNAL]Short term nightly rentals
Attachments: short term rentals 82020.docx

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Thank you for considering our comments.

Thru email
3 August 2020

Weber County Commissioners
Ogden Valley Planning Commissioners
Western Weber Planning Commissioners
2380 Washington Blvd #240
Ogden, UT 84401

RE: Proposed Change to Short-Term Rental Regulations

Dear Commissioners:

I won't bore you with the **multitude** of reasons changing this regulation is a bad idea, but I would like to bring up a point why we, who have rental houses near us, are concerned. CRIME! On Wednesday July 29th, once again, a shooting occurred at a vacation rental. Alcohol involved renters started shooting up the neighbor's home in Herriman, bringing SWAT on to the scene. Fortunately, no one was injured but this story is repeated over & over again. As you know, we had a home here in the valley shot up last year with no injuries, but it's bound to happen. It's a proven fact burglaries increase in neighborhoods with short term rentals. It's not just these houses but as homes change hands this problem could escalate. Please vote against changing this regulation. I don't see how you can just "change the zoning" in a residential neighborhood with the swipe of a pen.

We purchased our home in the Elkhorn division of Wolf Creek 10 years ago for the quite, rural environment. We love to step out on a dark night and look at the Milky Way and feel blessed we live here. Unfortunately, we have 3 million dollar party houses in our neighborhood that we have called the Sherriff on numerous times as well as Iris at the county. You know the rest of the story as my neighbors who live adjacent to these houses have so eloquently described the problems in detail.

Please vote NO on this change and let us keep our quiet and safe and beautiful neighborhood.

Thank you,

A tax paying citizen of Weber County

Vickie McKenney
3688 N Elkrige Trail
Eden, Utah

Perkes, Scott

From: Zeke Durica
Sent: Sunday, August 2, 2020 12:28 PM
To: Perkes, Scott
Subject: [EXTERNAL]Aug. 4th meeting comment

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Dear Weber County Planning Commission.

My wife and I have owned a second home in Ogden Canyon for 16 years. We use it 40% of the year. On occasion we let friends or relatives use it. We don't intend to rent it out often but, if in the future we did, I would like to know it could be done without concern of doing anything wrong.

Each time we are there, we see new developments being built all over Weber County. Over the years we have often wondered why Ogden Canyon is not included in any planning.

Below are a few reasons I feel the Ogden Canyon properties should be included in any short term rental plans for all of Weber County.

1. Any short term bed taxes that are collected by the county could be used to offset a special service district in the Canyon for ongoing county maintenance issues for aging Water infrastructures, Bridge repairs, etc.
2. Consistency in property and citizens rights.
3. Additional Jobs for service companies, like Cleaning Services, and retail purchasing for local businesses.
4. It's what people want and there is a shortage of short term tourist accommodations in the Canyon.

Thank you for your careful consideration of this issue. Please approve short term rentals in Ogden Canyon.
Zeke Durica 619 Ogden Canyon Rd

Perkes, Scott

From: Fred Blickle <blickle3@att.net>
Sent: Tuesday, August 4, 2020 7:30 AM
To: Perkes, Scott
Subject: [EXTERNAL]Weber County Short Term Rental

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Hello,

I would like to voice my opinion regarding proposed change to rental restrictions in Weber County residential rentals. I oppose nightly rentals in single family neighborhoods. I am a resident of Weber County and live at 5377 Elkhorn Circle, Eden. I believe that nightly rentals would disrupt the nature and safety of our single family neighborhoods, both from a crime standpoint and from a health standpoint with Covid concerns, bringing an influx of people from other states. This would increase traffic and change the peaceful nature of our single family neighborhoods. I know of no one in my neighborhood who wants to see this happen. Please DO NOT ALLOW NIGHTLY RENTALS IN SINGLE FAMILY NEIGHBORHOODS.

Regards,
Fred Blickle
Eden, Utah

Sent from my iPad

Perkes, Scott

From: Kathy Grandin <kathy@mountainluxury.com>
Sent: Tuesday, August 4, 2020 3:46 PM
To: Perkes, Scott; Grover,Rick
Subject: [EXTERNAL]Zoning Changes in WEBER COUNTY

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Gentleman,

As you look into changing the residential zoning in Weber County and in particular Ogden Valley, I would like you to take the following information into consideration:

1. New home buyers looking to purchase homes in Ogden Valley almost always ask if VRBO, AirB&B rentals and similar short term vacation rentals are allowed in the neighborhood they are considering because they do not want to live in an area that allows them. Many live in neighborhoods that have allowed them and have experienced many of the issues that locals have shared with you in recent letters.
2. Almost every new development in Ogden Valley is being zoned to allow for short term vacation rentals. There are already multiple developments that offer this option and it appears that almost all of the new construction is being done to allow and to accommodate this type of zoning. If you approve short term rentals for the Residential zoned neighborhoods that do not allow short term rentals now there will not be a single area that does not allow it.
3. Ogden Valley will be impacted more than any other area of Weber County if the zoning changes since this is the area closest to the recreational sites that visitors come to take advantage of. Our beautiful valley will bear the burden of your zoning changes unfairly. No one will be staying in North Ogden, Pleasant View, Ogden or South Ogden if they can stay in the Ogden Valley instead. Changes in the zoning will be discriminatory and an unfair burden towards the residents of our Valley.

Please take these issues into consideration before rezoning residential properties without any real input from the people who pay taxes and vote for you here in this valley.

Thank you,
Kathy Grandin

--

Kathy Grandin, Real Estate Professional
Realtor, ABR, GRI, CDPE, SSN Pro, SFR
Mountain Luxury Real Estate and Development
kathy@mountainluxury.com
Cell (801) 528-2352
Office (801) 745-8400
Fax (801) 340-0340

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Wednesday, August 5, 2020 11:34 AM
To: Perkes, Scott
Subject: [EXTERNAL]great job on STR's zoom meeting 8/4

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I watched the meeting and realized that the tech revolution and how wealth is now created needs to become part of our understanding to find some solutions.

As usual, new paradigms have new terminology which needs to be understood to speak this new language. The term 'sharing economy' is at the top of the list imho.

Sharing Economy is a euphemism for monetization of virtual or tangible assets. Short term rentals monetize time slices of tangible real estate. Technology and data mining/algorithms have given rise to companies like Airbnb et al. that are very efficient at gaining revenue from real estate. They are not accountable to localities and do not provide oversight mostly ads, booking and collection for owners. Entrepreneurship has migrated to searching for new areas to monetize every asset possible. "How do we monetize this?" is the key question for every Entrepreneur. Providing Value is no longer at the top of the list in their business plans.

In the 1970's Britain and the USA started the process of financializing the equities market and new pc technology was used to facilitate online trading of equities and derivatives. Every year new financial products were introduced into the marketplace . We saw some effects in 2008.

We need to understand the possible effects of allowing monetization of our real estate market by investors with a short term and fast money time frame. We may be able to use dataminers to provide input but only if we understand the underlying motivations of those companies that want to extract money from this county. Weber is not like other counties, we can find our own solutions to preserve this fragile ecosystem for subsequent generations.

I will send another email with actionable policy information given current trends.

Thank you for your dedication
Angelika Spaey

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Thursday, August 13, 2020 7:39 AM
To: Perkes, Scott
Subject: [EXTERNAL]just fyi from Angelika Spaey - also will send thoughts on "Zoom Town"

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https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202008131338540039845&URLID=5&ESV=10.0.6.3447&IV=325A877788B933F12E2E7431DF72D592&TT=1597325935490&ESN=%2FQ4zUyZWIS9T1QkaIMW2%2BndkflmEmtQ%2Fe959Pot9bU%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fwww.coindesk.com%2Ffirst-mover-how-a-defi-trader-made-an-89-profit-in-minutes-slinging-stablecoins&HK=4C5BB78097990B540099704E4E520195E915F9EA1920889F8D31B19AFC9ECBD9

Please understand i do not endorse this. Ivan considers this gambling. just use cases of these coins and how they are arbitaged. The financial world is turned upside down so Jamie Diamond is publicly on board blockchain.

https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202008131338540039845&URLID=3&ESV=10.0.6.3447&IV=5653A5A17FDA191D6B6D5AD225EB3C47&TT=1597325935490&ESN=u6BbXtAR2CG%2FN7mMtOOTQyqXXrVEv%2BiU4T9HCet0BZc%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DiHgDKdjNnpY%26amp%3Bt%3D1966s&HK=8E81698B7345CDFD132EAF2B737D716792BD34BD1C867741790EB1593C6E65BF

Wouldn't it be great if we attracted blockchain programmers to Weber? Throughput and infrastructure is what they are looking for. Large co's like JPM are paying huge for blockchain expertise. I have been watching Ivan on tech for some time and am reminded of infotech mba in the 80's. Wonder what Weber State is doing in this field.

https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202008131338540039845&URLID=1&ESV=10.0.6.3447&IV=0F973AFBCE28F5E9ECE70B4FB7E79179&TT=1597325935490&ESN=JPdqwtYU9BO3We0EVBiqo2ou9JVVLrTXc30h3TDSckE%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fwww.bloomberg.com%2Fopinion%2Farticles%2F2020-08-05%2Fremote-work-from-resort-towns-eases-housing-costs-in-big-cities&HK=57A2B87146BD12E5F9E7D053E508D35833EBC305DE2D16E682CD24F04CA3D143

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Tuesday, August 18, 2020 7:34 AM
To: Perkes, Scott
Subject: [EXTERNAL]STR impact and hope for policies that are automatically enforced. Angelika Spaey

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We are always cautioned not to think it's different this time, but sometimes it really is the case.

We are concerned about the lack of 'check in' process to assure appropriate occupancy for short term rental dwellings. Also many rentals are less than 3 days increasing the turnover and description to neighbors.

The key question is, how can we balance the Undue burden on the neighborhood as the investor monetizes and benefits from STR's? Penalties have to be a strong deterrent. Lets frontload enforcement with the understanding that the character of the neighborhood cannot be degraded by STR's.

True enforcement has to start at the Booking stage to alert renters of the 'maximum occupancy and parking fees/availability'. Actual information on the renters needs to be available just as ID is required during any check in process. Therefore, privacy of the customers vs the safety of the community has to be discussed as we develop enforcement policies.

Peak resources required, especially water and sewer need to be determined as private homes are used differently than hotel rooms.

Renters do not limit their 'stuff' as they did when they flew and rented vehicles at the airport. They drive with all of their toys. Residential garages are too small to store large trucks and boats and atv's that are brought to this area. One house can have 6 large trucks per stay and a boat/trailer.

Let's put the burden of enforcement on the investors with policies that make it advantageous to limit the occupancy and extend the rental period. Vehicles can be limited using a fee structure.

After all, it's all about money for the investor lets level the playing field for the locals who have developed and maintained this infrastructure.

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Thursday, August 20, 2020 4:40 PM
To: Perkes, Scott
Subject: [EXTERNAL]Bloomberg businesss Asian open 8/20 article on Airbnb max occupancy

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The party's over. Airbnb announced a "global party ban" at all of its listings and capped occupancy at 16. The measures—for which the company cited health mandates brought on by the pandemic—will remain in effect indefinitely. Airbnb had already taken steps to limit large gatherings by removing both the "event-friendly" search filter and "parties and events allowed" from any event-friendly listings, but people partied on anyway.

just fyi from Angelika Spaey

Perkes, Scott

From: Martin, Angela
Sent: Monday, August 24, 2020 1:14 PM
To: Perkes, Scott
Subject: FW: Short term rentals discussion

From: BYKOWSKI, TIANA Y CIV USAF AFMC 775 CES/CEFP <tiana.bykowski@us.af.mil>
Sent: Monday, August 24, 2020 1:10 PM
To: Martin, Angela <amartin@co.weber.ut.us>
Subject: [EXTERNAL]Short term rentals discussion

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Planning Commission,

I'm writing in regards to the discussion that will be taking place over short term rentals in Weber County. I sat in on the previous planning meeting about this issue and felt that some areas didn't get a hard look taken at them. When the number of rentals was brought up in the meeting, it went off a platform that didn't give total number of rentals available. There are several local companies that offer property management, and of those companies they don't list all of their rentals on these platforms. Just singular advertisements that bring you to their site to allow for further exploration of rental options as explained by Mr. Lewis.

