



**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801  
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

September 2, 2020

TO: Planning Commission

FROM: Jim Brown, Director

SUBJECT: **PACKET--REMAND OF SHORT TERM RENTAL CODE DRAFTING**

This packet of materials contains:

**Exhibits:**

- A: Agenda** for September 9, 2020 Public Hearing
- B: Minutes** of previous meeting for your review
- C: Updated pdf version of the draft Short Term Rentals code** at the end of your July 9 vote to pass the document to the Board of Commissioners
  - (minus any reference to the "Vision Statement")
- D: STR Written Comments** from date of remand on August 26-September 2, afternoon.
  - (They close September 4, but we wanted to get you a "batch" now as Monday is a holiday. It keeps the size manageable for your consumption. The balance will be sent on Tuesday.)

You can choose to "reopen/extend" a written comment period again on September 9 at the hearing. And if so, I would recommend that you limit it to 7 calendar days.

Then your "deliberation" and editing meeting is already scheduled for September 23 and you can decide if you need any additional comments, though not required.

# **Exhibit A**



## Chelan County Planning Commission

Chair: Ryan Kelso

Vice Chair: Carl Blum

Commissioners District 1: Vicki Malloy, Ryan Kelso, Will Wiggs

Commissioners District 2: Jim Newberry, Randy Baldwin, Vacant

Commissioners District 3: Carl Blum, Pat Hammersmith, Greg Becker

### **SPECIAL Meeting Agenda Public Hearing**

Wednesday, September 9, 2020 at 7:00 P.M.

Chelan County Community Development

*In response to the [Governor's Proclamation 20-28](#), the Planning Commission will hold all of their Regular and Special Meetings via Zoom Video Conference until further notice. Click the link below to join the meeting, beginning at 7:00 pm on September 9, 2020.*

*You are invited to a Zoom meeting.*

*When: Sep 9, 2020 07:00 PM Pacific Time (US and Canada)*

*Register in advance for this meeting:*

[https://us02web.zoom.us/join/zoom/register/tZEqdeuopzkqHNG4Lk2\\_cCtLbk8r4Ld21IGN](https://us02web.zoom.us/join/zoom/register/tZEqdeuopzkqHNG4Lk2_cCtLbk8r4Ld21IGN)

*After registering, you will receive a confirmation email containing information about joining the meeting.*

*If you prefer to stay anonymous, just choose an appropriate anonymous name to use to log in. Please be mindful of kind wording.*

#### **Call Meeting to Order**

##### **I. Administrative**

A. Review/Approval of Minutes from July 22, 2020

B. Review/Approval of Minutes from August 26, 2020

##### **II. Public Comment Period**

Comment for any matters not identified on the agenda (limit 2 minutes per person)

##### **III. Old Business**

Public Hearing for the Code Development of Short-term Vacation Rentals

##### **IV. New Business**

Water Code Process Update

##### **V. Discussion, at the Chair's discretion**

##### **VI. Adjournment \*Meeting will go no longer than 9:00 PM.\***

**Written comment must be received by September 4, 2020 @ 5:00 PM. Comment must be submitted to [CD.STRComment@co.chelan.wa.us](mailto:CD.STRComment@co.chelan.wa.us)**  
**(OR)**

**Chelan County Community Development – STR Comment  
316 Washington Street, Suite 301  
Wenatchee, WA 98801**

Any person may join this meeting via Zoom Video conference, of which the link is provided on the Chelan County Website. A Copy of the Agenda may be reviewed online <https://www.co.chelan.wa.us/community-development/pages/planning-commission> or requesting it by email at [CD.Director@co.chelan.wa.us](mailto:CD.Director@co.chelan.wa.us)

Chelan County has been recording Planning Commission meetings which will continue to be accessible on the Community Development Planning Commission web page shortly after the meeting takes place. If you need special accommodations to view the meetings while they take place, please contact us immediately at 509-667-6225 to set up a place for you to do so on the County Campus. Keep in mind you would be required to wear personal protective equipment and maintain social distancing guide lines at all times.

**Materials available on the Community Development website**

**Next Regular Meeting: Proposed Deliberation and Decision for Short-term Rentals –  
September 23, 2020 at 7:00 pm via Zoom**

***\* All Planning Commission meetings and hearings are open to the public.***

# **Exhibit B**



# CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission  
Chelan County Community Development VIA ZOOM  
Called to Order: 7:00 PM  
316 Washington St., Suite 301  
Wenatchee, WA 98801

Date: July 22, 2020

### CALL TO ORDER

Meeting was called to order at 7:04 pm.

### COMMISSIONER PRESENT/ABSENT

<b>Greg Becker</b>	<b>Present</b>	<b>Carl Blum</b>	<b>Present</b>
<b>Randy Baldwin</b>	<b>Absent</b>	<b>Vicki Malloy</b>	<b>Present</b>
<b>Ryan Kelso</b>	<b>Present</b>	<b>Jim Newberry</b>	<b>Absent</b>
<b>Jordan McDevitt</b>	<b>Absent</b>	<b>James Wiggs</b>	<b>Present</b>
<b>Pat Hammersmith</b>	<b>Present</b>		
<b>James Wiggs</b>	<b>Present</b>		

### STAFF PRESENT

**Jim Brown – Director**  
**RJ Lott - Planner II**  
**Wendy Lane - Permit Clerk**

### PUBLIC PRESENT ZOOM MEETING

### BUSINESS:

Approval of minutes from July 9th special meeting. Approval of minutes: Vicki moves to amend the minutes and second from Greg. Unanimous approval.

### PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

No Comments

### OLD BUSINESS:

None

Chair Ryan Kelso called the meeting to order at 7:05pm.

Greg asked about areas of an area of 5-year sunset. Address now or at the topic? Chair asks to talk about this later in the meeting.

No members of the public wished to comment on items not on the agenda.

Current business: Critical Areas discussion.

RJ briefly gave an overview of the need. And introduce Christina of Perteet. Christina gave an overview and update of the Critical Areas. Process started last summer. CAO is due when the periodic update due back in 2017. Level of regulation to the same level as before while using best available science and current regulations via the state.

Local regulations are to be based on best available science as required. Recommendations are based on current codes or other regulating documents. New codes should increase consistency.

Asked about maps and comments from agencies. Mapping documents are available online. Lots of data exists. Greg questions the mapping needs of the critical areas as well as the goals of the Growth Management Act. Vicki asks to quantify how much area there is throughout the County that are designated as critical areas. Ryan asks about what to do with inaccurate mapping. Christina will discuss that later in the evening. Jim clarifies the hurdles in providing paper maps to the PC for their review of critical areas.

Started with definitions. Code for Chelan County to match state definitions. Greg asks if waters need to be navigable. Questions the definition of floodplain. Questions around floodplain vs frequently flooded areas. Also questions on Wellhead def.

The Planning Commission requests cost estimates on some of the work borne by developers with regards to the critical areas.

Stopped at wetlands. Consideration of a special session in the future. Carl moves to continue to August 26th, seconded by Vicki. Unanimous. Greg motions to adjourn, Carl seconded.

Adjourned at 9:14pm

*\*It was asked at the August 26, 2020 Planning Commission Meeting, by Commissioner Vicki Malloy, to go back through these minutes and answer the questions brought forth during the meeting. After review, it was determined, during the past meeting, a commitment was made that the questions asked will be addressed by Christina Wollman, from Perteet, during a future Planning Commission Meeting where she goes back through the code during the Deliberation and Decision step of the process.*



# CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission  
Chelan County Community Development VIA ZOOM  
Called to Order: 7:00 PM  
316 Washington St., Suite 301  
Wenatchee, WA 98801

Date: August 26, 2020

## CALL TO ORDER

Meeting was called to order at 7:02 pm.

## COMMISSIONER PRESENT/ABSENT

<b>Greg Becker</b>	<b>Present</b>	<b>Carl Blum</b>	<b>Present</b>
<b>Randy Baldwin</b>	<b>Present</b>	<b>Vicki Malloy</b>	<b>Present</b>
<b>Ryan Kelso</b>	<b>Present</b>	<b>Jim Newberry</b>	<b>Absent</b>
<b>Pat Hammersmith</b>	<b>Present</b>		
<b>James Wiggs</b>	<b>Present</b>		

## STAFF PRESENT

**Jim Brown, Director**  
**Wendy Lane, Permit Clerk**

## PUBLIC PRESENT

ZOOM MEETING – 18 PARTICIPANTS INCLUDING STAFF AND PC MEMBERS

## BUSINESS:

Chairman Ryan Kelso asked the Planning Commission members if all had read the minutes from the July 9, 2020, meeting and the July 22, 2020, meeting.

## MOTION:

Motion made by Commissioner Greg Becker, second by Commissioner Vicki Malloy, to approve the minutes from the July 9, 2020 meeting.

Vote – Unanimous

Minutes were tabled for the July 22, 2020 Planning Commission Meeting as Commissioner Vicki Malloy asked that the minutes be amended to include the answers to questions asked during the meeting.



## **PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA**

No Comments

### **OLD BUSINESS:**

#### **A. Continued: Deliberation and Discussion of the County's Critical Area Ordinance**

Director Jim Brown pointed out that this portion of the Agenda is the continuation of the Critical Area Ordinance Workshop and not the Deliberation and Discussion on Critical Area Ordinance as listed on the Agenda.

Chairman Ryan Kelso turned the floor over to Christina Wollman, from Perteeet, for the continued presentation.

The Zoom recording, for this meeting, was activated at 7:35 pm. An error, made by staff, prevented it from being launched at the start of the meeting.

Christina Wollman continued her Workshop on the County's Critical Area Ordinances starting where she left off from the July 22<sup>nd</sup> Planning Commission Meeting with wetlands and fish and wildlife habitat areas.

There was concern among the commission about the format in which the information was being presented. Director Jim Brown brought forth a method in which material could be released to the Commissioners, prior to the next meeting, which would make the information more favorable to review in a group setting. It was also requested that said information be given in a timeline that would allow the commissioners plenty of time to review the documentation before the next meeting.

Christina Wollman covered a memorandum where the Chapter 11.80 Wetland Areas Overlay District (WOD) was displayed; she explained the information and how it came to be.

There was some back and forth between the Commissioners, Christina Wollman and Director Jim Brown concerning word definitions. Christina Wollman and Jim Brown did their best to field questions about current definitions and how they may or may not be expanded, in the future, under "what if" circumstances.

Director Jim Brown stated that the plan forward would be to walk through the code one time and identify the questions being asked and then go back to the beginning and walk through it again and answer the questions.

Chairman Ryan Kelso continued this topic until the next Planning Commission Meeting.

### **NEW BUSINESS:**

#### **A. Chelan County Water Management Program**

Mike Kaputa presented a Workshop with a PowerPoint Presentation on the Chelan County Water Management Program.

He stated that an expedited review of the program was needed by the Planning Commission

The presentation covered Why Requesting Code Changes was Needed, New Exempt Well Mitigation Requirements (2018), County Fee Program Examples, Exempt Well Litigation, What are Other Counties Doing, County Code Proposal, Water Use Per House, Other County Fees, and Mission Accounting Update.

He hoped that the Planning Commission could provide input by early September so the County Commissioners could schedule their own public hearings and keep the progress moving forward on this matter. Chairman Ryan Kelso could not guarantee this schedule with the current work load of the commission.

Mike Kaputa explained that the code for the program was quite short and there is not a lot to it. It is mostly an administrative process.

#### **B. Revisit Code Development for the Management of Short-term Rentals**

Chairman Ryan Kelso turned the floor over to Director Jim Brown so he could explain a Resolution that was given to him by the Board of County Commissioners concerning Short-term Rentals. A process concern was identified and the County Commissioners that they felt they needed to act upon and take seriously, therefore they suspended their process and remanded the Short-term Rental process back to the Planning Commission for additional consideration in the future. He stated that we would need another public hearing and then a reconsideration of the final version of the code that was provided.

Next, Director Jim Brown discussed a schedule to get through all of the topics on the docket for the Planning Commission. It was decided that a Special Planning Commission meeting would be held on September 9, 2020, at 7:00 pm, for Public Comment on Short-term Rentals with Deliberation and a Decision proposed for the regular Planning Commission Meeting on September 23, 2020. Once that meeting takes place, a continued scheduled will be decided at a later date holding the Water Management Program and Critical Areas in a Que.

#### **MOTION:**

Motion made by Commissioner Carl Blum, seconded by Commissioner Vicki Malloy, to set up a Special Meeting for September 9, 2020 to have a hearing for Short-term Vacation Rental Code and for Community Development to establish a comment period for the meeting.

Vote – unanimous

#### **DISCUSSION AT THE CHAIR'S DISCRETION:**

Chairman Ryan Kelso read a letter of resignation from Commissioner Jordan McDevitt.

**ADJOURNMENT**

**MOTION:**

Motion made by Commissioner Carl Blum, seconded by Commissioner Randy Baldwin, to adjourn the meeting.

Vote - unanimous

Meeting Adjourned at 9:34 pm.

Next Planning Commission Meeting is a Special Meeting on September 9, 2020, at 7:00 pm – a Zoom meeting.

All Planning Commission meetings and hearings are open to the public.

DRAFT

# Exhibit C

# Chelan County Short-Term Rentals

Planning Commission Recommendations July 9, 2020 | Report Date: September 1, 2020

---

## Introduction

A short-term rental refers to a residential dwelling rented out on a nightly basis for less than 30 days to individual guests. It could be a whole home or just part of it. Short-Term Rentals are found across the county, but particularly in the Leavenworth-Peshastin area, Lake Wenatchee, Manson, and Chelan. The number of short-term rentals has increased rapidly in the last six years especially in Leavenworth and Manson areas.

Chelan County has been considering how to best address short-term rentals to allow for property owner income while protecting the character of residential communities across the county.

In 2019 Chelan County considered draft regulations. The Planning Commission and Board of County Commissioners heard comments and felt proposals did not meet the County's and community's needs, and denied the 2019 draft.

The Board of County Commissioners desire to look at new code options in 2020. The process includes: development of a situation assessment; development of code options; Planning Commission review, hearing, and recommendations; and Board of County Commissioner review, hearing, and decision.

The Chelan County Planning Commission met seven times over April to July 2020 to develop draft short-term rental regulations, with a hearing on June 17, 2020 and deliberations on June 24 and July 9, 2020.

The Board of County Commissioners met in July and August 2020 to consider the Planning Commission Recommendations. The Board remanded the short-term rental code back to the Planning Commission for reevaluation in September 2020 including a new hearing and deliberation.

This document presents Planning Commission recommendations as of July 9, 2020 and would be the basis for the Planning Commission hearing scheduled for September 9, 2020.

Data on short-term rentals and the evolution of the draft code can be found at:

- Project website: <https://www.co.chelan.wa.us/community-development/pages/short-term-vacation-rentals>. Public comments received through the review process are posted at the project website.
- Planning Commission packets are located at this link: <https://www.co.chelan.wa.us/community-development/pages/planning-commission>.

## Planning Commission Recommendations

The Consultant and County staff reviewed meeting minutes and direction from the Planning Commission at their deliberation on July 9, 2020 to document the recommendations; our intent was to accurately capture the voted options and reconcile between the options and code text. Footnotes explain final changes meant to match Planning Commission recommendations or to clarify information.

34 Planning Commission recommendations are illustrated in Exhibit 1 and described below.

- 35 ▪ **Zones Allowed:** A short-term rental owner/operator would determine if the zoning district permits  
36 or conditionally permits a short-term rental. Tier 1 owner-occupied short-term rentals are permitted  
37 in most zones in the County provided they meet operational standards and obtain a land use permit.  
38 Tier 2 short-term rentals are non-owner occupied, and are permitted but are further restricted on  
39 smaller lots in certain zones with a sunset clause, or limited in numbers in areas where there is a high  
40 concentration of existing short-term rentals. Tier 3 short-term rentals are those with larger  
41 occupancies (over 12 total guests) and would require conditional use permits and have similar  
42 restrictions on locations and numbers as Tier 2.
- 43 ▪ **Number Allowed:** New non-owner-occupied units (Tier 2) and larger occupancy short-term rentals  
44 (over 12 guests; Tier 3) would be limited in number to 1% of existing compliant short-term rentals  
45 documented countywide. The Tier 2 and Tier 3 short-term rentals could locate in unincorporated  
46 areas except for zip codes, overlay zones, and Urban Growth Areas (UGAs) with more than 5%  
47 short-term rentals as a share of total units.<sup>1</sup> See Attachment A for a map of zip codes, and  
48 Attachment B for a map of the Leavenworth-Lake Wenatchee subareas. These areas are referenced  
49 in relation to the restrictions on locations where short-term rentals make up more than 5% of the  
50 housing stock. Also, due to community preferences and concern over neighborhood quality, new short-  
51 term rentals would be limited in Peshastin and Manson UGAs particularly in residential zones. Tier 1  
52 includes developments specifically designed for short-term rentals (e.g. Planned Unit Developments  
53 and Master Planned Resorts) are not subject to the cap.
- 54 ▪ **Operational Standards:** Tier 1, 2, or 3 units would be required to meet standards such as occupancy,  
55 parking, noise, solid waste, pool/hot tub monitoring, adequate sewer and water, fire preparedness,  
56 access to a qualified person within 60 minutes, establishing a property management plan, etc.
- 57 ▪ **Existing Units:** Existing short-term rentals established prior to the effective date of the code would  
58 need to meet criteria regarding use allowances in their zones (locating in a zone that allowed for a  
59 similar use such as a bed and breakfast), use as a short-term rental, proper payment of taxes, and  
60 compliance with operational standards. Permits would need to be obtained as well. Where existing  
61 units are in the RR2.5, RV, and RW zones but are on lots less than 2.5 acres, there is a 5-year sunset  
62 clause. Where existing units are in a zone that prohibits them, there is a 2-year sunset period.
- 63 ▪ **Permit Process:** Once compliant numbers of existing units are established through a land use permit  
64 process, the 1% cap of new units would be determined. Then new units could be permitted. The first  
65 permit would require inspections and more detailed review, but annual renewal would be based on

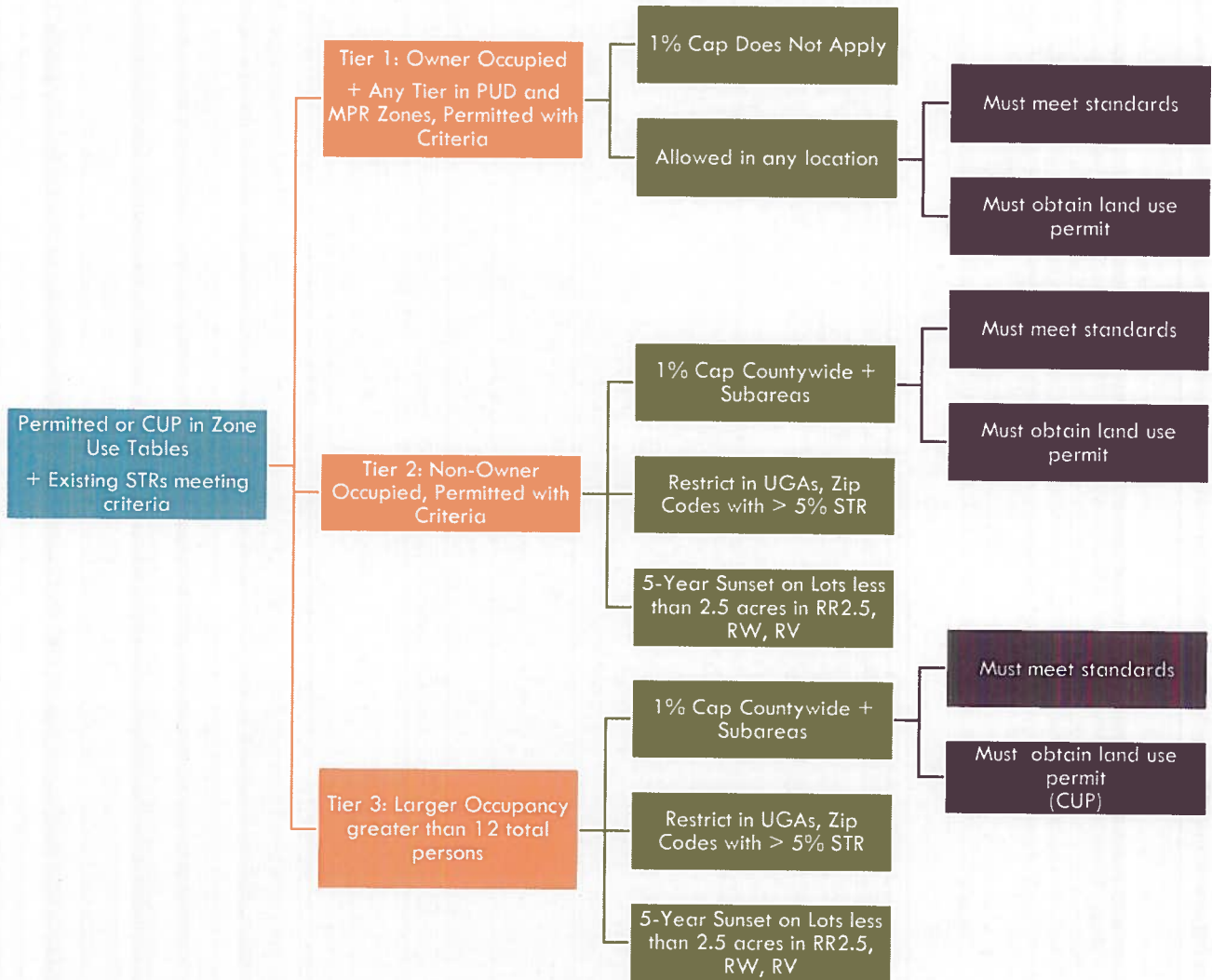
---

<sup>1</sup> The threshold share of short-term rentals is 5% of the total housing stock which is similar to a recommendation in a study of Oregon jurisdictions that found that where short-term rental growth and household formation is increasing at a faster rate than total housing unit growth there can be a constraint on housing affordability. See copy of study hosted by the City of Olympia's website: <https://engage.olympiawa.gov/4076/documents/5992>.

The rate of short-term rental growth has been occurring faster than new home construction in the Leavenworth Zip Code within unincorporated areas. The Zip Codes with greater than 10% share of short-term rentals compared to total dwellings within unincorporated areas include: Leavenworth (15.6%) and Manson (11.2%). Peshastin Zip Code is at 5.5%. Chelan is 3.9% and others are less than 2%. These percentages are based on whole house rentals and are corrected to exclude housing inside city limits. The number where only a room is offered is < 100. See Attachment D for the updated information.

66 self-certification and a more abbreviated review. Fees would be set to recover costs of permit  
 67 reviews and inspections such as by the fire marshal, health district, etc.

68 **Exhibit 1. Proposed Short-Term Rental Regulation Process**



69

70 **Task Force**

71 In addition to the permitting and code compliance standards in the proposed regulations, the Planning  
 72 Commission has recommended a Task Force be formed to review the effectiveness of the regulations  
 73 after a 2 to 3 year period. It would have nine members.

74 See Attachment C.

75 **Schedule**

76 The Planning Commission recommendations will be the subject of a hearing on September 9, 2020. A  
77 deliberation session is scheduled for September 23, 2020. More information about the schedule can be  
78 found at the project website: [https://www.co.chelan.wa.us/community-development/pages/short-term-  
vacation-rentals](https://www.co.chelan.wa.us/community-development/pages/short-term-<br/>79 vacation-rentals)

80



# Chelan County

## Draft Short-term Rental Code

DRAFT July 9, 2020 | Planning Commission Recommendations

### Use Allowance Amendments

#### CHAPTER 11.04 DISTRICT USE CHART

##### 11.04.020 District Use Chart

The use chart located on the following pages is made a part of this section. The following acronyms apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

- P — Permitted use
- P(1) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- P(2) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards, except for on parcels that are twelve thousand square feet or smaller, the use/structure must be located on a lot with an existing single-family residence
- P(3) — On lots 2.5 acres or smaller the short-term rental shall sunset within 5 years of XXX [effective date]**
- A — Accessory use
- A(1) — Accessory use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- CUP — Conditional use permit

District Use Chart

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
<u>Short-Term Rentals Tier 1</u>	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(2)			CUP	CUP	CUP
<u>Short-Term Rentals Tier 2</u>	P(1)	P(1)	P(1)	P(1)(3)	P(1)(3)	P(1)	P(1)(3)	P(2)			CUP	CUP	CUP
<u>Short-Term Rentals Tier 3</u>	CUP	CUP	CUP	CUP(3)	CUP(3)	CUP	CUP(3)	P(2)			CUP	CUP	CUP

#### CHAPTER 11.22 PESHASTIN URBAN GROWTH AREA

##### 11.22.030 Permitted, Accessory and Conditional Uses

(1) A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a use district that is not listed in the use chart as either permitted, accessory or conditional use, unless the administrator determines, by a

96 written administrative interpretation that may be appealed to the hearing examiner, that an unlisted use  
 97 is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the  
 98 requirements associated with that use and all other applicable provisions.

99 (2) The following acronyms apply to the following use chart:

Uses:

PRM = Permitted use

ACC = Accessory use

CUP = Conditional use

Where a cell is empty, the use is prohibited in that zone. All of these assume compliance with any and all development standards.

100

Districts:

R-1 = Low Density Residential

R-2 = Medium Density Residential

R-3 = High Density Residential

C-D = Downtown Commercial

C-H = Highway Commercial

I = Industrial

I-C = Campus Industrial

P-U = Public Use

101

Land Uses	R-1	R-2	R-3	C-D	C-H	I	I-C	P-U
RESIDENTIAL USES								
Boarding/ <del>Lodging House</del> <sup>3</sup>	ACC	ACC	ACC	ACC <sup>1</sup>	ACC <sup>1</sup>			
<u>Short-Term Rentals Tier 1 or Tier 2</u> <sup>2</sup>				ACC	ACC			
<u>Short-Term Rentals Tier 3</u>				P	P			
COMMERCIAL USES								
Hotels/Motels/ <u>Lodging Facilities</u>				PRM	PRM	PRM	PRM	

102

<sup>1</sup> In existing single-family residences only, as of July 1, 2008.

103

<sup>2</sup> Indoor facility only.

104

<sup>3</sup> Per CCC 18.88.170 (4) In any district that permits single-family residences, the renting of rooms to not more than two boarders, roomers, or lodgers is permitted as an accessory use.

105

106

## CHAPTER 11.23 MANSON URBAN GROWTH AREA

107

### 11.23.030 DISTRICT USE CHART.

108

The use chart located on the following pages is made a part of this section. The following acronyms apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

109

110

UR1 Urban Residential-1

UR2 Urban Residential-2

<sup>2</sup> Removed prior proposal showing "PRM" in R-1, R-2, and R-3 zones.

