

# SHORT-TERM VACATION RENTALS

## PRELIMINARY CONCEPTS BASED ON PUBLIC COMMENT

*After review of more than 75 local ordinances and the requirements of the recently passed Washington State HB 1798, staff has summarized a set of common regulatory concepts for Short-Term Vacation Rentals for Board consideration. **These are merely a skeleton of potential options with much more detail needed to be provided through public outreach and stakeholder discussions.***

### Definition

“Short-term vacation rental” means all or a portion of a residential unit or an accessory dwelling unit that is rented for compensation for periods of less than 30 days.

“Short-term vacation rental host” means the owner or operator of a short-term vacation rental responsible for the unit(s) being rented to the public.

### Vacation Rental Classifications

- **Home Stay** – Rental of a room, apartment or suite(s) from a single property where the owner or host lives on site e.g. renting a room, garage apartment, basement unit, cottage, or other unit on the same property as the host.
- **Whole Home** – Rental of an entire dwelling unit with no owner/host living on site.
- *Other differentiation to consider?* Must be enforceable and clearly defined.

### Limitations

Limitation on number of vacation rentals per property – Different requirements if inside or outside of urban areas?

Limitations on number of guests allowed in each. Based per bedroom similar to septic tank limitations? Cap on entire rental?

### Land Use/Permit Approvals

Operational Permit for Home Stay or Whole Home under X number of bedrooms (e.g. under 5, need justification for numerical limit)

Administrative Conditional Use Permit (ACUP) for either Home Stays or Whole-Home if:

- Allowing events, or
- Owner/host prepares food for guests at short-term vacation rental, or
- A Whole Home exceeds X bedrooms (e.g. 5 or more, need justification for numerical limit).

Events could be defined to include weddings, funerals, and celebrations or other gatherings that exceed a certain number of persons (e.g. 15 or more).

## Requirements

*Annual Safety Inspections:* Rentals must include smoke alarms, carbon monoxide detectors, and minimum ingress/egress. Will short-term rental be required to have full building permits? Inspections frequency - annually or bi-annually? (Parts of this may be required by new state legislation, HB 1798).

*Health District Review:* Not an issue if unit is on sewer but there are some septic system overload concerns. What role would the Health District have in any review?

*Rules of conduct:* Required to post in the rental which could include:

- No trespassing
- No damaging of tidelands (motorboat damage, exceeding shellfish limits)
- Limit noise per code
- Limit fireworks per code
- Limit off-site parking
- No outdoor burning as limited by code
- Limit on vehicle speeds on private roadways or easements
- Map of property and any allowed easements (shoreline, access, etc.). Markers on property?
- Properly supervising pets. On leash only? Clean up after them?

*Site Host or Contact:* Must be able to address issues such as complaints and emergencies 24 hours per day/7 days a week and located within reasonable proximity to the rental. Miles or travel time?

*Solid waste storage and removal:* In enclosed cans or stored inside? Weekly or bi-weekly?

*On-Site Parking:* Minimum number of spaces. Per bedroom?

*Address Posting:* Clearly visible from the street or easement.

*Applicable Taxes:* Owner/host must pay all required lodging, sales or other taxes either through listing site or themselves directly (required by new state legislation, HB 1798).

*Property Management Plan:* On file with department. Copies available to the renters, neighbors within a specified radius (e.g. 300 feet or more, notify any private road easement users if property served by this private road), and other impacted organizations (e.g. Homeowners Association - HOA). Plan could include contact information for the host/contact including telephone number and rules of conduct including map of property. Map of property should show the locations of property lines, fire

extinguishers, escape routes, fire exits, gas and water shut-off valves and all exits. (Parts of this may be required by new state legislation, HB 1798).

*Liability Insurance:* According to new state legislation (HB 1798), hosts must maintain primary liability insurance of at least one million dollars to cover their short-term rental(s).

*Consumer Safety:* New state legislation (HB 1798) may require compliance with state building code. In addition, host will be required to provide renters their contact information, emergency information and consumer safety measures.

## **Fees**

*Operational Permit Application Review:* \$ - \$\$

*Annual Inspection:* \$

*ACUP Application Review:* \$\$\$

*Permit renewal.* How often? What is required?

## **Enforcement**

*Evidence of short-term vacation rental.* Advertisement, appearance on rental site, other?

*Required recordkeeping other than listed above.* Past renter information?

*Process for Permit Revocation.* Number of violations? Severity of violation? Appeals process?

## **Other Considerations**

*Grandfathering:* While operation permits can be required regardless of when the use was established, certain new regulatory limitations may be grandfathered (e.g. on-site parking, number of rentals). Scope and scale of grandfathering could be memorialized with operational permit or ACUP.

*Required Elements in Advertising Units:* Should anything be required to be included in the rental solicitation through any short-term rental platform service (Permit #, Business License #)?

*Setback Requirements:* Should all rentals meet current setback requirements?