With that being said, I own a home in the Ogden Valley. On our block we have several children, from families that are full time residents of the valley. Our street is made up of a 60/40 split of Full time home owners and renters. My fear is that we are putting our children at risk by allowing more short term rental units. These renters have no vested interest in our community. The ability for a sexual predator to be renting in our neighborhood or nearby street is likely, and residents would have no idea this is taking place. There is no background check for short term renters, and no requirement for a sexual predator to advertise their charges to the local residents.

How is it that we expect to protect our youth? We are not only opening our doors, we are instead installing a revolving door with no means to slow it down. I moved to the valley from South Ogden because I wanted to give my children a safe environment to play outside. Allow them to hike, and farm and be a normal kid like I was many years ago. But, with the influx of outsiders being allowed to freely come in to the valley and stay nightly, it jeopardizes that ability. Currently I know my neighbors, I know the cars that should and shouldn't be driving down my street. We have a close knit community, that I fear will be prostituted out for taxable income at the detriment to our children. Thank you for hearing my concerns.

Tiana Bykowski
4104 N Wolf Ridge Cir
Eden UT 84310
818-430-4556

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Wednesday, August 26, 2020 8:52 AM
To: Perkes, Scott
Subject: [EXTERNAL]Excellent presentation will share document ty Angelika Spaey

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8/25 zoom meeting on STR's was great. I think the document that 'Staff' prepared will go a long way toward some standardization and generally accepted principles for HOA's. There is a lot of discord within HOA's on the rules and enforcement.

Your work can be a working paper within current HOA's that have STR's.

be well!

Perkes, Scott

From: Grover,Rick
Sent: Thursday, August 27, 2020 8:53 AM
To: Perkes, Scott
Cc: Hennon, Iris M.
Subject: FW: [EXTERNAL]RE: Wes,

FYI

From: Froerer,Gage <gfroerer@co.weber.ut.us>
Sent: Wednesday, August 26, 2020 7:44 PM
To: Grover,Rick <rgrover@co.weber.ut.us>
Subject: Fwd: [EXTERNAL]RE: Wes,

FYI

Sent from my iPad

Begin forwarded message:

From: Wes Smith <wsmith@hradvantages.com>
Date: August 26, 2020 at 5:10:25 PM MDT
To: "Froerer,Gage" <gfroerer@co.weber.ut.us>
Cc: Julie Smith <jsmith4927@hotmail.com>, Kelly Zindel <kelly7of8@gmail.com>
Subject: [EXTERNAL]RE: Wes,

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Dear Mr. Froerer,

We appreciate the opportunity to reach out to you directly. We recently purchased a cabin through Kelly and Shauna at 2059 E. 5950 N., Liberty. It was disclosed to us that the zoning did not allow for nightly rentals, but since the cabin had been successfully rented for the prior 8 years, we thought it would work out. We love the property and the Valley and plan to enjoy the cabin as much as possible with our family and friends, however, it would be nice to offset the cost with occasional rentals.

We are interested in knowing how to help with the current meetings and movement to allow rentals in the AV-3 Zone specifically.

We are also interested in your opinion if we should wait and see if the use regulations change, or, to pursue trying to seek a map amendment for our specific lot as it is oddly carved out of the FR-3 Zone?

We know a lot of work has happened already towards this cause and that there is still much to accomplish. It is ironic that just a one week after we take possession a neighbor complains about a '100 people' loud party when it was my immediate family of about 12 including 5 grandkids under age 12

singing around a camp fire, that resulted in a CEASE and DESIST order, when in fact we have never rented out the property.

I know you cannot commit to an outcome or make recommendations until the issue is resolved however your input into our situation would be gratefully received.

Thank you,

Wes and Julie Smith

From: Kelly Zindel <kelly7of8@gmail.com>

Sent: Wednesday, August 26, 2020 3:50 PM

To: Wes Smith <wsmith@hradvantages.com>; Julie Smith <jsmith4927@hotmail.com>; Gage FROERER <gfroerer@co.weber.ut.us>

Subject: Wes,

I have copied Gage here with this email. I think you should have a conversation with him about what you can do to help move forward the Nightly Rental zoning for the Ogden Valley area being passed. I am sure that he has information that will be helpful.

Here is his county office phone number (801) 399-8590

Let me know if I can do anything to help!

Warm Regards,
Kelly

The Utah Mountain Properties Team
Kelly Zindel, Realtor 801-389-3021
Shauna C. Jensen, Branch Broker 801-791-2114
R. Greg Jensen-Vacation Rental Management 801-791-9104
Century 21 Gage Froerer & Associates-Eden Office
2405 N Hwy 158
Eden, UT 84310
[Search My Website](#)

Perkes, Scott

From: Lee Schussman <schuss84@yahoo.com>
Sent: Tuesday, September 1, 2020 6:48 AM
To: Perkes, Scott; Ewert, Charles
Subject: [EXTERNAL]Short term rentals work meeting
Attachments: STR 2. Weber County has a significant ENFORCEMENT problem.docx

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Dear Mr Perkes and Mr Ewert

Could you please make the following questions and opinions available to the Ogden Valley Planning Commissioners before the meeting this evening? (I do not have contact info for any of the Commissioners.) I am writing them in hopes of getting my opinions voiced while taking minimum "public, floor time" at the meeting.

Thank you very much,

Lee Schussman
Eden

Dear Ogden Valley Planning Commissioners and Staff:

As you/we begin work on the important issue of short term rentals, could someone please address these two points?:

1:

I was very confused when I thought I heard Weber County Commissioner Jensen state twice in the August 4th County Commission meeting (when STR's were being discussed) that Weber County could not have any ordinances prohibiting STR's. It was difficult to hear and see the meeting via Zoom, but I think that he said such ordinances were prohibited by HB 253, passed in 2017; and I think he also stated such ordinances they were contrary to private property rights. HB 253 states that it only "prevents a political subdivision from prohibiting the use of a short-term rental website."

2:

I was also confused because, again during the August 4 Commission meeting, I thought that I heard that Weber County has or will make plans to defer to HOA's to help set and enforce rules on STR's. On many occasions, as I have struggled with the issues of HOA's, I have been told that Weber County will NOT enforce or stand behind any HOA covenants or restrictions. Does Weber County plan to partner with HOA re STR's? If so, how are resident property owners who are not HOA members to be represented and supported?

Please also consider the following ideas about STR's:

It is clear that Weber County has a significant ENFORCEMENT problem with STR's.

If we have established a safe speed limit of 55 MPH and half the traffic is going 65 MPH, we should not say, “We have a problem. Let’s solve it by setting the speed limit at 70 MPH.”

In the August 4 Weber County Commission meeting, planner Scott Perkes presented data showing an exponential rise in the use of “bed and breakfast” accommodations (i.e. Short Term Rentals) in Weber County. He highlighted that:

1. Over 1000 of these Short Term Rentals (STR’s) are located in the unincorporated areas of Weber County,
2. That we have a serious problem with enforcement of the existing ordinances regulating STR’s, and that
3. Weber County is losing significant revenues because many of these STR’s are operating illegally and not paying the required taxes and fees.

Over the past 20 years, I have had the occasion to interact multiple times with Ms. Iris Hennon of the Weber County Planning Office Code Enforcement. In my interactions, she has always been receptive, hard working, diligent, followed up on problems, and has been able to successfully resolve many of those problems. During the past 20 years, I have also often been told that Ms. Hennon IS the Code Enforcement division.

I assume that in 2020 Ms. Hennon’s staff has increased, but it is clear that the problem is that Weber County needs to put more resources into Code Enforcement as I assume that office is having to enforce STR laws for over 1000 legal (and apparently hundreds more illegal) STR’s. In fact, at the Aug 4 County Commission meeting, two lengthy presentations were made by companies and organizations to address this issue.

How did this **enforcement** problem get conflated into proposals that Weber County **change AV-3 zoning** to permit STR's?

Changing the existing permitted uses in AV-3 to include STR's is antithetical to many of the stated goals of the Ogden Valley General Plan – goals of “community character,” “live-ability,” “development that supports the rural character.” “clustered growth,” “focus on existing commercial areas,” “focus on existing resorts,” appropriate infrastructure commensurate with the use of the land, and others.

Ordinances already in place do allow STR' in many zoning areas. Weber County ordinances now permit all of the following: “Bed and Breakfast dwelling,” “Bed and Breakfast Hotel,” “Bed and Breakfast Inn,” and “Hotel.” I believe that one, several, or all of these uses are permitted in all CVR1, R 1-12, C-1, CV1, and CV2 zones. STR's are also allowed in some residential areas as PRUD's. We should be supporting these businesses (as they pay their appropriate fees and taxes to do business in Weber County) rather than creating an uneven playing field by rewarding property owners that compete unfairly with these businesses.

The purpose of the AV-3 Zone is defined as “an agricultural zone and a low-density rural residential zone.” STR's are not consistent with this purpose.

Mr. Perkes' presentation (and many of the dozens of letters from residents that were also presented) at the Aug 4 County commission meeting highlighted the many problems that result from having STR's in AV-3 zones. We have already seen STR's in private homes offering over-night lodging for 12 to 15 visitors, traffic and parking problems, sewer over-flow problems, and noise problems.

Conflating an obvious enforcement problem into a wholesale zoning change may be to the financial benefit of some of the 40% of property owners who own second homes in Ogden Valley, but it will directly attack private property rights of many property owners who actually live in the valley.

I believe that Weber County can, should, and must regulate STR's, and I believe that appropriate laws are already in place. Weber County should turn its resources to enforcing existing laws.

Thank you
Lee Schussman
Eden

Perkes, Scott

From: ROBYN JONES <robyn56.jones@comcast.net>
Sent: Wednesday, September 2, 2020 4:03 PM
To: Perkes, Scott
Subject: [EXTERNAL]Follow up questions to last night's WC Planning Commission work meeting

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September 2, 2020

Dear Weber County Planning Commission c/o Scott Perkes:

We attended the Zoom meeting last night re: the Weber County Planning work session.

We live at 569 Ogden Canyon, Ogden, Utah, in Valhalla Camp. There are thirteen (13) residences in our neighborhood. There is one active STR and potential for another (presently for sale.) The other eleven (11) homeowners are strongly opposed to (STR's) in OGDEN CANYON for reasons outlined in my previous letter. After last night's meeting, we now respectfully submit the following questions and comments for your consideration:

Questions:

What is considered adequate parking for a STR when a 'shared driveway' exists between neighbors? We have had renters backing up into our driveway at all hours of the day and night and running over flower beds, lawn, knocking down rock walls, etc. ***What constitutes trespassing?***

Ogden Canyon's traffic is at a peak level. If you allow short term rentals, how much more traffic can the Canyon road sustain?

Are you evaluating STR's in Ogden Canyon separately from Ogden Valley? Apples vs. oranges.

Have you considered how to **COLLECT** the accrued fines from the bad actors? Wouldn't this help with more code enforcement and hire help for Iris? How seriously can someone take the existing fine system when you don't collect? Can you consider yearly collection? ***Hit them in the pocketbook - - - that will get their attention!***

How many of the STR's that exist are also tax cheaters? In our case, the residence next door is listed as a 'primary residence' with the assessor's office as is the owner's residence in Ogden City (and who knows how many of his other investment properties are listed as primary as well?) ***Do you care that this individual sits on the Ogden City Planning Commission?*** Talk about hypocrisy!

Courtland Erickson commented last night re: HB 253 that it is up to the Counties to permit or disallow STR's. Isn't this contrary to comments made by Commissioner Scott Jenkins at the first meeting?

How can Weber County consider changing restrictions for STR's in a residential neighborhood without threatening the integrity of said residential neighborhoods' reasonable expectations of those homeowners when they purchased their homes????? We didn't anticipate a 'business' and/or 'pseudo hotel' next door, and that's what these STR are.

