



Skamania County

Community Development Department

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MEMO

TO: Planning Commission
FROM: Alan Peters, Assistant Planning Director
DATE: June 16, 2020
RE: Short-term Vacation Rentals Policy/Regulation Options

Introduction

Under the direction of the Board of County Commissioners, Planning Staff is working on developing regulations for short-term vacation rentals (STVR). The Board has requested that new regulations be adopted by August 2020 and go into effect in January 2021. This memo outlines some policy considerations that could be included in an eventual STVR ordinance adopted by the Board of County Commissioners.

Public Outreach

Stakeholder Meetings

Commissioner Tom Lannen and Assistant Planning Director Alan Peters met with three stakeholder groups in January 2020. These groups included interested county residents, operators of STVRs, and operators of conventional commercial lodging establishments. Some key takeaways from that discussions include:

- Some property owners have had their quality of life negatively impacted due to mismanagement of nearby STVRs.
- Some home buyers are looking for properties that can support a STVR.
- Commercial operators are not opposed to STVRs, but would like to see more oversight.
- Local STVRs operators are not opposed to regulation, but have different opinions on how strongly they should be regulated.
- Operators of local STVRs and commercial lodging establishments both feel strongly that their businesses benefit the local economy.

Online Survey

The County solicited responses to an online survey during the month of April 2020. The purpose of the survey was to collect information needed to shape decisions associated with short-term rental policies and regulations. 159 responses were received. Some key takeaways from the survey include:

- 58% of respondents said they live near a STVR, most who do are satisfied with the operators and renters.
- Most respondents are supportive of STVRs, though opinions are divided between those that desire strong regulations, some regulations, and no regulations at all.

- About 15% of respondents are strongly opposed to STVRs. Some residents have had bad experiences with nearby rentals.
- Most residents have concerns with STVRs. The top concerns were generally private property rights, public safety, and nuisances.
- Some respondents are concerned about the County's ability to enforce regulations.
- Respondents favored permits, the ability to revoke a permit, requiring a local manager, and self-certification of compliance with STVR requirements.

Policy Options

Based on results from public outreach and previous Planning Commission and Board of County Commissioners workshops, Staff has prepared some policy options for the Planning Commission's consideration. Following this discussion, Staff will prepare a draft code for the Planning Commission to review at the July 7, 2020 meeting.

- **Establish the use of "short-term vacation rentals"**. Currently, the Skamania County Code is silent on this topic. This places operators and potential operators in a state of limbo, and the lack of clear standards makes enforcement difficult.
 - Define land use
 - STVRs are usually defined as a rental of a residential dwelling unit or accessory building for periods of less than 31 consecutive days.
 - RCW 64.37.010 definition is " a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights."
 - Allow STVRs, subject to compliance with adopted standards.
- **Housing Issues.**
 - Determine what types of units are allowable. Limiting the types of units can affect the intensity of the STVR market as well as mitigate impacts to long-term housing availability. The following is a list of the basic types of STVRs that could be allowable.
 - Whole house
 - One or more rooms within a dwelling (how many rooms?)
 - Private suite within a dwelling
 - Accessory dwelling unit/guest house (ADUs are currently prohibited from being used as STVRs by SCC 21.70.170. Should this change?)
 - Should campsites or RVs be allowable?
 - Residency requirements.
 - Should owner-occupancy be a requirement for certain types of units?
 - Should owner-occupants be present when guests are present on the property?
- **Public Safety.**
 - RCW 64.37.030, adopted in 2019, requires the following minimum safety standards for operators of STVRs:
 - Provide contact information to guests and be able to respond to inquiries during stays.

- Install carbon monoxide alarms consistent with building code requirements.
 - Post in a conspicuous place the street address of the unit, emergency services contact information, floor plan with evacuation routes, maximum occupancy limits, contact information for operator.
 - RCW 64.37.050, adopted in 2019, requires operators to maintain liability insurance of \$1,000,000 or maintain coverage through a rental platform that provides liability insurance.
 - Other safety considerations:
 - Smoke detectors
 - Fire extinguishers
 - Egress (windows, doors)
 - Address and directional signage for emergency responders and guests to locate the unit.
 - Inspections
 - The City of Stevenson requires safety inspections to be conducted by City staff at least once every five years. For all other years, the property owner must self-certify their compliance with safety requirements.
 - How often should the county perform inspections?
 - Is self-certification adequate for some years?
- **Quality of Life/Nuisance Issues**
 - Local Manager
 - STVRs should have a manager that is available to respond to guest inquires, neighbor complaints, and law enforcement at all times. Proximity is important in providing adequate responses to complaints.
 - Stevenson requires a contact person from Skamania, Clark, Klickitat, Hood River, or Multnomah county. Driving distance may be a better qualification for a “local” manager.
 - Unit characteristics
 - Number of allowed bedrooms or rental units. Can you rent both a spare bedroom and a detached guest house?
 - Occupancy limits should be tied to the number of bedrooms or beds in a unit. Require rental of an entire room, not just a bed.
 - Limit on number of parties that occupy a space at any given time.
 - Calendar-year cap on number of nights a unit can be rented in a given year.
 - Sufficient on-site parking should be provided for the maximum number of guests.
 - Visual impact.
 - Consideration of cottage occupation/light home industry standards
 - Such activity shall be secondary to the use of the dwelling used for living purposes.
 - No home occupation shall be permitted which creates objectionable noise, dust, smoke, odor, glare, or traffic attraction greater than that of other residential properties in the vicinity.
 - There shall be no exterior modification or adornment of the residential dwelling which would suggest a use other than

residential; except, for light home industry which may be located in a separate building.

- Neighbor notification
 - Should this occur as a public notice of an application or should the operator be responsible for notifying adjacent property owners?
- Good neighbor policies
 - Require owners to provide a list of rules and standards of behavior to limit impacts to neighbors such as parking requirements, occupancy limits, trash disposal, and noise/curfew.
- Parties
 - Prohibit commercial events and parties
- Complaint log
 - Require operator or county to maintain a log of any complaints.
- Revocable permit
 - Grant county authority to revoke a permit for 12 months or more if operator violates standards.
- **Permit requirements**
 - Should STVRs be considered an allowable use, administrative review use, or a conditional use?
 - Should permits be required once, or annually? Does this depend on the type of unit?
 - Should permits be displayed in a unit?
 - Means to ensure tax compliance.