UR3	Urban Residential-3
CT	Tourist Commercial
CD	Downtown Commercial
MLI	Manson Light Industrial
UP	Urban Public

111

- P Permitted use—Subject to development standards in Chapter 11.88 and/or 11.93
- A Accessory use—Subject to development standards in Chapter 11.88 and/or 11.93
- CUP Conditional use permit—Subject to development standards in Chapter 11.93 and/or within this chapter

112

Table 9.1 – District Use Chart

USE/ACTIVITY	UR1	UR2	UR3	CT	CD	MLI	UP
<del>Vacation-Short-Term Rentals Tier 1 or Tier 2</del>	<del>P<sup>1</sup></del>	<del>P<sup>1</sup></del>	<del>P<sup>1</sup></del>	<del>A<sup>1</sup></del>	<del>A<sup>1</sup></del>		
<del>Short-Term Rentals Tier 3</del>				<del>P<sup>1</sup></del>	<del>P<sup>1</sup></del>		

113

P<sup>1</sup> = Permitted with Standards

114

11.23.040 STANDARDS.

115

~~(3) Vacation-Short-Term Rentals. See 11.88.280 Short-Term Rentals. Vacation rentals, any unit being rented for less than thirty consecutive days, shall be permitted as identified in Section 11.23.030, District use chart. All vacation rentals shall receive an annual permit from January 1<sup>st</sup> to December 31<sup>st</sup>, under Title 14 limited administrative review, documenting conformance and agreement to conform to the following provisions:~~

120

~~(A) Vacation rentals shall maintain the character of the surrounding neighborhood by:~~

121

~~(i) Providing year-around solid waste receptacles and pickup service. Trash cans, on the right-of-way, should be removed within twenty-four hours of pickup; and~~

123

~~(ii) Provide at least one off-street parking space, outside of the required setbacks for each two rented bedrooms. Where off-street parking requirements cannot be met the number of rented bedrooms shall be limited; and~~

126

~~(iii) Noise emanating from any use shall be in conformance with Chapter 7.35; and~~

127

~~(iv) Occupancy. The maximum number of occupants permitted to stay overnight shall be two people for each bedroom plus two additional persons, excluding children under the age of six; and~~

129

~~(v) Placing, adjacent to the front door (outside), a legible sign clearly visible to the general public listing the maximum number of occupants permitted to stay overnight, the maximum number of vehicles allowed to be parked on-site, and the name and contact information of the local contact person.~~

132

~~(B) Vacation rentals shall provide a local contact person (within a forty-mile radius) twenty-four hours a day seven days a week. Contact information shall be provided to the adjacent properties, the Manson community council, District 5 fire chief, and the Chelan County sheriff.~~

133

134

135 ~~Enforcement. Any violation of the provisions of this chapter is punishable pursuant to Title 16.~~  
136 ~~Enforcement actions may be brought against the owner of the vacation rental home for the conduct~~  
137 ~~constituting the violation.~~

## 138 Short-Term Rental Standards

### 139 CHAPTER 11.88 SUPPLEMENTARY PROVISIONS AND ACCESSORY USES

#### 140 11.88.280 Short-Term Rental Regulations

##### 141 (1) PURPOSE

142 (A) The purpose of this section is to establish regulations for the operation of short-term rentals as  
143 defined in Chelan County Code (CCC) 14.98.1692, within the unincorporated portions of Chelan  
144 County. This chapter also establishes a short-term rental land use permit.

145 (B) The provisions of this chapter are necessary to promote the public health and safety by  
146 protecting year-round residents' enjoyment of their homes and neighborhoods by minimizing the  
147 impact of short-term rentals on adjacent residences.

##### 148 (2) TYPE, NUMBER, AND LOCATION

149 (A) Type. Short-term rentals are distinguished in three tiers.

150 (i) Tier 1: Owner-occupied short-term rentals where either (a) rooms are rented and the  
151 owner is personally present at the dwelling during the rental period, or (b) the short-term  
152 rental is located within 200 feet of the owner's primary residence<sup>3</sup>, or (c) the entire  
153 dwelling is rented no more than 15 total days in a calendar year provided that an on-site  
154 qualified person is there during the owner's absence. Portions of calendar days shall be  
155 counted as full days.

156 (ii) Tier 2: Short-term rentals at a dwelling that is not the owner's principal residence or  
157 that is rented more than 15 total days in a calendar year.

158 (iii) Tier 3: Short-term rentals exceeding occupancy limits of 11.88.280(3) or containing  
159 group facilities designed to host events such as weddings, gatherings, or retreats.

160 (B) Number and Density

161 (i) Tiered Permits and Numbers Allowed.<sup>4</sup>

162 (a) Tier 1: Short-term rentals are allowed where permitted per subsection (C).<sup>5</sup>

163 (b) Tier 2 and Tier 3: The annual number of new short-term rental land use permits  
164 issued must be capped to one percent (1%) of the total number of permitted short-

<sup>3</sup> Editorial: Could clarify measurement: "within 200 feet of the parcel containing the owner's primary residence.

<sup>4</sup> Editorial: Could move the (B)(i) to become title of (B) and renumber subsections accordingly.

<sup>5</sup> With the consolidation of number and density provisions under Option J in Planning Commission's July 9, 2020 recommendations, only cross reference to (C) is needed for Tier 1.

165 term rentals in the county as determined through land use permit procedures in  
166 subsection (4) below, provided that:

167 (1) Short-term rentals in the following zones are not subject to the 1% cap:  
168 Planned Unit Development Overlay Districts expressly permitting short-term  
169 rentals, or Master Planned Resorts Overlay Districts.

170 (2) The number of short-term rentals subject to the cap cannot be located  
171 where short term rentals make up 5% or more of the total housing stock:<sup>6</sup>  
172 countywide, zip codes<sup>7</sup>, urban growth areas<sup>7</sup>, or the Leavenworth-Lake  
173 Wenatchee Overlay or any subarea within the overlay. If allowed in the  
174 future by paragraph (D), the number of short-term rentals subject to the  
175 cap cannot exceed 1% of the total countywide short-term rentals or  
176 exceed 1% of those located in the Leavenworth-Lake Wenatchee Overlay  
177 or any subarea within the overlay.<sup>6</sup>

178 (3) Leavenworth-Lake Wenatchee Overlay: An overlay district co-terminus  
179 with Zip Code 98826 encompassing Leavenworth-Lake Wenatchee. [See  
180 Attachment A.] It is further subdivided into three sub-areas for Lake  
181 Wenatchee, Plain, and Leavenworth, as well as lands abutting Fish Lake  
182 areas. [See Attachment B.]

183 (C) Zones Allowed. Short-term rentals must be permitted, accessory permitted, conditionally  
184 permitted, or prohibited pursuant to:

185 (i) Section 11.04.020 applicable to all Rural and Resource Designations, except as limited  
186 in Subsection (2)(B).<sup>8</sup>

187 (ii) Section 11.22.030 applicable to the Peshastin Urban Growth Area, except as limited  
188 in Subsection (2)(B).<sup>8</sup>

189 (iii) Section 11.23.030 applicable to the Manson Urban Growth Area, except as limited in  
190 Subsection (2)(B).<sup>8</sup>

191 (iv) In city-assigned Urban Growth Areas, pursuant to a city's land use regulations,  
192 development standards, and land use designations, where the County has adopted such

<sup>6</sup> The 1% cap identifies the total units allowed and paragraph (2) indicates where they can locate. The Planning Commission recommended Option J to "Continue the 1% cap on new Tier 2 and Tier 3 short-term rentals, but amend the code to limit new short-term rentals from locating in any place countywide where the share of short-term rentals exceeds 5%." The July 2, 2020 deliberation draft code text at lines 388-393 conflicted with the intent of Option J by indicating "The number of short-term rentals subject to the cap cannot exceed 1% in any of the following locations where short term rentals make up 5% or more of the total housing stock...". An unintentional reading of it is that Tier 2 and 3 rentals could locate in impacted areas but not add more than 1%. The intent of Option J was to consolidate elements of the hearing draft code to streamline it without changing meaning. Per the hearing draft code and Option J, the concept was to not allow Tier 2 or 3 short-term rentals until the share was below 5% in various impacted locations. Thus the first sentence has been changed to reconcile the code text with Option J as: "The number of short-term rentals subject to the cap cannot be located where short term rentals make up 5% or more of the total housing stock." The hearing draft code was also intending that short-term rentals allowed by the 1% cannot all locate in one geographic area especially in the Leavenworth-Lake Wenatchee area; the last sentence is clarified to match the hearing draft and Option J intent to clearly indicate that when short-term rental units are allowed in the future if the share drops below 5% the 1% cap applies countywide and to the Leavenworth-Lake Wenatchee overlay.

<sup>7</sup> Made plural since there is more than one in county.

<sup>8</sup> With the consolidation of number and density provisions under Option J in Planning Commission's July 9, 2020 recommendations, only cross reference to (2)(B) is needed.

193 pursuant to the County-City Memorandum of Understanding filed with the Chelan County  
194 Auditor July 8, 1997; provided that, the County's review procedures in this subsection  
195 11.88.280 must control.

196 (D)<sup>9</sup> New short-term rentals may be established in the locations cited in subsection (2)(B)<sup>8</sup> if the  
197 combined percentage of Tier 2 and Tier 3 short-term rentals as a share of total dwelling units is  
198 less than five percent (5%) and the applications meet all requirements of this section 11.88.280  
199 as determined by the Director.<sup>10</sup> Total dwelling units must be determined based on the latest  
200 annual count of total housing units by the State of Washington Office of Financial Management.  
201 Short-term rental percentages must be determined at the time the number of allowed short-term  
202 rentals is determined per subsections (2)(B) and (4)<sup>11</sup> of this section.

203 (E) Existing Short-Term Rentals:

204 (i) A use shall not be considered lawfully established and existing as of the effective date  
205 of this ordinance XXX [effective date] unless the owner proves all of the following:

206 (a) That similar uses were allowed in the subject zones at the time the short-term  
207 rental was established, including but not limited to: bed and breakfast, guest inn,  
208 boarding house, lodging facility, hotel/motel, or other transient accommodation;  
209 and<sup>12</sup>

210 (b) That a location was used for short-term rental purposes during January 1,  
211 2019 to XXX [effective date]. The Director may permit homes with approved  
212 building permits after January 2019, constructed within six months of the effective  
213 date of this ordinance to be considered as an existing short-term rental; and

214 (c) That all applicable state and local taxes were fully and timely paid for all  
215 short-term rental use that occurred prior to XXX [effective date], which at a  
216 minimum includes sales tax and hotel/motel taxes; and

217 (d) That the short-term rental meets all requirements of subsection (3); and

218 (e) That the short-term rental operator has obtained the required land use permits  
219 in subsection (4); and

220 (f) If located inside of the Manson Urban Growth Area, documentary evidence that  
221 the short-term rental was properly registered as a vacation rental with Chelan  
222 County per 11.23.040 as of XXX [effective date].

223 (ii) Nonconforming Short-Term Rental Units in Restricted Zones: Where a zone does not  
224 allow short-term rental units as of XXX [effective date] according to CCC Sections  
225 11.04.020, 11.22.030, or 11.23.030, only those short-term rentals that exist as of XXX  
226 [effective date] and are compliant with criteria in subsection (i) above, will be allowed as

<sup>9</sup> Based on Planning Commission recommendations (July 9th, Option J consolidation) this paragraph is renumbered.

<sup>10</sup> Per 14.98.580 Director. "Director" means the director of the Chelan County department of community development or designee. This term is synonymous with administrator.

<sup>11</sup> Corrected cross reference to (4) since that is where permit process is addressed.

<sup>12</sup> See CCC 11.04. Generally Bed and Breakfasts are allowed in all rural residential zones and resource zones as accessory uses, and guest houses are conditional use permits in the same zones except they are not allowed in commercial forest zones (FC). Lodging facilities are allowed in the RC zone.

227 nonconforming uses. Such uses may not be significantly changed, altered, extended, or  
228 enlarged and must cease after two years from XXX [effective date]. After expiration or  
229 revocation of the permit authorizing a legal nonconforming short-term rental, no operator  
230 shall operate a short-term rental.

231 (iii) See CCC 11.04.020. Within the RR2.5, RW, and RV zones, short-term rentals on lots  
232 2.5 acres or smaller shall sunset within 5 years of XXX [effective date].<sup>13</sup>

### 233 (3) SHORT-TERM RENTAL STANDARDS

234 (A) Primary or Accessory Residence. Short-term rentals must be operated out of an owner's main  
235 house or a legally established accessory dwelling unit. In no case, shall an owner or operator  
236 make available a recreational vehicle, tent, or other temporary or mobile unit for short-term  
237 rental.

#### 238 (B) Occupancy.

239 (i) Overnight Occupancy. The owner or operator must limit overnight occupancy to no more  
240 than two guests per bedroom, not to exceed a total of 12 guests including children.  
241 Occupancy limits must comply with the International Residential Code.

242 (ii) Daytime Occupancy. At no time shall the total number of persons at a short-term rental  
243 exceed 12 persons, including children.

244 (iii) Exceeding Nighttime or Daytime Occupancy. In order to exceed daytime or nighttime  
245 occupancy limits an operator must obtain a Conditional Use Permit provided that the zone  
246 allows short-term rentals as an accessory, permitted, or conditionally permitted use and  
247 meets all other short-term rental requirements of this section. All applicable criteria of  
248 CCC Chapter 11.93 shall be met.

#### 249 (C) Parking.

250 (i) One off-street patron parking space in addition to the residential parking  
251 requirements, not located within a setback, shall be provided for each bedroom.

252 (ii) The number of vehicles allowed at the short-term rental must be limited to the number  
253 of bedrooms plus one; this requirement must be included in the Property Management Plan  
254 per Section (3)(K).<sup>14 15</sup>

255 (D) Garbage. Trash containers must be provided. Trash must be in proper containers on collection  
256 day. Where curbside recycling is available to the unit receptacles must be provided. Receptacles  
257 must be set out on the right-of-way and removed within twenty-four hours of pickup. Trash must  
258 be managed in compliance with CCC Chapter 4.04 Garbage. This requirement must be included  
259 in the Property Management Plan per Section (3)(K) and good neighbor guidelines per subsection  
260 (3)(M).

<sup>13</sup> To match Planning Commission's recommendations on July 9, 2020 (amended Option C), the 5-year sunset limitation is stated here as well as in a note to the use chart in CCC 11.04.020 since this section contains regulations of existing short-term rentals and has other provisions about sunsets.

<sup>14</sup> Corrected cross reference to (3)(K) instead of (2)(K).

<sup>15</sup> Consider cross referencing to parking code and placing parking requirement in Chapter 11.90.

261 (E) Noise. Short-term rentals must be operated in compliance with Chapter 7.35 Noise Control.  
262 This requirement must be included in the Property Management Plan per Section (3)(K).

263 (F) Trespass. Owners or operators must provide rules in rental contracts restricting occupants from  
264 trespassing on neighboring private property and identify proper routes to public places such as  
265 easements to shorelines. Such trespass rules must be included in the property management plan in  
266 (3)(K) and good neighbor guidelines per subsection (3)(M).

267 (G) Signs. All owners or operators must display the address of the residence so that it is clearly  
268 visible from the street or access road. The rental must have a sign or other identifier on outside as  
269 short-term rental. The sign must be made of natural materials not exceeding two square feet in  
270 area and if illuminated, must be indirectly illuminated.

271 (H) Consumer Safety. All Consumer Safety requirements of RCW 64.37.030 must be met by the  
272 owner or operator. Violations are subject to Title 16. Requirements must be included in the  
273 property management plan in (3)(K).

274 (I) Fire Safety and Outdoor Burning. Each owner or operator must include a fire protection plan in  
275 their property management plan in subsection (3)(K) to alert renters to respect firewise efforts on  
276 a property, or to comply with travel or activity restrictions of CCC Chapter 7.52, Fire Hazard  
277 Areas. The fire protection plan shall demonstrate consistency with a Ready Set Go program or  
278 equivalent. This includes, but is not limited to, restricting use of outdoor fire places or grills and to  
279 properly secure and restrict portable barbeques.

280 (J) Qualified Person.

281 (i) The owner or operator must provide the name, telephone number, address, and email  
282 of a qualified person (which can be a person or company) who can be contacted  
283 concerning use of the property and/or complaints and can respond to the property within  
284 60 minutes to complaints related to the short-term rental consistent with the requirements  
285 of this section. The owner or operator must provide a valid telephone number where  
286 qualified person can be reached 24 hours per day, every day.

287 (ii) The owner or operator must post a sign of similar materials and dimension as  
288 subsection (3)(G) with the contact information of the qualified person. If the permanent  
289 contact information changes during the permit period, the new information must be  
290 changed on the sign. Renewal applications must provide evidence of the sign. The Director  
291 may allow annual mailings to neighboring properties and an interior posted notice for  
292 tenants in lieu of an exterior sign where a property's size and visibility make an exterior  
293 sign ineffective. The purpose of this sign is so that adjacent property owners and residents  
294 can contact a qualified person to report and request resolution of problems associated  
295 with the operation of the short-term rental.

296 (K) Property Management Plan. Short-term rentals must maintain an up-to-date property  
297 management plan on file with the Chelan County Community Development Department and  
298 property owners within 300 feet of parcel boundaries within which the short-term rental is  
299 located. The property management plan must include the following:

300 (i) Provide a floor plan and site map clearly depicting the property boundaries of the  
301 short-term rental, and the escape route in case of an emergency. The map must indicate if



- 302 there is an easement that provides access to a<sup>16</sup> shoreline; if so, the boundaries of the  
303 easement must be clearly defined. If there is no access, this must be indicated together  
304 with a warning not to trespass;
- 305 (ii) Provide the unified business identifier number, and the names and addresses of the  
306 property owner;
- 307 (iii) Designate a qualified person and provide contact information consistent with (3)(j) ;  
308 and
- 309 (iv) Provide information required for Consumer Safety per (3)(H) and RCW 64.37.030  
310 and fire protection plan per (3)(I).
- 311 (v) All units must have an operable landline telephone installed to aid in emergency  
312 response, and the dwelling recorded in “Rivercom” data base.
- 313 (vi) The plan must identify the method by which the owner/operator will notify renters of  
314 emergency or temporary conditions such as burn bans.<sup>17</sup>
- 315 (vii) The plan must specify the maximum number of guests and number of bedrooms.
- 316 (viii) The plan must be kept up to date at the time of the annual permit and include the  
317 annual permit number per subsection (L).
- 318 (ix) The plan must include the Good Neighbor Guidelines per subsection (M).
- 319 (L) Annual Permit Number. The owner or operator must include the Chelan County land use permit  
320 number for the short-term rental in all advertisements (AirBnB, VRBO, Craigslist, poster, etc.) and  
321 marketing materials such as brochures and websites.
- 322 (M) Good Neighbor Guidelines. Owners and operators must acknowledge receipt and review of  
323 a copy of the good neighbor guidelines. Owners and operators must provide evidence that the  
324 good neighbor guidelines have been effectively relayed to short-term rental tenants, by  
325 incorporating it into the property management plan, and rental contract, posting it online,  
326 providing it in a conspicuous place in the dwelling unit, or a similar method.
- 327 (N) Liability Insurance. A short-term rental owner or operator must maintain primary liability  
328 insurance consistent with RCW 64.37.050.
- 329 (O) Taxes. The owner or operator must be in compliance with CCC Chapter 6.30 Lodging Tax,  
330 and other local sales taxes and state hotel/motel and sales taxes in accordance with the  
331 Department of Revenue.

<sup>16</sup> Changed from “the” to “a” since it could be any shoreline.

<sup>17</sup> The Planning Commission discussed adherence to health guidelines such as 24 hours between guests and determined that standards of cleanliness are likely beyond the scope of a land use permit (and may be self-regulating as guests would likely use short-term rentals where an owner/operator strives to demonstrate voluntary measures to provide for health). This provision to ensure that emergency or temporary conditions are communicated to guests by the owner/operator/qualified person could encompass health if there was an emergency health district order.

332 (4) LAND USE PERMITS

333 (A) Land Use Permit Required. No short-term rental owner or operator may advertise, offer, operate,  
334 rent, or otherwise make available or allow any other person to make available for occupancy or use  
335 a short-term rental without a valid short-term rental land use permit issued by the Director.

336 (B) Annual Renewal. Annual renewal of the short-term rental land use permit is required.

337 (C) Permit Applications. Short-term Rental owners must apply for a land use permit to establish  
338 compliance with this code. Fees consistent with CCC 3.24.010 must be paid. The Director may  
339 waive the initial conditional use permit fee if the applicant provides written and notarized proof  
340 that an approval was granted by Chelan County prior to the effective date of this code. All other  
341 permit costs apply.

342 (D) Application Acceptance and Evaluation.

343 (i) From September 1 to October 31 each year, existing short-term rental owners must  
344 submit a Short-Term Rental Land Use Application. By February 1 of each following year the  
345 Director must report the baseline number of authorized existing short-term rentals and  
346 identify the number of new short-term rentals allowed pursuant to subsection (2)(B). From  
347 February 15 to March 15, the Director must accept new applications for short-term  
348 rentals. Compliant permits will be entered into a lottery by June 1. The lottery must be  
349 conducted at a public meeting after the publishing of a legal notice a minimum of 10 days  
350 prior to the lottery. The number of issued permits selected by lottery will not exceed the  
351 number allowed per the applicable cap in subsection (2)(B). Selected permits remain valid  
352 until such time as an annual renewal is required.

353 (ii) Within the first year of adoption of this code (effective date XXX, 2020), the Director  
354 may provisionally approve initial short-term rental land use permits subject to the owner  
355 completing a self-certification form provided that inspections in subsection (4)(H) are  
356 accomplished prior to the first renewal thereafter.

357 (E) Term. A short-term rental land use permit must be issued for a period of one year, with its  
358 effective date running from the date the application is due as set forth in subsection (4)(D) above.  
359 and must be renewed annually by the owner or operator provided all applicable standards of  
360 this section are met.

361 (F) Forms and Procedures. Applications for short-term rental land use permits must be on forms  
362 provided by the County, demonstrating the application meets the standards required by this  
363 section. Permit review procedures must be consistent with Title 14.

364 (G) Nonuse. All short-term rentals must operate under a current short-term rental land use permit  
365 regardless of nonuse. If a property has not been rented in a twelve-month period, renewal of  
366 short-term rental land use permit must still be met to maintain the validity of the permit.

367 (H) Fire, safety, health and building compliance.

368 (i) Fire and Emergency Safety. Prior to approving the initial short-term rental permit, the  
369 applicable fire district or fire marshal must perform a life-safety inspection, except as  
370 provided under subsections (H)(iv) and (H)(v).<sup>18</sup>

371 (ii) Water and Wastewater. The Chelan-Douglas Health District must inspect the short-term  
372 rental to ensure that there is a verifiable legal source of water that meets applicable  
373 standards, and an approved on-site sewage disposal system, except as provided under  
374 subsections (H)(iv) and (H)(v).<sup>18</sup>

375 (iii) Hot Tubs or Pools. The Chelan-Douglas Health District must inspect new hot tubs or  
376 pools. Existing and new hot tubs and pools shall be annually monitored by either the  
377 District or a third-party inspector. Water quality shall be consistent with Chapter 246-260  
378 WAC and Chapter 246-262 WAC.

379 (iv) The Director may waive inspections under subsections (H)(i) and (H)(ii) and (H)(iii)<sup>19</sup>  
380 associated with the initial short-term rental permit if the owner provides a notarized  
381 affidavit from the applicable fire district or fire marshal or Chelan-Douglas Health District  
382 that the short-term rental is in compliance with applicable requirements in subsections (H)(i)  
383 and (H)(ii).

384 (v) The County building official must review each initial short-term rental application to  
385 ensure occupancy and other applicable building code requirements are met.

386 (vi) After the unit is approved for rental, a completed self-certification checklist for health  
387 and safety is required to be submitted by the owner with each annual short-term land use  
388 permit renewal consistent with forms provided by the Director.

389 (vii) Owner Responsibility. It is the owner's responsibility to assure that the short-term  
390 rental is and remains in substantial compliance with all applicable codes regarding fire,  
391 building and safety, health and safety, and other relevant laws.

392 (I) Only one transfer of ownership is allowed, and the short-term rental is limited to a three-year  
393 operational period provided all permits per subsection (4) are obtained. A transfer occurs when  
394 the property is sold to a person or when officers of corporations are changed to remove former  
395 officers and add new officers. At the time of the only transfer, all permits shall include the  
396 following provision: "This permit shall automatically expire upon sale or transfer of the property,  
397 or three years, whichever comes first." After a single transfer, the short-term rental permit is no  
398 longer valid after the land use permit expiration date. The operator must obtain a new short-term  
399 rental permit compliant with this section following expiration or cease operation. New owners must  
400 certify compliance with the conditions of permit approval within 90 days after the closing date of  
401 the sale of the property. Written certification must be submitted to the Community Development  
402 Department on forms specified by the Director. New owners must apply for a new permit by the  
403 annual deadline.

<sup>18</sup> Corrected cross references with the insertion of Planning Commission recommendation on Option K regarding hot tubs or pools.

<sup>19</sup> Due to addition of Planning Commission Recommendation of Option K on Hot Tubs and Pools added cross reference.

404 (J) Approval Criteria. To receive approval or renewal, an owner or operator must demonstrate to  
405 the satisfaction of the Director that all approval criteria listed below have been satisfied:

406 (i) The short-term rental is located in a base or overlay zone that allows its use pursuant to  
407 this section.

408 (ii) The short-term rental is consistent with density limitations of this section.

409 (iii) The short-term rental is consistent with short-term rental standards of this section.

410 (iv) The short-term rental is consistent with all applicable health and safety requirements of  
411 this section.

412 (v) The short-term rental is not the subject of outstanding code violations per Title 16.

413 (K) Appeals of the denial or conditions of short-term rental land use permits or annual renewals  
414 must be filed in compliance with Title 14 CCC.

415 (5) ENFORCEMENT

416 (A) Within Chelan County jurisdiction, a short-term rental must not operate without an approved and valid  
417 Short-Term Rental Permit. Evidence of operation includes advertising, online calendars showing  
418 availability, guest testimony, online reviews, rental agreements, or receipts.

419 (B) Enforcement of this section will be in accordance with Title 16 CCC.

420 (6) MONITORING

421 The Director shall report to the Board of County Commissioners on the status of short-term rental  
422 regulation implementation annually at the time the existing short-term baseline is reported per (4)(D). The  
423 County may initiate a review or amendment pursuant to Chapter 14.13.

424 **Chapter 11.93 Conditional Use Permits**

425 11.93.450

426 All short-term rental applications requiring a conditional use permit shall be consistent with CCC 11.88.

427 **Chapter 3.24 Community Development Department Fees**

428 **3.24.010 FEE SCHEDULE.**

429 **(a) Planning.**

Application Type	Fee
Conditional use permit	\$1,520
<u>Short-term rental (Tier 1, first permit)</u>	<u>\$500</u>
Short-term rental ( <u>Tier 2, inspection not required, annual first</u> permit)	\$500

Application Type	Fee
<u>Short-term rental (Tier 2, inspection required first permit)</u>	<u>\$900</u>
<u>Short-term rental (Tier 3 first permit)</u>	<u>\$1,520</u>
<u>Short-term rental (Tier 1 annual renewal)</u>	<u>\$75</u>
<u>Short-term rental (Tier 2 annual renewal)</u>	<u>\$150</u>
<u>Short-term rental (Tier 3 annual renewal)</u>	<u>\$225</u>

430 **Definitions**

431 **14.98 DEFINITIONS**

432 **14.98.1410 Person.**

433 "Person" means any individual, firm, association, partnership, corporation, or any entity, public or private.  
 434 For the purposes of short-term rental regulations, person is defined consistent with in RCW 82.04.030.

435 **14.98.1632 Bedroom**

436 For the purposes of CCC 11.88, a "bedroom" means either enclosed or open areas within a structure  
 437 being used as a Short Term Rental that provides sleeping accommodations such as mattresses, beds, sofa  
 438 sleepers, roll away beds, day/trundle beds, bunkbeds, murphy beds, etc.

439 **14.98.1692 Short-Term Rental**

440 "Short-Term Rental" means a dwelling unit, or portion thereof, that is offered or provided to a guest by a  
 441 short-term rental owner or operator for a fee for fewer than thirty consecutive nights. They are commonly  
 442 referred to as vacation rentals. They are a form of tourist or transient accommodations. Short-term rental  
 443 units may be whole house rentals, apartments, condominiums, or individual rooms in homes. For the  
 444 purpose of administration and enforcement of this title, the terms "overnight rental," "nightly rental," and  
 445 "vacation rental" are interchangeable with short-term rentals. Subleasing or subletting of units for short-  
 446 term rental is prohibited if the underlying zone prohibits such use.

447 **14.98.1693 Short-Term Rental Operator**

448 "Short-term rental operator" means any person who receives payment for owning or operating a  
 449 dwelling unit, or portion thereof, as a short-term rental unit, or their authorized agent including a  
 450 property management company or other entity or person who has been designated by the owner, in  
 451 writing, to act on their behalf.

452 **14.98.1694 Short-Term Rental Owner**

453 "Owner" means any person who, alone or with others, has title or interest in any building, property,  
 454 dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including  
 455 any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or  
 456 control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building,

457 dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an  
458 owner.

## 459 16.20. SHORT-TERM RENTAL ENFORCEMENT AND VIOLATIONS

### 460 16.20.010 Compliance

461 Short-term rental owner's or operator's must comply with short-term rental regulations in Titles 11 and 14  
462 CCC. Violations and enforcement must be in accord with Title 16 CCC.