Suggestions in the event that you do relax STR's:

Make it necessary for the other homeowner to approve STR activity when neighboring residences have a 'shared driveway.' ***Doesn't the rights of property owners go both ways?***

If a 'conditional use permit' is considered, will Weber County evaluate on a 'case by case' basis? It's impossible to ignore the unique situations in Ogden Canyon and a ***'one size fits all' isn't fair.***

In a 'dead end' and 'one lane' road in a canyon residential neighborhood, make it mandatory for any 'conditional use permit' considered by Weber County to be ***approved by ALL existing neighbors.***

Options:

At the first meeting, Commission Froerer stated that you are all aware of the problems. ***He asked for solutions.*** My answer is ***LONG TERM RENTALS.*** We keep hearing the proverbial 'property rights' of those now offending the STR ordinance are somehow being 'threatened.' This way, they have an option. ***What about others' property rights?***

Maintaining the integrity of our neighborhood, as it existed when we moved here, is very important to us. We acknowledge that this is a hot topic. Thank you for your efforts in trying to find a resolution that will be fair to both sides of this issue.

Respectfully,

Robyn and Jack Jones

Perkes, Scott

From: Stephen Walker <mojomo123@gmail.com>
Sent: Thursday, September 17, 2020 11:33 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals

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Scott,

Great job on all the research and presentations on STR. Its been beneficial to follow the workings of how this works and see comments from the planning team.

Will STR be kept separate from Bed and Breakfast Dwelling and Inn that required us to apply for a CUP and business License? Bed and Breakfast is different from a regular STR.

Also you can include the following as public comment.

There is a difference in my opinion between owner occupied rental where the owner lives on the premises and is there when the renters are, and empty house rentals or even different from a condo in a place where it is common practice. I would think an owner occupied that has one or two bedrooms would be considered different than a large house or condo with the owner not present.

Also I think parking plans are a big way to limit the number of people in a house. My CUP had me submit a parking plan that did not allow one car to block another in a driveway, no on street parking/easment next to the street parking, or yard parking. A parking space per sleeping room was also part of the CUP. Most driveways do not support a large number of legal spots with those restrictions.

The companies that help enforce seemed to be beneficial. If neighbors are not impacted by a rental and "dont even know its occurring via noise or nuisance, then neighborhoods stay how they should and home owners can provide income for the county via taxes and to support local business.

Thanks for the effort and will continue to provide comments while the issue is open.

Thanks

Steve Walker

Perkes, Scott

From: Grover,Rick
Sent: Tuesday, September 22, 2020 12:49 PM
To: Perkes, Scott
Subject: FW: [EXTERNAL]Ogden Valley Airbnb's

From: Froerer,Gage <gfroerer@co.weber.ut.us>
Sent: Tuesday, September 22, 2020 12:04 PM
To: Jenkins,Scott <sjenkins@co.weber.ut.us>; Harvey, Jim H. <jharvey@co.weber.ut.us>; Grover,Rick <rgrover@co.weber.ut.us>
Subject: Fwd: [EXTERNAL]Ogden Valley Airbnb's

Sent from my iPhone

Begin forwarded message:

From: Cady Poorman <cadyspoorman@gmail.com>
Date: September 22, 2020 at 10:19:19 AM MDT
To: "Froerer,Gage" <gfroerer@co.weber.ut.us>
Subject: [EXTERNAL]Ogden Valley Airbnb's

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Hi Gage!

Cady Poorman here from the C21 office in Ogden! Hope you are doing well and congratulations on becoming our Weber County Commissioner!

I am writing in regards to the recent debate over whether or not short-term-rentals should be allowed/enforced in the valley. As an Airbnb host myself, I am 1. Hoping to get more information on what is actually happening and 2. Here to provide my perspective and the perspective of many other owner/occupant hosts in the valley that I have talked to.

We Airbnb a small guest house on our property that hosts 3 guests max. After hundreds of stays all that we have seen is an astounding amount of respect, cleanliness and appreciation of the valley and the opportunity to get to spend some time here. Our neighbors know that we do this and they have all been surprised by how exceedingly quiet, polite and respectful the renters have been.

Airbnb holds both the guests and hosts accountable for their behavior and cleanliness by having the hosts review the guests and vise-versa. Those reviews become public information for other hosts to see and make decisions on whether or not they would like to host a guest in their home. Where this system fails and the issue really lies is the home-owner's that don't live here year

around, have zero interaction or oversight on their own properties and have no knowledge of what is going on at their house when people are renting it out. The members of the community who live here year-around who have chosen to rent out a portion of their homes are not the one's accumulating complaints from neighbors, as they are in-fact within the same demographic of folks who are motivated to preserve and protect our beautiful community. Is there a way to set in place a restriction on short-term rentals that are not primary residences here in the valley?

Short-term rentals on private properties are helping a lot of valley residents stay afloat financially, particularly during the economic devastation of the pandemic. Hosting an Airbnb has literally changed our lives and made it possible to put money back into our own property and our local economy. I know that many other hosts have been able to make improvements on their homes and land and are more driven and motivated to do so when they have the requirement of hosting a well-maintained space for guests.

Short-term rentals are filling a need that if it is not filled we fear that more and more condo's or hotels will be built in this area which will truly begin to change the culture and community that has been cultivated in our beloved valley.

Thanks for reading, I know this has been a hot-button issue that you have been trying to solve and I hope that a compromise can be found that satisfies all parties!

Thanks again,
Cady Poorman

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Tuesday, September 15, 2020 9:05 AM
To: Perkes, Scott
Subject: [EXTERNAL]water issues in Ogden Valley

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Hi, I am concerned about the groundwater table dropping. Please see the 9/15 issue of The Ogden Valley News.

This relates to Short Term Rentals due to intense occupancy per rental unit. Those of us who live here are prudent about water use, whereas folks from other areas may not be sensitive to the issues. I wondered if we could request Hosts to have watersaving toilets and shower heads and faucets.

It is prudent to include water use policies during this evaluation of STR policy. Given the Fires and air quality conditions we need to face reality and act before our groundwater is so low that we suffer the same effects as California.

Thank you Scott,
Angelika Spaey

Perkes, Scott

From: Angelika <somersetd@gmail.com>
Sent: Monday, October 5, 2020 9:06 AM
To: Perkes, Scott
Subject: [EXTERNAL]hi Scott just a timely vid on money flows to monetize housing - Angelika Spaey

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https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202010051506030001071&URLID=1&ESV=10.0.6.3447&IV=58924D2203A652A128A71CF2547DFD0B&TT=1601910366810&ESN=T6jgYygZXhIT417o7%2B0I%2FsMotbq0ju6RO0ITGDiHqkY%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DnQkHJXS2cXo&HK=18FA30FE0B32B883F0C0D20C5E92796B59774C2A964AA067B65B614595BB1779

We need to be aware of these huge companies who will manage their housing stock in their way!

Be well!
Angelika

Perkes, Scott

From: Susan LePage <slepage24@gmail.com>
Sent: Friday, October 23, 2020 12:30 PM
To: Perkes, Scott
Subject: [EXTERNAL]Str

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Hello Scott, my name is Susan LePage and my husband is Mike Yauck. We live in Eden Hills Subdivision 4461 Fuller Drive. Eden Utah. I received a postcard sometime this summer ? I believe?? stating that our subdivision is not zoned for STR's. We want to express our desire that it will not change. To simply require a license for that is not enough of a deterrent!! Our neighbor nearly sold her home to someone intending to use it for short term rentals & when she found out that was their intention, thankfully, she accepted the other single family buyers offer. I could not imagine having that situation across the street constantly having new people renting, parties and everything else that goes along with it. Str renters are here to live it up while they're here and they have "no skin in the game so to speak." No consideration for others because they are paying to have a good time.

My daughter has lived next-door to "long-term" renters and it's been a nightmare for her family because everyone else in the neighborhood owns their home and respects each other. The renters party til late hours, curse loudly, start fires, are cruel to animals ...etc & yes, authorities have been called. But for the most part, other than give warnings, they are powerless to do anything.

It has made their life for the past year and a half miserable. Prior to that they had a wonderful dwelling, could use their backyard freely without having to hear all the bad language etc. & their young family were not awakened numerous times at night.

We vote to keep our neighborhood free of STRs. Thank you so much for your time. sincerely, Mike & Susan Sent from my iPhone

Perkes, Scott

From: Diane Evans <peachyface@digis.net>
Sent: Friday, October 23, 2020 2:38 PM
To: Perkes, Scott
Cc: 'James Evans'
Subject: [EXTERNAL]PLEASE DON'T ALLOW SHORT TERM RENTALS IN AREAS THAT WERE NOT PREVIOUSLY ZONED TO INCLUDE THEM

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Dear County Commissioners,

We live across the street from Lee and Brenda Schussman and agree completely with their assessment of short term rentals in the Ogden Valley.

We'd like to add that, when we purchased our property 23 years ago, if short term rentals had been approved at that time, it very likely would have changed our decision to buy a house in this neighborhood. We believe that rental properties generally degrade a neighborhood and property values as well.

Short term rentals should ONLY be considered during the planning phase vs. being allowed after a neighborhood has been established for many years. People must know, up front before purchasing, that their home is in a transient neighborhood.

Again, we concur with Lee and Brenda Schussman that short term rentals should NOT be allowed in the Ogden Valley, especially in established areas that were not previously zoned for them.

Respectfully,

James and Diane Evans
Eden, UT

Perkes, Scott

From: Lee Schussman <schuss84@yahoo.com>
Sent: Friday, October 23, 2020 2:42 PM
To: Perkes, Scott
Subject: [EXTERNAL]Against Expanding Areas for Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Hi Scott.

This is from Lee Schussman. Thanks for taking our in-put re the short term rental issue. I strongly believe the neighborhoods into which STR's are permitted should NOT BE EXTENDED without the approval of the local property owners. Please forward this for inclusion in this discussion.

Thank you

October 23, 2020

Dear County Commissioners,

Please do NOT allow short-term rentals in the Ogden Valley in any areas not already zoned for STR's.

Short-term rentals are directly antithetical to many of the basic concepts in the General Plan.

SHORT TERM RENTALS GO DIRECTLY AGAINST THE GENERAL PLAN:

The General Plan calls for clustering of uses. Short term rentals spreads "hotels" over the entire valley. The Plan calls for clustering of commercial areas. Short-term rentals spread commercial use all over the valley.

Residential areas are primarily for "residences": That is they are designed and intended to be a place in which to LIVE. We have many units of commercial and/or higher density areas in the valley already zoned for short-term rentals. We also have Resort Zoning areas specifically designed for short-term visitors.

INFRASTRUCTURE IS NOT IN PLACE FOR SHORT TERM RENTALS:

The transportation and sewer facilities in many valley neighborhoods are not adequate for the increases that short-term rentals may bring.

Owners can maximize profit by having two people per bedroom plus two or even a number of couples stay in a three to five bedroom house. Such arrangements can be made attractive to many guests to the valley for both summer and (especially) winter recreation. Neighborhoods are not designed for PARKING, TRAFFIC, or SNOW REMOVAL for three to five couples frequently moving into and out of private residences.

Many valley homes are on septic systems. Many of those are not adequate for the demands that would be put on them by short-term rentals.

SHORT TERM RENTALS ARE AN ENFORCEMENT PROBLEM.

All “commercial” landlords (hotel owners, owners of lodging in condominium complexes, etc) must pay commercial tax rates for land and services. Short-term rentals are unfair to both the neighbors of the rental property (as they WILL degrade the neighborhood) and to all commercial lodging operations. As a private homeowner, if short-term rentals are allowed I can rent out my home for many weeks a year and still have it zoned and taxed as a primary residence.

In the August 4 Weber County Commission meeting, planner Scott Perkes presented data showing an exponential rise in the use of “bed and breakfast” accommodations (i.e. Short Term Rentals) in Weber County. He highlighted that:

1. Over 1000 of these Short Term Rentals (STR's) are located in the unincorporated areas of Weber County,
2. That we have a serious problem with enforcement of the existing ordinances regulating STR's, and that
3. Weber County is losing significant revenues because many of these STR's are operating illegally and not paying the required taxes and fees.

Weber County has an enforcement issue, and that should be addressed. The zoning should not be changed so that enforcement is not needed.

If we have established a safe speed limit of 55 MPH and half the traffic is going 65 MPH, we should not say, “We have a problem. Let's solve it by setting the speed limit at 70 MPH.”

