



# Skamania County

## Community Development Department

Building/Fire Marshal ♦ Environmental Health ♦ Planning

Skamania County Courthouse Annex

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### STAFF REPORT

**TO:** Board of County Commissioners  
**FROM:** Alan Peters, Assistant Planning Director  
**REPORT DATE:** November 18, 2020  
**RE:** Short-term Vacation Rental Code Amendments

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#### **Background**

At the direction of the Board of County Commissioners, Planning Staff has spent the last several months working with the Planning Commission to developing regulations for short-term vacation rentals (STVR) in Skamania County. At their November 13, 2019 meeting, the Board directed Planning Staff to prepare a STVR ordinance and requested that new regulations be adopted by August 2020 and go into effect in January 2021. Due to the pause on Planning Commission meetings because of COVID-19 and continued Planning Commission deliberations, August adoption was not possible. The Planning Commission held a public hearing on October 6, 2020, and voted to recommend approval of new short-term vacation rental code amendments at its November 17, 2020 meeting.

A short-term vacation rental (STVR) is generally understood to be the rental of a residential dwelling unit, accessory building, or an individual room for a period of less than 30 days. They are generally furnished spaces used for transient lodging, usually in place of more traditional lodging establishments such as hotels.

The concept isn't entirely new, but increased tourism to the Columbia River Gorge and the proliferation of online vacation rental platforms such as Airbnb, Vacasa, and VRBO has caused an increase in the number of these units throughout Skamania County. Recent assessments of the number of STVRs suggest that there are anywhere from 150 to 200 rentals in Skamania County, including whole home or partial home rentals. Yet, STVRs have never been specifically addressed in the County Code. Adoption of STVR regulations has the dual benefit of facilitating further development of these uses to accommodate tourism and economic development while providing County staff and neighbors enforcement mechanisms for STVRs that negatively impact their neighborhoods.

The recommended draft was prepared by Planning Staff after conducting public outreach (including stakeholder meetings and an online survey) and holding several workshops with the Planning Commission and Board of County Commissioners. The draft was revised and improved after receiving input from both bodies and from the public at meetings in July, and then further revised at the recommendation of the Planning Commission following its October hearing.

## **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 of whom reached out to the Board or County Staff previously with interest in STVRs. 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.

### **Public Workshops**

The Planning Commission and Board of County Commissioners held several public workshops beginning in November 2019 through July 2020. Public comment on the draft proposal was received by the Planning Commission at its July 7, 2020, and July 21, 2020 meetings. The Board heard public comment at its July 14, 2020 meeting.

### **Public Hearing**

The Planning Commission held a public hearing at its October 6, 2020 meeting.

## **Staff Analysis of Planning Commission Recommendation**

The proposed STVR regulations would result in text amendments to Title 21, the County's zoning code. The initial draft was prepared by Planning Staff using language from RCW 64.37 which includes the state's requirements for STVRs, language from the City of Stevenson's short-term rental regulations, as well as new language drafted to reflect the preferences of County residents who participated in the survey. The draft was revised and improved after receiving

input from the Planning Commission and Board of County Commissioners and from the public at meetings in July and after the October public hearing. A detailed summary of the proposed text amendments with analysis by Staff is included below.

NEW DEFINITION

21.08.010      **DEFINITIONS - INTERPRETATION**

...

Short-term vacation rental: means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, a residential accessory building, or portion thereof, is offered or provided to a guest by a short-term vacation rental operator for a fee for fewer than thirty consecutive nights.

STVRs are commonly referred to as "short-term rentals" or "vacation rentals". The County has adopted the term "short-term vacation rentals". The text amendment would adopt a definition for this term which uses language found in RCW 64.37, the state's regulations regarding this use. One local addition to this language is the added allowance for use of a "residential accessory building" as a STVR in order to clarify that STVRs do not need to be located inside a dwelling, but can be in a detached accessory structure.

NEW SECTION

21.70.190      **SHORT-TERM VACATION RENTALS**

A. PURPOSE

The purpose this section is to establish regulations for the operation of short-term vacation rentals (STVRs) in Skamania County. These regulations do not apply to hotels, motels, or bed and breakfasts which operate as commercial uses. The provisions in this section are necessary to promote tourism and economic development within Skamania County while preventing unreasonable burdens on services and minimizing impacts to rural residential neighborhoods.