### 463 16.20.020 Enforcement Procedures, Notices, and Citations

464 (1) Enforcement Procedures. Except as specified in this Chapter 16.20, all enforcement procedures of  
465 Title 16 apply to short-term rental owner's or operator's.

466 (2) Notice of Violation for Consumer Safety by County Attorney. If an owner or operator is suspected of  
467 violating Consumer Safety requirements of RCW 64.37.030, the County Attorney must issue a warning  
468 letter to the owner or operator for the first violation. Other procedures or requirements with regard to  
469 the warning letter must be consistent with Title 16. For any repeated violations, the County will employ its  
470 standard code compliance process consistent with Title 16.

471 (3) Citations must be issued consistent with Chapter 16.08, provided that citations may be issued on-site  
472 at the discretion of the code compliance officer if a violation of Short-Term regulations in Titles 11 and  
473 14 CCC occurs. Alternatively, the citation may be accomplished in another manner consistent with Title 16.

### 474 16.20.030 Civil Penalties

475 (1) Civil penalties must be consistent with Title 16 including Chapter 16.16. except as identified in (2)  
476 below.

477 (2) The first violation of Consumer Safety requirements of RCW 64.37.030 is a class 2 civil infraction  
478 under chapter 7.80 RCW with a fine of one hundred twenty-five dollars (\$125). The fine for repeated  
479 violations must be consistent with CCC 16.16.010 Assessment Schedule.

### 480 16.20.030 Revocation

481 (1) Repeated failure of the owner or operator to timely and reasonably respond to a complaint(s)  
482 relayed by code compliance officers are grounds for civil fines, revocation, or other penalties consistent  
483 with Title 16.

484 (2) The following conditions may result in revocation of land use permits granted under short-term rental  
485 regulations in Titles 11 and 14 CCC:

486 (A) Failure to renew a short-term rental land use permit pursuant to CCC 11.88.280 short-term  
487 rental regulations and Title 14 is grounds for immediate revocation of the permit.

488 (B) Failure to meet the criteria of CCC 11.88.280 Short-Term Rental Regulations is grounds for  
489 immediate revocation of the short-term rental land use permit.

490 (C) The discovery of material misstatements or providing of false information in the short-term  
491 rental land use permit application or renewal process is grounds for immediate revocation of the  
492 permit.

493 (D) Such other violations of Titles 11, 14, and 16 of sufficient severity in the reasonable judgment  
494 of the Administrator,<sup>20</sup> so as to provide reasonable grounds for immediate revocation of the land  
495 use permit.

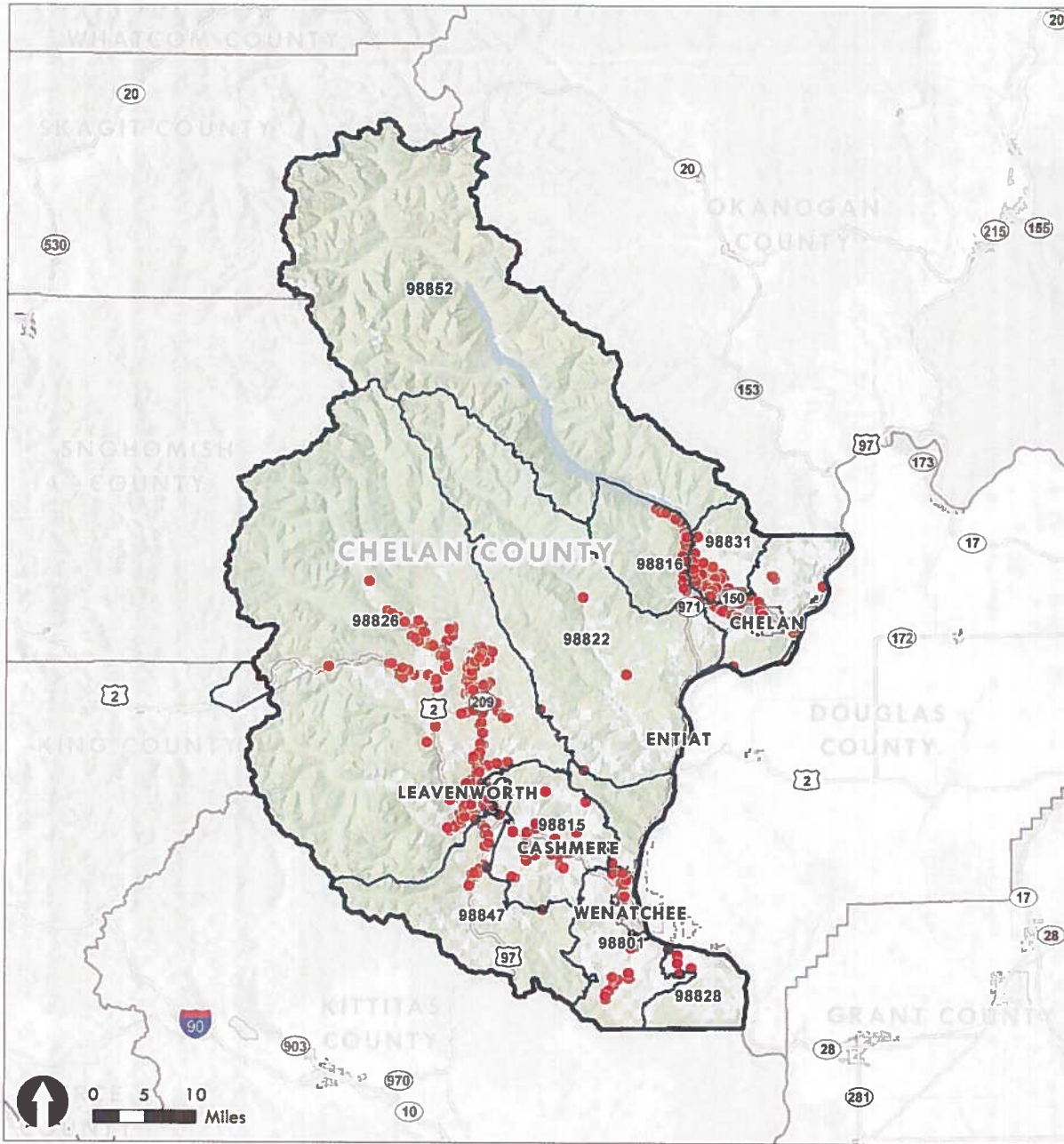
496 (E) If three violations are verified under subsection (D) at any time during a twelve-month period,  
497 the penalty shall be revocation in addition to any required civil penalties under 16.20.030.

---

<sup>20</sup> In Title 16, reference is made to "Administrator" whereas in Title 11 reference is made to "Director". Both have a similar meaning in Title 14 definitions.

498

### Attachment A: Countywide Zip Code Map



**LEGEND**

- Short-term Rentals (est. 1,200 active)
- ZIP Code Boundaries



Source: AirDNA, 2020.  
 Data notes: This data tracks individual short-term rental property level from AirBNB and HomeAway. The location data on individual properties is within 500 meters of accuracy. It shows only properties that are assumed to be in unincorporated areas and are listed as an entire home/apartment.

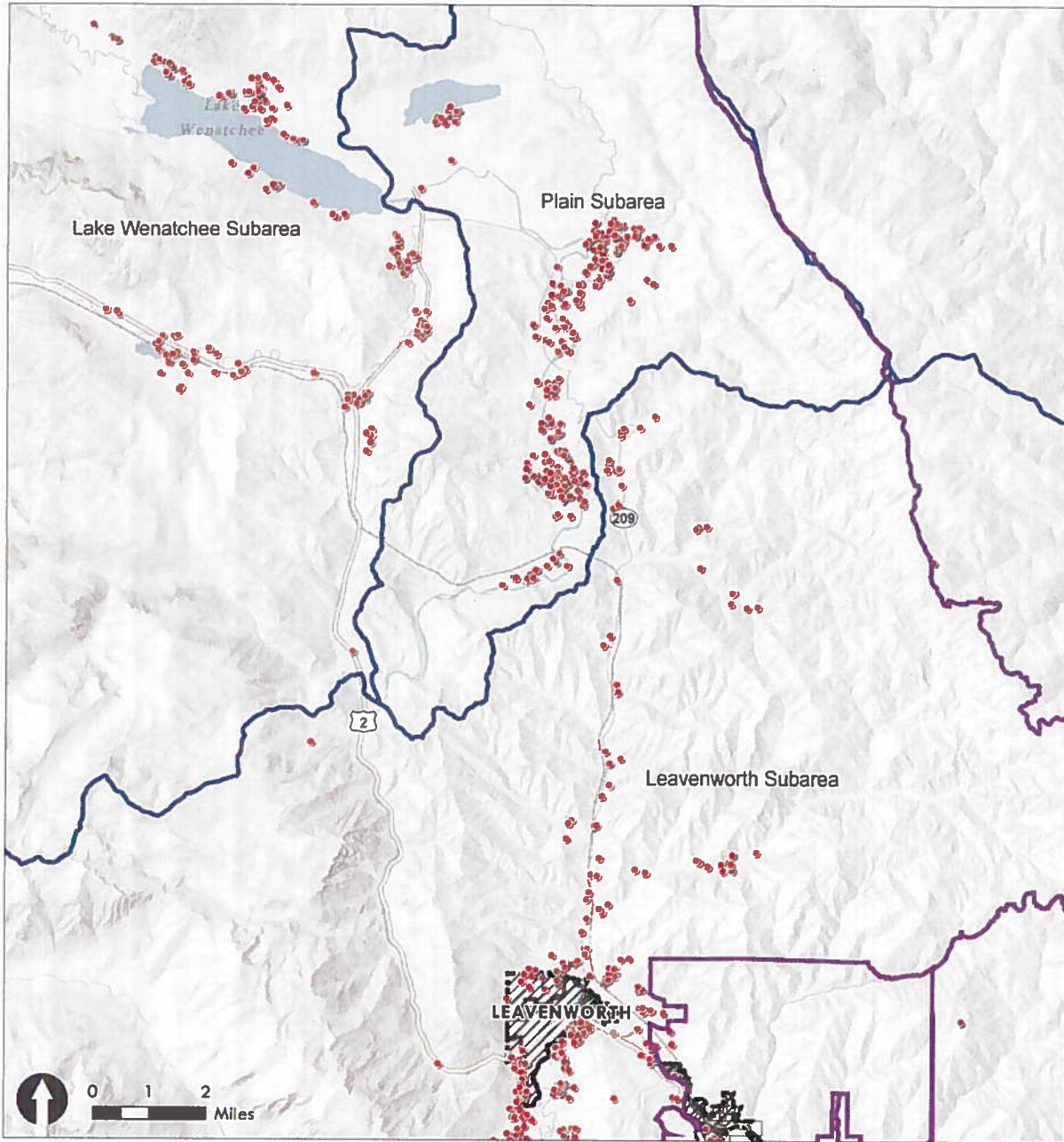
499  
500

Sources: Chelan County GIS, 2020. BERK 2020. Powered by AirDNA: <https://www.airdna.co>, 2020.



501

### Attachment B: Leavenworth-Lake Wenatchee Subareas



502

#### LEGEND

- Urban Growth Areas
- Short-term Rental
- STR (on tribal land)
- Preliminary Boundaries
- ZIP Code Areas



Source: AirDNA, 2020.  
 Data notes: This data tracks individual short-term rental property level from AirBNB and HomeAway. The location data on individual properties is within 500 meters of accuracy. It shows only properties that are assumed to be in unincorporated areas and are listed as an entire home/apartment.

503

Sources: Chelan County GIS, 2020. BERK 2020. Powered by AirDNA: <https://www.airdna.co>, 2020.

504 ATTACHMENT C: STR TASK FORCE

1 STR Task Force

2 The Chelan County Planning Commission proposes to the Chelan County Board of Commissioners the  
3 forming of a voluntary Task Force in 24-36 months from the date of passage of the Chapter 11.88.280 Short Term  
4 Regulations. The purpose of the Task Force is to review the effects of the new regulations, and to determine if any  
5 refinement or clarification (of the code) needs to be made in order to address the performance and any issues that  
6 may have arisen during this 24-36 month period. Also, to assure that all aspects of the mission statement of May 20,  
7 2020 issued by the Chelan County Board of Commissioners has been adequately addressed.

8 Considering the complexity of the issue at hand, it is felt such a review and possible recommendations  
9 would and could be beneficial for the county and its citizens. It is expressly not the purpose of the Task Force to  
10 rewrite the document (code), but merely to review its performance and suggest fine tuning points if any are felt  
11 necessary.

12 The Task Force would be composed of:

- 13 1. 3 - Owners of Short-Term Rental units
- 14 2. 3 - Individual home homeowners (non-STR owner)
- 15 3. 2 – Planning Commission Members
- 16 4. 1 - Community Development staff designee as Chairperson

17 Thank-you for your consideration.

18 Respectfully,

19 Chelan County Planning Commission  
20  
21  
22  
23  
24  
25  
26  
27  
28

DRAFT

506 ATTACHMENT D: UPDATED SHORT-TERM RENTAL INFORMATION

507 Correct March 30, 2020 Situation Assessment: Account for city housing units: Exhibit 11, page 12

508 Does not change overall conclusions. While correcting for city dwellings, same Zip Codes exceed 5%  
 509 share of short-term rentals:

- 510 ▪ Leavenworth (higher)
- 511 ▪ Manson (no change)
- 512 ▪ Peshastin (no change)

513 Table D-1. Shares of Short-Term Rentals by Zip Code: Whole Home Short-Term Rentals

Zip Code Community Name	Zip Code	Total Dwellings 2019	Total <u>Unincorporated</u> Dwellings 2019	January 2020 Active short- term rentals	% short-term rentals - Unincorporated
Leavenworth	98826	6,099	4,811	749	15.6%
Manson	98831	2,519	2,519	281	11.2%
Chelan	98816	5,333	2,492	97	3.9%
Peshastin	98847	956	956	53	5.5%
Wenatchee	98801	17,989	3,607	30	0.8%
Cashmere	98815	2,977	1,785	28	1.6%
Malaga	98828	908	908	5	0.6%
Entiat	98822	1,138	551	4	0.7%
Various	Various	836	836	0	0.0%
<b>Total</b>		<b>38,672</b>	<b>18,466</b>	<b>1,247*</b>	<b>6.8%</b>

514 Note: \* Entire home/apartment.  
 515 Sources: Powered by AirDNA: <https://www.airdna.co>, 2020. State Office of Financial Management, 2019. BERK 2020.

516 **Table D-2. Zip Codes with No Short-Term Rentals per AirDNA**

Zip Code Community Name	Zip Code	Total Dwellings 2019 (Unincorporated)
Ardenvoir	98811	37
Chelan Falls	98817	158
Dryden	98821	212
Monitor	98836	227
Stehekin	98852	203
<b>Total</b>		<b>836</b>

517 Sources: Powered by AirDNA: <https://www.airdna.co>, 2020. State Office of Financial Management, 2019. BERK 2020.

518 Correct March 30, 2020 Situation Assessment Exhibit 12, page 13. Compare new housing units to short-  
519 term rentals and correct for homes in city limits.

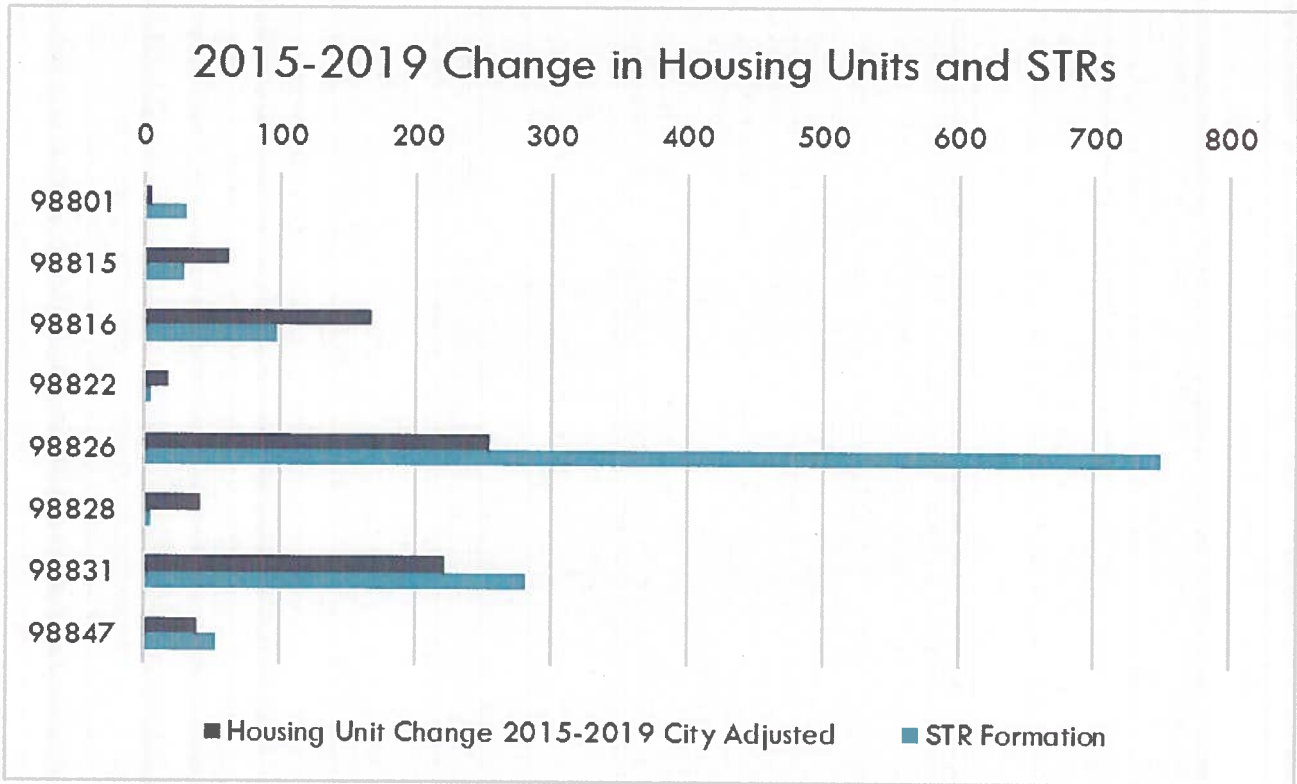
520 Results show a higher formation of short-term rentals compared to new housing stock in Zip Codes:

- 521 ▪ Leavenworth (previously identified)
- 522 ▪ Manson (new)
- 523 ▪ Peshastin (new)

524 In Wenatchee, small formation of both dwelling units and short-term rentals.

525 These results are in line with other information about short-term rentals as a share of total housing stock.

526 Figure D-1. Change in Housing Units and Short-Term Rentals: Whole Home Rentals



527

528

Sources: Powered by AirDNA: <https://www.airdna.co>, 2020. State Office of Financial Management, 2019. BERK 2020.

# **Exhibit D**

## Wendy Lane

---

**From:** Bruce Williams <bwseattle@gmail.com>  
**Sent:** Wednesday, September 2, 2020 2:36 PM  
**To:** CD STRComment  
**Subject:** Leavenworth businesses say they and their employees are hurt by our housing shortage; we need to significantly reduce the number of STR's in our community  
**Attachments:** Lack of housing is impacting our businesses, 2019.pdf

---

**External Email Warning!** This email originated from outside of Chelan County.

---

Dear Planning Commissioners,

I am copying, and will also attach, a letter sent last year by multiple Leavenworth businesses and organizations to the City of Leavenworth City explaining how they and their employees are being hurt by the shortage of housing in the Leavenworth area. **Please read this, look at who signed it and think about this** as you decide what to do about STR's.

STR's are not just an issue with homeowners putting up with noise, rude behavior. At least in the Leavenworth area, they are a key factor in our local housing crisis. Ultimately, a town that doesn't have housing for its workers, young families and middle class families becomes a very different community - more of a resort, and less of a town. We need you to take steps now to reverse this situation by significantly reducing the number of STR's in our community

If you talk to workers and young families in the Leavenworth area, you hear the same thing: the lack of housing is the number one problem they face. For many of them it will mean they cannot stay.

While the housing shortage is caused by multiple factors, it is clear from the following information provided by Berk Consulting that the rapid increase in STR's in the Leavenworth area has significantly reduced the supply of housing available to local residents:

- When STR's become more than 5% of an area's housing stock, they hurt housing for residents;
- In the rural portion of Zip Code 98826, more than 15% of the housing stock is in STR's;
- the number of STR's has increased rapidly in recent years.

We need to restore the housing stock for residents. If you or others feel that we need more tourist accommodations, those should be in commercial or tourist zoned areas, not residential areas.

To restore housing in residential areas for actual residents, please:

- prohibit STR's on lots less than 8 acres;
- sunset all existing STR's in no more than 2 years;
- if you, tourist businesses or STR owners think we need more STR's, go through proper zoning procedures to create commercial or tourist areas for them.

Thank you.

Bruce Williams

July 23, 2019

PO Box 287  
Leavenworth, WA 98826

Dear members of the Leavenworth City Council and Mayor Farivar,

We write to you today as a group of local business leaders who share a common threat – our businesses are being affected by the lack of available Leavenworth-area housing for our employees. We bring this to your attention simply with the intent to inform you so you may make decisions on behalf of our residents and businesses with the full knowledge of the problem we face.

Our experience is that there is not enough housing in the Leavenworth area to house the employees who work in our businesses. This problem has worsened in recent years.

Here is what we hear from our employees:

- Many employees would like to live in the Leavenworth area, but cannot find housing that is available to rent.
- When a unit becomes available to rent or buy, many employees report that it is too expensive for them to afford. While we think of this as a problem specific to lower paying service jobs fueled by tourism, we also hear from middle and upper management, professionals and some business owners that cost is a barrier to both renting and buying in the Leavenworth area.
- Young single people often rent out rooms in a shared house to afford housing. When these people start to have families and want to find their own small “starter” homes, they find extremely limited options to rent or purchase.
- Some employees have a pet, which they report makes it even more difficult to find a rental.
- A growing number of employees who commute from down valley express dissatisfaction with living outside of the community where they work. Many employees value being part of community life, and don’t feel they are able to participate meaningfully because of where they live.

Here are some of the ways this lack of housing for employees affects our local businesses:

- Businesses have a harder time retaining employees: With more workers commuting from farther away, our businesses are finding that retention rates are dropping. Employees sometimes work in Leavenworth until they can find comparable work closer to their homes, often in the Wenatchee area.
- Lack of housing causes skilled workers to turn down jobs: Businesses like Cascade Medical and Cascade School District have had skilled workers turn down employment because they can’t afford the price of housing.
- Some management staff are leaving their jobs, citing lack of housing, not lack of employment opportunities, as their main reason. Many of these employees have young families and find they cannot find a starter home or apartment in the Leavenworth area.
- Lack of community connection impacts customer service: Employees in the tourism



economy are expected to have knowledge of the local area to share with customers. When employees live further away, they have limited knowledge of local hikes, the best local kid-friendly experiences, or other interesting local tidbits to share with our visitors.

- Employees are more transient: Employees know how difficult it is to find housing in the Leavenworth area, and businesses are reporting that Leavenworth is attracting a more transient employee. These employees may only stay for a few months or a season before moving on to a new location. These short work stints increase training costs and decrease morale.
- Employees drive individual cars to work: This causes a host of issues including employees who are tardy due to weather, increased costs for employers who pay for employee parking spaces, or pay employees to get to work early so they aren't on the road during peak traffic times. Many of these employees also park in downtown spaces and commute during peak traffic times, adding to traffic backups and parking shortages. This challenge is not easily mitigated with current public transportation options due the number of work shifts that begin or end when bus service is not available.

Lack of community connection increases division: There are pros and cons to any economic engine. In recent years, employers have noticed that employee dissatisfaction based on the lack of housing has led more employees to take a jaded stance towards the tourism economy, which affects workplace morale, customer service and the overall positive environment our businesses hope to foster in Leavenworth.

As business leaders, we're eager to offer support and participate meaningfully in the dialogue surrounding housing. Both a strong community and economy are important to us, and we appreciate your time to grapple with this important community issue.

Sincerely,

The following Leavenworth-area businesses and organizations:

- Bill Motzenbocker on behalf of Cascade School District
- Carl Evans on behalf of Kris Kringl
- Carl and Gavin Evans on behalf of Stein and Bavarian Bistro and Bar
- Chuck Reppas on behalf of Prey's Fruit Barn
- Dana Schafer on behalf of The Little Kitchen Shop and The Personalize Shop
- Deb Hartl on behalf of Sleeping Lady Mountain Resort
- Diane Blake on behalf of Cascade Medical Center
- Eric and Lisa Worthen on behalf of Dan's Food Market
- Jordan Brown on behalf of Enzian Inn
- James Weimann on behalf of Rhein Haus and the Alpen Rose
- Jesse Boyd on behalf of Bavarian Lodge
- Kaylin Bettinger on behalf of Upper Valley MEND
- Ken Marson on behalf of Marson & Marson
- Kristen Wood on behalf of Icicle Ridge Winery
- Laurie Brennan on behalf of Posy Handpicked Goods
- Lindsey and Noah Dahlstrom on behalf of Argonaut Coffee and Argonaut Kitchen
  
- Nancy Bywater on behalf of Mount Stuart Physical Therapy and Balance Point
  
- Kyrial Dreis and James Wiley on behalf of Borealis Builders
- Pam Brulotte on behalf of Icicle Brewing Company and Munchen Haus
- Paul Jinneman on behalf of Icicle Village Resort
- Price Gledhill on behalf of SOUTH restaurants

Taylor Carvitto on behalf of the Oil and Vinegar Cellar  
Todd Smith on behalf of Syndicate Smith

Bruce Williams  
[bwseattle@gmail.com](mailto:bwseattle@gmail.com)  
509.888.1935  
206.972.6865

July 23, 2019

Leavenworth City Council and Mayor Farivar  
City of Leavenworth  
PO Box 287  
Leavenworth, WA 98826

Dear members of the Leavenworth City Council and Mayor Farivar,

We write to you today as a group of local business leaders who share a common threat – our businesses are being affected by the lack of available Leavenworth-area housing for our employees. We bring this to your attention simply with the intent to inform you so you may make decisions on behalf of our residents and businesses with the full knowledge of the problem we face.

Our experience is that there is not enough housing in the Leavenworth area to house the employees who work in our businesses. This problem has worsened in recent years.

Here is what we hear from our employees:

- Many employees would like to live in the Leavenworth area, but cannot find housing that is available to rent.
- When a unit becomes available to rent or buy, many employees report that it is too expensive for them to afford. While we think of this as a problem specific to lower paying service jobs fueled by tourism, we also hear from middle and upper management, professionals and some business owners that cost is a barrier to both renting and buying in the Leavenworth area.
- Young single people often rent out rooms in a shared house to afford housing. When these people start to have families and want to find their own small “starter” homes, they find extremely limited options to rent or purchase.
- Some employees have a pet, which they report makes it even more difficult to find a rental.
- A growing number of employees who commute from down valley express dissatisfaction with living outside of the community where they work. Many employees value being part of community life, and don’t feel they are able to participate meaningfully because of where they live.

Here are some of the ways this lack of housing for employees affects our local businesses:

- Businesses have a harder time retaining employees: With more workers commuting from farther away, our businesses are finding that retention rates are dropping.

Employees sometimes work in Leavenworth until they can find comparable work closer to their homes, often in the Wenatchee area.

- Lack of housing causes skilled workers to turn down jobs: Businesses like Cascade Medical and Cascade School District have had skilled workers turn down employment because they can't afford the price of housing.
- Some management staff are leaving their jobs, citing lack of housing, not lack of employment opportunities, as their main reason. Many of these employees have young families and find they cannot find a starter home or apartment in the Leavenworth area.
- Lack of community connection impacts customer service: Employees in the tourism economy are expected to have knowledge of the local area to share with customers. When employees live further away, they have limited knowledge of local hikes, the best local kid-friendly experiences, or other interesting local tidbits to share with our visitors.
- Employees are more transient: Employees know how difficult it is to find housing in the Leavenworth area, and businesses are reporting that Leavenworth is attracting a more transient employee. These employees may only stay for a few months or a season before moving on to a new location. These short work stints increase training costs and decrease morale.
- Employees drive individual cars to work: This causes a host of issues including employees who are tardy due to weather, increased costs for employers who pay for employee parking spaces, or pay employees to get to work early so they aren't on the road during peak traffic times. Many of these employees also park in downtown spaces and commute during peak traffic times, adding to traffic backups and parking shortages. This challenge is not easily mitigated with current public transportation options due the number of work shifts that begin or end when bus service is not available.
- Lack of community connection increases division: There are pros and cons to any economic engine. In recent years, employers have noticed that employee dissatisfaction based on the lack of housing has led more employees to take a jaded stance towards the tourism economy, which affects workplace morale, customer service and the overall positive environment our businesses hope to foster in Leavenworth.