THERE IS NO DEMONSTRATED NEED FOR MORE SHORT TERM RENTALS

Ordinances already in place do allow STR' in many zoning areas. Weber County ordinances now permit all of the following: “Bed and Breakfast dwelling,” “Bed and Breakfast Hotel,” “Bed and Breakfast Inn,” and “Hotel.” I believe that one, several, or all of these uses are permitted in all CVR1, R 1-12, C-1, CV1, and CV2 zones. STR's are also allowed in some residential areas as PRUD's. We should be supporting these businesses (as they pay their appropriate fees and taxes to do business in Weber County) rather than changing the laws to rewarding property owners to compete unfairly with these businesses.

INTRODUCING SHORT TERM RENTALS INTO NEIGHBORHOODS THAT DO NOT DESIRE THEM ARE A DIRECT ATTACK ON PERSONAL PROPERTY RIGHTS.

Hundreds of homeowners and residents in the Ogden Valley purchased their properties trusting that Weber County would NOT change the zoning of their neighborhoods. Allowing STR's in areas not already zoned for such is a direct assault on the private property rights and on the expectations of all of those property owners.

The purpose of the AV-3 Zone is defined as “an agricultural zone and a low-density rural residential zone.” STR's are not consistent with this purpose.

Mr. Perkes' presentation (and many of the dozens of letters from residents that were also presented) at the Aug 4 County commission meeting highlighted the many problems that result from having STR's in AV-3 zones. We have already seen STR's in private homes offering over-night lodging for 12 to 15 visitors, traffic and parking problems, sewer over-flow problems, and noise problems.

Please stand by the first two basic tenants of the General Plan:

Promote the community character.

Protect the historical, natural, recreational resources in harmony with existing residential uses.

And please honor and do not change the previous ordinances under which many of the current valley property owners purchased their properties.

PLEASE DO NOT ALLOW SHORT-TERM RENTALS IN ANY AREAS NOT ALREADY ZONED FOR SUCH.

Lee Schussman

Brenda Schussman

Perkes, Scott

From: jjklisch@aol.com
Sent: Saturday, October 24, 2020 9:18 AM
To: Perkes, Scott
Subject: [EXTERNAL]STR's into AV-3 areas

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Commissioners,

Please do not allow Short Term Rentals in AV-3 areas. I live in Ogden Valley and the illegal STR's are already causing noise, pollution and overflow parking problems. Any expansion violates my property rights. But please institute a plan to ensure enforcement of the current restrictions.

Thank you,

John J Klisch
3419 Eden Hills Drive
Eden, UT 84310

Perkes, Scott

From: Peggy Turner <classyutahhomes@gmail.com>
Sent: Saturday, October 24, 2020 9:19 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short term rentals in OV

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I strongly oppose expanding short term rentals any where in Ogden Valley outside of the existing Planned Unit Developments where they already exist. It goes against the original Ogden Valley General Plan.

Sincerely,
Peggy Turner
Eden UT

Perkes, Scott

From: Helene Liebman <hgliebman@aol.com>
Sent: Saturday, October 24, 2020 3:27 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals in Ogden Valley--I am against

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I am against expanding zoning for short term rentals in Ogden Valley.

I live in a single family home in the Eden Hills subdivision of Ogden Valley. If you allow short term rentals in areas of our Valley that are not currently zoned for them, you will:

1. decrease my quality of life, with the noise pollution, higher traffic, and parking issues.
2. decrease the value of my home
3. increase crime in the area

Please do not expand STR's into additional areas of the Valley.

Thank you.

Helene Liebman
3419 Eden Hills Drive
Eden, UT 84310
801-710-5368

Perkes, Scott

From: Bill Siegel <warthogboss@gmail.com>
Sent: Saturday, October 24, 2020 4:36 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals in Ogden Valley Concerns
Attachments: STR's Concerns and Comments.docx

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Good afternoon, Mr. Perkes.

Please see the attached with my concerns and comments for the Short Term Rentals discussion.

Thank you, Bill

To: Mr. Scott Perkes

Weber County Planning Office

RE; Short Term rentals in Ogden Valley Zoning Areas

From: William T Siegel Jr

3250 N. River Drive, Eden UT

Dear Mr. Perkes, Weber County discussions on expanding Short Term Rentals (STR'S) to the AV-1 and 3 subdivisions outside of where they are currently allowed will have a detrimental impact to existing Homeowners in these subdivisions.

I have lived in the valley for 32 Years and lived through the Disaster of month long rentals during the 2002 Winter Games as a great many home owners rented out their entire homes to out of state or out of country visitor here for the games.

Our neighborhood (Eden Hills Subdivision) had no fewer than 8 homes rented out during this time. The additional traffic, speeding and Parties were not well received by the residents. Sadly Weber County Sheriffs were less than helpful when calls were made complaining about the noise and parties. I was told by a Deputy "They wouldn't be here long enough to matter".

While I served on the Ogden Valley Planning Commission from 2007 to 2011 we worked the DDR Ordinance and saw the need for SRT'S in those areas Zoned as DDR or existing PRUD's. From those discussions grew a call for Accessory Apartments to provide another option for vacation or resort employee housing, if a home owner was able to meet the inspection requirements and other agency recommendations.

I was against Accessory Apartments in AV-1/3 Subdivisions due to many HOA CCR's restricting the practice. I was told in a work session in 2008 by Ms. Hurtado (Planning Commission Counsel at the time) that county Ordinances were Superior to CCR's and if the language in the Code specifically allowed the practice of an Accessory Apartment that the HOA's would have to resolve that issue outside the code enforcement with the property owner.

In 2009 our HOA began fighting an illegal Duplex in Eden Hills which started as an illegal Accessory Apartment with no permit and grew to a family of 8 living in the basement thru 2009 and many families in and out since. Cars were parked all over the lot and not on the prepared parking surfaces as required in the Ordinance.

Eden Hills filed several complaints with Weber County from 2007 to 2013 and until the summer of 2013 we had no results. Ms. Hennon in Zoning Enforcement was finally successful in securing a Conviction for an Illegal Rental and force the owner to meet permitting requirements.

Still to this day the home is an issue with rapid turnover and the Eden Hills owners dealing renters who have no respect for the Common Areas and parking on the dirt areas of the lot.

That being said my point is that Single Family Subdivisions are and be just that. Single Family as they are Recorded, Platted and sold. HOA's should not be forced to become the Litigant against other homeowners due to a Commission Decision facilitating a source of conflict between owners.

Option #1 the County provided of keeping STR's in the Areas now used and owners obtaining a License or permit will best serve the need. If Weber County is concerned over Tax Revenue lost, this will be the best action.

Option 2 will create the Accessory Apartment issue on a Grand Scale in Subdivisions and is not Acceptable.

Option 3 should be at No Time considered. This would result in a Free for All mentality and drive many conflicts between Homeowners. This would have far higher level of neighbor interruption.

Thank you for your time and consideration on this matter. Hopefully Option 1 will be the action adopted by the Commissioner's.

Respectfully,

William T Siegel Jr

3250 N. River Drive, Eden Utah.

warthogboss@gmail.com

Perkes, Scott

From: Aleta Cobabe <aletababe819@gmail.com>
Sent: Saturday, October 24, 2020 7:12 PM
To: Perkes, Scott
Subject: [EXTERNAL]nightly rentals

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I am a resident of Eden, living in the Snowflake subdivision, just north of Wolf Creek Resort. I have major concerns regarding allowing nightly rentals into neighborhoods that were not set up with this in mind. I understand that this subject is a County wide issue, but within 2 miles of my home there are hundreds of rental units available. I like living in a neighborhood that I know who is coming and going and who my neighbors are. My family developed the subdivision that I live in and we made the decision to not allow nightly rentals for our area.

On the street below my home there are homes that do nightly rentals, even though they are not zoned for this. It is very disturbing to see 10-15 cars,/ boats/ATV's etc. coming and going. At times the people are outside partying into the night.

We chose to live here for a reason, and it wasn't to live in an area where we don't know our neighbors. Please find a way to utilize the already zoned areas in the valley as satisfying the county ordinance which seems to be driving this issue. Aleta Cobabe, 4374 Snowflake Circle, Eden, Utah

Perkes, Scott

From: Denna Johnson <johnson.denna@gmail.com>
Sent: Sunday, October 25, 2020 1:44 PM
To: Perkes, Scott
Subject: [EXTERNAL]STR

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As a resident in Huntsville, UT, I think it is a very bad idea to expand Short Term Rentals in Ogden Valley neighborhoods. I did not move here and build a retirement home to be surrounded by STR's. What attracted me to this valley was the quiet, peaceful neighborhoods and the kind individuals who live here. Not rental property availability. Please protect our property and our rights.

Thank you,
Denna Johnson

Sent from my iPad

Perkes, Scott

From: joseph marsello <jmarsello@yahoo.com>
Sent: Sunday, October 25, 2020 2:00 PM
To: Perkes, Scott
Subject: [EXTERNAL]STRs

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Sir:

As residents of Ogden Valley who moved here many years ago because we were attracted to the quiet rural character of the valley, we are very concerned to learn that more Short Term Rentals are being considered here. We had our house built with the understanding that, as owners of this property, we could not rent it out to anyone else. It is our primary and, in fact, our sole residence. We believe that to allow this practice to be expanded into more neighborhoods is an assault on our property rights.

Please consider our concerns over this new and potentially destructive invasion against our rights as property owners.

Respectfully,

Joe and Mary Marsello
4417 Eden Hills Drive
Eden, Utah

Perkes, Scott

From: tim cunninghame <timcunninghame@gmail.com>
Sent: Sunday, October 25, 2020 3:10 PM
To: Perkes, Scott
Subject: [EXTERNAL]Fwd: Liberty nighty rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Sent from my iPad

Begin forwarded message:

From: tim cunninghame <timcunninghame@gmail.com>
Date: October 25, 2020 at 2:48:42 PM MDT
To: sper-kes@webercountyutah.gov
Subject: Liberty nighty rentals

Scott, I have been dealing with an illegal rental next to my home in liberty for years. It currently in remission with a new owner but I'm sure they are waiting the counties decision. I have filed many complaints with no enforcement.

I would like to see the business as usual option. Adding strict enforcement. A great way of enforcement is to fine property owners for advertising there property. It would take one person to scroll down Airbnb or VRBO website and fine them.

We have been dealing with noise,garbage,trespassing and parking problems for years. Please don't sell out the full time residents of the valley for a few bucks. Please keep the nightly rentals at the condos.

Thank you
Tim Cunninghame

Sent from my iPad

Perkes, Scott

From: David Suehsdorf <chandorf@gmail.com>
Sent: Sunday, October 25, 2020 5:17 PM
To: Perkes, Scott
Subject: [EXTERNAL]Expansion of STRs

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Mr. Perkes

My wife is a 5th generation Uthahn. We have owned property in Ogden Valley since 1985 and have lived here full-time since 2010.

We strongly oppose the extension of Short Term Rentals in the valley.

There has been in the past little or no enforcement of proper rules and HOA covenants and no current mechanism to do so. Nightly rentals encourage transients who've little respect for the property and certainly no concern for the neighbors. We've seen it in our own neighborhood in Eden where rental managers flouted HOA regulations and the result were weekend party houses. The desire of some owners to make money through revolving door rentals does not supersede the right of their neighbors to the quiet enjoyment of their property. Please: no Expansion of STRs in Ogden Valley.

David Suehsdorf

--

David Suehsdorf
646-345-3334 (US)
011 44 7709 176720 (UK)
(0)770 917 6720 (UK local)

We are...here on earth to help others; what on earth the others are here for I don't know.
Auden

Perkes, Scott

From: Nancy/William Taylor <konanell@yahoo.com>
Sent: Sunday, October 25, 2020 5:59 PM
To: Perkes, Scott
Cc: Froerer,Gage; Jenkins,Scott; Harvey, Jim H.
Subject: [EXTERNAL]Ogden Valley Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Dear Mr. Perkes,

We are homeowners in Elkhorn Subdivision, in the Wolf Creek area of Eden, and write to protest any extension of legal short term rentals to areas where such rentals are not currently legally permitted. When we purchased our home fifteen years ago and became full time residents of the Ogden Valley, it was with the understanding that rentals shorter than thirty nights duration would not be permitted in our neighborhood. We moved from a five acre agricultural property on the island of Hawaii where illegal vacation rentals had markedly diminished our quality of life with excessive noise at all hours of the day and night as well as traffic far exceeding that of full time residents occupying neighboring properties. While we understand that some valley residents are already dealing with these issues associated with illegal short term rentals, permitting short term rentals in more neighborhoods will extend such problems to more of us.