The text amendments would create a new section under the supplementary development provisions of the Zoning Code. This section establishes a purpose statement which is intended to balance the desire for promotion of tourism and economic development with the needs to prevent unreasonable burdens on services and minimize impacts to residential neighbors. The purpose of these regulations is not to limit the development of STVRs, but to allow them in a manner that is consistent with the neighborhoods in which they are located.

B. DEVELOPMENT STANDARDS AND OPERATIONAL REQUIREMENTS

1. A STVR may be located within any dwelling unit (including any entire dwelling unit or any portion of a dwelling unit), within any accessory dwelling unit, or within a residential accessory building. A park model recreational vehicle may be used as a STVR in accordance with the occupancy restrictions in SCC 21.70.120(A).

This section allows for the creation of STVRs on any residential property. Various types of STVRs are allowable, including whole-house rentals, partial home rentals, rentals of accessory dwelling units, guest houses, etc. This section does not establish a limit on the number or type of STVRs, except that they must be on a residential property and located within a building.

Park model RVs are a type of RV that is intended for longer term occupancy and are similar in construction to single-family homes. These would be allowable STVRs on residential properties, but would be required to adhere to the existing occupancy requirements for RVs in SCC 21.70.120(A) which limits occupancy to 14 consecutive days and 120 days during a calendar year.

2. Dedicated on-site parking shall be provided to accommodate all guests.

No minimum number of parking spaces is required, but the operator would be required to provide sufficient parking for their STVR. This is intended to prevent guests from parking on or blocking public or private roads and allow for safe loading and unloading of luggage.

3. The STVR shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health (water and septic), and any other applicable codes. Functioning carbon monoxide detectors and smoke detectors shall be kept in operating order and installed as required by the International Residential Code (IRC). At least one functioning fire extinguisher shall be installed within the STVR.

This section would require STVRs to maintain compliance with applicable building, water, and septic code standards, including installation of carbon monoxide and smoke detectors. Fire extinguishers are not a requirement of building code, but are a good idea to prevent structure fires and can reduce property insurance costs.

4. Address numbers for the STVR shall be visible from the road.

A requirement of RCW 64.37 and the building code, visible address numbers help guests and emergency responders locate units.

5. The STVR shall be operated in a way that will prevent disturbances to neighboring properties not typical of a residential neighborhood, including but not limited to, loud music, loud noises, excessive traffic, loud and uncontrolled parties, junk/debris/garbage accumulation in the yards, trespassing, barking dogs, or excess vehicles, boats or recreational vehicles parked in the streets in front of the unit. The rental shall not be used at any time to host commercial events, unless the rental is associated with an approved commercial event center.

This section includes several subjective requirements that are intended to protect adjacent property owners and provide the County with some enforcement capability. Additionally, this section would prohibit the use of a vacation rental to host commercial events, unless it operates on the same property as an existing commercial event center. This would not preclude someone from celebrating an occasion while staying at a STVR, but is intended to prevent the unauthorized operation of a commercial event center. An example of a use that would not be permitted would be a guest renting a STVR for the purpose of hosting a wedding reception at the STVR. A guest celebrating a birthday or holiday while staying at a STVR would not be considered a commercial event.

C. LIABILITY INSURANCE AND TAXES

- 1. Per RCW 64.37.050, a STVR operator must maintain primary liability insurance to cover the STVR in the aggregate of not less than one million dollars or conduct each STVR transaction through a platform that provides equal or greater primary liability insurance coverage.

This is a requirement of RCW 64.37. Additional language in the RCW clarifies that this liability insurance can be provided by a STVR platform, such as Airbnb if that platform provides liability insurance to its customers.

- 2. Per RCW 64.37.020, STVR operators must remit all applicable local, state, and federal taxes unless the platform does this on the operator's behalf.

Tax collection is a requirement of RCW 64.37.

D. SHORT-TERM VACATION RENTAL PERMITS

All operators of STVRs shall maintain a short-term vacation rental permit as required in this section. It is a violation of this section to rent, offer for rent, or advertise for rent a STVR without first obtaining a STVR permit.

The proposal would require a permit in order to operate a STVR. A permit is an important tool for enforcement of nuisance STVRs and for tracking tax compliance. A permit fee will also help cover the County's costs in administering STVR rules and responding to complaints. It will be considered a violation to rent or advertise for rent without a STVR and a permit could be revoked if a rental operates in violation of the adopted standards.