As business leaders, we're eager to offer support and participate meaningfully in the dialogue surrounding housing. Both a strong community and economy are important to us, and we appreciate your time to grapple with this important community issue.

Sincerely,

The following Leavenworth-area businesses and organizations:

Bill Motzenbocker on behalf of Cascade School District  
Carl Evans on behalf of Kris Kringl  
Carl and Gavin Evans on behalf of Stein and Bavarian Bistro and Bar  
Chuck Reppas on behalf of Prey's Fruit Barn  
Dana Schafer on behalf of The Little Kitchen Shop and The Personalize Shop  
Deb Hartl on behalf of Sleeping Lady Mountain Resort  
Diane Blake on behalf of Cascade Medical Center  
Eric and Lisa Worthen on behalf of Dan's Food Market  
Jordan Brown on behalf of Enzian Inn  
James Weimann on behalf of Rhein Haus and the Alpen Rose  
Jesse Boyd on behalf of Bavarian Lodge  
Kaylin Bettinger on behalf of Upper Valley MEND  
Ken Marson on behalf of Marson & Marson  
Kristen Wood on behalf of Icicle Ridge Winery  
Laurie Brennan on behalf of Posy Handpicked Goods  
Lindsey and Noah Dahlstrom on behalf of Argonaut Coffee and Argonaut Kitchen  
Nancy Bywater on behalf of Mount Stuart Physical Therapy and Balance Point  
Kyrial Dreis and James Wiley on behalf of Borealis Builders  
Pam Brulotte on behalf of Icicle Brewing Company and Munchen Haus  
Paul Jinneman on behalf of Icicle Village Resort  
Price Gledhill on behalf of SOUTH restaurants  
Taelor Carvitto on behalf of the Oil and Vinegar Cellar  
Todd Smith on behalf of Syndicate Smith

## Wendy Lane

---

**From:** Kirvil Skinnarland <runofchelancnty@gmail.com>  
**Sent:** Wednesday, September 2, 2020 12:04 PM  
**To:** CD STRComment  
**Subject:** RUN Comments on STR Draft Code  
**Attachments:** RUN Comments on Draft STR Code 9.3.2020.pdf

**External Email Warning!** This email originated from outside of Chelan County.

Dear Commissioners

We have attached to this email our detailed, line by line comments on the draft ordinance you adopted on July 9th 2020. This cover email will address our main points. Please note that along with this email and attached mark up of the ordinance, we have submitted three reports that provide data and analyses on the 1) the housing crisis in Chelan County; 2) the high percentage of non-conforming lots in rural residential zones; and 3) the time to reach a 5% limit on STRs without a sunset provision for existing STRs. These reports provide data that back up the recommendations we are making.

We have an affordable housing crisis in many parts of the County, especially in the 98826 zip code. In a separate email we have provided you with a list of recent housing studies that document this crisis in Chelan County. The Berk reports document the exponential increase in STRs especially in the 98826 and 98831 zip codes. These housing studies suggest that STRs are a contributor to the problem because they inflate housing prices and reduce the supply of homes available for long term rental. STRs must be reduced to no more than 5% of the single family housing stock as quickly as possible so that housing (for rent and purchase) is made available for residents who live and work here.

The fact that commercial, absentee owner STRs are incompatible in residential zoning is well documented by studies done in throughout the country and by the overwhelming number of comments you have received from local residents. Commercial businesses do not belong in neighborhoods. Please adopt a strong ordinance so that the peace, safety and integrity of our neighborhoods is restored.

We urge you to follow the guidance provided by the County's Comprehensive Plan goals and policies. These include:

- Goal Housing 1: Encourage the availability of affordable housing to all economic segments of the population of Chelan County.
- Policy Housing 2.4: Encourage appropriate placement and use of vacation rentals.
  - o Rationale: Vacation rentals impact the character of a neighborhood and impact housing stock.
- Goal Housing 4: Support regulatory changes and economic programs that promote affordable housing options.

We have submitted evidence in a separate comment letter that documents that a high proportion of parcels in rural residential zoning are smaller than the designated minimum lot size. For example, 59% of the lots in RR 5 are smaller than 5 acres, and 42% are smaller than 2.5 acres. Commercial uses must be separated from residential uses. We urge you to set 8 acres as the minimum lot size for Tier 2 and Tier 3 STRs, regardless of zoning category.

We ask that you phase out (sunset) non-conforming STRs within 2 years and do not allow transfer of STR permits. The problems in our neighborhoods and our crisis in affordable housing cannot wait 5 years or longer. We have submitted a separate letter and report that analyses the impact of not adopting a sunset deadline. Our housing crisis is now. Helping residents that cannot find housing needs to be a top priority.

Please limit occupancy in Tier 1 and Tier 2 STRS to 2 people per bedroom or a maximum of 10 people, whichever is less. The number of bedrooms should be no greater than described on the approved septic and building permits.

Thank you for your consideration.

Residents United for Neighbors Steering Committee

Bruce Williams, Kirvil Skinnarland, Bob Fallon, Greg Steeber, Mara Bohman, George Wilson, Jerry Jennings, Stan Winters, Steve Stroud, Pat Thirlby, Cherie' Warren, Matthew Carlisle, Barbara Rossing

**RUN COMMENTS ON PLANNING COMMISSION'S DRAFT SHORT TERM RENTAL CODE**  
September 3, 2020

The following are the latest comments by the RUN Steering Committee on the Planning Commission draft of the STR ordinance.

**Line 113 11.04.020 DISTRICT USE CHART**

P — Permitted use

P(1) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards

P(2) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards, except for on parcels that are twelve thousand square feet or smaller, the use/structure must be located on a lot with an existing single family residence

P(3) ~~On lots 2.5 acres or smaller the short term rental shall sunset within 5 years of XXX [effective date]~~ Temporarily permitted non-conforming- use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards. On lots smaller than 8 acres, the short term rental shall sunset by October 1, 2021.

A — Accessory use A(1) — Accessory use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards

CUP — Conditional use permit

District Use Chart

USE	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
TIER 1	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(2)			CUP	CUP	CUP
TIER 2	CUP	CUP	P(3)	P(3)	P(3)	P(3)	P(3)	P(2)			CUP	CUP	CUP
TIER 3	CUP	CUP	P(3)	P(3)	P(3)	P(3)	P(3)	P(2)			CUP	CUP	CUP

**NEW SECTION TO BE ADDED TO CHAPTER 11.93 (CONDITIONAL USE PERMITS)**

**Short Term Rentals:**

1. All Tier 2 and Tier 3 short term rentals must be directly accessible by a: freeway/expressway, Urban/Rural Minor Arterial, Urban/Rural Major Collector or an Urban/Rural Minor Collector. Access cannot be via Local Streets through residential neighborhoods. A property can be accessed by a private road dedicated solely to use by the owners and their guests as long as it connects directly to a Collector, Arterial or Freeway. (Reference Table 1. Roadway Functional Classification, Transportation Element of the Comprehensive Plan.)
2. For all Tier 3 short term rentals, either the Owner or the Qualified Person (see Code 11.88.280) must visit the site on a daily basis to ensure that the guests are complying with the provisions of this chapter, the CUP and the short term rental permit.
3. No Tier 2 and Tier 3 short term rental can be located within 1000 feet of another single family or multi-family residence.

Note: The rationale for the shortened sunset period is that STRACC, its members and other STR owners have had ample notice that regulations were coming. The County released drafts and the Planning Commission held public hearings on draft STR regulations in the summer of 2019. The immediate crisis in the housing market and the impacts on neighborhoods must be balanced against



consideration given to STR owners in the form of some period for amortization. STR owners can sell or convert their houses to long term rentals.

- **Lines 175- 186 -- TIERS –DEFINITIONS**
  - Tier 1 rentals owners must live on site in a legal dwelling during the period of any rental (either in the primary house or a legal ADU), not in a trailer, RV, garage, or temporary or mobile unit (see also lines 261-264).
  - Rental on an adjacent property should not be allowed to be counted as a Tier 1 STR. This is a big loophole. One property owner could buy several lots withing 200 feet of his home and create a STR cluster in the neighborhood
  - Line 180 -- Tier 1 owners must be present for all rentals
- **Line 195 --TIER 1 ALLOWED IN PUD OVERLAYS AND MASTER PLANNED RESORTS**
  - Only 5% of the units should be allowed to be any form of STR. One of the opportunities in PUDs is the provision of affordable housing.
- **Line 231 – Existing Short Term Rentals**
  - Line 232 E i (a) – We do not believe that any existing short term rental should be considered lawfully established and existing. The current County code does not allow Tier 1, Tier 2 or Tier 3 rentals. **Do not give them a property right.** It will only complicate the sunseting process. All short term rentals except B&Bs should be considered temporarily allowed, non-conforming uses. Tier 1 rentals will become conforming when they obtain permits under the new system. Tier 2 and Tier 3 all will be phased out (sunset) except in zones RC, RR20 or RR10 (with lots size greater than 8 acres) but they will need to obtain short term rental permits and possibly also CUPs.
  - Line 237 Section E ii (b) – Only units that obtained an occupancy permit as of **October 1, 2019** should be considered “existing, temporary, non conforming short term rentals”. (Rationale: The County’s first draft of a short term rental code was released in July 2019 so owners have had plenty of time to anticipate that there would be regulations. They can switch to long term rentals or sell. We don’t feel that investors who have rushed to buy and/or convert houses to STRs in residential zones should be given a 5 year amortization period.)
  - Line 250 Section E iii – Change language from 2 years to a sunset of **October 1, 2021**. (Only STRs that existed on September 20, 2019 should be allowed any amortization period.)
  - Line 258 Section E (should be iv) -- **All non-conforming STRs will sunset by October 1, 2021** since owners have the option of switching to long term rentals. (A 5 year amortization period is way too long. Our housing crisis must be addressed sooner. And neighbors should not have to wait 5 more years for Tier 2 and Tier 3 type rentals to sunset.)
- **Line 260 SHORT TERM RENTAL STANDARDS – 11.88.280 (3)**
  - Line 265 -- Overnight occupancy for Tiers 1 and 2 should be limited to 10. For Tier 3, it should be 25. (Tier 1 rentals of more than 10 people are not compatible in rural residential zones. And, allowing more than 25 in Tier 3 in an unsupervised setting raises a host of public safety issues—uncontrolled parties, drinking, fire risk, etc.)
  - Line 271 -- Exceeding Occupancy– This should be eliminated. Applicants should apply for Tier 3 in the zones where they are allowed.

- New Standard-- The maximum number of bedrooms allowed must correspond exactly to the number of bedrooms specified in the septic permit and building permits.
- New Standard-- Outdoor fire pits and similar outdoor fire or cooking devices must be locked during burn bans.
- New Standard -- Amplified outdoor music is prohibited at any time.
- **Line 426 TRANSFERS OF PERMITS – 11.88.280 (4) I**
  - Line 426. STRs are now illegal. No transfer of permits should be allowed. Again this provision implies that the existing owner has a property right that can be transferred. Allowing transfer of permits will slow down the phase out of non-conforming STRs.
  - All owners/officers of STR owned by LLC must be publicly listed. No blind LLC's permitted.
- **Line 464 DEFINITIONS 14.98**
  - Line 469. The definition of bedroom is not in compliance with the IRC which provides definitions for rooms and habitable spaces. The IRC specifies every sleeping room must have an operational emergency escape—either a window or door to the outside. Bedroom must be defined as the number of legal bedrooms designated on both septic permit and building permits. The County may expose itself to liability in case of a fire if a guest is unable to escape the house.
- **Line 493 ENFORCEMENT 16.20**
  - This section needs work as it is unclear how the County will document “repeated failure of the owner or operator to respond to complaints relayed by code compliance officers” and how this relates to the complaints registered by neighbors with the Qualified Person (Line 313). Calls by neighbors to the Qualified Person must be registered, tracked and investigated by the County.

**Other recommendations:**

1. Fees must be set at a level to completely fund administration of the permit system and enforcement. These fees should be funneled into a dedicated account that cannot be used for other purposes.

2. The task force needs to include representatives who can speak to the affordable housing crisis. There are two major issues driving the need for regulations: need for affordable housing for residents and destruction of the integrity of residential neighborhoods.

3. The BOCC should consider limiting the number of STRs that can be owned by one person or LLC. Please see the language in the Okanogan code:

5.06.050 Restrictions: Only one dwelling may be rented per owner. Each property owner may rent only one nightly rental regardless of the number of properties owned.

## Wendy Lane

---

**From:** Kirvil Skinnarland <runofchelancnty@gmail.com>  
**Sent:** Wednesday, September 2, 2020 10:25 AM  
**To:** CD STRComment  
**Subject:** Analysis of Attrition Rate of STRs with no Sunset  
**Attachments:** STR Attrition Report Prepared by RUN 9.1.2020.pdf

---

**External Email Warning!** This email originated from outside of Chelan County.

---

Dear Commissioners,

Chelan County is considering a sunset process for existing non-conforming STRs in order to achieve a goal of getting to, or below, a prescribed percentage of STRs, within each ZIP code. (5%, as recommended in July 9, 2020 STR code) Opponents to sunset provisions have proposed that natural attrition and housing growth could get to this acceptable rate and that all existing STRs should be grandfathered in. This analysis shows that the length of time to achieve a 5% goal through natural attrition and normal housing growth is unacceptably long and would likely be 20 or more years depending on the number of STRs that are sold or converted to long term rentals each year.

We have prepared the attached analysis that looks at the time it will take for the percentage of STRs to reach 5% in the 98826 and 98831 zip codes. We have analysed a 5% per year attrition rate and a 1% per year attrition rate, and assumed new housing increases every year according to the numbers provided by Berk.

The charts in the attached report show that the soonest this 5% target can be achieved in 98826 is the year 2039 at a 5% annual attrition rate. In 98831, it will take until 2032. At a 1% attrition, 98826 will not reach the target until beyond 2060 and in 98831, it will take until 2053.

Clearly, sunset provisions are crucial if STRs are to be reduced to 5% percent of the housing stock in a reasonable time frame. RUN believes a 2 year sunset period is needed because of the severe nature of the housing crisis especially in the 98826 zip code and the unacceptable impacts that STRs are having on the residents in rural residential zones of Chelan County.

Thank you for the opportunity to comment.

Residents United for Neighbors Steering Committee

# STR Attrition Analysis

Residents United for Neighbors of Chelan County  
September 1, 2020

---

## Executive Summary

Chelan County is considering a sunseting process for existing non-conforming STRs in order to achieve a goal of getting to, or below, a prescribed percentage of STRs, within each ZIP code. (5%, as recommended in July 9, 2020 STR code) Opponents to sunset provisions have proposed that natural attrition and housing growth could get to this acceptable rate and that all existing STRs should be grandfathered in. This analysis shows that the length of time to achieve a 5% goal through attrition and housing growth is unacceptably long and would likely be 20 or more years!

It should be self-evident that having an acceptable level of STRs and then having a length of time of 20+ years to achieve that rate just does not make sense, and that sunset provisions are essential in order to restore a reasonable balance in a reasonable timeframe.

## Detailed Analysis of 98826 and 98831

Two of the existing ZIPs (Leavenworth in 98826 and Manson in 98831) are the two ZIPs with the highest percentage of STRs at 15.6% and 11.2% respectively, per numbers provided by Berk Consulting. Berk Consulting also provided 5 year housing growth rates in these ZIPs. STR attrition will be achieved through owners voluntarily deciding to stop renting as an STR, or owners selling **if and only if** transfers of STR permits are prohibited. Two estimates of attrition were used at 1% and 5% on a yearly basis. The recent proliferation of STRs shows that STR renting is very profitable to owners and it therefore seems reasonable to assume that purchasers of STRs will intend to continue renting as an STR.

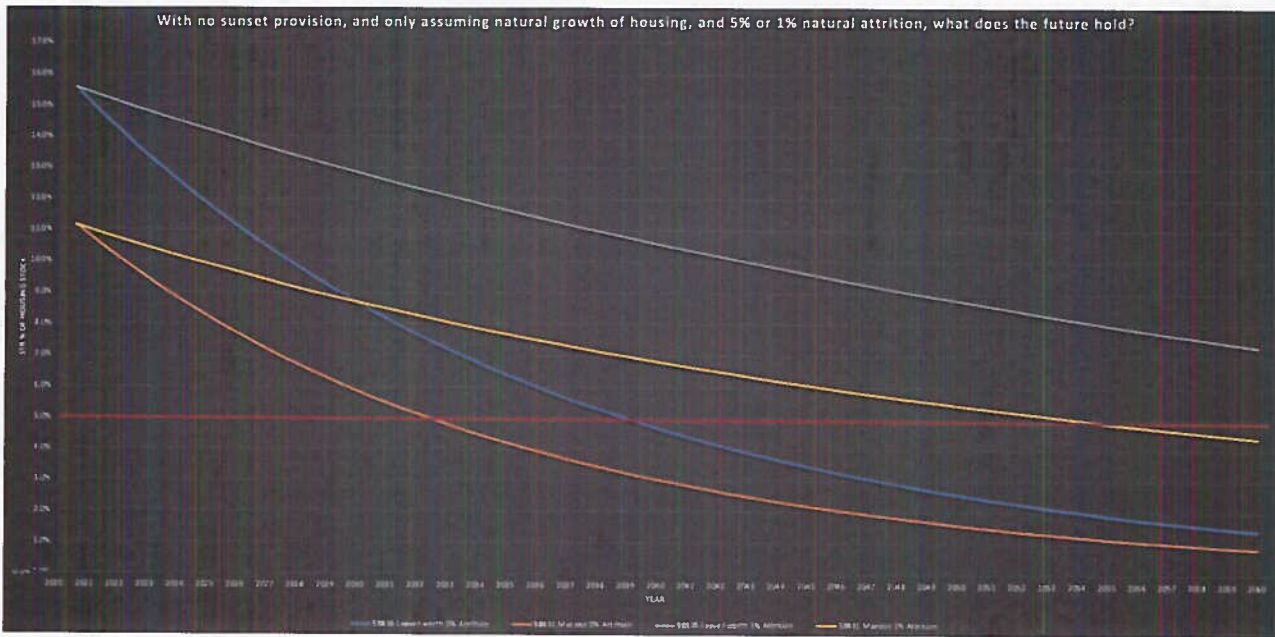
The graph below shows the time it will take to reach a 5% target of STRs in relation to the single family housing stock in each zip code assuming rates of growth in new housing specified in the Berk Report. The soonest this target can be achieved in 98826 is 2039 at a 5% attrition rate. In 98831, it will take until 2032. At a 1% attrition, 98826 will not reach the target until beyond 2060 and in 98831, it will take until 2053.

Clearly, sunseting provisions are crucial if STRs are to be reduced to a 5% percentage of the housing stock in a reasonable time frame. RUN believes a 2 year sunset period is needed because of the severe nature of the housing crisis especially in the 98826 zip code and the unacceptable impacts that STRs are having on the residents in rural residential zones of Chelan County.

## STR Future With No Sunset in 98826 and 98831

This graph shows the length of time it will take to reduce the percentage of STRs in relation to the housing stock at a 5% and a 1% natural rate of attrition. New housing is assumed to increase at an annualized rate as provided by Berk.

Blue line = 98826 with 5% annual attrition//Grey line = 98826 with 1% annual attrition  
 Orange line = 98831 with 5% annual attrition//Yellow line = 98831 with 1% annual attrition



## Raw Data

Community Name	ZIP	Total Dwellings 2019	Total Unincorporated dwellings 2019	Jan 2020 Active STRs	% STR Unincorporated	% Dwellings in unincorporated areas	2015-2019 Change in Housing units [1]	Estimated annual change in housing units [2]
Leavenworth	98826	6099	4811	749	15.6%	78.9%	255	51
Manson	98831	2519	2519	281	11.2%	100.0%	220	44
Chelan	98816	5333	2492	97	3.9%	46.7%	160	32
Peshastin	98847	956	956	53	5.5%	100.0%	35	7
Wenatchee	98801	17989	17989	30	0.2%	100.0%	5	1
Cashmere	98815	2977	2977	28	0.9%	100.0%	60	12
Malaga	98828	908	908	5	0.6%	100.0%	35	7
Entiat	98822	1138	1138	4	0.4%	100.0%	15	3
Various	Various	836	836	0	0.0%	100.0%		
Annual Attrition Estimate A [3]	5%							
Annual Attrition Estimate B [3]	1%							

[1] Precise number not available so estimated based on chart provided by Berk Consulting.

[2] 5 year rate is divided evenly and used as the estimated annual rate.

[3] Estimated annual natural STR attrition rates through voluntary ceasing of STR use, or through property sale (assuming no transfer)

# Attrition Calculations

% STRs (5% Attrition)		% STRs (1% Attrition)		Year
98826	98831	98826	98831	
15.6%	11.2%	15.6%	11.2%	2020
14.6%	10.4%	15.3%	10.9%	2021
13.8%	9.7%	14.9%	10.6%	2022
12.9%	9.1%	14.6%	10.3%	2023
12.2%	8.5%	14.3%	10.0%	2024
11.4%	7.9%	14.1%	9.8%	2025
10.8%	7.4%	13.8%	9.5%	2026
10.1%	6.9%	13.5%	9.3%	2027
9.5%	6.5%	13.2%	9.0%	2028
9.0%	6.1%	13.0%	8.8%	2029
8.4%	5.7%	12.7%	8.6%	2030
7.9%	5.3%	12.5%	8.4%	2031
7.5%	5.0%	12.2%	8.2%	2032
7.0%	4.7%	12.0%	8.0%	2033
6.6%	4.4%	11.8%	7.8%	2034
6.2%	4.1%	11.6%	7.6%	2035
5.9%	3.8%	11.3%	7.4%	2036
5.5%	3.6%	11.1%	7.3%	2037
5.2%	3.4%	10.9%	7.1%	2038
4.9%	3.2%	10.7%	6.9%	2039
4.6%	3.0%	10.5%	6.8%	2040
4.3%	2.8%	10.3%	6.6%	2041
4.1%	2.6%	10.1%	6.5%	2042
3.8%	2.4%	9.9%	6.3%	2043
3.6%	2.3%	9.8%	6.2%	2044
3.4%	2.2%	9.6%	6.0%	2045
3.2%	2.0%	9.4%	5.9%	2046
3.0%	1.9%	9.2%	5.8%	2047
2.9%	1.8%	9.1%	5.7%	2048
2.7%	1.7%	8.9%	5.5%	2049
2.5%	1.6%	8.7%	5.4%	2050
2.4%	1.5%	8.6%	5.3%	2051
2.3%	1.4%	8.4%	5.2%	2052
2.1%	1.3%	8.3%	5.1%	2053
2.0%	1.2%	8.1%	5.0%	2054
1.9%	1.1%	8.0%	4.9%	2055
1.8%	1.1%	7.8%	4.8%	2056
1.7%	1.0%	7.7%	4.7%	2057
1.6%	1.0%	7.6%	4.6%	2058
1.5%	0.9%	7.4%	4.5%	2059
1.4%	0.8%	7.3%	4.4%	2060

## Wendy Lane

---

**From:** Rachel Clifton <rachel@hsimedical.com>  
**Sent:** Wednesday, September 2, 2020 9:23 AM  
**To:** CD STRComment  
**Subject:** Fwd: RR10 district and STR's

**External Email Warning!** This email originated from outside of Chelan County.

---

To whom it may concern:

Our family purchased a property in Leavenworth in 2011 that is zoned RR10. We were pleasantly surprised at what a tight knit community existed off and along East Leavenworth and Icicle Roads with involvement by many residents concerned for the welfare of their neighborhoods. Not only were they present and available to help each other individually, but were also available for assistance in wider community concerns and needs. Leavenworth isn't just a tourist town — although we certainly support and enjoy this reputation. It is also home to many of us who have chosen to live together in community. Two of our children and their families have moved here in this past month to live with us for a year to assess whether or not Leavenworth could be home to them and their combined six children (ages 3-10) going forward. They are looking for neighborhoods with families, good schools, life, community. The current proposal to allow more STR's on lots that ostensibly are 10 acres (most are far smaller than that) is a vote against the very people and neighborhoods who will help Leavenworth continue into the future when the tourists have gone back to their own homes and neighborhoods.

It seems to us that the people who should be allowed to benefit from the increasing numbers of STR's and their financial rewards ought also to be the same people who invest in the town and share in the life and culture and neighborhoods of Leavenworth.

Thank you for your time and consideration.

Jim and Rachel Clifton  
[8280 East Leavenworth Rd](#)  
[Leavenworth, 98826](#)

Sent from my iPad



## Wendy Lane

---

**From:** Lisa Diederich <lmdiederich@gmail.com>  
**Sent:** Wednesday, September 2, 2020 9:13 AM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** Please stop STRs

External Email Warning! This email originated from outside of Chelan County.

Hello,

We live at Lake Wenatchee and have to leave our house to get some peace and quiet. We have two short term rentals behind us who rent to large groups and they are always making noise. The house directly behind us consistently rents to 10 - 12 people and it's only a three bedroom house. It's very hard to enjoy our deck and lawn due to the consistent noise. This is such an issue, that we are looking to live in a different town.

The short term rental owners never had permission to open a business. Please stop this insanity! The tourist don't care about our neighborhood. You should not be able to have hotels (which is exactly what they are) in residential neighborhoods.

This issue is also causing a housing crisis. The working people of Leavenworth can not afford to live here. If people didn't do STRs, some would rent do long term leases which would give locals more options.

Please change this so we don't have to move! We love it here, but not with the STRs.

Thanks  
Lisa Diederich

Sent from my iPad

## Wendy Lane

---

**From:** Mike Stanford <stanford@nwi.net>  
**Sent:** Wednesday, September 2, 2020 8:44 AM  
**To:** CD STRComment  
**Cc:** Bob Bugert; Kevin Overbay; Doug England  
**Subject:** STR comment

**External Email Warning!** This email originated from outside of Chelan County.

*My name is Mike Stanford. I live at 2393 Kinnikinnick DR Leavenworth WA 98826. (Chiwawa River Pines, 15% density STRs) Please consider this my comment in support of the efforts of the Chelan County Commissioners to regulate and or limit the number and type of STRs in our/my neighborhood. This use is not consistent with the zoning areas RR 2.5 or RW. STRs have had a devastating effect on the quality of life for Chelan County families. I support the efforts of RUN and ask you to adopt their recommendations as you move through this process. At this point, I know you all are aware of the issues associated with STRs. I feel no need to remind you.*

*I ask that you :*

Pease follow the goals and policies contained in the Chelan County Comprehensive Plan. Specifically, Goal Housing 1: *Encourage the availability of affordable housing to all economic segments of the population of Chelan County;* and Policy Housing 2.4: *Encourage appropriate placement and use of vacation rentals.*

There is a housing affordability crisis in the tourist portions of the County because our single family homes have been converted to short term rentals especially in the 98826 zip code and in the Chelan/Manson areas. For example, in the 98826 zip code, over 15% of the houses are now short term rentals. We need to reduce this number to 5%.

2. Tier 2 and Tier 3 STRs (the absentee owner rentals) are not compatible in residential zones especially on lots smaller than 8 acres. Please protect neighborhoods from commercial operations that are fundamentally incompatible in a residential setting.
3. Phase out (sunset) non-conforming STRs within 2 years and do not allow transfer of STR permits. The problems in our neighborhoods and our crisis in affordable housing cannot wait 5 years.
4. Limit occupancy in Tier 1 and Tier 2 STRS to 2 people per bedroom or a maximum of 10 people, whichever is less. The number of bedrooms can be no greater than described on the approved septic and building permits.