There are presently what seem to us to be abundant numbers of condos and PRUD properties where short term rentals are readily available to those visiting the valley. Owners in those developments purchased with the knowledge that they would have short term visitors coming and going regularly. We did not settle here with that understanding and unfortunately the Elkhorn subdivision CC&Rs do not address short term rentals, likely because it wasn't an issue when the subdivision was platted.

We ask that you DO NOT extend short term rentals beyond properties where they are currently permitted. Protect the quality of life of the many full time residential property owners here in the valley, not the wishes of those who want to use their properties for short term investment income--or short term visitors to our peaceful valley!

Sincere regards,

Nancy K Stukan and William J Taylor
5499 E. ElkrIDGE Circle
PO Box 1176
Eden, UT 84310
(801) 866-2848

Perkes, Scott

From: rcvpr@ovalley.net
Sent: Monday, October 26, 2020 9:21 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

To Whom It May Concern -

We live in Eden Hills subdivision and are not in favor of STRs in our area for a few reasons-

We built here because of the atmosphere of the valley.

We do not want our property devalued based upon changing enactments..

Within AV 3 zones there are many residential areas with fulltime family usage.

HOAs may not have mentioned STRs as they may not have been a concern at the time.

STRs raise a concern as to the security of a neighborhood.

Should the representatives not protect the rights and property of their fulltime residents that have voted them into office.

If they can't regulate - why allow!

Vote against the spread of STRs into residential areas!

Ray and Aleta Cassell

Perkes, Scott

From: Alan W <awheelwright@gmail.com>
Sent: Monday, October 26, 2020 10:06 AM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

I am against a change in the ordinance regarding short term rentals in Ogden Valley. Rentals should not be allowed except in approved zoned areas. The proposed changes allowing rentals throughout the county would be unenforceable when problems arise. The County would need to hire additional Enforcement Officers, negating any increase in revenue from rentals.

Thanks,

Alan & Sherrie Wheelwright
Eden Utah

Perkes, Scott

From: Robert <main@alconceptsnow.com>
Sent: Friday, October 23, 2020 3:01 PM
To: Perkes, Scott
Subject: [Unjunked by User] [EXTERNAL]Part Time Rental in the Ogden Valley

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

To all it may concern

Howdy

I am a resident in the Eden Hills neighborhood, situated below Wolf Creek. It is not part of Wolf Creek and not part of their PTR programs as we are not part of the resort.

Resorts have PTRs, specially ski resorts, since they need them to accommodate vacationers. However, this is mostly a boon to those absentee home owners who wish to pay for the homes they visit a few weeks a year, to earn extra money for lifestyle, or to pay off the mortgage. It does not help anyone else. Certainly not the home owners in the valley.

I understand the absentee owner's desire to cash out their property. My brother, rents his house in Newport Beach part of the year to pay off the mortgage, their permanent home being in Washington.

However, Newport is a major resort in a city and it is expected. Tho the wealthier areas do not allow this. Only certain areas very close to the beach.

But here, we are not a city. The owners of residential property in The Ogden Valley come here, as I had in 2004, for the recreation, the seclusion, the quiet and peacefulness, which has slowly eroded over the last 15 years due to increase of housing units here, resort development and the increase in vacationers due to the development increase.

Allowing the absentee owners, to rent out their property part time, will harm the people who live here full time and have made this area their home. The landlords will never have to live with the noise and commotion of these short term renters. I know this as I saw it in my neighborhood in Steamboat Springs in the early 80's as our residential neighborhood began to allow PTAs. People are noisy and can be destructive and inconsiderate of others while on vacation. Ski vacations bring out the worse in people from what I have seen.

Best to live up to your obligations to those of us who voted you into office, by protecting our rights to live in our homes in peace and quiet. Leave the PTAs up in Wolf Creek and Summit Power Mountain.

Appreciate your consideration of our concerns.

Robert Jacobs
3373 N. Foothill
Eden Ut 84310

Perkes, Scott

From: David Michaels <davidlmichaels55@gmail.com>
Sent: Monday, October 26, 2020 12:17 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Mr. Scott Perkes:

This email is regarding short term rentals in the Ogden Valley. My wife and I live @ 3704 Fuller Drive in Eden. Our neighborhood is zoned AV-3 and is one of the major reasons we purchased in this area of Eden. We do not want short term rentals in our neighborhood or be allowed in the AV-3 Zoning. Allowing short term rentals in our zoning would be an infringement on our quality of life and not consistent with the overall Ogden Valley Plan. We see the current issues with short term rentals outside of already designated areas as an enforcement issue and should be addressed as such. Please urge the county commissioners on our behalf to make no changes to the current short term rentals in Ogden Valley.

Laura and David Michaels

Sent from my iPhone

Perkes, Scott

From: Fred Blickle <blickle3@att.net>
Sent: Monday, October 26, 2020 12:21 PM
To: Perkes, Scott
Subject: [EXTERNAL]STR Hearing

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

Scot,

I live full time at 5377 Elkhorn Circle, Eden. I am emailing to let you know that I'm completely opposed to any changes to the Short Term Rental (STR) rules in Weber County. People like me bought into communities with the understanding of how they are zoned at the time of purchase, and to make such a drastic change as allowing STRs in communities developed as family neighborhoods would be nothing short of a disaster, and completely unfair to the property owners. I formerly owned a condo at Moose Hollow where STRs are allowed. I purchased it with that understanding, and am fine with STRs in that area, as planned. We are in compliance with HB253 currently. I attended the 8/4/20 planning meeting and heard the overwhelming support to maintain STRs as they are now, and all of my neighbors with whom I've spoken are fully in support of not changing STR rules. Please consider my strong support for no changes to STR rules and zoning. Regards,

Fred Blickle III
Eden, Utah
blickle3@att.net

Perkes, Scott

From: marilyn froerer <marilyn@froerer.net>
Sent: Tuesday, October 27, 2020 1:02 PM
To: Perkes, Scott
Subject: [EXTERNAL]Public Hearing concerning amending 108-7-25

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. Think Before You Click!

I will be unable to attend the public hearing today at 5, but wish to express my concerns.

The current Short Term Rental's need to be more restricted not less restricted. The proposed changes will do nothing to improve the Valley for those who reside here. More and more non-residents are building huge homes, or purchasing existing homes for the purpose of renting them out on short term. The housing market is already prohibitive for most families. We have recently seen an explosion in property values caused by investors purchasing family residences and producing income from short term rentals. It has become a bidding market on homes listed for sale. Property taxes are already very high in Ogden Valley, it is impossible not to have taxes increased as non-residents are driving up the cost of houses.

The Valley is already being loved to death by visitors all year long. Short term rentals put even more burden on trails, beaches, etc. The sheriff's department is unable to manage the problems we have now. Opening the Valley to more short term rentals would be disastrous. Short term renters do not make good neighbors.

Short term rentals bring more crime to the Valley. This is evident from non-residents renting "party" houses.

It is inevitable that the Valley will continue to grow. This growth should be managed so that the Valley will remain a wonderful place to raise families and have a strong community feeling.

I hope these concerns will be considered and the concerns of all the residents who live in Ogden Valley before the concerns of those who are trying to exploit the limited resources.

Perkes, Scott

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Tuesday, October 27, 2020 1:18 PM
To: Perkes, Scott
Cc: Grover,Rick
Subject: [EXTERNAL]Comments on Potential Changes to Short Term Rentals

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Scott,

I would like the following comments officially added to the list of comments received to date on potential changes to Short Term Rentals in unincorporated areas of Weber County.

1. We have lived in Ogden Valley for the last 13+ years, and when we decided to move full time to Ogden Valley from Pennsylvania, we did a lot of research into the zoning of vacant land and land with existing homes before we made our decision where to live. We could have purchased a home in Trappers Ridge or The Fairways. These were developments with beautifully appointed homes in well maintained communities with very structured HOAs (Home Owner Associations). Many of the models to select from were even larger than the home we ended up building. HOWEVER, the single greatest draw back to these communities was that short term rentals were permitted. Since we were going to be full time residents, we did not want the issues with constantly changing renters for neighbors and all the not-so-great issues that can occur with so many rental properties. We also wanted to be part of a development that was a true "community".

We elected to build a home in The Highlands development which is zoned R-15, and by the "then and current" Weber County ordinance, short term rentals were/are **prohibited**. If there is a change to R-15 to allow short term rentals, we consider this very much a violation of our property rights. Based on Weber County zoning definitions, we chose to live where there were no short term rentals. If there is indeed a change to the definition of current Weber County zones, then why on earth does Weber County even bother to establish zoning definitions and regulations? Also, knowing that farming and farm animals existed in the valley, we certainly did not want to live next to a pasture of cows, horses, pigs or any other type of farm animal. So, if the County decides to change the definition of R-15 to allow short term rentals, can we potentially expect a change to eventually allow farm animals in R-15?

2. In reviewing the DRAFT ordinances for potential changes to short term rentals, we could not find where there would be potential fines/citations to realtors or home management organizations who knowingly promote and/or arrange short term rentals where they may be prohibited.

3. Having been asked by Weber County to volunteer to work with the Logan-Simpson consultants to develop the Ogden Valley General Plan, the proposed potential changes to short term rentals are in no way consistent or in support of this Ogden Valley General Plan. Development of the Ogden Valley General plan was multi-year initiative, paid for with Weber County tax payer money, and was adopted on August 30, 2016 (Resolution #28-2016) by the Weber County Commissioners.

4. Weber County has indicated that they are considering a 3rd party to help with identifying illegal short term rentals. Based on the presentations made by these 3rd party organizations, they will provide related data to the County, but will not actually be doing any legal enforcement. If Weber County proceeds to increase the potential for more short term rental units and contracts with a 3rd party to help identify short term rental violations, has the County projected its costs for the 3rd party versus any potential gain in revenue from fines and additional license fees, i.e., a cost/benefit analysis? Based on the current short term rental situation, especially in Ogden Valley, Weber County has not been successful in enforcing short term rental violations. If Weber County wants to proceed to potentially increase the number of short term rental units, then why not:

- first make no changes to ordinances for short term rentals,
- contract with one of the 3rd party organizations for 1 year to evaluate their effectiveness and costs,
- again review the short term rental situation after 1 year with serious consideration given to all the concerns raised by full time residents.

This just makes good business sense.

Kind regards,
Jan & Gary Fullmer

Perkes, Scott

From: Bonnie Olson <bonnieowtt@aol.com>
Sent: Tuesday, October 27, 2020 2:11 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals in Ogden Valley

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I am a resident of unincorporated Weber County in Ogden Valley for 43 years and am very concerned with the proposed options to open or amend where STRs are permitted. Our recreational resources here are already at overflowing capacity without STRs and any changes would cause more. The beach parking lots, the streets, the campgrounds are full. People are parking alongside the streets where there are no parking signs and the traffic gets congested. It is hard for residents to get where they need to go because of all the summer visitors. I have seen what STRs have done to Garden City by Bear Lake and it is not a good thing. Houses are built just for rentals and everything is crowded. Yards become parking lots and quiet neighborhoods become crowded with cars and the quiet neighborhoods lose the solitude that we moved here for. I can see nothing good from the changes. We already have difficulty functioning from all the marathons, bicycle races, and activities brought here because it is beautiful and sometimes peaceful. We have clogged streets from people trying to go to the marina and please do not add to this.

Please do NOT change the current state of STRs. We do not need it.