The Planning Commission has recommended that while the operational requirements should go into effect immediately, the permit requirement should be held off until July 2021. Staff supports this recommendation as it would allow the county time to prepare for administering permits and allow operators time to familiarize themselves with the permit requirements.

1. APPLICATION PROCEDURE

- a. An application for a STVR permit shall be made to the Community Development Department on a form provided by the Department. The application shall include at a minimum:

The Community Development Department will be responsible for issuing STVR permits.

- a. Property owner information and the information for a contact person who must be available to respond 24 hours a day, seven days a week to any complaints or inquiries.

Owner and contact information must be provided with a STVR permit application. Contact persons must be available to respond 24/7 to any complaints or inquiries.

- b. Occupancy limit for the STVR as determined by the operator.

The proposed code will not specify a specific occupancy limit or STVRs. Some jurisdictions limit the numbers of total guests in a unit or limit the number of guests per bedroom. It will be up to each individual operator to determine an occupancy limit for their unit.

- c. A statement allowing the County reasonable access to the property for the purpose of verifying compliance with this section should the County receive complaints about the STVR.

The proposal does not include a requirement for annual inspections of STVRs. Instead, inspections may be conducted to verify any complaints received. By submitting the application, operators agree to allowing reasonable access to the County.

- d. A statement that the STVR complies with the development standards and operational requirements in SCC 21.70.190(B).

The proposal does not include a requirement for inspections of STVRs. Annual inspections would be costly and time consuming to provide. Instead, operators will self-certify that their unit complies with the requirements in the code.

- e. A statement of intent to notify all property owners of record and/or occupants of properties within 300 feet of the STVR. The notice shall include the telephone number of the owner and contact person. The purpose of this notice is so that neighbors can contact a responsible person to report and request resolution of problems associated with the STVR.

The purpose of this notice is for neighbors to be made aware of the STVR and to have the contact information of the operator in order to resolve any issues without the need for County involvement.

- f. A statement of intent to collect and remit all required taxes associated with the STVR and to provide liability insurance coverage as required by RCW 64.37.

By submitting a STVR application, operators agree to collect and remit applicable lodging taxes. Taxes are usually collected by STVR platforms. Due to the nature of tax collection on STVR platforms such as Airbnb, the County is not usually able to connect individual tax receipts with a specific STVR. Maintenance of liability insurance is a requirement of RCW 64.37. Some STVR platforms included liability insurance for operators that use their platform.

- b. Applications shall be accompanied by a nonrefundable fee payable to the Skamania County Treasurer in an amount established by the Board of County Commissioners. Application fees will be prorated if issued for less than half of the annual term.

An application fee is necessary to cover the cost of enforcement of STVR regulations and maintenance of STVR permits. Permit fees will be determined by the Community Development Department and approved by the Board of County Commissioners. Fee tiers can be implemented based on the size or intensity of a STVR. For example, a full-time STVR may have a higher permit fee than one that is only operated on occasion.

- c. The operator shall post a copy of the current permit in a conspicuous place in the STVR.

The Community Development Department will issue a permit that will be posted within the STVR. The permit will assure guests that their unit is an approved and legal STVR within Skamania County and will include important contact information for the operator and emergency services.

## 2. TERM OF ANNUAL PERMIT

- a. A STVR permit shall be issued for a period not to exceed one year, with its effective date running from the date of issuance to December 31<sup>st</sup>.
- b. STVR permits may be renewed annually. Operators shall report on the prior year's occupancy at the time of renewal.

Permits will be required annually as long as the STVR continues to operate. An annual report from the operators on the prior years activities will help the county assess the success of the program and verify tax compliance.

## 3. REVOCATION

- a. In addition to other enforcement options available to the County under SCC 21.100, the County following provisions apply to violations of this section:
  - i. Failure to meet the operational requirements of SCC 21.70.190(B) or the discovery of material misstatements or providing of false information in the application or renewal process is grounds for immediate revocation of the permit.
  - ii. Other violations of this chapter, including but not limited to investigation/sustaining of complaints, shall be processed as follows:
    1. For the first and second violations within a twelve-month period, the sanction shall be a warning notice.
    2. If the same offense continues to occur or a third similar offense occurs at any time during a twelve-month period, the County may either issue a third warning, update the permit to include reasonable special operational standards, or revoke the permit.
- b. The period of time for which a permit is revoked will be determined on a case-by-case basis, but shall not exceed 12 months.