Thank You

Mike Stanford

## Wendy Lane

---

**From:** Matthew Carlisle <carlislematthew@hotmail.com>  
**Sent:** Wednesday, September 2, 2020 8:03 AM  
**To:** CD STRComment  
**Subject:** Further Comments

**External Email Warning!** This email originated from outside of Chelan County.

Commissioners,

I've sent in comments before on specific aspects of the code as you had requested, but this additional commenting period deserves a summary of what I would like to see out of the code. My previous comments have detailed all the problems I've personally had with STRs and you are well aware from the hundreds of comments received what the problems are.

Important to keep in the code:

- 1) **Occupancy limits.** We need to stop party houses, which typically seem to be a house in which the occupancy outstrips the size of the house, enabling many people to split the cost and cram people in for a party, regardless of night of the week, and regardless of time of the day. Occupancy should be 2 persons per bedroom, with bedrooms defined per the approved septic plan. No more than 10 in Tier2 please!
- 2) **Lot sizes.** The zone designation barely relates to the size of the parcel especially in RR2.5 and RR5 as RUN has demonstrated in their detailed analysis. Please have a minimum lot size that's sensible (8+ acres would be ideal) and consider separation requirements.
- 3) **Permits and revocation.** Owners need skin in the game as it refers to the behavior of their renters. Right now under current code they have zero accountability. The draft code has good rules in this area. Please do not weaken it!
- 4) **No transfer of permits at sale.** We need to reduce the number of STRs, not keep it level.
- 5) **We must have sunsets** at 2 years for non-conforming uses to help get Leavenworth and Manson down to 5%. As RUN's analysis has shown, it will take over 20 years to get 98826 down to 5% with just natural attrition and housing growth. This is unacceptable to your residents and voters. STRACC is going to sue in 5 years if you set it to 5, or 2 years if you set it to 2. STRACC is already suing in an obvious attempt to delay the process (and it's working!) - your only appeasement strategy for STRACC is to do absolutely nothing, which is what's happened for over a decade now and is not working!
- 6) **Enforcement.** The current noise ordinances are not enforced (I know, I've tried using them) due to lack of finances, or something else. Please include all administrative and enforcement costs into the permit. The people creating the problems need to pay for the solutions. I've already donated money to RUN and spent considerable personal time working on this issue and don't have any renters to fund it.

Thank you,

-Matthew Carlisle

16975 River Rd, Leavenworth WA 98826

(in Plain)

Full-time resident and voter in Chelan County.

## Wendy Lane

---

**From:** Steve Stroud <sstroud@nwi.net>  
**Sent:** Tuesday, September 1, 2020 9:11 PM  
**To:** CD STRComment  
**Subject:** STR comments for planning commission

**External Email Warning!** This email originated from outside of Chelan County.

---

Greetings-

I have lived in Chelan County for over 40 years and up Fox Rd in Leavenworth for over 20. At last count 25% of the homes in my neighborhood are STR.

I am against all STR in residential neighborhoods, especially the non-owner occupied which are commercial businesses and illegal according to the current county code.

The overwhelming comprehensively documented problems with STR could be (mostly) remedied by:

1. Eliminate all non owner occupied STR in residential zones where the property (actual acreage) is 8 acres or less. The Chelan County Comprehensive Plan includes goals of affordable housing and "appropriate placement " of vacation rentals. Residential neighborhoods are not appropriate for commercial activity.
2. Elimination of these STR through a maximum 2 year sunset period as our housing crisis is already at critical.
3. Owner occupied STR must apply for a full CUP, meet the national residential codes for safety (egress) and have only the number of bedrooms that are supported by the septic system on the building permit.
4. Decrease all STR to 5% or less of the housing available through sunseting, permitting, and non transfer on sale and by not grandfathering any STR unless currently permitted (few if any are).

The BOCC website states as its tag line *Keeping Chelan County a Great Place to Live, Work and Play*

If that is the Mission, then STR are the anthesis of the goal. STR degrade neighborhoods and deplete housing for local residents who wish to live and work here.

Thank you for your consideration

Steve Stroud  
10587 Fox Rd  
Leavenworth Wa 98826  
509-433-8109

Sent from [Mail](#) for Windows 10

## Wendy Lane

---

**From:** Anna Milner <annabmilner@gmail.com>  
**Sent:** Tuesday, September 1, 2020 7:48 PM  
**To:** CD STRComment  
**Subject:** opposed to STR's

External Email Warning! This email originated from outside of Chelan County.

I am a homeowner at 171 Dempsey Rd in Leavenworth. For ten years, I have enjoyed the peace, quiet and privacy that I sought when moving to this rural location far removed from downtown. In the last few months the residence next to me has operated as an STR and peace and quiet have gone by the wayside. Evenings are filled with a barrage of shrieks, loud voices and intermittent foul language. Phone calls have been made....noise has abated for an hour or so and then returns.

STR's are a business....an absentee owner's way of making money and paying none of the opportunity costs: noise and disruption.

Dempsey Road is no place for STR's. As homeowners who live here, we have chosen this location for the peace and quiet of a rural setting.

Do what is right. Keep businesses where business belongs...in city areas zoned for business. Say NO to STR's in rural zones.

-Anna Milner  
171 Dempsey Rd.  
Leavenworth, WA

## Wendy Lane

---

**From:** David Morgan <davidmorgan29@hotmail.com>  
**Sent:** Tuesday, September 1, 2020 5:43 PM  
**To:** CD STRComment  
**Subject:** comments about STR ordinance

**External Email Warning!** This email originated from outside of Chelan County.

Hello. I live in Leavenworth and I am seriously concerned about housing affordability. Please accept the following comments about Short Term Rentals and related ordinances.

Please follow the goals and policies contained in the Chelan County Comprehensive Plan. Specifically, we emphasize Goal Housing 1: *Encourage the availability of affordable housing to all economic segments of the population of Chelan County*; and Policy Housing 2.4: *Encourage appropriate placement and use of vacation rentals*.

- a. Reasons: There is a housing affordability crisis in the touristed portions of the County because our single family homes have been converted to short term rentals especially in the 98826 zip code and in the Chelan/Manson areas. For example, in the 98826 zip code, over 15% of the houses are now short term rentals. We need to reduce this number to 5%.
2. Tier 2 and Tier 3 STRs (the absentee owner rentals) are not compatible in residential zones especially on lots smaller than 8 acres. Please protect neighborhoods from commercial operations that are fundamentally incompatible in a residential setting.
3. Phase out (sunset) non-conforming STRs within 2 years and do not allow transfer of STR permits. The problems in our neighborhoods and our crisis in affordable housing cannot wait 5 years.
4. Limit occupancy in Tier 1 and Tier 2 STRS to 2 people per bedroom or a maximum of 10 people, whichever is less. The number of bedrooms can be no greater than described on the approved septic and building permits.

Thank you  
David Morgan  
10405 Titus Rd  
Leavenworth, WA 98826

## Wendy Lane

---

**From:** Chris Weiss <cnweiss@gmail.com>  
**Sent:** Tuesday, September 1, 2020 5:07 PM  
**To:** CD STRComment  
**Subject:** Opposition to Short Term Rentals

**External Email Warning!** This email originated from outside of Chelan County.

My name is Chris Weiss. I live full time at [14609 Fish Lake Road, Leavenworth, Washington 98826](#).

In light of its many adverse impacts, I believe the short term rental of a house (STR) destroys the vital sense of community in residential neighborhoods. Neighbors are replaced by absentee landlords who rent to transient occupants with no interest in the community. The problems with the constant turnover of overnight visitors are exacerbated (1) in fire country, such as in the Upper Wenatchee Valley, where a preponderance of renters come from a marine environment (Puget Sound) where wildfire risks are low and (2) in fragile ecosystems, such as lakefront properties, protected by Washington's Shoreline Management Act and other environmental regulations. STRs drive up home prices, creating an unacceptable shortage of affordable housing.

Further, the law in Chelan County does not allow STRs. Not having enforced its own land use ordinances and regulations over the last ten years, the County should not now retroactively authorize the unlawful status of STR's that has come to exist in our community. Please enforce the law. Businesses — including sole proprietors — possess no enforceable rights and no lawful expectation to obtain the County's retroactive or prospective blessing to operate commercial STRs in residential communities in Chelan County.

Thank you.





**Wendy Lane**

---

**From:** Gro Buer <grobuer@gmail.com>  
**Sent:** Tuesday, September 1, 2020 4:57 PM  
**To:** CD STRComment  
**Subject:** Short Term Rentals

**External Email Warning!** This email originated from outside of Chelan County.

---

**Dear Planning Commissioners,**

**First of all thank you for your work trying to figure out how to deal with short term rentals. I'm sure it is a fairly thankless job and a tough one!!**

I'm a homeowner on E.Leavenworth Rd (county) and have STRs nearby, and have many friends who have STRs next door or across the street, and even 20 acres away like we have, that impact our neighborhoods and lives. Here are some comments:

1. Please follow the goals and policies contained in the Chelan County Comprehensive Plan. Specifically, we emphasize Goal Housing 1: *Encourage the availability of affordable housing to all economic segments of the population of Chelan County*; and Policy Housing 2.4: *Encourage appropriate placement and use of vacation rentals*.

a. Reasons: There is a housing affordability crisis in the touristed portions of the County because our single family homes have been converted to short term rentals especially in the 98826 zip code and in the Chelan/Manson areas. For example, in MY 98826 zip code, over 15% of the houses are now short term rentals. We need to reduce this number to 5%.

2. Tier 2 and Tier 3 STRs (the absentee owner rentals) are not compatible in residential zones especially on lots smaller than 8 acres. Please protect neighborhoods from commercial operations that are fundamentally incompatible in a residential setting.

3. Phase out (sunset) non-conforming STRs within 2 years and do not allow transfer of STR permits. The problems in our neighborhoods and our crisis in affordable housing cannot wait 5 years.

4. Limit occupancy in Tier 1 and Tier 2 STRS to 2 people per bedroom or a maximum of 10 people, whichever is less. The number of bedrooms can be no greater than described on the approved septic and building permits.

There shouldn't be commercial entities in our neighborhoods, and only home owner occupied-room rentals. Please listen to those of us who live here, volunteer here, work here and pay taxes here. It can be far too noisy, busy with cars, garbage and people wandering along the street with inner tubes looking for river access, to continue to have STR's in where we all live. It is out of control!!

Thank you, Gro Buer 8050 E Leavenworth Rd, 98826

## Wendy Lane

---

**From:** Ben Edwards <ben@alttext.com>  
**Sent:** Tuesday, September 1, 2020 2:32 PM  
**To:** CD STRComment  
**Subject:** Encouraging the appropriate placement and use of vacation rentals in Chelan County

**External Email Warning!** This email originated from outside of Chelan County.

I am writing to you as a resident of Leavenworth (outside city limits proper) about the problematic issue of absentee owner rentals in our community.

Absentee owner rentals (Tier 2 and Tier 3 STRs) are not compatible in residential zones on lots smaller than 8 acres. Please protect our neighborhoods from commercial operations that are fundamentally incompatible in a residential setting. We have disruptive activities each and every week in our neighborhood. The problems in our neighborhoods and our crisis in affordable housing cannot wait 5 years. We must sunset these non-conforming rentals and disallow the transfer of such STR permits.

Lastly, we should limit occupancy on rentals as described on approved septic and building permits. We often see groups of 15 or more people in residential rentals.

Thank you for collecting the voices of county citizens.

Regards,  
Ben



**Ben Edwards**

[alttext.com](http://alttext.com)

[ben@alttext.com](mailto:ben@alttext.com)

(509) 593-8488

## Wendy Lane

---

**From:** keri heniff <32chimps@gmail.com>  
**Sent:** Tuesday, September 1, 2020 12:01 PM  
**To:** CD STRComment .  
**Subject:** please protect residential neighborhoods

**External Email Warning!** This email originated from outside of Chelan County.

Hi.

I'm writing to offer my comments regarding short term rentals. I've been a Leavenworth resident since 2003, my husband since 2008, as renters until 2018. We relied on the availability of long term rentals in order to live and work here in Leavenworth. When the owner of our last rental we were in decided to turn it into their primary residence, we were forced to look for another place to live. We had a very hard time finding a long term rental and were fortunate enough to be able to buy a piece of land and build a small home for our family.

We've loved living in Leavenworth and want others to be able to live here too. In order for that to happen, we strongly believe in addressing the short term rental issue that has become a problem in this area, especially over the past five years. We're asking you NOT to legalize absentee-owner short term rentals in residential neighborhoods! We also agree with many of the points that Residents United for Neighbors have come up with, including the following:

- Phase out existing absentee-owner short term rentals within the next 2-5 years.
- Limit occupancy to no more than 10 guests at a time.
- Owner must live on site during rental and allow only one short term rental in the owner's primary residence or accessory unit.
- Prohibit permit transfers when house/unit is sold
- Limit short term rental permits to one per owner, in order to reduce short term rentals to a 5% density of all housing.

Please help keep Leavenworth as an affordable and accessible place for people to live.

Thank you,  
Keri Heniff

## Wendy Lane

---

**From:** Petra Buzkova <pbuzkova@gmail.com>  
**Sent:** Tuesday, September 1, 2020 11:07 AM  
**To:** CD STRComment  
**Subject:** short term rentals - regulations ENFORCEMENT

External Email Warning! This email originated from outside of Chelan County.

Hi,  
I wanted to send you my input on the short term rentals in our neighbourhood.

I am supporting all restrictions you might impose on them. Short term rentals enormously negatively affect our home on Shore Street, Leavenworth.

Our next door neighbour, at 12571 Shore St, Leavenworth, who lives in California, has been renting their house on vrbo, VRBO property id 150654, 4 bedrooms, sleeps 14, parties are encouraged. A property keeper permanently lives in one of the detached garages. (Property id 29598, single family house with 3 bedrooms, septic system for 3 bedrooms). Every weekend a new party comes over, they often are very loud, we had to call the sheriff several times this summer. Sometimes tents are pitched on the property as well. The renters also spend time at the Icicle river at the Shore street access, which has become a problem of its own with many non-residents driving over there and crowding the site.

This neighbor of ours is non-compliant with the regulations as they currently are, and I believe there were filed complaints about this address. However, nothing changed. It is crucial that the regulations are being enforced as well, with penalties, licence removal, etc.

Without enforceability any regulations are not useful.

Thanks,  
Petra Buzkova  
206 7657832

## Wendy Lane

---

**From:** kinderranch@nwi.net  
**Sent:** Tuesday, September 1, 2020 10:16 AM  
**To:** CD STRComment  
**Subject:** FW: RE: PUBLIC COMMENT FOR THE BOCC WORKSHOPS/PROPOSED CODE AMENDMENTS FOR ON AUGUST 4 & 18, 2020

**External Email Warning!** This email originated from outside of Chelan County.

---

Dear Mr. Brown and Chelan County Planning Commission,

I am forwarding my email sent 8/18/2020 with my comments regarding sunseting of STRs and zoning to the Planning Commission for its upcoming review. My neighborhood would be left out of any sunseting with the current language, should that be accepted due to our current zoning of RR5. I do understand that the STR Code currently being drafted may be changed regarding the sunset statement. It is my hope that such language be kept in the code and strengthened to include a sunseting requirement within 5 years or less for STR(s) contiguous to or within a predetermined area of property(s) 2.5 acres or less, regardless of the such properties' current zoning. If such language cannot be included and sunseting is required for 2.5 acres and less types of zoning, then my neighborhood will consider submitting for zoning change. In addition to my below comments, I would like to add that there is a STR above my property that has ongoing issues with excessive noise and overflowing garbage. We live next to the Ski Hill forest. Bears and other wild animals frequent this area. Garbage endangers their lives. Noise carries down the hillside and is a constant issue for neighbors. We do not want to be the noise and garbage police. Other Leavenworth area residents have had issues with failing septic systems, alarms, etc.

Please see my original comment below.

Thank you,

Linda Kinder  
12276 Ski View Ln  
Leavenworth, WA 98826  
Tel. 425-870-7572

---

**From:** [kinderranch@nwi.net](mailto:kinderranch@nwi.net) <[kinderranch@nwi.net](mailto:kinderranch@nwi.net)>  
**Sent:** Tuesday, August 18, 2020 2:43 PM  
**To:** 'CD.STRComment@co.chelan.wa.us' <[CD.STRComment@co.chelan.wa.us](mailto:CD.STRComment@co.chelan.wa.us)>  
**Subject:** RE: PUBLIC COMMENT FOR THE BOCC WORKSHOPS/PROPOSED CODE AMENDMENTS FOR ON AUGUST 4 & 18, 2020

To Whom It may Concern,

Thank you very much to all at the Chelan County Planning Department and to the Commissioners for your continuing efforts to address much needed short-term rental regulation in our county.

I am requesting review of the Proposed Short-Term Rental Regulation Process language of "5-Year Sunset on Lots less than 2.5 acres in RR2.5, RW, RV" for possible inclusion of additional language stating "...and where contiguous properties and/or a majority of properties within the same or adjacent subdivisions to a STR consist of 2.5 acres or less" (or similar).

The reason for my request is to ensure fairness to Chelan County residents by covering zoning areas over 2.5 acres where contiguous lots or a majority of lots within a specified radius of an STR are actually 2.5 acre or less in size.

Case in point – in my neighborhood on Ski View Lane near Ski Hill and just above the UGA in Leavenworth, all lots are zone RR5. When my husband and I bought our lot in 2001 the zoning was RR1 and was later revised to RR5. I am not sure why the change occurred when it did, but the intent may have been to minimize development and protect adjacent orchards and the Ski Hill to the north. The Planning Department should have record of that zoning change and reason for it. A majority of lots in Ski View development and adjacent developments in the Ski Hill area just outside the UGA to the north are actually 1 acre tracts and almost all have been developed. There are a few two acre lots at the top of Titus and in the Ski View and McAn additions where residents have bought additional lots. Otherwise and aside from Ski Hill area orchards, there are a few multi-acre lots along Titus Rd and Ski Hill Rd and on off streets further down both of those roads (some are in the UGA).

For those residents with property outside the UGA **AND** adjacent to or nearby currently existing Tier 2 or Tier 3 STRs **AND** currently zoned as RR5 the current STR draft language provides no sunseting of STR operations. This may concern other Chelan County property owners in areas where properties are zoned RR5 or larger, but the actual development of the majority of the area is 2.5 or less acres, also.

Thank you very much for reviewing my concern. Please do not hesitate to contact me if you have questions regarding my request.

Sincerely,

Linda Kinder  
12276 Ski View Ln  
Leavenworth, WA 98826  
Ph. 509-888-5084

## Wendy Lane

---

**From:** karenhaire@nwi.net  
**Sent:** Monday, August 31, 2020 9:41 PM  
**To:** CD STRComment  
**Subject:** STR comments

External Email Warning! This email originated from outside of Chelan County.

Thank you for placing a moratorium on STRs until information can be gathered and a decision can be made. I think the county has too many STRs, especially in the 98826 zip code. Houses that are empty except on weekends and holidays cannot be used to house workers and residents. It drives up the price of housing, making it unaffordable for workers. STRs often result in noisy "party houses" which are also a safety hazard.

Karen Haire



## Wendy Lane

---

**From:** Gretchen Daiber <gretchen@gretchendaiber.com>  
**Sent:** Monday, August 31, 2020 6:00 PM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** [Possible Spam] STR  
**Attachments:** [Possible Spam] STR

External Email Warning! This email originated from outside of Chelan County.

## Wendy Lane

---

**From:** Gretchen Daiber <gretchen@gretchendaiber.com>  
**Sent:** Monday, August 31, 2020 6:00 PM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** [Possible Spam] STR  
**Attachments:** STR Letter Aug 2020.pdf

August 31, 2020

Dear Chelan County Commissioners and Chelan County Planning Commission,

It has been close to twenty years that we have been struggling with the county about regulating Short Term Rentals (STR). Now, more than ever, is the time to address the problem with the growing population in the county and the decreasing availability of affordable housing. The negative impact of STRs on neighborhoods is obvious to the residents. Especially harmful are the owner absent STRs. These businesses invite issues related to large and unsupervised parties, intrusive noise, invasion of privacy, increased traffic on residential roads and elevated fire risk due to careless behavior during summer months.

In our neighborhood of Dempsey Road in Leavenworth we have three owner absent STRs:

- 219 Dempsey Rd., owners: Mike Kirschner and Lisa Wright
- 431 Dempsey Rd., owners: Anna and Sean Reardon
- 1174 Dempsey Rd., owners Jill Rockwell and Rick Minnich

All three of these STRs have been a burden on the neighborhood. One of them, Red Roof Lodge at 1174 Dempsey is run like a hotel with frequently 6 to 10 cars in the driveway and who knows how many guests. It is a 3 bedroom house with a septic system that is overflowing often as the stench permeates the air around the property on a regular basis. Calling the Health Department has not improved the situation.

We have a one lane private road with many steep sections and in the winter can be a challenge. The STR guests are often not equipped for driving on a snowy road. They frequently end up stuck in the road or parking on the side of the road causing safety issues for the residents and snowplows. The frequent noise from the party atmosphere of the STRs is particularly intrusive because it happens almost every weekend. NEIGHBORS don't do that to NEIGHBORS. Business like these need to be in commercially zoned areas of the county not in our neighborhoods.

Thanks for listening,

Gretchen Daiber and Michael Heath  
1535 Dempsey Rd.  
Leavenworth, WA

## Wendy Lane

---

**From:** Rebecca Mahon <beckyonvaca@hotmail.com>  
**Sent:** Monday, August 31, 2020 2:19 PM  
**To:** CD STRComment  
**Subject:** Short term rentals

External Email Warning! This email originated from outside of Chelan County.

To whom it may concern:

I am concerned about the rise in popularity of short term rentals in Chelan County. The noise (music, yelling, etc) from the "party house" a quarter of a mile away has ruined more than one evening in our backyard. There is increased traffic, often going well above the speed limit, on the neighborhood streets when we are out walking. My friends who are trying to rent and purchase homes have been adversely affected by absentee owners who are buying houses to generate income from STRs. I agree with the suggestions of Residents United for Neighbors to manage this growing problem in our community.

Do not legalize absentee-owner STRs in residential neighborhoods.

Phase out existing absentee-owner STRs within 2 years Limit occupancy to 10 Allow one STR in owner's primary residence or accessory unit with owner living on site during rental.

Prohibit the transfer of permits upon sale of the house.

Limit permits to one per owner to reduce STR density to 5% of all housing.

Thank you for listening to my concerns.

Sincerely,

Rebecca Mahon

Sent from my iPad

## Wendy Lane

---

**From:** Kirvil Skinnarland <runofchelancnty@gmail.com>  
**Sent:** Monday, August 31, 2020 12:51 PM  
**To:** CD STRComment  
**Subject:** Analysis of Actual Lot Size in Rural Residential Zones  
**Attachments:** Parcel Size Analysis by Zone 8.31.2020.pdf

**External Email Warning!** This email originated from outside of Chelan County.

---

Dear Commissioners,

We have performed a sophisticated analysis of actual parcel size of properties in Chelan County in relation to their underlying zoning. This analysis shows clearly that a high proportion of properties are much smaller than the underlying zoning district would indicate.

Our analysis shows the following:

RR 2.5 -- 69% of the parcels are smaller than 2.5 acres

RR 5 -- 59% of the parcels are smaller than 5 acres. 42% are smaller than 2.5 acres.

RR10 -- 42% of the parcels are smaller than 10 acres

RR 20 -- 34% of the parcels are smaller than 20 acres

Thus, establishing STR restrictions based solely on underlying zoning is ineffective because of the high percentages of nonconforming lots.

Prohibiting Tier 1 and Tier 2 STRs in RR 2.5 zoning on the basis that this size of lot does not allow sufficient separation between incompatible uses (i.e., commercial and residential) is a good first step. However, this logic must be extended to protect all neighborhoods where parcels are too small to provide separation. For example, 42% of lots in RR 5 zoning are less than 2.5 acres.

We believe that even lots of 2.5 acres are too small for Tier 2 and Tier 3 STRs.

For Tier 2 and Tier 3 STRs, Residents United for Neighbors (RUN) is recommending that the minimum lot size be established at 8 acres in residential zones.

The attached report contains more detailed information about this analysis.

Sincerely,

Residents United for Neighbors (RUN) of Chelan County

# Parcel Size Analysis by Zone

Residents United for Neighbors of Chelan County  
August 31, 2020

---

## Executive Summary

Chelan County designates some zones by acreage. e.g. RR5, RR2.5, RR10, RR20. Regulations are being drafted that utilize these designations in order to apply different rules for short term rentals to different zones, presumably under the assumption that the zoning designation strongly relates to the parcel size and “space” around an STR, with the idea being that parcels with more space are more conducive to STRs.

However, for a variety of reasons ranging from “homestead” provisions to changes in zoning after lots were already in place, there are many parcels significantly below their zone size designation. Therefore we firmly believe that **STR regulation must instead utilize actual lot size and not the size implied by the zone designation.**

A summary of the analysis can be seen below, for all parcels documented and zoned by Chelan County in the Chelan County GIS.

### Lots in Each Zoning Designation by Number and by Percentage

	RR20	RR10	RR5	RR2.5	RW
Below 1 acre	461	149	816	805	2695
1-2.5 acres	123	164	1018	1158	470
2.5 to 5 acres	98	146	729	598	55
5-10 acres	187	268	930	202	24
10+ acres	2487	993	828	97	12
Under zone size designation	1145	727	2563	1963	N/A

	RR20	RR10	RR5	RR2.5	RW
Below 1 acre	13.74%	8.66%	18.88%	28.15%	82.77%
1-2.5 acres	3.67%	9.53%	23.56%	40.49%	14.43%
2.5 to 5 acres	2.92%	8.49%	16.87%	20.91%	1.69%
5-10 acres	5.57%	15.58%	21.52%	7.06%	0.74%
10+ acres	74.11%	57.73%	19.16%	3.39%	0.37%
Under zone size designation	<b>34.12%</b>	<b>42.27%</b>	<b>59.31%</b>	<b>68.64%</b>	N/A

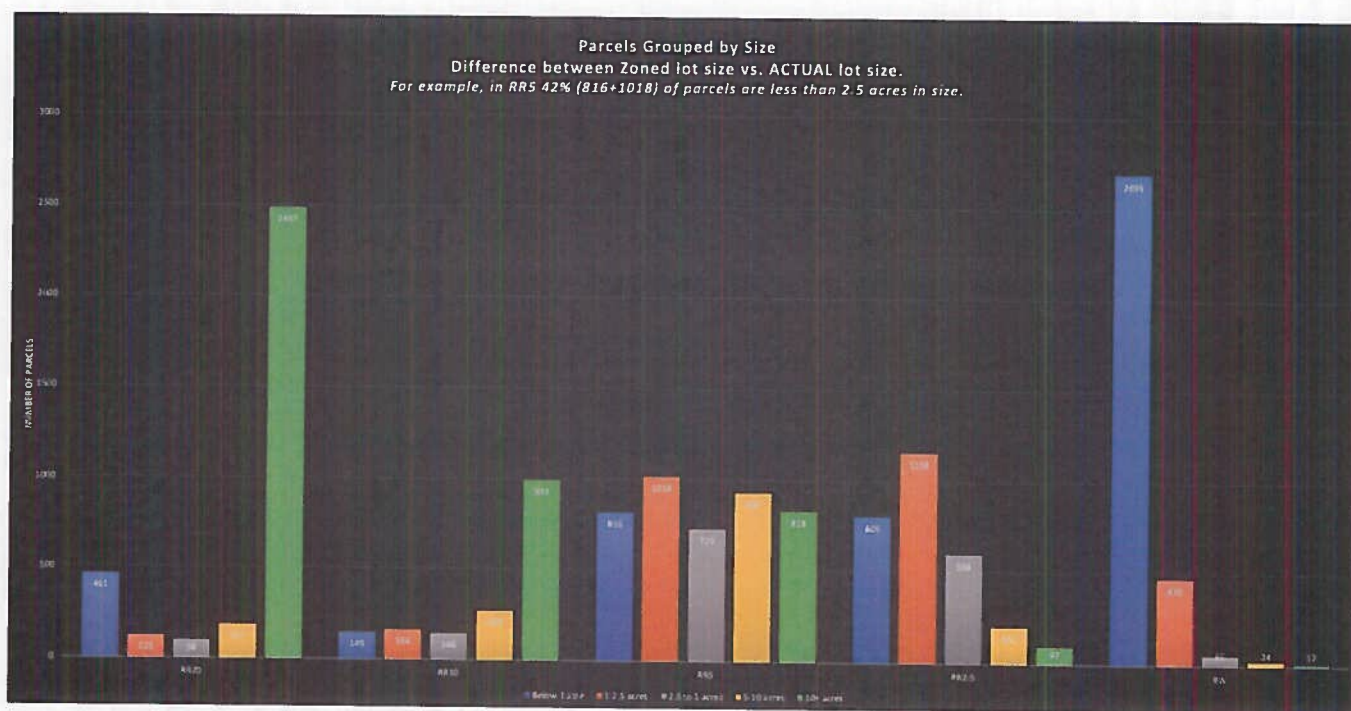
This data clearly shows that a high percentage of lots in rural residential zones are significantly smaller than their underlying zoning would indicate. For example, 59% of the lots in RR5 are smaller than 5 acres and 42% are smaller than 2.5 acres. In RR2.5, 60% are smaller than 2.5 acres.