Perkes, Scott

From: Chris Thomas <chriskenthomas@icloud.com>
Sent: Tuesday, October 27, 2020 3:17 PM
To: Perkes, Scott
Subject: [EXTERNAL]Str

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IM against short term rentals... Christopher Thomas 4587 Fuller Dr., Eden Sent from my iPhone

Perkes, Scott

From: R Dutson <rogerdutson@yahoo.com>
Sent: Tuesday, October 27, 2020 5:39 PM
To: Perkes, Scott
Subject: [EXTERNAL]Re: [EXTERNAL]Proposed Ordinance for nightly rentals

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Mr. Perkes and Ogden Valley Planning Commission;

I just obtained a copy of the proposed Ordinance allowing short term rentals for "....any residential property within the unincorporated Weber County.... " upon obtaining a business license. In conducting only a quick review of the proposed ordinance there are many issues that need to be addressed. Passage of this Ordinance could greatly change the entire residential environment of Unincorporated Weber County. I believe it would be advisable to table this issue so the recently drafted proposal could be granted a more complete review and address serious questions that it raises. Some very obvious issues raised with a quick review of the Ordinance are:

- 1. Funding for personnel to add the licensing, approvals and enforcement should be fully addressed within the Ordinance. We have encountered great difficulty in having adequate personnel to even enforce present zoning and occupancy issues.
- 2. There is a need to attempt to determine the huge impact this ordinance would have on the entire environment of unincorporated Weber County as it is written by "...allowing **any** residential property...." to have nightly rentals, within the unincorporated Weber County. This is extremely broad language, even with the few restrictions later set forth to some degree in the Ordinance.
- 3. There needs to be limitations of the numbers of people in any unit, traffic and vehicle parking in adjacent residential areas, and many more specific restrictions imposed in order that valuable homes will not be severely reduced in value by next door neighbors creating a large flow of rental and vacationers coming and going.
- 4. Greater detail should be included regarding activities that would be violations of the license and use of the property.

I have had extensive past experience in dealing with land use matters. I am a Retired Judge and a former City Attorney, Assistance City Manager and Public Attorney working in the past with legislative bodies and I understand the needs to address frequent challenges in land use issues such as this, and am willing to spend time working with the Planners, Property Owners, Realtors, administrative and legislative bodies to work out problems with major changes in the law in an attempt to create a reasonable balance of everyone interests. I live on Snow Basin Road in Huntsville.

I would recommend this matter be tabled for a short time to more fully address the serious mistakes and weaknesses of the ordinance as presently written as well as attempt to help resolve conflicts within the unincorporated county over this issue. A short delay should be of value to everyone. I will make myself available if I could be of assistance in working with the various interests to reach an amicable result for all.

Thank you,
Roger Dutson

Perkes, Scott

From: Doug Child <DougC@pinnpcas.com>
Sent: Wednesday, October 28, 2020 11:15 AM
To: Perkes, Scott
Subject: [EXTERNAL]public meeting comments on the topic of short term rentals

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Hello Mr. Perkes:

I attended the public meeting of the Weber County Planning Commission last night, in person. I made some comments, heard some retorts, but had to leave early because I had to take my daughter to the airport. I don't know if a decision was made last night on the topic of short term rentals in unincorporated Weber County (specifically the Ogden Valley) but I felt I needed to make another attempt at responding to some of the concerns I heard at the meeting before I left. Your presentation demonstrated a lot of hard work, and I appreciate you and the members of the Commission giving consideration to the amendment to the current Ordinance barring nightly rentals in residential areas of the Valley.

I don't know how long the Ordinance banning short-term rentals in the Ogden Valley has been in effect, but I suspect it had its genesis in special interests protecting certain prominent hotel and resort business owners in the Valley. I heard several people mention that we need to "support" and "protect" those businesses who have been given special exemption to the Ordinance, or perhaps more correctly stated, those businesses that were given favorable treatment. Some also commented that there is an overabundance of short term rental capacity in the Valley. I don't know what data, if any, these people have to support those assertions, but I do know of several people who own properties in Ogden City, for example, who are allowed to, and do, rent on a short-term basis to vacationers in the Ogden Valley. It seems unfair to disallow this same practice in the Valley simply because of my proximity to the resort properties here, when there is clearly a demand for such. It also seems inconsistent with the concepts of Capitalism and the protections of the Constitution to bar legitimate business owners from operating a home business in the Valley because of the perceived potential impact on businesses already operating there. By "legitimate", I mean those businesses who obtain the necessary permits and licenses, pay the required fees, subject themselves to the oversight of governing entities and who otherwise practice and promote fair and ethical business practices. If I were allowed to operate a short-term rental in my home, I would adhere to those standards and promote those same standards to my peers. The conditions that the Commission proposed, if the current Ordinance were amended to allow limited short-term rentals, seem fair to me, and I think that those conditions would mitigate some of the concerns of those who were opposed to such an amendment.

I am guessing that the population of property owners who would be in favor of allowing nightly rentals in residential areas of the Valley were under-represented in the survey compilation that you put together. I say this because it seems that open expression of support for the amendment might be perceived as an admission of guilt, by those already engaged in the practice, or who, like me, had intentions of doing so. What was not said, from my recollection, was whether or not those who had expressed at least some opposition to any amendment, were aware of the Conditions (Operational Requirements) you had proposed in your presentation. As I said during my comments last night, I am aware of some of the concerns expressed, but I am still puzzled as to why most of those points made would create concern, and why those concerns would not apply to those areas where nightly rentals are currently allowed. In my case, I would be an occupying owner, not an absentee owner, and as such, I find it hard to imagine that any owner would be ok with allowing tenants to trash their properties, violate noise ordinances, and create havoc with their neighbors. As an owner, I would be the most active enforcer of the rules, and my rules would be more onerous than those proposed by the County.

There is, in my opinion, a substantial upside to the residents of this pristine Valley, by allowing controlled and regulated nightly residential rentals. We all know that high density commercial developers are eyeing land for sale in the Valley in growing numbers. These developers also see the demand from vacationers and visitors and want to exploit it. Residential short term rental use may help to fulfill the demand and slow the pace at which large scale development occurs.

Thank you again for allowing me to express my thoughts. Please know that I would appreciate the opportunity to address any other concerns the constituency might have in coming to a fair and objective decision.

Doug Child

801-589-4250

Perkes, Scott

From: Parson, John <john.parson@crh.com>
Sent: Wednesday, October 28, 2020 1:37 PM
To: Perkes, Scott
Subject: [EXTERNAL]Weber County - Short Term Rental

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Hi Scott,

My name is John Parson, I live at 1607 Basinview Road in Huntsville and am currently responsible for Basinview Estates HOA. I listened in on the public hearing last evening and wanted to offer some additional input:

1. When we decided to relocate from Brigham City we chose Huntsville for the distinct feeling and lifestyle of a small, agriculturally oriented community. Increasing STR seems completely counter to the environment we thought we chose.
2. We currently have an owner in our HOA that continues to offer is residence for STR. I have contacted Weber County multiple times to report the violation, but to-date nothing has been done to stop the activity. I suggest the county increase enforcement to get the current situation under control. It seems counterintuitive to increase STR while the county is aware of many who are already blatantly violating the ordinance. Those who are already violating the ordinance are not going to go through the process of getting licensed, inspected, etc! Enforcement of the current ordinance must happen now!
3. It seems there are zones already established for the purpose of offering STRs. Opening other STR will only undermine these areas that are already built for that purpose.
4. It seems that increasing STR is more supportive of non-residents who own property for the sole purpose of operating a rental business, to the detriment of local citizens.

Thank you for your time and your effort.

John Parson
CRH Americas Materials

Perkes, Scott

From: Fred Blickle <blickle3@att.net>
Sent: Wednesday, October 28, 2020 2:33 PM
To: Perkes, Scott
Subject: [EXTERNAL]STRs

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Scott,

Nice work at the hearing last night! I wanted to follow up on the “utilities and infrastructure” issue of STRs and additional demands that would arise with more people. As a licensed Professional Engineer with 35 years experience dealing with these issues I’m offering the following comments/suggestions:

- Wastewater - homes/facilities with septic systems would experience short term peaks in flow that could overwhelm the septic tank and drain field, depending on its design of course. If overload did occur it would create unsafe conditions and risks to human health and the environment. This is something that can and should be evaluated by an engineer prior to expanding loads on the system.
- Water - depending on the number of units in an area with expanded STRs, there could be short term supply threats, depending on the supply system. Something that should be reviewed.
- Infrastructure, roads and parking - obviously more traffic with increased numbers, should be reviewed.
- Emergency services - additional demands should be reviewed.

I’m happy to discuss further if helpful.

Regards,
Fred

Fred W. Blickle, PE, F.ASCE
Licensed in Utah, Michigan, Alabama and Florida
President, Horizon Environmental Consultants, Inc.

https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202010282033010019856&URLID=3&ESV=10.0.6.3447&IV=8F41C38A6755030318B9C59ED034F007&TT=1603917182253&ESN=qFwH3gd7PiZdRfjBVWPI8A%2FBt%2F4eSaV5GOxSllCWmTs%3D&KV=1536961729279&ENCODED_URL=http%3A%2F%2Fhorizonenvironmentalconsultants.com&HK=C3EC36007CDB38DBDFEEE204E4650F05F0F6656408A382534DE7911DCBEF598C/
313-506-9799

President, ASCE San Francisco Section

<https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202010282033010019856&URLID=1&ESV=10.0.6.3447&IV=1044A8282EBD82BF659F4D755D86B65D&TT=1603917182253&ESN=A142XzZtnce5TT1EFFrnknQ7Hi2>

County Should Limit Short-term Rentals to Resort Areas Only

By Shanna Francis

Today in Ogden Valley, over 50% of the housing stock is *not* owner-occupied... an unbelievable phenomenon brought on, in part, by the enticement of perceived “easy money” to be made by investing in properties to be used as short-term rentals (STRs). I hold that it is in the best interest of the Ogden Valley community to adopt a new policy option to close STRs in all but resort zones in Weber County.

At an upcoming Ogden Valley Planning Commission meeting, slated for Tuesday, November 24, Ogden Valley planning commission members will be asked to vote on one of four proposed STR policy option recommendations for the county’s three-member County Commission to adopt. The outcome of this decision will have long-lasting ramifications regarding the future of Ogden Valley and its future trajectory.

STRs have increasingly become a problem for the Ogden Valley community by:

- Accelerating the disruption of its rural character and community cohesiveness, which has been sustained, traditionally, by single family neighborhoods;
- Precipitously increasing property values and accompanying assessed property taxes;
- Diminishing the housing supply and availability of affordable housing for younger families and others on limited budgets;
- Escalating crime rates, traffic congestion, noise pollution, and outside influences contradictory to Ogden Valley’s prevailing social norms and cultural mores.

In other words, the 150-year tradition of bucolic beauty and agricultural serenity of Ogden Valley is being shattered within a mere single handful of years due, in large measure, to the unrestrained scourge of STRs that are antithetical to all that, traditionally, has made Ogden Valley one of the most incredible, ideal places to raise a family.

Families are the “stuff” that communities are made of—not unvested holiday visitors or year-round vacationers. It is a community’s families that support local schools, elect local leaders, organize fundraisers, volunteer, sit on local nonprofit boards, attend and witness friends’ and neighbors’ important life events—the birth of new babies, graduations, weddings, anniversary celebrations, and, yes, even funerals. These are the fibers—the warp and weft—the foundational building blocks of a community’s strength and character that create a sense of place. A sense of “place” is a community asset, but “place” is not artificially designed; it brews, foment... is forged by time, cultivated by generational communal experiential bonds before blossoming, bearing fruit, providing the nourishment that oozes from this interconnected “warp and weft” of life. Sadly, “place” is always threatened by rapid, heavy development, which brings about a brisk, unnatural social evolution—a disruptive upheaval of community often driven by economic, or even political aims that fail to appreciate, or are indifferent to the negative long-term social and even economic impacts of unrestrained growth.

Currently, it is untenable for Weber County to regulate and enforce existing STR regulations and control the large number of illegal STRs that are operating. In order to do so, Weber County Planning staff has concluded that an outside third-party enforcement agency would have to be hired to control the existing out-of-control problem associated with current ordinances or if these ordinances were expanded to allow STRs in all zones.

However, if option D were adopted, STRs could be governed by private resort property managers, preventing the need for tax dollars having to be spent on a third-party enforcement agency. Since clear rules and boundaries would be set governing where STRs allowed—in resort areas—no confusion for community members and property owners would dilute the certainty to where they could operate. Those with existing, grandfathered in licenses to operate STRs would be incentivized to ensure problems were avoided by operating within specified guidelines or else their license to operate their conditional STR would be revoked.

The Wolf Creek condos in Eden, which are operated as STRs, are a prime example of a successfully-operated private enforcement system that is not subsidized by tax dollars. They have a working property management program that ensures typical STR problems do not escalate and overflow into the broader community.