The ability to revoke a STVR permit will be the County's most important enforcement tool to eliminate nuisance STVRs and to bring them into compliance. Respondents to the County's STVR survey highly favored the ability for the County to revoke a permit. This section gives specific direction on how the County will respond to multiple complaints received within a 12-month period. The first and second complaints will result in a warning, but the third complaint receive may result in a warning, revocation of a permit, or imposition of special operational standards. Those special operational standards may be conditions on a permit to mitigate any negative impacts to neighbors or violations of the operational requirements. An example of these conditions may be a reduction to the number of approved occupants or a limit on the number of monthly rentals.

- c. If the STVR permit is updated or revoked, the Community Development Department shall send written notice to the owner stating the basis for the decision. Operators may appeal the decision to the Board of County Commissioners within 14 calendar days. Upon receipt of an appeal, the Community Development Department shall stay the update or revocation

decision until the appeal has been finally determined by the Board of County Commissioners.

This section allows an operator to appeal the County’s revocation of a permit or imposition of special operational standards to the Board of County Commissioners. The revocation or permit update would be stayed until the appeal is determined by the Board of County Commissioners.

OTHER AMENDMENTS

21.70.180      **ACCESSORY DWELLING UNITS**

B. STANDARDS AND CRITERIA

1. Only one ADU may be established per legal lot of record and only if a lot contains one principal dwelling unit and no other dwellings. ~~The property owner must occupy either the principal unit or the ADU as their permanent residence for at least six months out of each year. To meet this requirement, a property owner may include any spouse, child, sibling, parent, grandchild, grandparent, aunt, uncle, niece, or nephew of the property owner on title.~~

STVRs can displace long-term residents by removing long-term rentals from the rental market. In order to counter this issue, Staff proposes to remove the restriction currently in place for accessory dwelling units that requires owner-occupancy of one either the principal dwelling unit or accessory dwelling unit. This would allow for both units to operate as rentals (either as long-term rentals or short-term rentals) and has the potential of increasing the number of affordable rentals in the county.

...  
8. Either the ADU or the principal unit, but not both units, may be rented as a short-term vacation rental. ~~Neither the ADU nor the principal unit shall be used at any time as a short term vacation rental. A short term vacation rental is a unit rented out for any period of less than sixty days.~~

The proposal would remove a restriction that currently prohibits ADUs from being using as a STVR, but would prohibit that both units on a property be used as STVRs. This is intended to mitigate housing impacts, but would allow for one unit to be used as a long-term rental and the other as a short-term rental.

...  
D. APPLICATION PROCEDURE.

...  
2. ~~A declaration shall be signed by the applicant and recorded in the auditor’s office specifying that the owners, successors, heirs, and assigns of the property shall abide by the standards and criteria of this section, including specifically the requirement that they occupy either the principal unit or the ADU as their permanent residence for at least six months out of each year, and that neither the ADU nor the principal unit shall be used at any time as a short term vacation rental.~~

With the removal of the prohibition of STVRS and the removal of the requirement for owner-occupancy, this declaration is no longer necessary.

**Review Criteria and Findings**



*21.18.020 Textual amendments.*

*The board of county commissioners, upon recommendation of the planning commission, or upon its own motion and referral to and report from the planning commission and after a public hearing, may amend, delete, supplement, or change by ordinance the regulations herein established, provided such revision is in accordance with the procedures set forth in RCW 36.70. An amendment to the text of this title may only be initiated by the board of county commissioners or the planning commission and shall be consistent with the terms of the comprehensive plan.*

*Staff Findings:*

The proposal was initiated by the Board of County Commissioners. The Planning Commission held a public hearing on October 6, 2020, and voted to send a positive recommendation to the Board of County Commissioners on November 17, 2020.

Revised Code of Washington (RCW) 36.70 Planning Enabling Act

*36.70.580 Official controls—Public hearing by commission.*

*Before recommending an official control or amendment to the board for adoption, the commission shall hold at least one public hearing.*

*36.70.590 Official controls—Notice of hearing.*

*Notice of the time, place and purpose of the hearing shall be given by one publication in a newspaper of general circulation in the county and in the official gazette, if any, of the county at least ten days before the hearing. The board may prescribe additional methods for providing notice.*