In order to protect residential neighborhoods from the adverse impacts of close proximity to Tier 2 and Tier 3 STRs, establishing restrictions based solely on underlying zoning is ineffective. The County must establish a minimum lot size for STRs regardless of underlying zoning district. For Tier 2 and Tier 3 STRs, Residents United for Neighbors (RUN) is recommending that the minimum lot size be established at 8 acres.

## Parcels Grouped by Size

The chart below demonstrates the variety of parcel sizes per zone as well as illustrating the relative number of parcels in each zone, with respect to different zone designations.

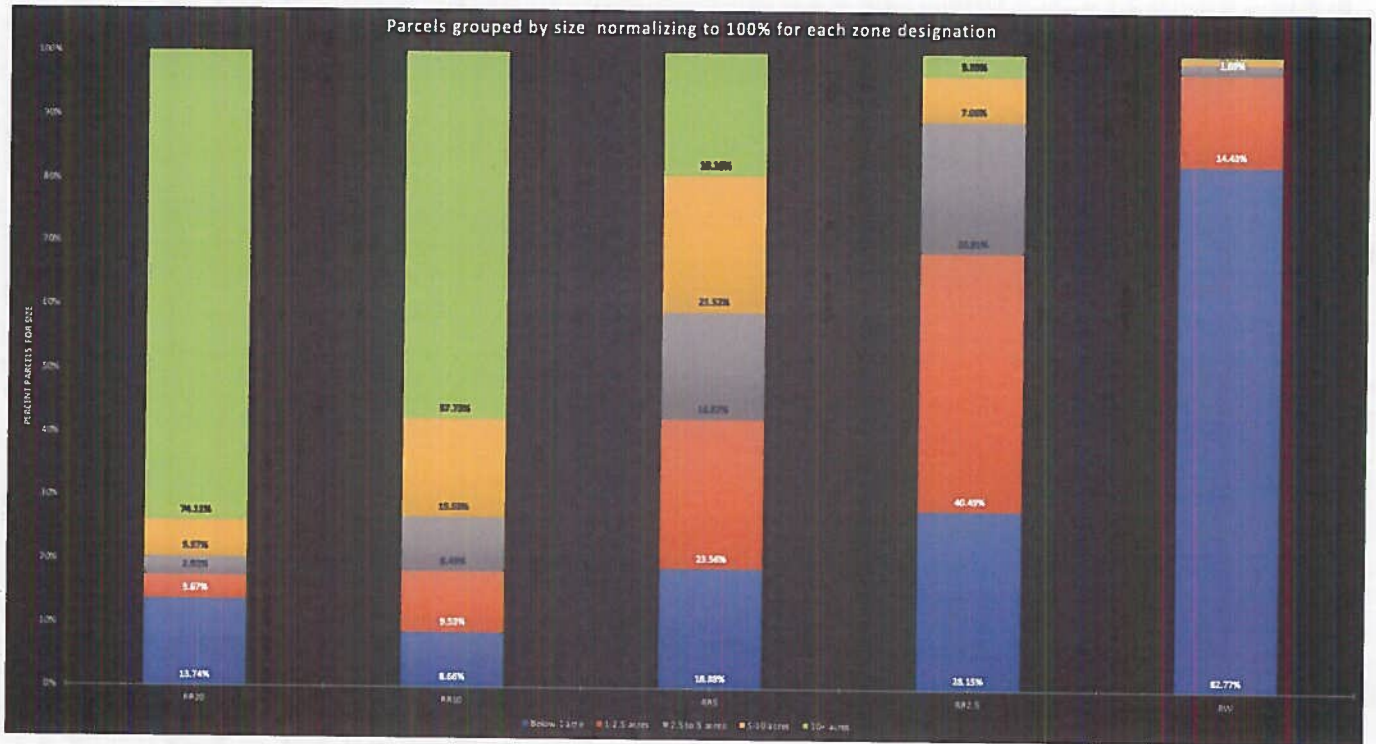
Blue = Parcel less than 1 acre// Orange = 1 to 2.5 acres// Grey = 2.5 to 5 acres// Yellow = 5 to 10 acres// Green = More than 10 acres





## Parcels Grouped by Size (normalized)

The chart below demonstrates the variety of parcel sizes per zones but normalizes each zone designation to 100% in order to show relative proportions of parcel size within each designation.



# Technical Methodology

The Chelan County GIS service provides an interactive website as well as the raw data in the form of ESRI formatted shapefiles via FTP: <ftp://ponyexpress.co.chelan.wa.us/gis/>

## Data Sources

1. The parcel information in `/gis/LandBase/parcels.zip` was downloaded and uncompressed.
2. The zone information in `/gis/Planning/zoning.zip` was downloaded and uncompressed

## Data Processing

Both parcel and zoning information ESRI shapefiles were converted to GeoJSON [4] for ease of processing using standard GIS tooling (Python with geopandas library [1]). Parcels and zones were converted to WGS 84 lat/lon from the projected coordinate system used in the Shapefiles. A geographic coordinate system, rather than a projected coordinate system, offers acceptably high accuracy over the small distances (parcels) used in this analysis, especially for centroid calculations as we are not calculating distance in this case. [2]

As the parcel information contains acreage of the parcel, but not the zoning it is necessary to correlate the parcel location with the zoning to pick the correct zone by location. This was performed in Python by calculating the geometric centroid of each parcel, and then finding the zone that this center point resides within. This calculation was performed for each parcel. Overlay districts were ignored as they are used on top of an existing zone and do not represent the underlying zone designation. [3] The zone information was added to the parcel information for each parcel.

The resulting zone-augmented Parcel GeoJSON was split into multiple records to allow for parsing by Athena [6] in AWS [5], and the data was uploaded to AWS S3 service. SQL queries were written against the data and executed, and the resulting CSV files were brought down to Excel for further processing and charting purposes.

All Python scripts and SQL queries are available on request.

## References

- [1] <https://www.earthdatascience.org/workshops/gis-open-source-python/>
- [2] <http://www.geomidpoint.com/calculation.html>
- [3] [https://www.co.chelan.wa.us/files/community-development/codes/Wenatchee%20UGA/WenatcheeUGA\\_Zoning\\_Title-10\\_eff\\_121917.pdf](https://www.co.chelan.wa.us/files/community-development/codes/Wenatchee%20UGA/WenatcheeUGA_Zoning_Title-10_eff_121917.pdf)
- [4] <https://geojson.org/>
- [5] <https://aws.amazon.com/>
- [6] <https://aws.amazon.com/athena/>

## Wendy Lane

---

**From:** Kirvil Skinnarland <runofchelancnty@gmail.com>  
**Sent:** Monday, August 31, 2020 11:15 AM  
**To:** CD STRComment  
**Subject:** STRs and our housing crisis

**External Email Warning!** This email originated from outside of Chelan County.

Dear Commissioners:

Thank you for the opportunity to comment on the proposed short-term rental regulations in Chelan County. Residents United for Neighbors (RUN) represents Chelan County residents. Our comments are thus based on specific knowledge of the community. After reviewing the draft regulations, the Chelan County Comprehensive Plan, and doing extensive research on the impact of short-term rentals on housing availability, housing affordability, and the housing situation in Chelan County, we urge the Planning Commission and the Board of County Commissioners to strongly limit the use of short-term rentals (STRs) in residential areas.

Washington State's Growth Management Act (GMA) and the Chelan County Comprehensive Plan clearly state the need for affordable housing:

- \* "Goal H 1: Encourage the availability of affordable housing to all economic segments of the population of the county." (Housing Element, p. 2)
  
- \* "Policy H 2.4: Encourage appropriate placement and use of vacation rentals." (Housing Element, p. 3)
  
- \* "Goal H 4: Support regulatory changes and economic programs that promote affordable housing options." (Housing Element, p. 3)

The County's BERK reports and AirDNA data document the proliferation of STR throughout the county. Numerous credible reports tie direct causal effects between STRs and decreased housing stock and affordability for full time residents.

The following Chelan County reports show a housing crisis with inadequate housing stock and rising house prices and rents.

- \* City of Leavenworth. 2020. Housing Needs Assessment. Leavenworth has a growing inadequacy of housing stock, affordability. Too many unoccupied housing units. Vacation rentals contribute to the problem.
  
- \* BERK. 2017. Leavenworth Housing Needs Assessment. Leavenworth needs more affordable housing. Vacation rentals contribute to the problem.
  
- \* Chelan Douglas Community Action Council (CDCAC). 2019. Community Needs Report. Housing is the top community resource issue. The county lacks housing stock and affordability. This increases travel for employment, education, health care.  
[http://www.cdcac.org/uploads/7/5/8/6/7586208/cdcac\\_cna\\_2019\\_final\\_report\\_08.12.19.pdf](http://www.cdcac.org/uploads/7/5/8/6/7586208/cdcac_cna_2019_final_report_08.12.19.pdf).
  
- \* Our Valley Our Future (OVOF). 2018. Where Will We Live. Chelan County has inadequate housing stock, high house and rental prices. Housing is not affordable and this negatively impacts employers' ability to fill jobs. <http://www.ourvalleyourfuture.org/~bradf317/wp-content/uploads/2018/05/OVOF-Housing-Survey-Summary-MEDIAS-09.20.18.pdf>.
  
- \* Wenatchee World. 2019. Rent Costs. Rental costs are outpacing income gains in NCW. Housing supply is not keeping up with demand. A greater percentage of people are spending more than half their income on rent since 2018. [https://www.wenatchee-world.com/news/local/renting-costs-are-outpacing-income-gains-in-ncw-data-shows/article\\_bc144296-1e06-11ea-b72e-b3f4e6514c1a.html](https://www.wenatchee-world.com/news/local/renting-costs-are-outpacing-income-gains-in-ncw-data-shows/article_bc144296-1e06-11ea-b72e-b3f4e6514c1a.html).

Several national studies have drawn similar conclusions. For example:

- \* University of Washington (UW). 2019. Community Consequences of Airbnb Article. The Law Review Article quantified data shows that short-term rentals reduce housing stock, inflate prices, impair neighborhood connections. STR's positive impact on the tourist economy is overstated.  
<https://digitalcommons.law.uw.edu/cgi/viewcontent.cgi?article=5086&context=wlr>.

As you can see, the data clearly supports that Chelan County needs strong restrictions on short-term rentals in residential areas.

Thank you for your attention.

Residents United for Neighbors (RUN)

Steering Committee: Bruce Williams, Kirvil Skinnarland, Bob Fallon, Greg Steeber, Mara Bohman, George Wilson, Jerry Jennings, Stan Winters, Steve Stroud, Pat Thirlby, Cherie' Warren, Matthew Carlisle, Barbara Rossing

## Wendy Lane

---

**From:** Howard Family <tomkimhoward@gmail.com>  
**Sent:** Monday, August 31, 2020 7:29 AM  
**To:** CD STRComment  
**Subject:** STR code proposal

**External Email Warning!** This email originated from outside of Chelan County.

---

To the committee,

I have the following questions and comments.

- 1) Has an economic impact statement been done in the large areas that will be effected; Leavenworth, Chelan, Manson? With less STRs available for rental, that will mean less people coming into these cities and thus spending at restaurants, bars, wineries, water rental companies, etc... I most definitely take place.
- 2) Has this DRAFT code been publicized throughout the business communities that depend on tourism for their livelihood? I was in Manson a week ago and went to a local restaurant and asked the manager if they had heard of this proposed code. They had not and said they would certainly NOT be in favor of any type of code that limits STRs.
- 3) In Resolution 2020-86 signed on Aug. 25, 2020, in bullet point #6 on page 2 of 3, it states a public hearing is scheduled for Sept. 6, 2020. However, in an email message sent out Sunday, Aug. 30, 2020 to people signed up to get updates, it appears this Public Hearing is now moved to Sept. 9, 2020. Can you please provide some clarity.

Thanks,  
Tom Howard

## Wendy Lane

---

**From:** la <lsam2424@aol.com>  
**Sent:** Monday, August 31, 2020 1:39 AM  
**To:** CD STRComment  
**Subject:** Short Term Rentals and why they are important

**External Email Warning!** This email originated from outside of Chelan County.

Thank you County of Chelan for allowing me this opportunity to voice my opinion concerning the future of short term rentals.

I believe for whatever reason the 3 Commissioners have been extremely short sighted on the subject of short term rentals, and I also believe that the Commissioners are placing their own self interests before the interests of the community at large. I have formed this opinion from the way I see the board attempting to pass legislation and financial levies quickly, during a worldwide pandemic as if this was the most important issue the board has to deal with at present.

In March of 2020 there were a combined 60 Covid cases with less than 5 deaths in all of Chelan and Douglas counties combined. That number, as of 8/31/2020 is now 2800 with about 17 deaths. Clearly we are not winning the battle against this virus, and we will not win until a vaccine occurs which is quite a long ways off in all probability.

I can't speak for Chelan or Wenatchee but I will say this about Leavenworth...and what I have to say is that Leavenworth is dying. There have been numerous businesses that have shut down and some have been put up for sale. Pay for parking lots in downtown Leavenworth which on any August day in years past would have been full are now 75% empty on weekends!

Oktoberfest has been cancelled. The Christmas Tree Lighting Ceremony will in all likelihood be cancelled. Winery tours cancelled. Music festivals. Cancelled. Art shows-cancelled. This is the reality. If you doubt this look at your sales tax revenue for the last 6 months.

My rental cabin produces income to the community. I buy gift certificates at Der Squirrel Tree Restaurant. I buy propane and many other items at Plain Hardware. My guests buy groceries at Plain Grocery. They buy gas at the 76 station at Coles Corners. Milk shakes at The 59er Diner. And they go into Leavenworth regularly to visit shops, buy souvenirs, and eat at local restaurants. A few months ago I purchased a new washer and dryer from Home Depot. I use local plumbers and electricians. Landscapers. Hot tub repair people.

If Leavenworth did not want tourism why did they vote to convert the entire town to a Bavarian theme?  
Since the pandemic exploded how many Chelan County wage earners have gone on unemployment?  
Are the food banks doing more or less business right now?  
How about hospitals? Are they becoming overwhelmed?  
The writing is on the wall, clearly legible and unmistakably negative but you seem to want to plow ahead regardless - to the detriment of everyone that gains from a cabin rental. Almost as if you had some kind of point to prove.

Gentlemen you need to pinch yourselves.  
We have a severe depression in the making and you act as if it's business as usual.  
Because of the way you act I question your motives especially in an election year.

Nobody is flying, and nobody is taking a cruise, and nobody is going to Vegas, and nobody is going to Canada.  
But those that still have disposable income are renting cabins and not just in Leavenworth.  
Cabins everywhere are becoming fully booked because they are providing a sanity break for families that have been locked up for months and will continue to be locked up for even more months, maybe even years.

Please gentlemen-you are not headed down the correct path on this issue.  
You might think you are for some obscure reason but in my opinion you don't seem to understand what's involved below the surface of a few bad players.  
And to be honest near as I can tell you don't seem to be all that interested either.

Thank you.





## Wendy Lane

---

**From:** Pat Dietrich <patd@niscuscorp.com>  
**Sent:** Sunday, August 30, 2020 2:04 PM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** Short-term rentals

---

**External Email Warning!** This email originated from outside of Chelan County.

---

Hello:

I'd like to add my voice to those who want to regulate short term rentals in neighborhoods. I live in the Leavenworth area and have watched the town lose affordable housing due to rising prices caused by people buying homes to rent, rather than to live in. This also means the schools suffer as families move out of town and out of the school district. Many of us moved here because of the charm of a small town; we don't want to lose our sense of community.

I am also a firm believer in property rights, so I understand there is a conflict here. Whatever is the result of these discussions, it will have to be fair to those who have invested within current law.

Thank you,

Pat Dietrich  
Leavenworth, WA

## Wendy Lane

---

**From:** Steve Andrewson <steveandrewson@gmail.com>  
**Sent:** Sunday, August 30, 2020 8:19 AM  
**To:** CD STRComment  
**Subject:** Comment on STR

External Email Warning! This email originated from outside of Chelan County.

I agree, neighborhoods are for neighbors not STRs

Sent from my iPhone

## Wendy Lane

---

**From:** marcela touskova <touskova@hotmail.com>  
**Sent:** Saturday, August 29, 2020 10:21 PM  
**To:** CD STRComment  
**Subject:** Neighborhoods are for Neighbors

**External Email Warning!** This email originated from outside of Chelan County.

To whom it may concern,

I am very pleased that this is a subject of action. It has been very overwhelming to be able to see the increase of tourists over last several years and basically decreasing quality of life for locals. The proximity to Seattle makes it obvious place for people to go and especially now during Corona times. This community has so much to offer to families and it has been an amazing experience to have 2 kids growing up here.

My husband and I came from Seattle and we are trying to be tolerant but it is hard to watch our street to be overrun by people from Airbnbs houses and there were numerous situations when police was called due to noise. Other thing is living on Shore street watching the crazy amount of people parking by the river and never-ending floats of people on Icicle, one of the houses should have maximum 8 people and I counted about 11 cards and people slept in the tents around the house. A couple times this year people passed me on Icicle road going at least 50 ml. It is easy to get used to being busy on weekends and not go in the town but it seems it has been harder and harder to find time when it is not super busy; weekends seemed to extended to rest of the week. There is another consequence which makes me sad to watch moving young families away from Leavenworth b/c they can't effort to buy houses here.

At the same time, I have friends with Airbnb business and they are amazing and they have control over noise and amount of people.

We are just people and it is about following rules and with increased numbers it seems to be harder and harder.

Best regards

Marcela Touskova  
12711 Shore street  
Leavenworth, WA 98826  
509-387-1493

## Wendy Lane

---

**From:** Gregory Peek <captpeek@genext.net>  
**Sent:** Saturday, August 29, 2020 12:27 PM  
**To:** CD STRComment  
**Subject:** Neighborhoods are for the Neighbors-----not for short term rentals!

---

**External Email Warning!** This email originated from outside of Chelan County.

---

We have a housing crisis.

Do not legalize absentee-owner short term rentals (STRs) in residential Neighbors. They Belong in Commercial zones.

“Sunset” (Phase out) existing absentee-owner STR’s within two years.

Limit occupancy to 10.

Allow one STR in owner’s primary residence or accessory unit; owner must live on site during rental.

Prohibit the transfer of permits upon sale of the house.

Limit permits to one owner to reduce the STR density to 5% of all housing.

Did you know that in just the past five years the number of STR’s has increased from 59 to 868 in the Leavenworth area zip code 98826. This negatively affects safety and affordability.

What short term rentals do is:

Reduce availability of affordable housing

Increases noise, all hours in a 24 hour block time with parties, people arriving at late night arrivals etc, increases traffic and fire danger.

Raises real estate taxes.

Decreases our quality of life.

Please as a tax payer I request a stop to STR’s in our area.

Gregory L. Peek  
9502 Derby Canyon Rd  
Peshastin WA  
509-293-3083

## Wendy Lane

---

**From:** Jamie Mathey <jbm@matheyfirm.com>  
**Sent:** Friday, August 28, 2020 4:41 PM  
**To:** CD STRComment  
**Subject:** Public Comment on BOCC workshops/code amendments

**External Email Warning!** This email originated from outside of Chelan County.

Dear Chelan County Commissioners:

I have closely watched the County Commissioners' meetings and Planning Commissioners' meetings regarding STRs. Thank you for your thoughtful consideration, the level of analysis being undertaken has been impressive and refreshing. As I mentioned in earlier comments, I live in the Icicle Island Club HOA, about a mile up Icicle Road from Sleeping Lady. So far, I have not heard anyone make direct reference to our community (of ~42 owners) and I have not seen any documentation in the code notes/workshop presentation that appears to address our specific situation and challenges. I would like to provide you with some information about us so that we don't become lost in the shuffle.

My understanding is that Icicle Island Club is zoned as RR20, but that our approved plat was subdivided in the 1960s into tiny nonconforming lots, some ~1/3 acre or less. Almost all of the lots already have houses on them. About half of our lots are only accessible by a private road and bridges. Because our houses are clustered so tightly together, we face the same types of problems that RR2.5 zones face in terms of proximity of the Tier 2 STRs (of which there appear to presently be 4-5 operating, or ~10% of all owners, all of whom live outside of Chelan County). Under the reasoning and policies supported by both yourselves and the Planning Commission necessary to protect RR2.5 zones, Icicle Island Club, by extension also deserves the same levels of protection from Tier 2 STRs. Lot size and physical distance between neighbors' houses should be a primary consideration in selecting the level of restrictions. However, using zoning as a shortcut should not foreclose a thorough neighborhood-by-neighborhood review for non-conforming lots in larger zones.

The ongoing problems in our neighborhood caused by unsupervised Tier 2 STR users are the typical complaints you have been hearing about: routine and unaddressed trespassing, illegal/unattended fires, late-night noise/partying, parking overflow, safety concerns, fishing closed waters, damage and waste to our private roads and bridges, dumped garbage/bear visits, etc. The typical response we receive from STR owners when these concerns are raised is some form of "STRs are legal in Chelan County so there is nothing you can do about it." Our HOA has ceded responsibility for addressing STRs to the County. Approximately 14 owners (~33%) are full-time or mostly full-time residents. Many of us believe our neighborhood is unsuitable for non-owner occupied STRs. The ongoing problems created by STRs for Icicle Island Club date back at least 15 years, and seem to be getting worse.

In sum, I am requesting that your future code revisions subject Tier 2 STRs in the Icicle Island Club HOA to the same requirements that you adopt for RR 2.5 Zones, including sunset provisions, P(1)(3) requirements, inspections, CUPs, strong penalties, etc. This outcome may already be intended or implied, but please make it explicit.

Very truly yours,

Jamie B. Mathey

## Wendy Lane

---

**From:** Tara Quackenbush <tquack75@hotmail.com>  
**Sent:** Friday, August 28, 2020 4:01 PM  
**To:** CD STRComment  
**Subject:** STR - Public Comment

**External Email Warning!** This email originated from outside of Chelan County.

Commissioners:

First of all, thank you for enacting a moratorium on short-term rentals. I appreciate your willingness to take that step while you continue to work on the code.

I am writing to request that any adopted code with regard to STRs pays attention to small and non-conforming lots that exist within areas that are zoned RR5, RR10 and RR20 in recognition that the nuisance impact of STRs is amplified in densely populated residential areas, even outside of those zoned RR2.5, RV and RW. I have been monitoring the evolution of STR discussions while actively seeking to purchase a lot to build. As I have been looking at a lot of real estate in the area, it occurs to me that there may be a need to closely examine RR5, RR10 and RR20 zones, even down to the street level, to determine if there are neighborhoods with lots less than 2.5 acres that should be carved out and given the same considerations as small lots in RR2.5, RV and RW zones, and thereby be subject to a 5-year sunset of existing STRs.

Those who choose to live in Chelan County and seek the benefit of being part of a local community should not be forced to endure the noise, transient traffic, trespassing and other externalized costs of those who seek to profit by renting out STRs. Any suggestion that permanent residents have the burden to confront renters, contact owners or call the sheriff's department each time a problem arises is tone deaf, particularly if one recognizes that renters often cycle through every 24-72 hours. The best solution is to eliminate STRs from communities that have small lots. I believe the proposed five-year sunset is more than fair to STR owners to make an informed business decision.

Thank you for your consideration.

Best,  
Tara Quackenbush  
614 Riverside Drive, A-303  
Wenatchee, WA 98801



## Wendy Lane

---

**From:** Margaret C Wheeler <mwheeler2@frontier.com>  
**Sent:** Friday, August 28, 2020 4:01 PM  
**To:** CD STRComment  
**Cc:** runofchelancity@gmail.com  
**Subject:** Regulating Short Term Rentals

**External Email Warning!** This email originated from outside of Chelan County.

---

To Whom It May Concern:

This email is to show our support for the development of sound rules to regulate the use of homes as short term rentals in residential neighborhoods. We have such a home in our area. We are fortunate that we are not next door as the party sounds have been very disruptive for the neighbors that do live next door.

While updated regulations are needed, it is equally important that you put effective enforcement provisions in the rules as well. At this point, there is little, if any, enforcement of the existing rules. It is important that the neighbors know who to call with the assurance that their complaint will be followed up on. Without that, even new rules will soon be ignored.

Thank you.

Jon & Margaret Wheeler

## Wendy Lane

---

**From:** kaylin bettinger <kaylinbettinger@gmail.com>  
**Sent:** Friday, August 28, 2020 3:24 PM  
**To:** CD STRComment  
**Subject:** Focus on housing affordability

**External Email Warning!** This email originated from outside of Chelan County.

Dear Chelan County Commissioners,

I want to thank you for taking on the important and difficult task of creating clear regulations around nightly rentals in Chelan County. I live in Leavenworth and I see firsthand the tension between the economic benefits of short-term rentals and the problems they cause, including lack of affordable housing and bad neighborliness.

I support restricting the number of short-term rentals in our county. I encourage the commission to put meaningful deadlines in place to ensure that the percentage of STRs drops to 5% or less on a specific timeline.

I have observed that throughout this process, the concerns around housing affordability have largely been left out of the conversation, or considered secondary to other issues like unruly parties and bad neighborliness. I encourage the commissioners to consider that housing affordability has a huge impact on the vibrancy of the community, and more weight should be given to the affordability picture.

An example is the proposed short-term rental task force, which is outlined in Attachment C in the draft county code. It is suggested that the task force should be made up of short-term rental owners, other area homeowners, county commissioners and county staff.

If the commission was looking at the short-term rental issue through the lens of housing affordability, other groups would be involved in this task force. Local renters would be invited to participate, since they struggle to find housing due to insufficient housing stock caused by a high number of nightly rentals. Local employers, like the school district or hospital would be involved. These employers often struggle to maintain a workforce due to lack of housing for their employees.

The makeup of the taskforce should be remedied to include those who are impacted by the lack of affordable housing due to nightly rentals. But more importantly, the commissioners should recognize that they are not giving enough weight to housing affordability in every step of this conversation. It's important to listen to the residents who are fed up with living next door to party houses, but the commissioners have an obligation to consider community members who are being even more heavily impacted: the renters and local employers who cannot find housing due to the housing units in our county being used as short-term rentals instead of long term.

Thank you,

Kaylin Bettinger

Chelan County resident, 98826

## Wendy Lane

---

**From:** Ken Brown <ken@incontrolpos.com>  
**Sent:** Friday, August 28, 2020 6:28 AM  
**To:** CD STRComment  
**Subject:** Comments on STR Draft Regulations

**External Email Warning!** This email originated from outside of Chelan County.

Dear Chelan County Planning Committee:

I strongly support the new proposed regulations for limiting short term rentals in Chelan County. These regulations are long overdue. I would add the following comments.

1. Change the five year sunset period for existing legitimate STR's to two years. Why should residents have to endure five more years of STR's in their neighborhoods?
2. Existing short term rentals should be considered lawfully established and existing only if they have a UBI number, a permit from CCD and have been collecting and paying taxes to the WA Dept. of Revenue.
3. Strike the more than 15 days in a calendar on Tier 2 rentals 11.88.280 2.A.ii. I don't see how that could be enforced and you're giving a non occupied owner permission to rent 15 days or more if you can't enforce it.
4. Provide an anonymous method to report violators. Many neighbors are very reluctant to file a code enforcement complaint on another neighbor. An anonymous reporting system will be very effective in finding out which properties are not compliant.
5. Noise control. More thought needs to be given to this area in terms of enforcement. A challenging area for sure. I have spoken to the Chelan County Code Enforcement office and they do not enforce any of the noise ordinances and they referred me to the sheriff's office. I have spoken to the Chelan County Sheriff's Office and noise complaint calls are one of their lowest priority calls. This is especially true on busy weekend nights where the deputies have much more pressing issues to attend to.