With the adoption of the “Closed” STR option—STRs allowed in resort areas only—with a county requirement for an approved private enforcement program, community problems associated with STRs are eliminated or adequately controlled, alleviating current problems such as:

- Need for extra law enforcement to control STR-related nuisances and criminal activity
- Concerns over the need of funding a third-party enforcement agency
- Destabilization of housing prices and housing stock
- Lack of respect for current owner-occupied families who are invested in the community
- A compromised Ogden Valley General/Master Plan that calls for support of zoning and planning that sustains the community’s rural character and agricultural assets.
- The demise of community character and quality of life issues
- County administrative costs of business and licensing, and tracking and management of STRs
- Increased pressures on infrastructure and resources, i.e., extra water use, garbage collection, roads, sewer capacity, recreational assets (overuse and sustainability of Pineview reservoir and local trails, parks, etc.). Most of these issues are addressed when subdivisions are created. However, the adoption of STRs in residential zones bypasses the scrutiny of these valid concerns associated with infrastructure capacity
- Control of commercial activity in residential neighborhoods (STRs are commercial enterprises).

Thank you for your consideration in supporting Option D for governance of STRs in Weber County.

STR Regulatory Scenarios Considered for Adoption by Weber County

A. Open – Any residential property within unincorporated Weber County may obtain a STR rental license to rent a sleeping room, apartment, dwelling unit, or dwelling for a time period of less than 30 days subject to the requirements and standards of this chapter (zoning ordinance).

B. Open & Limited – With exception to properties in the FR-1 zone, any residential property within unincorporated Weber county may obtain a STR license to rent a sleeping room, apartment, dwelling unit, or dwelling for a time period of less than 30 days subject to the requirements and standard of this chapter (zoning ordinance)

C. Business as Usual (current ordinance governing STRs) – The rental of a sleeping room, apartment, dwelling unit, or dwelling for a time period of less than 30 days in considered a STR. STRs are allowed only when listed das either a permitted or conditional use in a specific zone our when approved as part of a planned residential unit development (PRUD).

D. Closed – STRS will continue to be allowed in DDR-1 zones (destination and recreations resort) only, and in the FR-3 zone (Forest Residential, 3-acre minimum to build zone) if they already have a current valid conditional use permit and valid business license, as this use would constitute a grandfathered use. They would also be allowed in existing PRUD developments that have an existing approved STR use element; however, new PRUD developments would no longer be approved for STRs.

Perkes, Scott

From: Cal Stevens <cal_stevens@hotmail.com>
Sent: Thursday, October 29, 2020 1:28 PM
To: Perkes, Scott
Subject: [EXTERNAL]Ogden Valley Planning Commission meeting comments

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Hello Scot,

My name is Cal Stevens and I spoke against expanding short term rentals in the valley during that meeting and agree with the most of the comments of the commissioners after the public comment period ended about not pressing forward with this until a means to enforce the law can be determined. I heard you say during one of your comments that it is hard for zoning compliance officers to determine who is using their homes for short term rentals. I would like to help you with that. As I said in my comments at the meeting, I live right across from a major offender. Her name is Corinn Sebaske. She rents her home out to usually large groups causing the problems discussed in that meeting. As I said in the meeting, I worked with Iris Hennon two or three years ago about shutting her down and through the county attorney, we nearly had it done but she must have talked with a lawyer or somebody who told her to just claim that she was running a ministry and Weber County will not touch her operation. I don't know if that is true or not but the effort to shut her down sure stopped. She does list her property as a ministry now even she is not a minister and does not have a minister on her staff. I would estimate that fewer than 5% of her rentals would qualify as requiring ministerial help.

Her house is easy to find. Just go to google maps and look at her address: 3753 E 4100 N in Liberty, Utah. That address is messed up because her driveway and the front of her house with access to her front door is from our subdivision street which is 3775 East. As you zoom in on the map you will see it as "Utah Ski and Lake Retreat" on the map. What a joke!

You can find her rental listing here: https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202010291927520134600&URLID=2&ESV=10.0.6.3447&IV=7B19CD582242CAE0B6EA2827D71EC20D&TT=1603999676832&ESN=W9psbUqUwc%2BtlxyaAT9S6QedSD%2B%2F0T2kwcQ7USaPDTE%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fwww.vrbo.com%2F647222&HK=F3A2459703D30DDD7467C7B7146F0BE26A198B05BB83A7F92D7D535E7EC E05CD

She rarely resides there and the primary use for the house is for rental to large groups.

I would very much appreciate a response from either you or zoning enforcement to this information that I have provided to you.

Thank you very much Scot!

Cal Stevens
4080 N 3775 E
Liberty, Utah. 84310
Home Phone: 801 745-2235
Mobile Phone: 801 528-2681
Get [Outlook for Android](#)

Perkes, Scott

From: Tammy Dahlkamp <TND AHLKAMP@msn.com>
Sent: Thursday, October 29, 2020 8:25 PM
To: Perkes, Scott
Subject: [EXTERNAL]STR in Unincorporated Weber County

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My husband and I are residence of Eden, and although we attended the public hearing on Tuesday via Zoom, we did not take part in the conversation as the time allotted appeared to be filled. I would like to comment that with all of the concerns voiced at the hearing, it seems like it is time to take a pause and stop further Short Term Rental licenses at this time. It appears that the infrastructure is not in place to enforce regulation, manage problem rentals, and in general handle issues related to the increased volume of rental traffic in the Ogden Valley. A temporary closure of new STR would not adversely affect those with rental licenses in place, but would give the regulators time to plan for future opening of the area to more STR in a more organized manner with adequate support. Thank you for your time and attention to this situation, and for all the work you have done to this point. Tammy Dahlkamp

Perkes, Scott

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Friday, November 6, 2020 3:33 PM
To: Perkes, Scott
Cc: Grover,Rick
Subject: [EXTERNAL]Re: [EXTERNAL]Would like to ask a question

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Scott,

Thank you for your response. And yes, the Weber County Commissioners are elected by the residents of Weber County. However, the Ogden Valley Planning Commission is not an elected commission, but rather appointed by the Weber County Commissioners. And the Ogden Valley Planning Commission can only recommend, even if there is extremely strong support from valley residents who oppose any expansion of short term rentals.

Please enter my original question, your response, and my follow-up response into your collection of comments on Short Term Rentals.

Thank you,
Jan Fullmer

-----Original Message-----

From: Perkes, Scott <sperkes@co.weber.ut.us>
To: Jan Fullmer <jfullmer1@aol.com>
Cc: Grover,Rick <rgrover@co.weber.ut.us>
Sent: Fri, Nov 6, 2020 11:21 am
Subject: RE: [EXTERNAL]Would like to ask a question

Jan,

I invite you to read through the state code regarding a county's preparation and adoption of land use regulation. You can find it here:

https://urlprotection-sjl.global.sonicwall.com/click?PV=1&MSGID=202011062232590038198&URLID=2&ESV=10.0.6.3447&IV=0CE03EEC873094F84F1809414AFD2B4A&TT=1604701981418&ESN=wEGR1bSGUvvRVv2Aae%2FmM69%2BF6dsQBdOJJuuaDfmX0Q%3D&KV=1536961729279&ENCODED_URL=https%3A%2F%2Fle.utah.gov%2Fxcode%2Ftitle17%2FChapter27A%2F17-27a-S502.html%3Fv%3DC17-27a-S502_2019051420190514&HK=F3E560665E19FA022B42A348E264D47DCE8632713C6448E83D2C8E7CC7A08FAA

You'll notice that the planning commission and county commission may consider written objections as part of their public hearings. However, the process does not call for a majority vote of the public in determining if or how a land use regulation is adopted.

Please note that we have tracked and saved every single comment that we have received to date. The planning commissions and the public have been able to review all of these comments throughout the process.

Going forward, any formal recommendation by the planning commissions to the county commission will be accompanied with this full public record for their consideration as well.

The County Commission has been elected by the residents of the Ogden Valley. As elected officials, they represent the residents and consider their comments when determining how to implement new land use regulation.

Thanks,

Scott Perkes

Planner – Weber County Planning Division

Office: 801-399-8772

sperkes@webercountyutah.gov



From: Jan Fullmer <jfullmer1@aol.com>
Sent: Monday, November 2, 2020 8:50 AM
To: Perkes, Scott <sperkes@co.weber.ut.us>
Cc: Grover, Rick <rgrover@co.weber.ut.us>
Subject: [EXTERNAL]Would like to ask a question

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Hi Scott,

Several residents of Ogden Valley got together after the last OV Planning Commission meeting on 10/27/2020 and we all had a question regarding one of your responses towards the end of the meeting.

A question had been asked during the meeting if percentages had been calculated on the concerns/comments submitted on STRs indicating what percentage of the folks responding indicated they were AGAINST any expansion of STRs. You had indicated that it is likely the majority were not in favor of expanding areas for STRs, but that "it was not a democratic process".

Does this mean that if the majority of respondents who are full time residents in Ogden Valley and registered county voters are against any expansion of areas for STRs in Ogden Valley, that their expressed opinion/view will not be considered in determining the final option selected for STRs in Ogden Valley?

Thank you,
Jan Fullmer

Perkes, Scott

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Tuesday, November 10, 2020 7:12 AM
To: Perkes, Scott
Cc: Grover,Rick
Subject: [EXTERNAL]Re: [EXTERNAL]Re: [EXTERNAL]Adding Comments/Concerns to STRs and Cost/Benefit Analysis

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Scott,

Thank you for sending this information and adding my comments to the document you are creating by collecting all comments.

With respect to license fees, please note that the city of North Las Vegas City Council (this is does not include the actual strip of hotels and casinos that are part of the city of Las Vegas) just unanimously approved raising fees for short term rentals to \$900 per year. They had a lot of expenses to cover, especially for additional intervention on these rentals by their police department.

Thanks again,
Jan Fullmer

Perkes, Scott

From: Clark Duellman <clark@cjdlegal.com>
Sent: Tuesday, November 10, 2020 11:14 PM
To: Perkes, Scott
Subject: [EXTERNAL]Re: Draft Short-Term Rental Ordinance - HOAs & Private Covenants

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Good morning Scott, I appreciate being given the chance to weigh-in on the two subsections of the draft short-term rental (STR) ordinance pertaining to HOAs and private covenants. Any changes to the County's ordinance or policies regarding STRs will have a significant impact on Ogden Valley communities, so I especially appreciate the time and attention you are putting into this effort.

I'll share my proposed revised language for each of the two subsections, followed by a few explanatory comments.

(c) *Private Covenants.* A short-term rental license will not be issued for any property that is subject to any recorded private covenants that restrict the property's use for short-term rentals, regardless of whether or not such private covenants are enforced by a homeowners association or committee. Private covenants may be identified as covenants, conditions and restrictions (CC&Rs), protective covenants, restrictive covenants or neighborhood covenants.

Here are my comments:

> Many Ogden Valley communities are subject to private covenants that are identified as "Covenants, Conditions & Restrictions" (CC&Rs). Other communities, however, are subject to private covenants with other names such as "protective covenants," "restrictive covenants," etc. For example, the private covenants currently recorded against the entire Elkhorn subdivision are simply labeled "Protective Covenants." I think it would be helpful to clarify that subsection (c) equally applies to all private covenants, regardless of how they are identified.

> Throughout Ogden Valley, some private covenants are governed and enforced by a homeowners association or committee, while other private covenants are not. The language I've proposed is intended to apply to all private covenants, including those that are recorded against communities that have no HOA or have no currently active HOA.

> While some private covenants in Ogden Valley are governed and enforced by an HOA, others are merely governed by a homeowners committee with the same or similar authority of an HOA.

f. For properties that are subject to any recorded private covenants, applicants must submit a letter from the community's homeowners association or committee, or submit a copy of the private covenants including any amendments to such private covenants, to verify the short-term rental of dwellings is not restricted.