*36.70.600 Official controls—Recommendation to board—Required vote.*

*The recommendation to the board of any official control or amendments thereto by the planning agency shall be by the affirmative vote of not less than a majority of the total members of the commission. Such approval shall be by a recorded motion which shall incorporate the findings of fact of the commission and the reasons for its action and the motion shall refer expressly to the maps, descriptive and other matters intended by the commission to constitute the plan, or amendment, addition or extension thereto. The indication of approval by the commission shall be recorded on the map and descriptive matter by the signatures of the chair and the secretary of the commission and of such others as the commission in its rules may designate.*

*Staff Findings:*

The Planning Commission held a public hearing on October 6, 2020. Proper notice of this hearing was provided in the Skamania County Pioneer. The Planning Commission voted 5-0 to send a positive recommendation to the Board of County Commissioners on November 17, 2020. The written approved motion is attached to this report.

*36.70.610 Official controls—Reference to board.*

*A copy of any official control or amendment recommended pursuant to RCW 36.70.550, 36.70.560, 36.70.570 and 36.70.580 shall be submitted to the board not later than fourteen days following the action by the commission and shall be accompanied by the motion of the planning agency approving the same, together with a statement setting*

*forth the factors considered at the hearing, and analysis of findings considered by the commission to be controlling.*

*36.70.620 Official controls—Action by board.*

*Upon receipt of any recommended official control or amendment thereto, the board shall at its next regular public meeting set the date for a public meeting where it may, by ordinance, adopt or reject the official control or amendment.*

**Staff Findings:**

The Planning Commission's recommendation is being forwarded to the Board of County Commissioners with this report, dated November 18, 2020. The Board will review the recommended text amendments at a workshop with Staff on November 24, 2020. If the Board is in support of the Planning Commission recommendation, the Board can approve the amendments by ordinance at an upcoming meeting. Approval on the consent agenda is adequate.

*36.70.630 Official controls—Board to conduct hearing, adopt findings prior to incorporating changes in recommended control.*

*If after considering the matter at a public meeting as provided in RCW 36.70.620 the board deems a change in the recommendations of the planning agency to be necessary, the change shall not be incorporated in the recommended control until the board shall conduct its own public hearing, giving notice thereof as provided in RCW 36.70.590, and it shall adopt its own findings of fact and statement setting forth the factors considered at the hearing and its own analysis of findings considered by it to be controlling.*

**Staff Findings:**

If after reviewing the Planning Commission's proposal, the Board wants to make changes to the Planning Commission's recommended draft, then the Board will need to conduct its own public hearing prior to adopting an ordinance. The Board should provide Staff with specific changes that should be included in the text amendments. A revised ordinance will be prepared, and a public hearing will be scheduled and noticed.

**Recommendation**

Staff recommends that the Board of County Commissioners place consideration of Ordinance No. 2020-08 on a future consent agenda in order to adopt the Planning Commission's recommendation for text amendments adopting short-term vacation rental regulations. In addition to the text amendments, the Planning Commission also recommends:

1. That the requirement to obtain a permit to operate a STVR not go in effect until July 1, 2021.
2. The Community Development Department and Board of County Commissioners work towards the most conservative permit fees possible.
3. That the Planning Commission review these regulations after one year to determine whether intended objectives are being achieved.

**Attachments**

Planning Commission Recommendation Motion  
Planning Commission Recommended Text Amendments



**Skamania County**  
**Community Development Department**  
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**SKAMANIA COUNTY PLANNING COMMISSION**  
**MOTION TO RECOMMEND APPROVAL OF**  
**AMENDMENTS TO TITLE 21 ESTABLISHING REGULATIONS FOR THE**  
**OPERATION OF SHORT-TERM VACATION RENTALS**

The Skamania County Planning Commission conducted a public hearing to consider proposed text amendments to Title 21, establishing regulations for the operation of short-term vacation rentals and amending the requirements for accessory dwelling units.

I, Cyndi Soliz, do hereby move that the Skamania County Planning Commission make the following Findings of Fact, and Conclusions.

**FINDINGS OF FACT**

- A. RCW 36.70 authorizes counties to adopt or amend zoning regulations.
- B. RCW 64.37 includes certain requirements for operation of short-term vacation rentals.
- C. The increased growth of short-term vacation rentals in Skamania County requires the adoption of development and operational standards.
- D. Short-term vacation rentals benefit the local economy of Skamania County, but can be a negative community impact if not addressed effectively.
- E. The proposed amendments to the County's Zoning regulations are consistent with state law, including RCW 36.70 and RCW 64.37, and the County's Comprehensive Plan.
- F. The Planning Commission, having provided proper notice in the Skamania County Pioneer, and with a quorum present, conducted a public hearing at its October 6, 2020, meeting.