Regards,

Ken Brown  
Homeowner in Ponderosa Community since 2015  
Plain, WA

## Wendy Lane

---

**From:** Shirley and John <johnshir@frontier.com>  
**Sent:** Thursday, August 27, 2020 7:32 PM  
**To:** CD STRComment  
**Subject:** Short Term Rentals

**External Email Warning!** This email originated from outside of Chelan County.

---

Chelan County Commissioners,

I strongly urge you to adopt much more restrictive regulations than currently exist for short term rentals. The owner of the unit should be required to be on site when the unit is rented and outside activities should be restricted to no later than 10:00 PM and in my opinion 9:00 PM. Yes, this would restrict a person to owning only one short term rental, but that is the best solution to the unwanted noise from a rental unit. Owners do have a responsibility to the neighbors. Alternatively, a manager should be required to be on site, but this is a much less desirable solution. Furthermore, more than 2 or 3 complaints should be cause for rescinding the right to operate a short term rental. If there is no penalty for not running a responsible unit there is no incentive to be good owners.

In general, people who rent Short term rentals do not behave like people who actually live in the neighborhood and have to get up to go to work in the morning. The renters are there for a vacation and/or partying. Even considerate renters can be very annoying if they are outside and the neighbors are trying to sleep. We used to live on Riverbend Drive in Leavenworth and after we moved out, our old house was converted to a short term rental and a hot tub was put on the back deck. When we talked to our old neighbors they said people would sit in the hot tub late at night. Unfortunately that is maybe 40 feet max (probably less) from their bedroom window. If you have 4, 6, 8 or more people talking the noise is quite annoying.

So please consider the neighbors when considering the regulations.

John Price  
121 Poplar St.  
Leavenworth, WA

## Wendy Lane

---

**From:** Ryan Sommers <ryfry07@gmail.com> on behalf of Ryan Sommers <ryansommers07@gmail.com>  
**Sent:** Thursday, August 27, 2020 4:32 PM  
**To:** CD STRComment  
**Subject:** Comments on Short Term Rentals

External Email Warning! This email originated from outside of Chelan County.

Dear Board of County Commissioners,

This email is in reference to the public comments on short-term rentals.

I've lived in Chelan and Manson since 2001, moving here alone at the age of 19 from Yakima. I met my wife and her two boys here, have gotten other family members to move here, have owned three houses including renting one long-term, and can't imagine living anywhere else. I spend a lot of money in Chelan and Manson year-round, helping support our small businesses.

I now live in a small development that allows short-term rentals, and they worry me.

I can't pretend to know the real economics behind short-term rentals and how much tourist money they might bring in. But it feels like the more short-term rentals we have, the less full-time residents can afford to live here.

It seems like they're often owned by people from out of town, to use as an investment and eventually retire here. But by the time they retire, everything's going to be a rental and no one wants to live in that. We'll become a town of nothing but tourists and rentals, and businesses will struggle in the off-season.

Living next to short-term rentals is just generally stressful. Trespassing, assuming all homes around them are also rentals, parties, noise, blocking streets, parking in driveways that aren't theirs, unattended grease fires in BBQ's, illegal fireworks, vaping coils in our dry grass field, etc. Even without COVID I've felt trapped at home the last several summers because I feel like I need to keep an eye on things.

I feel strongly we should manage the short-term rental situation better, and set our community up for long term residents over endless tourists. At the very least short-term rentals should be taxed or regulated more to be less lucrative as a pure investment, where no care is given for the community, only the substantial rental income they can get. It feels like an unregulated gold rush at the moment.

It also seems absolutely ridiculous we've had stay-at-home orders but have allowed short-term rentals to remain open – seems like no one has stayed home, and we're surrounded by people from other COVID hot spots – but I'm guessing that's a complaint for another time.

Thank you for your time.

Regards,

Ryan Sommers

## Wendy Lane

---

**From:** steve@tplogic.org  
**Sent:** Thursday, August 27, 2020 2:07 PM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** Re: Short Term Rentals

---

**External Email Warning!** This email originated from outside of Chelan County.

---

Septic alarms and other noise.

The unit at 23300 Lake Wenatchee Highway has had its septic in alarm condition for at least 4 days.

The last 2 nights I wandered over at 3am to silence it.

This is unacceptable.

If it was a big party, I would have to confront the rowdy folks. Dealing with noise is obviously important.

Thanks.

Steve Schmidt

425-881-8095

[steve@tplogic.org](mailto:steve@tplogic.org)

---

**From:** [steve@tplogic.org](mailto:steve@tplogic.org)  
**Sent:** Wednesday, August 19, 2020 6:04 PM  
**To:** [CD.STRcomment@co.chelan.wa.us](mailto:CD.STRcomment@co.chelan.wa.us) <[CD.STRcomment@co.chelan.wa.us](mailto:CD.STRcomment@co.chelan.wa.us)>  
**Cc:** [runofchelancnty@gmail.com](mailto:runofchelancnty@gmail.com) <[runofchelancnty@gmail.com](mailto:runofchelancnty@gmail.com)>  
**Subject:** Short Term Rentals

Please do NOT prevent owners from generating income.

In my instance I am retired/disabled and have no pension.

I need this income.

I do not object to restrictions on occupancy and noise.

Thank you

Steve Schmidt

425-881-8095

[steve@tplogic.org](mailto:steve@tplogic.org)

20701 Club House Dr, Unit 110, Leavenworth, 98826

Limit 6 people

## Wendy Lane

---

**From:** Michelle Green <michelle@ggw-law.com>  
**Sent:** Thursday, August 27, 2020 11:19 AM  
**To:** CD STRComment; Jim Brown  
**Cc:** Samuel A. Rodabough; Ashley Weiler  
**Subject:** FW: Letter re Proposed Short-Term Rental Ordinance  
**Attachments:** Michaela Reeder.vcf; Letter to Planning Commission and BOC re Short-Term Rental Ordinance w-attach.pdf; Michelle A\_ Green.vcf

**External Email Warning!** This email originated from outside of Chelan County.

Jim-

Can you confirm that the attached letter has been provided to the planning commission members? To my knowledge, it was not mentioned at any point during the planning commission discussion last night (which we assume is because they receive a large number of comments on this topic); but, we just want to make sure that it has in fact been provided to each of the planning commission members since it directly addresses a prior question of one of the planning commission members in a prior hearing.

Thank you,



NOTICE: This electronic mail message and any files transmitted with it are intended exclusively for the individual or entity to which it is addressed. The message, together with any attachment, may contain confidential and/or privileged information. Any unauthorized review, use, printing, saving, copying, disclosure or distribution is strictly prohibited. If you have received this message in error, please immediately advise the sender by reply email and delete all copies. To the extent that this message or any attachment concerns tax matters, it is not intended to be used and cannot be used by a taxpayer for the purpose of avoiding penalties that may be imposed by law.

**From:** Michaela Reeder <michaela@ggw-law.com>  
**Sent:** Wednesday, August 26, 2020 4:12 PM  
**To:** [cd.strcomment@co.chelan.wa.us](mailto:cd.strcomment@co.chelan.wa.us); [kevin.overbay@co.chelan.wa.us](mailto:kevin.overbay@co.chelan.wa.us); [bob.bugert@co.chelan.wa.us](mailto:bob.bugert@co.chelan.wa.us); [doug.england@co.chelan.wa.us](mailto:doug.england@co.chelan.wa.us); Carlye Baity <[Carlye.Baity@CO.CHELAN.WA.US](mailto:Carlye.Baity@CO.CHELAN.WA.US)>  
**Cc:** Samuel A. Rodabough <[sam@rodaboughlaw.com](mailto:sam@rodaboughlaw.com)>; Michelle Green <michelle@ggw-law.com>  
**Subject:** Letter re Proposed Short-Term Rental Ordinance

Please see the attached correspondence from Michelle Green regarding the Proposed Short-Term Rental Ordinance.

Thank you!



**Michaela Reeder**  
Gatens Green Weidenbach  
Paralegal

(509) 888-2144 Work  
michaela@ggw-law.com  
305 Aplets Way  
Cashmere, WA 98815  
www.ggw-law.com





August 26, 2020

Via Email:

Chelan County Planning Commission  
316 Washington Street, Suite 301  
Wenatchee, WA 98801  
[CD.STRComment@co.chelan.wa.us](mailto:CD.STRComment@co.chelan.wa.us)

Chelan County Board of Commissioners  
400 Douglas Street, Suite 201  
Wenatchee, WA 98801  
[kevin.overbay@co.chelan.wa.us](mailto:kevin.overbay@co.chelan.wa.us)  
[bob.bugert@co.chelan.wa.us](mailto:bob.bugert@co.chelan.wa.us)  
[doug.england@co.chelan.wa.us](mailto:doug.england@co.chelan.wa.us)

Re: Proposed Short-Term Rental Ordinance

Dear Planning Commission and Board of Commissioners:

As you know, I am one of the attorneys for the Short-Term Rental Alliance of Chelan County ("STRACC"). We understand that the Commissioners have remanded the proposed short-term rental ("STR") ordinance back to the Planning Commission for further review with the instructions to disregard the Commissioners' previously adopted Vision Statement with respect to the proposed STR ordinance.

We understand that at one point during prior deliberations and discussions among the Planning Commission members regarding the STR ordinance, that one or more members of the Planning Commission had inquired with County Staff as to whether or not STRs were presently allowed in the County. During that meeting, the County Staff declined to take a position on that issue and did not answer the question. Now that the STR ordinance is back before the Planning Commission for review, we wanted to provide you with information regarding the status of STRs in the County.

We recently received the attached emails (labeled 1-7, highlighting added) in response to a public records request that was originally made on September 18, 2019. As you will note, the emails very clearly confirm that the County has historically allowed STRs in zones containing single-family residences. Below is a summary of quotes from the emails for ease of reference:

Email 1: "You are not required to obtain a permit in order to utilize the residence on your property as a vacation rental."

Email 2: "[W]ith only a couple of location specific areas (Manson & Icicle Design areas) there is not a specific allowance or call-out for this [vacation rental] use. In the case of a use without a specific mention, the closest use [in the zoning matrix] must be identified and used for interpretation. In the case with Vacation Rentals, it has historically been interpreted that Vacation Rentals are Single Family homes and treated the same..."

Email 3: "The parcels [you are looking at purchasing] are in County zoning and we do not regulate vacation rentals (renting your home or ADU). Only in the Manson Urban Growth Area."

Email 4: "It seems to me that the use of a SFR for a vacation rental is a permitted use by way of the County's historical practice of not regulating outside of Manson UGA. The past discussions have centered around the fact that most SFR rentals (short or long term) have a similar impact to the SFR. We have not called a vacation rental a commercial use that I'm aware of."

Email 5: "The only jurisdiction in Chelan County that regulates vacation rentals (home) at this time, is Manson."

Email 6: "Chelan County only regulated overnight rentals in the UGA of Manson. We have nothing in the code that prohibits property owners from opening up their homes to overnight rentals.... The Commissioners have been approached to implement code regulating overnight rentals several times but haven't gone in that direction yet."

Email 7: "Chelan County only regulates "vacation, or nightly rentals" in one of two situations. First, the County has adopted specific regulations pertaining to the regulation of "vacation" rentals in the Manson Urban Growth Area otherwise the county does not regulate this activity. Second, under a Memorandum of Understanding between the County and the Cities, the county regulates activities within urban growth areas under the regulations of the adjoining city (e.g. City of Chelan)."

The attached and above-referenced emails are just a handful of the written communications and background documents that unequivocally demonstrate that the County has a longstanding policy of allowing STRs without a permit. Existing STR owners and operators have relied on such policy in the development and investment in their STRs (to their detriment if the current proposed STR ordinance is adopted).

RCW 36.70A.370, *Protection of private property*, requires local governments to evaluate all proposed regulations, such as the proposed STR ordinance in this case, to assure that such regulatory actions do not result in an unconstitutional taking of private property. A copy of the current checklist established by the attorney general as referenced in RCW 36.70A.370(1) can be found at <https://www.atg.wa.gov/avoiding-unconstitutional-takings-private-property>. Based on the record, it appears that neither the Planning Commission nor the Commissioners have engaged in this required process with respect to the proposed STR ordinances.

We urge you to treat existing STRs as legal, non-conforming uses and grandfather in such existing STRs without any sunset clauses. While an appeal of whatever regulations the County adopts is likely due to the contentious nature of the STR issue, the County will very likely avoid further civil lawsuits for damages if existing STR uses are grandfathered in.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'MAG', followed by a long horizontal line extending to the right.

MICHELLE A. GREEN

MAG:mcr

Enclosures

cc: Carlye Baity, Clerk of the Board of Commissioners, via email, w/enclosures  
Sam Rodabough, via email, w/enclosures  
Susan Hinkle, via email, w/enclosures  
STRACC Board, via email, w/enclosures

**Email 1**

## Samuel A. Rodabough

---

**From:** Kristin Fleisher <Kristin.Fleisher@CO.CHELAN.WA.US>  
**Sent:** Wednesday, April 30, 2014 4:39 PM  
**To:** john.minerich@gmail.com  
**Cc:** Ben Stanton; Ginger Pennington  
**Subject:** Chelan County Vacation Permit Rental Application

Mr. Minerich,

We received your faxed application for a Vacation Rental permit for your property in Leavenworth yesterday and have been unable to reach you by telephone (your voice mail box is full and is not accepting new messages). Please note that the County does not require Vacation Rental Permits for properties located outside of the Manson Urban Growth Area. Your property (parcel no. 241714140151) is located within the Chelan County RRR Zone (Rural Residential and Resource). **You are not required to obtain a permit in order to utilize the residence on your property as a vacation rental.**

Note that use of the residence as a Bed and Breakfast or use of the residence as a Guest Inn is subject to the requirements of Chelan County Code 11.04. Definitions for both can be found in Chelan County Code Section 14.98.

Please feel free to contact our office if you have any questions or need any additional information.

Thank you,

**Kristin R. Fleisher**  
Permit Coordinator  
Chelan County Community Development  
316 Washington Street, Suite #301  
Wenatchee, WA 98801  
T: 509.667-6581 | F: 509.667.6475  
[kristin.fleisher@co.chelan.wa.us](mailto:kristin.fleisher@co.chelan.wa.us)

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

**Email 2**

## Samuel A. Rodabough

---

**From:** Hank Lewis <Hank.Lewis@CO.CHELAN.WA.US>  
**Sent:** Monday, December 28, 2015 10:50 AM  
**To:** Nathan Newell (NNewell@gmail.com)  
**Subject:** Vacation Rental - sign code  
**Attachments:** Chelan County - Signs - 11.92.htm

Nathan,

The Chelan County code section dealing with signs is Chapter 11.92. Above is a link to this code section.

Specific to your question regarding allowances for Vacation Rentals:

As we discussed, with only a couple of location specific areas (Manson & Icicle Design areas) there is not a specific allowance or call-out for this use. In the case of a use without specific mention, the closest use must be identified and used for interpretation. In the case with Vacation Rentals, it has historically been interpreted that Vacation Rentals are Single Family homes and treated the same in terms of signing. With this interpretation, the following sign alternates are available. Below are the key sections and direction.

Exempt signs: 11.92.030(1) & (7) - allowances. #1 allows a 2 sq ft sign, mounted on the wall of the primary structure. #7 allows a traffic directional/incidental sign not to exceed 6 sq ft.

General Requirements: 11.92.050 (9) & (17). #9 indicates where signs may be placed - in your case this is a 25' setback from the street or hwy. #18 indicates that all signs, if located adjacent a hwy, must respect the Scenic Hwy act. This is a question that would be posed to DOT to determine conformance.

Alternate: An off-premises direction sign can be allowed in 11.92.060(2)(l). This could permit a sign up to 32 sq ft. These signs are subject to all locational requirements such as setback, etc. If the off-premise sign is proposed on a lot owned by someone else, there must be an agreement in place and submitted with the application.

Regarding what types of options are available:

1. Request a Director interpretation to determine if a commercial designation is more appropriate for Vacation Rentals. This was the idea we discussed, and cautioned as commercial use has other consequences which may not work well. There is a fee if you choose to go down this path.
2. request a moment with the Board of County Commissioners on this topic. I have done this and at this time there does not appear to be an interest in taking on this topic as a County sponsored item in 2016.
3. Submit to Comm Development a proposed code change request, sponsored by you and/or a group of like-minded vacation rental owners and operators. There is an application fee of \$500, and this application must be for a specific modification to the code and include a specific language change requested. This must be submitted no later than March 1.

Hoping this information is helpful. Please feel free to call with questions.

Thanks.

Hank

**Email 3**



## Samuel A. Rodabough

---

**From:** Elims D <elims22@gmail.com>  
**Sent:** Wednesday, March 26, 2014 6:55 AM  
**To:** Deniese Aultman  
**Subject:** RE: Parcel IDs for Zoning info request

Thank you Denies, that is so helpful.

have a great day,

Helen Biersack

On Mar 25, 2014 5:22 PM, "Deniese Aultman" <[Deniese.Aultman@co.chelan.wa.us](mailto:Deniese.Aultman@co.chelan.wa.us)> wrote:

Hello-

I have information on the 2 parcels.

**28-23-09-300-025:** is zoned Rural Residential/Resource 20 (RR20). You need a building permit for your storage shed – unless it is 288 Sq.ft. or less and is only for storage.

The setbacks for this property are:

Front = 25' from property line or 55' from street center (whichever is greater)

Rear = 20' from property line

Sides = 5' from property line

**28-23-09-410-060:** Also zoned Rural Residential/Resource 20 (RR20) and has the same setbacks and regulations. I did not see a road leading to this parcel- you will need to show legal access when applying for a building permit. I would check with the owner to see if there is an access easement.

I have found no critical area issues with either property. Both properties allow for a Single Family Residence (SFR) and Accessory Dwelling Unit (ADU). The ADU has specific size allotment (1200 Sq.ft. or less). The SFR can be the size you would like as long as you stay within the lot coverage of 35'.

**The parcels are in County zoning and we do not regulate vacation rentals (renting your home or ADU). Only in the Manson Urban Growth Area.**

If you wanted to do a "Guest Inn" – (a facility with one kitchen, a shared dining area, with not more than a total of six lodging units, which are available within a single-family residence and/or cabin outbuildings providing short-term lodging for paying guests) then you would apply for a Conditional Use Permit (CUP).

Let me know if you would like the code references to the zoning and/or uses.

Hope this helps

Deniese

**From:** Elims D [mailto:[elims22@gmail.com](mailto:elims22@gmail.com)]

**Sent:** Tuesday, March 25, 2014 7:48 AM

**To:** Deniese Aultman

**Subject:** Parcel IDs for Zoning info request

---

**Hi Deniese,**

**We exchanged a couple of emails about a month ago and I realized I hadn't actually send you the Parcel IDs! Information on the following properties would be greatly appreciated. They are fairly close to each other:**

**1. 282309300025**

**2. 282309410060**

**We are looking at purchasing one of these properties, but we would simply build a storage shed at first to keep supplies/tools nearby while building a residential unit. One thing we are discussing long term (down the road) is the possibility to build several small residential units on the property, as my husband has a large family who lives in Idaho (so Chelan is a nice in-between) that we can use for our family, privately. We would also wonder what the restrictions would be for renting any (even if it is only our initial residence) out as a vacation accommodation. We are in our thirties and are looking to build a retirement residence for us (as our primary purpose of purchasing land) but we still live and work in the Seattle area and would intend to use the residence for vacation but ideally rent it out when we or our family is not there. I know Chelan has guidelines on this as well. We are just exploring all of our options and want to know what our limitations are.**

**I appreciate your help!**

**Thank you.**

**From:** Deniese Aultman [mailto:[Deniese.Aultman@co.chelan.wa.us](mailto:Deniese.Aultman@co.chelan.wa.us)]  
**Sent:** Tuesday, February 25, 2014 9:49 AM  
**To:** Biersack, Helen  
**Subject:** RE: Residential zoned building permit question

Hello,

The zoning regulations for Residential Structures depend on where the parcel of land is- what the zoning is/ is it in critical areas/ flood plain-way/ things like that. I would need to know the location of the proposed residence. If your questions are more for structural direction and not zoning –our plans examiner (Casey Headlee) can help with that. All residential (habitable space) structures need a building permit no matter what size.

Zoning Code is Chapter 11-

Accessory Dwelling Units: Chapter 11 - 11.88.200 and are limited to 1200 Sq.ft. or less and also need a building permit.

Accessory Buildings: – 11.88.170 Accessory Uses and Structures.

\*\*Structures under 288 Sq.ft. – are one story and used as storage or carport (when anchored to the ground), tool shed, etc... are exempt from a building permits under Chapter 3 – 3.04.100.

Hope this helps.

Let me know of any other questions or if you would like specific information regarding a parcel.

Thanks

Deniese

**Email 4**

## Samuel A. Rodabough

---

**From:** Angel Hallman <Angel.Hallman@CO.CHELAN.WA.US>  
**Sent:** Tuesday, November 17, 2015 6:07 PM  
**To:** Hank Lewis  
**Subject:** FW: sign for vacation rentals

We need to discuss this topic when you get a chance. Thanks

*Angel Hallman*  
*Code Enforcement Manager*  
*Chelan County, Community Development*

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Ben Stanton  
**Sent:** Tuesday, November 17, 2015 4:04 PM  
**To:** Lilith Yanagimachi; Angel Hallman  
**Subject:** RE: sign for vacation rentals

So I spoke to Nathan and basically let him know that this type of sign proposal is not permitted by the code that we have to govern with. I then read him the allowed exempt sign type and his response was silence. I then let him know that perhaps a discussion with senior planner or manager could further his understanding of this dilemma. I did not discuss the home occupation type of sign with him because of the fact that Mr. Newell clearly is not living at this residence. He intends on taking this up with management or possibly complaining to his commissioner (did not state this but from his tone, it sounded possible).

*Ben Stanton*  
*Assistant Planner*  
**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

---

**From:** Lilith Yanagimachi  
**Sent:** Tuesday, November 17, 2015 3:07 PM  
**To:** Angel Hallman <[Angel.Hallman@CO.CHELAN.WA.US](mailto:Angel.Hallman@CO.CHELAN.WA.US)>; Ben Stanton <[Ben.Stanton@CO.CHELAN.WA.US](mailto:Ben.Stanton@CO.CHELAN.WA.US)>  
**Subject:** sign for vacation rentals

Pursuant to 11.92.050(3) only lawfully existing enterprises are allowed to utilize signs. It seems to me that the use of a SFR for a vacation rental is a permitted use by way of the County's historical practice of not regulating outside of Manson UGA. The past discussions have centered around the fact that most SFR rentals (short or long term) have a similar impact to the SFR. We have not called a vacation rental a commercial use that I'm aware of. Based on this information, it would appear that the only signs permitted would be those related to a SFR:

11.92.030 Exempt signs. (1) Noncommercial signs less than two square feet in area and bearing only property, numbers, postal box numbers or names of occupants of premises, flush-mounted on a primary structure;

As a stretch, the vacation rental may fit the sign provisions of a home occupation but this should be reviewed as an Administrative Interpretation.

11.92.060(2)(F) Home Occupations in Residential Areas. (i) Signs for home occupations in residential areas shall only be authorized for a legally established home occupation; (ii) Only one home occupation sign shall be allowed; (iii) Home occupation signs shall be a flush-mounted wall sign, unlighted and shall not exceed four square feet in area; (iv) Outside of urban growth areas regulated by this code, one additional, unlighted sign shall be allowed at the driveway access point with the public road, provided it is no more than six square feet in area and is forty-two inches or less in height.

Also, this site is located off the highway and may require a WSDOT permit pursuant to CCC 11.92.050(18), depending on the final determination of the type of sign permitted.

Interesting question, let me know how the discussion goes.

Lilith Yanagimachi, AICP  
Planner II, Chelan County  
Phone 509.667.6586  
[lilith.yanagimachi@co.chelan.wa.us](mailto:lilith.yanagimachi@co.chelan.wa.us)

*This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.*

**Email 5**

**Samuel A. Rodabough**

---

**From:** Brad Scott <Brad.Scott@CO.CHELAN.WA.US>  
**Sent:** Tuesday, January 26, 2016 8:12 AM  
**To:** Tyler Evans  
**Subject:** RE: Vacation Rental

Yes, that would need to be permitted.

Brad Scott  
Permit Coordinator  
Chelan County, Community Development  
316 Washington Street, Suite 301  
Wenatchee, WA 98801,  
509-667-6581 (phone)  
509-667-6475 (fax)

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

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

From: Tyler Evans [mailto:tylere@dcpud.org]  
Sent: Monday, January 25, 2016 3:47 PM  
To: Brad Scott  
Subject: Re: Vacation Rental

I'm looking at a property in Manson that's located outside the city limits and is zoned residential.

Tyler

> On Jan 25, 2016, at 3:37 PM, Brad Scott <Brad.Scott@CO.CHELAN.WA.US> wrote:  
>  
> What are you looking to rent?  
>  
> **The only jurisdiction in Chelan County that regulates vacation rentals (homes), at this time, is Manson.**  
>  
> You can find the Annual Vacation Rental Application on the county website to see what we require for those applicants.  
>  
> [http://www.co.chelan.wa.us/files/community-development/documents/apps\\_form/Building-Fire/ANNUAL-VACATION-RENTAL-APPLICATION.pdf](http://www.co.chelan.wa.us/files/community-development/documents/apps_form/Building-Fire/ANNUAL-VACATION-RENTAL-APPLICATION.pdf)  
>  
>  
> Brad Scott  
> Permit Coordinator



> Chelan County, Community Development  
> 316 Washington Street, Suite 301  
> Wenatchee, WA 98801,  
> 509-667-6581 (phone)  
> 509-667-6475 (fax)

>  
> This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

>  
>  
> -----Original Message-----

> From: Tyler Evans [mailto:tylere@dcpud.org]  
> Sent: Monday, January 25, 2016 2:59 PM  
> To: Brad Scott  
> Subject: Vacation Rental

>  
> Hey Brad I'm wondering if you can tell me what zoning allows for short term rentals in the County.

>  
>  
>  
> Thanks Tyler  
>

**Email 6**

## Samuel A. Rodabough

---

**From:** Kevin Lynch <klynch2@hotmail.com>  
**Sent:** Wednesday, October 23, 2013 7:56 AM  
**To:** Terri Scott  
**Subject:** RE: Definition

Actually no problem in this case, just need clarification of covenants and rules...  
Thanks again for you help!

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
kevin@leavenworthproperties.com  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>

---

From: Terri.Scott@CO.CHELAN.WA.US  
To: klynch2@hotmail.com  
Date: Wed, 23 Oct 2013 07:52:13 -0700  
Subject: RE: Definition

Kevin,  
Chelan County only regulates overnight rentals in the UGA of Manson. We have nothing in the code that prohibits property owners from opening up their homes to overnight rentals. We have had numerous complaints from the neighboring homes adjacent to these rentals. We also don't enforce covenants so I suppose the homeowners association could re write the CC&R's to prohibit short term rentals.  
The commissioners have been approached to implement code regulating overnight rentals several times but haven't gone in that direction yet. You could contact them and see if anything is in the works.

Sorry I couldn't give you the tools to take action. I'm gathering you are having a problem with a certain overnight rental.

**Terri Scott - Planning Technician II**  
Chelan County Community Development  
316 Washington Street  
Wenatchee, WA 98801  
[Terri.Scott@co.chelan.wa.us](mailto:Terri.Scott@co.chelan.wa.us)  
509 - 667-6231  
509 - 667-6475 (fax)

This email may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version.

This email may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Kevin Lynch [mailto:klynch2@hotmail.com]  
**Sent:** Tuesday, October 22, 2013 11:10 AM  
**To:** Terri Scott  
**Subject:** RE: Definition

Terri:  
Here is the question. We cannot find any definition of residential that precludes nightly or monthly rental. So therefore if covenants say for residential use only how can that restrict nightly rental? County code does not preclude either.  
Ideas?