Here are my comments:

- > Instead of referring to properties located within an HOA community, I've referred to "properties that are subject to any recorded private covenants." This ties Subsection (d)(2)f to the language of subsection (c) regarding private covenants, including private covenants that are enforced by an HOA and private covenants that may have been recorded against a community with no HOA or no currently active HOA. As currently written, Subsection (d)(2)f appears to require the submission of private covenants (CC&Rs) only if the property is located in an HOA community.
- > As I noted in my comments regarding subsection (c), some private covenants in Ogden Valley are governed and enforced by an HOA, while others are governed by a homeowners committee. I've added language to that effect.
- > I've eliminated the reference to CC&Rs, and instead referred to "private covenants" as that term is described under subsection (c).
- > I added the phrase "including any amendments" to cover the fact that private covenants may be periodically amended.
- > I eliminated the word "regulation" because that could be interpreted to broadly encompass not only private covenants but also any "rules and regulations" that might be adopted by a homeowners association or committee. It's important to note that Utah's HOA laws allow rules and regulations to be fairly easily adopted by a Board of Directors. Meanwhile, private covenants may only be adopted or amended by at least a majority vote, and often no less than 67%, of the homeowners. In my experience, it's not unusual for HOA Boards to be overzealous by using rules and regulations (with zero homeowner approval) to address an issue that should actually be addressed under the private covenants (which requires a significant amount of homeowner approval). I strongly believe any restrictions regarding STRs should only be adopted and enforced as part of the community's private covenants – not as part of the community's rules and regulations.

Those are my only suggestions and comments regarding the HOA and private covenant language. Of course, please don't hesitate to email or call with any follow-up comments or questions you might have.

Best regards,
Clark
(949) 244-2779

Perkes, Scott

From: Jeannette Maw <jmaw@goodvibecoach.com>
Sent: Friday, November 13, 2020 11:28 AM
To: Perkes, Scott; Froerer,Gage; Jenkins,Scott; Harvey, Jim H.
Cc: lee@schussman.com; main@alconceptsnow.com
Subject: [EXTERNAL]Please Don't Allow Any More STRs in Ogden Valley!

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Weber County Commissioners:

As a resident of the valley I respectfully ask you to support the Closed Scenario (limiting any further short term rentals up here).

I was told you don't recognize signatures to online petitions so I'm writing directly to make this request that you vote in support of maintaining what we love about this valley, and not compromise our lifestyle by allowing more unwanted traffic up here.

Thank you for the work you do to preserve and enhance what is so special about Ogden Valley!

Jeannette Maw
3135 N 3825 E, Eden UT 84310
801-810-8306
jmaw@goodvibecoach.com

Perkes, Scott

From: Jan Fullmer <jfullmer1@aol.com>
Sent: Friday, November 13, 2020 11:41 AM
To: Ewert,Charles; Grover,Rick; Wilkinson, Sean
Cc: Perkes, Scott; kayhoogland@mac.com; lee@schussman.com; jabird47@gmail.com
Subject: [EXTERNAL]ZOOM Meeting Link to 11/17/2020 OV Meeting and STRs Currently in OV
Attachments: 2020_November_STRs_Ogden_Valley.pdf

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Charlie,

Many thanks for this explanation on what happened to the original link I had in an email to Rick. Good grief -- I would have never figured this one out, but then it is supposed to be "intuitive", right? 😄

I have attached a spreadsheet which itemizes the number of units (most from 1 - 6 bedrooms) currently in zoned areas in Ogden Valley that allow STRs. And I am still finding more units and the spreadsheet does not include any units that are under construction.

It is fine for Scott to include this spreadsheet (knowing more units could be added) to his growing list of comments/concerns.

Thank you again for meeting with us --- it is really appreciated and we do want to find a win-win solution for the residents of Ogden Valley and Weber County.

Jan Fullmer

Units Allowing Sort Term Rentals (STRs) in Zip Codes 84310 (Eden, Liberty) & 84317 (Huntsville)						
Housing Unit	<u>Location</u>	<u>Number of Units</u>	<u>Bedrooms/Unit</u>	<u>Off Street Parking</u>	<u>Note</u>	
Moose Hollow **	Eden	168	2 to 3	Yes	Defined parking	
Cascades **	Eden	48	3 to 5	Yes	Garages plus guest parking spaces	
Wolf Lodge **	Eden	168	1 to 2; some with lofts	Yes	Defined parking	
The Village	Eden	37	2 to 3	Yes	10 single building units; 27 townhomes; garages plus guest parking spaces	
The Bridges (Phase 1)**	Eden	14	2 to 3	Yes	Garages plus guest parking spaces	
The Bridges (Phase 2a)**	Eden	5	3	Yes	Garages plus guest parking spaces	
The Bridges (Phase 2b)**	Eden	9	2 to 3	Yes	Garages plus guest parking spaces	
Trappers Ridge **	Eden	118	3 to 6	Yes	Garages plus guest parking spaces	
The Fairways **	Eden	52	3 to 6	Yes	Garages plus guest parking spaces	
Fairway Oaks	Eden	37	3 to 5	Yes	Garages	
WorldMark Timeshare (1) **	Eden	64	1 to 3	Yes	Extra parking spaces per unit	

Units Allowing Sort Term Rentals (STRs) in Zip Codes 84310 (Eden, Liberty) & 84317 (Huntsville)						
Housing Unit	<u>Location</u>	<u>Number of Units</u>	<u>Bedrooms/Unit</u>	<u>Off Street Parking</u>	<u>Note</u>	
Wolf Creek Village I (2)	Eden	15	1 to 2	Yes	Extra parking spaces per unit	
Wolf Creek Village II (2)	Eden	16	1 to 3	Yes	Extra parking spaces per unit	
Powder Mountain West (3)	Eden	26	1 to 4	Yes	Some garages	
Sundown Condominiums (3)	Eden	8	1 to 3	Yes		
Moon Ridge Condominiums (3)	Eden	8	1 to 3	Yes		
Summit Powder Mountain Neighborhood (3)	Eden	40	2 to 4	Yes	Some garages and guest parking	
Compas Rose Inn	Huntsville	15	15 - 1 Bedroom	Yes	Off street parking for Inn patrons and guests	
Valley House Inn	Huntsville	4	4 - 1 bedroom	Yes	Off street parking for Inn patrons and guests	

Units Allowing Sort Term Rentals (STRs) in Zip Codes 84310 (Eden, Liberty) & 84317 (Huntsville)						
Housing Unit	<u>Location</u>	<u>Number of Units</u>	<u>Bedrooms/Unit</u>	<u>Off Street Parking</u>	<u>Note</u>	
Snowberry B&B Inn	Huntsville, but Unincorporated	8	8 - 1 bedroom	Yes	Off street parking for Inn patrons and guests	
Jackson Fork Inn	Huntsville, but Unincorporated	7	7 - 1 bedroom	Yes	Off street parking for Inn patrons and guests	
TOTAL STR Units (4)		867				
** Indicates vacation rental amenities, eg., pool, fitness center, club house, tennis courts, etc.						
Note 1: Even though a timeshare, rentals are offered to the public via ExtraHolidays.com						
Note 2: Some units are timeshares, some units have private owners. All units can be offered to public for STRs						
Note 3: Units located on top of Powder Mountain						
Note 4: This total of dwelling units in zones allowing Short Term Rentals does NOT include units currently under construction						

Perkes, Scott

From: Cal Stevens <cal_stevens@hotmail.com>
Sent: Friday, November 13, 2020 4:40 PM
To: Perkes, Scott
Subject: [EXTERNAL]Short Term Rentals in Ogden Valley

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Hello Scot,

My name is Cal Stevens and I have contacted you before concerning STRs in the valley. I am writing you to express my strong opinion that STRs should not be allowed in the valley except in already approved zoned areas for short term rentals. They should not be allowed in our neighborhoods and subdivisions! Shanna Francis wrote an outstanding "Editors View" article in the Ogden Valley News, Nov 15, 2020. She delineates very well, the reasons for not expanding the zoning for STRs in the valley. It goes totally against the general plan for the valley and I agree strongly with every word that she wrote in that great article. Please don't turn your back on the citizens of this valley that have chosen it to raise our kids and planned our lives according to how the valley was supposed to develop. Please put a stop to this gold rush that is turning our beautiful valley into a commercial zone not fit to live in.

Cal Stevens, Liberty, Utah

Perkes, Scott

From: Crysti Reed <crysti.reed@gmail.com>
Sent: Friday, November 13, 2020 5:15 PM
To: Perkes, Scott
Cc: A Steve L. Reed
Subject: [EXTERNAL]Short Term Rentals - Pro Comments

CAUTION: This email originated from outside Weber County. Do not click links or open attachments unless you know the sender and are expecting the link or attachment. **Think Before You Click!**

Dear Weber County Commissioners,

Having grown up in Alaska, my parents have rented out their cabin/yurt as a Short Term Rental (STR) for over a decade. I have learned a lot from them about how to run a successful STR for both neighbors and guests. We own a cabin in Eden (FV-3 zone) that is only flanked on one side by a neighbor and we are hopeful to run an STR so we can also set aside time in our hectic lives to come to Eden to relax and enjoy everything that Ogden Valley has to offer while also providing supplemental income for our retirement planning. Long term, we would like to retire to Eden, Utah.

We feel that STRs boost tourism by allowing for more "authentic" experiences. Homes allow for families to come together for reunions and weddings that hotels are too costly for and/or lack intimacy. Boosting tourism gets outside dollars into the local economy. The local businesses benefit from STRs because these families, couples, and friends spend money at the market, gas stations, and restaurants. The STR owners spend money at all of those and the hardware stores to maintain their properties along with hiring locals for improvement, maintenance, and turn-overs. Property values go up because the property is improved and maintained.

We agree that an ordinance that outlines more responsibilities should come with an expansion of allowing more STRs in more Weber County Zones. We believe that most STR owners would like to be good neighbors and acknowledge that noise, trash, and parking can be problems if not actively addressed. However, we firmly believe that all problems have solutions, and those benefit neighbors, STR owners, and guests.

What my parents have successfully done:

Regarding Noise - Set house rules regarding the number of guests to minimize any disturbance of neighbors. Limit gatherings to avoid an unruly party atmosphere. Additionally, even as this industry grows, technology also evolves to help address issues such as NoiseAware to help hosts become aware of a nice couple turning their STR into a party pad.

Regarding parking, we have found that the boundaries of a single parking space per bedroom addresses this issue.

Regarding trash, make sure trash is dealt with as if each guest were the homeowner and have contingency plans.

We welcome an ordinance that would allow for STRs in more zones, including the FV-3 zone. We welcome the chance to prove that we'd be good neighbors, will abide by the enforcement guidelines, be subject to 3rd party enforcement as outlined during the 10/27 OVPC meeting to be able to have the opportunity to use our cabin and not have to rent it out long term.

Don't let bad apples ruin the opportunities for potential STR owners. We believe that 3rd party enforcement would provide satisfactory monitoring on the STR market in Ogden Valley and allow for better enforcement (essentially shut down bad apples) and regulation (license fees and tax collection) in an expanded area.

Sincerely,

Steve and Crysti Reed

Eden, Utah

Perkes, Scott

From: Richard Smyka <richshell520@msn.com>
Sent: Sunday, November 15, 2020 10:55 AM
To: Perkes, Scott; Froerer,Gage; Jenkins,Scott; Harvey, Jim H.
Subject: [EXTERNAL]Short Term Rentals in Ogden Valley

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Sirs,

We would like to voice our opinion on the ongoing discussion about Short Term Rentals in Ogden Valley. We have been valley residents since 1987 and have seen the explosion of growth here since that time. Mostly we see new residents who have moved here because of the bucolic surroundings and friendly neighbors. Although independent-minded, we harbor a community-based mindset. We recognize the attraction the valley offers to visitors and also recognize we don't own those attractions. However, we don't feel that our neighborhoods should be treated as dual-purpose areas for tourism. We understand those who feel they should be able to rent out a room in their home to help financially, but we don't sympathize with those who purchase a second home with the intention of making it a short-term rental. The former serves as an owner-occupied residence who also serves as a "1st Party Enforcement" for the renter. The latter would require a 3rd Party Enforcement to augment county enforcement efforts. We've witnessed first hand the latter as a home on our street was specifically purchased to be used for short-term rentals. For some reason the renters feel the 25 mph speed limit doesn't apply to their dirt bikes and razors. We hesitate to confront those who might vandalize our property on their last night of occupancy. And calling the sheriff has proved fruitless (understandably so).

So we would prefer the Closed Scenario option and limit rentals in the DRR-1 zone only.

Thank you,
Richard & Shelley Smyka
3794 E 4350 N
Liberty, UT 84310
801-745-0108

Sent from [Mail](#) for Windows 10