## CONCLUSIONS

Based on public comment and staff analysis, the proposed text amending Title 21 to establish regulations for the operation of short-term vacation rentals will help to promote tourism and economic development within Skamania County while preventing unreasonable burdens on services and minimizing impacts to rural residential neighborhoods, protects the general health, safety, and welfare of the public, and should be recommended to the Board of County Commissioners for approval.

## RECOMMENDATION

Based upon the findings of fact and conclusions, I further move that the Planning Commission recommend to the Board of County Commissioners that they adopt the proposed text amendments.

The Planning Commission further recommends that:

1. That the requirement to obtain a permit to operate a STVR not go in effect until July 1, 2021.
2. The Community Development Department and Board of County Commissioners work towards the most conservative permit fees possible.
3. That the Planning Commission review these regulations after one year to determine whether intended objectives are being achieved.

Motion seconded by John Prescott.

	AYE	NAY
Mat Joy, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cyndi Soliz, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ken Bajema	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>Tony Coates</del> <i>vacant</i>	<input type="checkbox"/>	<input type="checkbox"/>
Sue Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adam King	<i>absent</i>	<input type="checkbox"/>
John Prescott	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Allen Peter*

1 **SHORT-TERM VACATION RENTALS**  
2 **PROPOSED TEXT AMENDMENTS**  
3  
4

5 NEW DEFINITION  
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7 21.08.010 **DEFINITIONS - INTERPRETATION**  
8

9 . . .

10 Short-term vacation rental: means a lodging use, that is not a hotel or motel or bed and breakfast, in which  
11 a dwelling unit, a residential accessory building, or portion thereof, is offered or provided to a guest by a  
12 short-term vacation rental operator for a fee for fewer than thirty consecutive nights.

13 NEW SECTION  
14

15 21.70.190 **SHORT-TERM VACATION RENTALS**  
16

17 A. PURPOSE

18 The purpose this section is to establish regulations for the operation of short-term vacation rentals  
19 (STVRs) in Skamania County. These regulations do not apply to hotels, motels, or bed and  
20 breakfasts which operate as commercial uses. The provisions in this section are necessary to  
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22 unreasonable burdens on services and minimizing impacts to rural residential neighborhoods.  
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24 B. DEVELOPMENT STANDARDS AND OPERATIONAL REQUIREMENTS

- 25 1. A STVR may be located within any dwelling unit (including any entire dwelling unit or any  
26 portion of a dwelling unit), within any accessory dwelling unit, or within a residential accessory  
27 building. A park model recreational vehicle may be used as a STVR in accordance with the  
28 occupancy restrictions in SCC 21.70.120(A).  
29 2. Dedicated on-site parking shall be provided to accommodate all guests.  
30 3. The STVR shall conform to all applicable standards in the building, plumbing, electrical,  
31 mechanical, fire, health (water and septic), and any other applicable codes. Functioning carbon  
32 monoxide detectors and smoke detectors shall be kept in operating order and installed as required  
33 by the International Residential Code (IRC). At least one functioning fire extinguisher shall be  
34 installed within the STVR.  
35 4. Address numbers for the STVR shall be visible from the road.  
36 5. The STVR shall be operated in a way that will prevent disturbances to neighboring properties  
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38 excessive traffic, loud and uncontrolled parties, junk/debris/garbage accumulation in the yards,  
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41 rental is associated with an approved commercial event center.  
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43 C. LIABILITY INSURANCE AND TAXES

- 44 1. Per RCW 64.37.050, a STVR operator must maintain primary liability insurance to cover the  
45 STVR in the aggregate of not less than one million dollars or conduct each STVR transaction  
46 through a platform that provides equal or greater primary liability insurance coverage.  
47 2. Per RCW 64.37.020, STVR operators must remit all applicable local, state, and federal taxes  
48 unless the platform does this on the operator's behalf.  
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50 D. SHORT-TERM VACATION RENTAL PERMITS

51 All operators of STVRs shall maintain a short-term vacation rental permit as required in this  
52 section. It is a violation of this section to rent, offer for rent, or advertise for rent a STVR without  
53 first obtaining a STVR permit.

54 1. APPLICATION PROCEDURE

- 55 a. An application for a STVR permit shall be made to the Community Development  
56 Department on a form provided by the Department. The application shall include at a  
57 minimum:
- 58 i. Property owner information and the information for a contact person who  
59 must be available to respond 24 hours a day, seven days a week to any  
60 complaints or inquiries.
  - 61 ii. Occupancy limit for the STVR as determined by the operator.
  - 62 iii. A statement allowing the County reasonable access to the property for the  
63 purpose of verifying compliance with this section should the County receive  
64 complaints about the STVR.
  - 65 iv. A statement that the STVR complies with the development standards and  
66 operational requirements in SCC 21.70.190(B).
  - 67 v. A statement of intent to notify all property owners of record and/or occupants  
68 of properties within 300 feet of the STVR. The notice shall include the  
69 telephone number of the owner and contact person. The purpose of this  
70 notice is so that neighbors can contact a responsible person to report and  
71 request resolution of problems associated with the STVR.
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73 the STVR and to provide liability insurance coverage as required by RCW  
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- 75 b. Applications shall be accompanied by a nonrefundable fee payable to the Skamania  
76 County Treasurer in an amount established by the Board of County Commissioners.  
77 Application fees will be prorated if issued for less than half of the annual term.
- 78 c. The operator shall post a copy of the current permit in a conspicuous place in the  
79 STVR.

80 2. TERM OF ANNUAL PERMIT

- 81 a. A STVR permit shall be issued for a period not to exceed one year, with its effective  
82 date running from the date of issuance to December 31<sup>st</sup>.
- 83 b. STVR permits may be renewed annually. Operators shall report on the prior year's  
84 occupancy at the time of renewal.

85 3. REVOCATION

- 86 a. In addition to other enforcement options available to the County under SCC 21.100,  
87 the following provisions apply to violations of this section:
- 88 i. Failure to meet the operational requirements of SCC 21.70.190(B) or the  
89 discovery of material misstatements or providing of false information in the  
90 application or renewal process is grounds for immediate revocation of the  
91 permit.
  - 92 ii. Other violations of this chapter, including but not limited to  
93 investigation/sustaining of complaints, shall be processed as follows:
    - 94 1. For the first and second violations within a twelve-month period, the  
95 sanction shall be a warning notice.
    - 96 2. If the same offense continues to occur or a third similar offense  
97 occurs at any time during a twelve-month period, the County may  
98 either issue a third warning, update the permit to include reasonable  
99 special operational standards, or revoke the permit.
- 100 b. The period of time for which a permit is revoked will be determined on a case-by-  
101 case basis, but shall not exceed 12 months.

102 c. If the STVR permit is updated or revoked, the Community Development Department  
103 shall send written notice to the owner stating the basis for the decision. Operators  
104 may appeal the decision to the Board of County Commissioners within 14 calendar  
105 days. Upon receipt of an appeal, the Community Development Department shall stay  
106 the update or revocation decision until the appeal has been finally determined by the  
107 Board of County Commissioners.  
108

109 OTHER AMENDMENTS

110  
111 21.70.180 **ACCESSORY DWELLING UNITS**

112 B. STANDARDS AND CRITERIA

113 1. Only one ADU may be established per legal lot of record and only if a lot contains one principal  
114 dwelling unit and no other dwellings. ~~The property owner must occupy either the principal unit or the~~  
115 ~~ADU as their permanent residence for at least six months out of each year. To meet this requirement, a~~  
116 ~~property owner may include any spouse, child, sibling, parent, grandchild, grandparent, aunt, uncle, niece,~~  
117 ~~or nephew of the property owner on title.~~

118 . . .

119 8. Either the ADU or the principal unit, but not both units, may be rented as a short-term vacation rental.  
120 ~~Neither the ADU nor the principal unit shall be used at any time as a short term vacation rental. A short-~~  
121 ~~term vacation rental is a unit rented out for any period of less than sixty days.~~

122 . . .

123 D. APPLICATION PROCEDURE.

124 . . .

125 2. ~~A declaration shall be signed by the applicant and recorded in the auditor's office specifying that the~~  
126 ~~owners, successors, heirs, and assigns of the property shall abide by the standards and criteria of this~~  
127 ~~section, including specifically the requirement that they occupy either the principal unit or the ADU as~~  
128 ~~their permanent residence for at least six months out of each year, and that neither the ADU nor the~~  
129 ~~principal unit shall be used at any time as a short term vacation rental.~~