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
[kevin@leavenworthproperties.com](mailto:kevin@leavenworthproperties.com)  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>

From: [Terri.Scott@CO.CHELAN.WA.US](mailto:Terri.Scott@CO.CHELAN.WA.US)  
To: [klynch2@hotmail.com](mailto:klynch2@hotmail.com)  
Date: Mon, 21 Oct 2013 13:33:56 -0700  
Subject: RE: Definition

Kevin,  
I am so surprised.....we have definitions in the code under 14.98. I looked and there is no definition for residential. Does the dictionary have a suitable definition?

**Terri Scott - Planning Technician II**  
Chelan County Community Development  
316 Washington Street  
Wenatchee, WA 98801  
[Terri.Scott@co.chelan.wa.us](mailto:Terri.Scott@co.chelan.wa.us)  
509 - 667-6231  
509 - 667-6475 (fax)

This email may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version.

This email may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Kevin Lynch [<mailto:klynch2@hotmail.com>]  
**Sent:** Thursday, October 17, 2013 2:13 PM  
**To:** Terri Scott  
**Subject:** Definition

What does the county say is the definition of "residential". I have a client that is questioning the covenants on the property.  
Is there a place where I can find the definition? My client is meeting with his neighbors tonight... sorry for the short notice... If there is a reference I would greatly appreciate it.  
Regards,

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
[kevin@leavenworthproperties.com](mailto:kevin@leavenworthproperties.com)  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>



**Email 7**

## Samuel A. Rodabough

---

**From:** Jeff S. Wilson <Jeff.Wilson@CO.CHELAN.WA.US>  
**Sent:** Tuesday, July 31, 2012 7:40 AM  
**To:** Justin Wilaby  
**Cc:** Doug England; David R. Grimes  
**Subject:** RE: Vacation Rental Code Amendment Status Update

Mr. Wilaby,

Please contact David Grimes, Asst. Director, to arrange a meeting or phone call to discuss your situation and how to address your request. David manages the planning activities and can walk you through the Comp Plan and Rezone processes.

David's contact info:

- e-mail: [david.grimes@co.chelan.wa.us](mailto:david.grimes@co.chelan.wa.us)
- phone: 509.667.6464

I will coordinate with David on our end.

Regards,  
Jeff

**Jeffrey S. Wilson, AICP**  
Director  
Chelan County Department of Community Development  
316 Washington Street, Suite 301  
Wenatchee, WA 98801  
Direct 509.667.6228  
Cell 509.630.6503  
Fax 509.667.6415  
E-Mail: [jeff.wilson@co.chelan.wa.us](mailto:jeff.wilson@co.chelan.wa.us)

E-mails may contain electronic versions of Chelan county documents. Any discrepancies between the electronic version provided by Chelan county and the printed version that is available from the originating office will be decided in favor of the printed version. These e-mails may be subject to public disclosure, and appropriate discretion should be used when replying.

**From:** Justin Wilaby [mailto:[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Monday, July 30, 2012 6:07 PM  
**To:** Jeff S. Wilson  
**Cc:** Doug England; Ron Walter; Keith Goehner  
**Subject:** Re: Vacation Rental Code Amendment Status Update

Jeff-

Thank you for you email and for proving a thorough explanation.

I'm not sure how I missed this on [www.codepublishing.com](http://www.codepublishing.com). The TA zoning permitted use ([17.24.010](#)) is exactly what I am looking for. Let's proceed with the meeting that you suggested. Who shall I contact to schedule it?

Regards,



Justin Wilaby

On Mon, Jul 30, 2012 at 5:39 PM, Jeff S. Wilson <[Jeff.Wilson@co.chelan.wa.us](mailto:Jeff.Wilson@co.chelan.wa.us)> wrote:

Mr. Wilaby,

In response to your e-mail correspondence with Commissioner England, my staff and I have been researching your situation to clear up the issue as best is possible.

Chelan County only regulates "vacation, or nightly rentals" in one of two situations. First, the County has adopted specific regulations pertaining to the regulation of "vacation" rentals in the Manson Urban Growth Area otherwise the county does not regulate this activity. Second, under a Memorandum of Understanding between the County and the Cities, the county regulates activities within urban growth areas under the regulations of the adjoining city (e.g. City of Chelan).

In your particular case, your property lies within the urban growth area for the City of Chelan. The County has adopted their zoning designation and code for their UGA area. As your property is zoned R-1, the county utilizes the City of Chelan regulations for your property when reviewing land use activities. In short, the zoning allows for "one-family dwellings" as a permitted use; it does not allow for "motels." The use of the word "motel" is important in this instance, as they have a very specific definition (see attached), which includes the phrase "This term also includes and single-family dwelling used for motel purposes as defined herein." Additionally, another key term used in the definition of a "motel" is "transient guests", which also defined in the Chelan City code (see attached). To make a long story short, under the Chelan city code, a "vacation," or "nightly rental" is not permitted in the R-1 zone as it is considered a "Motel."

I know that you have raised the possibility of requesting a rezone of the property from the present R-1 designation to the "TA" designation. At this point in time to support a rezone to "TA," the Comprehensive Plan map must first be amended to change the land use designation of your property from R-1 to TA. Additionally, you will then need to request a rezone of the property, to TA, if the Comprehensive Plan map amendment request is approved. The steps for processing the Comprehensive Plan amendment request and subsequent rezone is very technical in nature (refer to Chelan County Code Chapter 14.14), so I will just try and provide a brief overview in this e-mail, and encourage you to set a meeting, or conference call to discuss in more detail. However, to get you started, here is a short outline of the process:

- Comprehensive Plan map designation of property must be amended from R-1 to TA.
- Submit your application to amend the Comprehensive Plan map. We only docket amendment requests, by State Code, once a year. We would need to receive your request prior to March 1<sup>st</sup>, 2013. This application is then reviewed and forwarded to City of Chelan for comment. You may find it easier to submit your request simultaneously to Chelan County and City of Chelan prior to the end of September of this year, as the City of Chelan docketing schedule in October 1<sup>st</sup> of this year for scheduling for review during 2013.
- Once this process is initiated, the earliest it would be reviewed by the Board of Chelan County Commissioners is fall of 2013.

- If the Comprehensive Plan map is approved for amendment, once the Resolution is adopted by the Commissioners, you would then need to submit for a rezone of the property to the new Comprehensive Plan map designation.

As I indicated earlier, this is a complicated process and I think you would benefit greatly from either a face-to-face meeting with my Department staff, or we can arrange a conference call to discuss.

Hope this provides some insight and options for you.

Regards,

Jeff

**Jeffrey S. Wilson, AICP**

**Director**

**Chelan County Department of Community Development**

316 Washington Street, Suite 301

Wenatchee, WA 98801

Direct [509.667.6228](tel:509.667.6228)

Cell [509.630.6503](tel:509.630.6503)

Fax [509.667.6415](tel:509.667.6415)

E-Mail: [jeff.wilson@co.chelan.wa.us](mailto:jeff.wilson@co.chelan.wa.us)

E-mails may contain electronic versions of Chelan county documents. Any discrepancies between the electronic version provided by Chelan county and the printed version that is available from the originating office will be decided in favor of the printed version. These e-mails may be subject to public disclosure, and appropriate discretion should be used when replying.

**From:** Justin Wilaby [mailto:[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Monday, July 30, 2012 10:45 AM  
**To:** Doug England  
**Cc:** Jeff S. Wilson; Ron Walter; Keith Goehner  
**Subject:** Re: Vacation Rental Code Amendment Status Update

Doug-

Thank you for the fast response. I have to admit, I am impressed with the 12 hour turnaround on your response.

According to my research, the property seems to be in an RL zone outside of the Chelan City limits (the short plat shows R-1 zoning - nomenclature differences?) and inside the Chelan UGA. There is a very large TA zone adjacent to the immediate south of the property that seems to be the result of new zoning adopted in 1998. Although I can find the regulatory language pertaining to vacation rentals in Manson, I cannot find anything explicitly defining which zones allow or disallow this use in the city of Chelan or Chelan County.

The Chelan County code found at [codepublishing.com](http://codepublishing.com) under "zoning" does not seem to define the TA zone and its permitted uses but other documents specify this designation is meant to accommodate vacation residences, seasonal housing, transient temporary housing and recreational uses. If this language also defines the TA zone adjacent to the 302 Little Butte Ranch Road property and RL zones disallow vacation rentals in UGAs, is appropriate for me to begin an application for a zoning change request? The idea is that because of the close proximity to the existing TA zone, incorporating another 2 acre parcel may be reasonable. If not, would you be able point me to some other options?

Also, when speaking to Denise in Community Development, she was relaying information given to her from another person. Although the context of the conversation was Chelan County and I am certain I asked her to reiterate the information, she could have been speaking about RL zones in the Chelan UGA and I missed that part.

I am hopeful we can work together to resolve this issue so I can put to rest my suspicions that the property purchase may have been a mistake based on the intended use.

I am truly grateful for your help.

Regards,

Justin Wilaby

On Mon, Jul 30, 2012 at 12:06 AM, Doug England <[Doug.England@co.chelan.wa.us](mailto:Doug.England@co.chelan.wa.us)> wrote:

Justin

Thank you for your email and I will try to answer some of the questions you have raised.

First of all it is not true that all vacation rentals outside of the Manson UGA are operating illegally. Because of the uniqueness of the Manson UGA, there are some regulations specific to it. Your research is correct that there are currently no other County regulations involving vacation rentals. The problem in your location involves not County regulations but the Chelan city codes associated with the fact that Little Butte Road is within the Chelan UGA (Urban Growth Area). To comply with the State Growth Management requirements, Chelan County agreed to use the City of Chelan building and development codes within that area. Chelan currently prohibits vacation rentals in residential zones. I will check tomorrow to see if you are in a single family residential zone or in another zone in which the city will allow that use. Your use of a local management company would be very wise, as there are a number that provide very good service.

While I am checking other avenues that would allow you to proceed, would you please check your notes to see who with Community Development incorrectly indicated the vacation rentals were illegal throughout the county so I can correct them?

You are correct in indicating that our desire is not to stop vacation rentals but only to help them be good neighbors and blend into their neighborhoods. Many of us were concerned with overly extended UGA boundaries and unintended problems that these unusually large areas would create. I hope we will be able to work within the city rules to work through your problem.

I will let you know tomorrow what I can find out.

Doug England

---

**From:** Justin Wilaby [[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Sunday, July 29, 2012 11:39 AM  
**To:** Jeff S. Wilson; Doug England; Ron Walter; Keith Goehner  
**Subject:** Vacation Rental Code Amendment Status Update

**Re: Vacation Rental Code Amendment**

Justin & Shannon Wilaby  
302 Little Butte Ranch Road  
Chelan, WA 98816

**Geo ID: 272215340070**

To Whom it May Concern:

Thank you for taking the time to read this email and I appreciate any feedback you may have.

After coming to Chelan for over 15 years and falling in love with the area, my wife and I decided to invest in a 2 acre parcel at 302 Little Butte Ranch Road where we plan to retire in 30 years or so. Our goal is to build a modest 4 bedroom home using a local builder for use as a vacation home with our kids until retirement. In order to recoup some of the construction expenses, and

so others can enjoy it while we are not using it, we would like to offer the house as a short term vacation rental.

I contacted Chelan County Planning and was told vacation rentals in residential zones are a violation of zoning laws and that all vacation rentals outside of the Manson UGA are operating illegally. In doing my own research which included speaking to a number of property management companies that specialize in vacation rentals in Chelan county, it became apparent to me that this may not be accurate information. I have read about a number of discussions on this topic in the Chelan County Commissioners minutes which includes possible code amendments to regulate, but not ban vacation rentals in residential areas. I also understand that tax revenues from tourist activities represent a large portion of income for Chelan county and tourism is strongly supported because of this but some irresponsible property owners are the source of complaints by permanent residents.

I would like to better understand the status of vacation rentals in the county and more specifically, whether or not my wife and I are legally able to offer our soon to be new home to tourists during the times when we are not there. I have 6 year track record as a responsible landlord in western Washington and plan to operate (with the help of a local Property Management company) with integrity in Chelan county if allowed to do so.

Thank you again for your time and I hope to hear from you soon.

Regards,

Justin Wilaby

## Wendy Lane

---

**From:** Liz Ryen <elizabethryen@gmail.com>  
**Sent:** Thursday, August 27, 2020 10:18 AM  
**To:** CD STRComment  
**Subject:** Fwd: My experience with overnight rentals

**External Email Warning!** This email originated from outside of Chelan County.

I live in the middle of the woods on 20 remote acres in the Icicle Valley with no cell phone service and snowmobile access only in the winters. I have felt so fortunate to have this opportunity and I reveled in the peace, quiet, and privacy that my home allowed me to have.

A couple years ago, the adjoining property started offering illegal nightly rentals and my life drastically changed.

To make sure I was not overstepping my boundaries, I had my property surveyed (\$5,000). I put up signs delineating the boundary so nightly renters would stop walking all over my property. These signs and the survey markers were ripped out and thrown into the woods. I put up game cameras (2x \$150) to document the destruction of my property. I filed for a court ordered no trespassing suit against my neighbor (\$95). I had specific signs made stating that renters are not allowed to pass the boundary onto my property (\$150) since the generic signs were being ignored. I had the property line re-surveyed (\$1000) since the original markers had been removed by my neighbor. We installed a 2nd gate (\$1500) to prevent renters from driving up to our house. Now I have to get out of my car to unlock and lock two separate gates everytime I go to work. I spoke with police only to find that there was nothing they could do about the destruction of my property or the overnight renters walking, skiing, and sledding in my yard other than ask them to leave. I spoke with a lawyer (\$1600) to see what my options were and the only available option seemed to be a drawn out court battle creating even more animosity between me and my neighbor.

I have an outdoor shower and had to build a screen to protect my privacy. I have chickens, and I had to increase the security of their coop because dogs from the renters repeatedly came onto my property and harassed my flock. I was unable to leave my dogs at home when I left because they became agitated and destructive when renter's dogs showed up on my front porch. I had to erect a fence along the property line.

My neighbor did not live on his property, instead he lived unaffected in town regularly earning a significant amount of money from his rental. He refused to encourage his renters to respect the surrounding properties. He gained regular income while I incurred cost after cost.

Nightly rentals financially and mentally hurt me. My previously good relationship with my neighbor was completely destroyed. My remote, peaceful home became a place I felt I needed to protect from trespassers and destructive renters. I lost the solitude and joy that my home used to give me because of an illegal overnight rental.

--

*Liz Ryen -*

## Wendy Lane

---

**From:** Simone Scheibler <sscheibler1028@gmail.com>  
**Sent:** Wednesday, August 26, 2020 7:55 PM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** short-term rentals

---

**External Email Warning!** This email originated from outside of Chelan County.

---

To whom it may concern

I have lived in Chelan County for 18 years and the last 16 years specifically in the 98826 zip code. I am disappointed by the sharp rise in short-term rentals (STRs) these past 5 years. STRs drive up real estate costs which in turn decreases affordable housing for middle and lower income individuals. In addition the extra traffic and noise in residential neighborhoods is unpleasant and can pose a risk for pedestrian traffic. Also visitors often are unaware of fire risk and want to have camp fires on their vacations despite burning bans being in effect. I ask you to consider phasing out STRs in neighborhood and rural areas. There are a plethora of hotel rooms in Leavenworth for visitors to stay. Please encourage visitors to stay in those hotel rooms and phase out STRs in the neighborhoods and rural areas. Thank you very much for considering my opinion.

Sincerely, Simone Scheibler

## Wendy Lane

---

**From:** brittany Jones <brittanysmothers@gmail.com>  
**Sent:** Wednesday, August 26, 2020 6:08 PM  
**To:** CD STRComment  
**Subject:** STR comment

**External Email Warning!** This email originated from outside of Chelan County.

---

Hello,

My name is Brittany Jones and my husband and I recently purchased a home in the Leavenworth area. We have been so excited to join this community and are looking forward to exploring the area. We are offsetting the cost of our home by renting it as s STR.

I have looked and seen many local full time residents frustrated by loud noise, garbage, etc. I can only imagine how frustrating that must be. At the same time, the STR market does provide many employment opportunities and tourism for the region.

It would seem the best for all parties if a compromise could be reached. Perhaps allowing STR's with increased supervision and penalties. Say, fine homeowners for fires, loud noise, garbage, etc. We knowingly bought this house assuming we would also potentially pay fees to operate a STR. It is also extremely unfair to take away our necessary income to support our investment.

Thank you for taking the time to read my comments,  
Brittany Jones RN



## Wendy Lane

---

**From:** Michaela Reeder <michaela@ggw-law.com>  
**Sent:** Wednesday, August 26, 2020 4:12 PM  
**To:** CD STRComment; Kevin Overbay; Bob Bugert; Doug England; Carlye Baity  
**Cc:** Samuel A. Rodabough; Michelle Green  
**Subject:** Letter re Proposed Short-Term Rental Ordinance  
**Attachments:** Michaela Reeder.vcf; Letter to Planning Commission and BOC re Short-Term Rental Ordinance w-attach.pdf

---

**External Email Warning!** This email originated from outside of Chelan County.

---

Please see the attached correspondence from Michelle Green regarding the Proposed Short-Term Rental Ordinance.

Thank you!





GATENS | GREEN | WEIDENBACH PLLC

August 26, 2020

Via Email:

Chelan County Planning Commission  
316 Washington Street, Suite 301  
Wenatchee, WA 98801  
[CD.STRComment@co.chelan.wa.us](mailto:CD.STRComment@co.chelan.wa.us)

Chelan County Board of Commissioners  
400 Douglas Street, Suite 201  
Wenatchee, WA 98801  
[kevin.overbay@co.chelan.wa.us](mailto:kevin.overbay@co.chelan.wa.us)  
[bob.bugert@co.chelan.wa.us](mailto:bob.bugert@co.chelan.wa.us)  
[doug.england@co.chelan.wa.us](mailto:doug.england@co.chelan.wa.us)

Re: Proposed Short-Term Rental Ordinance

Dear Planning Commission and Board of Commissioners:

As you know, I am one of the attorneys for the Short-Term Rental Alliance of Chelan County (“STRACC”). We understand that the Commissioners have remanded the proposed short-term rental (“STR”) ordinance back to the Planning Commission for further review with the instructions to disregard the Commissioners’ previously adopted Vision Statement with respect to the proposed STR ordinance.

We understand that at one point during prior deliberations and discussions among the Planning Commission members regarding the STR ordinance, that one or more members of the Planning Commission had inquired with County Staff as to whether or not STRs were presently allowed in the County. During that meeting, the County Staff declined to take a position on that issue and did not answer the question. Now that the STR ordinance is back before the Planning Commission for review, we wanted to provide you with information regarding the status of STRs in the County.

We recently received the attached emails (labeled 1-7, highlighting added) in response to a public records request that was originally made on September 18, 2019. As you will note, the emails very clearly confirm that the County has historically allowed STRs in zones containing single-family residences. Below is a summary of quotes from the emails for ease of reference:

Email 1: "You are not required to obtain a permit in order to utilize the residence on your property as a vacation rental."

Email 2: "[W]ith only a couple of location specific areas (Manson & Icicle Design areas) there is not a specific allowance or call-out for this [vacation rental] use. In the case of a use without a specific mention, the closest use [in the zoning matrix] must be identified and used for interpretation. In the case with Vacation Rentals, it has historically been interpreted that Vacation Rentals are Single Family homes and treated the same..."

Email 3: "The parcels [you are looking at purchasing] are in County zoning and we do not regulate vacation rentals (renting your home or ADU). Only in the Manson Urban Growth Area."

Email 4: "It seems to me that the use of a SFR for a vacation rental is a permitted use by way of the County's historical practice of not regulating outside of Manson UGA. The past discussions have centered around the fact that most SFR rentals (short or long term) have a similar impact to the SFR. We have not called a vacation rental a commercial use that I'm aware of."

Email 5: "The only jurisdiction in Chelan County that regulates vacation rentals (home) at this time, is Manson."

Email 6: "Chelan County only regulated overnight rentals in the UGA of Manson. We have nothing in the code that prohibits property owners from opening up their homes to overnight rentals.... The Commissioners have been approached to implement code regulating overnight rentals several times but haven't gone in that direction yet."

Email 7: "Chelan County only regulates "vacation, or nightly rentals" in one of two situations. First, the County has adopted specific regulations pertaining to the regulation of "vacation" rentals in the Manson Urban Growth Area otherwise the county does not regulate this activity. Second, under a Memorandum of Understanding between the County and the Cities, the county regulates activities within urban growth areas under the regulations of the adjoining city (e.g. City of Chelan)."

The attached and above-referenced emails are just a handful of the written communications and background documents that unequivocally demonstrate that the County has a longstanding policy of allowing STRs without a permit. Existing STR owners and operators have relied on such policy in the development and investment in their STRs (to their detriment if the current proposed STR ordinance is adopted).

RCW 36.70A.370, *Protection of private property*, requires local governments to evaluate all proposed regulations, such as the proposed STR ordinance in this case, to assure that such regulatory actions do not result in an unconstitutional taking of private property. A copy of the current checklist established by the attorney general as referenced in RCW 36.70A.370(1) can be found at <https://www.atg.wa.gov/avoiding-unconstitutional-takings-private-property>. Based on the record, it appears that neither the Planning Commission nor the Commissioners have engaged in this required process with respect to the proposed STR ordinances.

We urge you to treat existing STRs as legal, non-conforming uses and grandfather in such existing STRs without any sunset clauses. While an appeal of whatever regulations the County adopts is likely due to the contentious nature of the STR issue, the County will very likely avoid further civil lawsuits for damages if existing STR uses are grandfathered in.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'MAG', followed by a long horizontal line extending to the right.

MICHELLE A. GREEN

MAG:mcr

Enclosures

cc: Carlye Baity, Clerk of the Board of Commissioners, via email, w/enclosures  
Sam Rodabough, via email, w/enclosures  
Susan Hinkle, via email, w/enclosures  
STRACC Board, via email, w/enclosures

**Email 1**

## Samuel A. Rodabough

---

**From:** Kristin Fleisher <Kristin.Fleisher@CO.CHELAN.WA.US>  
**Sent:** Wednesday, April 30, 2014 4:39 PM  
**To:** john.minerich@gmail.com  
**Cc:** Ben Stanton; Ginger Pennington  
**Subject:** Chelan County Vacation Permit Rental Application

Mr. Minerich,

We received your faxed application for a Vacation Rental permit for your property in Leavenworth yesterday and have been unable to reach you by telephone (your voice mail box is full and is not accepting new messages). Please note that the County does not require Vacation Rental Permits for properties located outside of the Manson Urban Growth Area. Your property (parcel no. 241714140151) is located within the Chelan County RRR Zone (Rural Residential and Resource). **You are not required to obtain a permit in order to utilize the residence on your property as a vacation rental.**

Note that use of the residence as a Bed and Breakfast or use of the residence as a Guest Inn is subject to the requirements of Chelan County Code 11.04. Definitions for both can be found in Chelan County Code Section 14.98.

Please feel free to contact our office if you have any questions or need any additional information.

Thank you,

**Kristin R. Fleisher**  
Permit Coordinator  
Chelan County Community Development  
316 Washington Street, Suite #301  
Wenatchee, WA 98801  
T: 509.667-6581 | F: 509.667.6475  
[kristin.fleisher@co.chelan.wa.us](mailto:kristin.fleisher@co.chelan.wa.us)

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

**Email 2**

## Samuel A. Rodabough

---

**From:** Hank Lewis <Hank.Lewis@CO.CHELAN.WA.US>  
**Sent:** Monday, December 28, 2015 10:50 AM  
**To:** Nathan Newell (NNewell@gmail.com)  
**Subject:** Vacation Rental - sign code  
**Attachments:** Chelan County - Signs - 11.92.htm

Nathan,

The Chelan County code section dealing with signs is Chapter 11.92. Above is a link to this code section.

Specific to your question regarding allowances for Vacation Rentals:

As we discussed, with only a couple of location specific areas (Manson & Icicle Design areas) there is not a specific allowance or call-out for this use. In the case of a use without specific mention, the closest use must be identified and used for interpretation. In the case with Vacation Rentals, it has historically been interpreted that Vacation Rentals are Single Family homes and treated the same in terms of signing. With this interpretation, the following sign alternates are available. Below are the key sections and direction.

Exempt signs: 11.92.030(1) & (7) - allowances. #1 allows a 2 sq ft sign, mounted on the wall of the primary structure. #7 allows a traffic directional/incidental sign not to exceed 6 sq ft.

General Requirements: 11.92.050 (9) & (17). #9 indicates where signs may be placed - in your case this is a 25' setback from the street or hwy. #18 indicates that all signs, if located adjacent a hwy, must respect the Scenic Hwy act. This is a question that would be posed to DOT to determine conformance.

Alternate: An off-premises direction sign can be allowed in 11.92.060(2)(l). This could permit a sign up to 32 sq ft. These signs are subject to all locational requirements such as setback, etc. If the off-premise sign is proposed on a lot owned by someone else, there must be an agreement in place and submitted with the application.

Regarding what types of options are available:

1. Request a Director interpretation to determine if a commercial designation is more appropriate for Vacation Rentals. This was the idea we discussed, and cautioned as commercial use has other consequences which may not work well. There is a fee if you choose to go down this path.
2. request a moment with the Board of County Commissioners on this topic. I have done this and at this time there does not appear to be an interest in taking on this topic as a County sponsored item in 2016.
3. Submit to Comm Development a proposed code change request, sponsored by you and/or a group of like-minded vacation rental owners and operators. There is an application fee of \$500, and this application must be for a specific modification to the code and include a specific language change requested. This must be submitted no later than March 1.

Hoping this information is helpful. Please feel free to call with questions.

Thanks.

Hank





**Email 3**

## Samuel A. Rodabough

---

**From:** Elims D <elims22@gmail.com>  
**Sent:** Wednesday, March 26, 2014 6:55 AM  
**To:** Deniese Aultman  
**Subject:** RE: Parcel IDs for Zoning info request

Thank you Denies, that is so helpful.

have a great day,

Helen Biersack

On Mar 25, 2014 5:22 PM, "Deniese Aultman" <[Deniese.Aultman@co.chelan.wa.us](mailto:Deniese.Aultman@co.chelan.wa.us)> wrote:

Hello-

I have information on the 2 parcels.

**28-23-09-300-025:** is zoned Rural Residential/Resource 20 (RR20). You need a building permit for your storage shed – unless it is 288 Sq.ft. or less and is only for storage.

The setbacks for this property are:

Front = 25' from property line or 55' from street center (whichever is greater)

Rear = 20' from property line

Sides = 5' from property line

**28-23-09-410-060:** Also zoned Rural Residential/Resource 20 (RR20) and has the same setbacks and regulations. I did not see a road leading to this parcel- you will need to show legal access when applying for a building permit. I would check with the owner to see if there is an access easement.

I have found no critical area issues with either property. Both properties allow for a Single Family Residence (SFR) and Accessory Dwelling Unit (ADU). The ADU has specific size allotment (1200 Sq.ft. or less). The SFR can be the size you would like as long as you stay within the lot coverage of 35'.

**The parcels are in County zoning and we do not regulate vacation rentals (renting your home or ADU). Only in the Manson Urban Growth Area.**

If you wanted to do a "Guest Inn" – (a facility with one kitchen, a shared dining area, with not more than a total of six lodging units, which are available within a single-family residence and/or cabin outbuildings providing short-term lodging for paying guests) then you would apply for a Conditional Use Permit (CUP).

Let me know if you would like the code references to the zoning and/or uses.

Hope this helps

Deniese

**From:** Elims D [mailto:[elims22@gmail.com](mailto:elims22@gmail.com)]  
**Sent:** Tuesday, March 25, 2014 7:48 AM  
**To:** Deniese Aultman  
**Subject:** Parcel IDs for Zoning info request

---

Hi Deniese,

**We exchanged a couple of emails about a month ago and I realized I hadn't actually send you the Parcel IDs! Information on the following properties would be greatly appreciated. They are fairly close to each other:**

- 1. 282309300025**
- 2. 282309410060**

**We are looking at purchasing one of these properties, but we would simply build a storage shed at first to keep supplies/tools nearby while building a residential unit. One thing we are discussing long term (down the road) is the possibility to build several small residential units on the property, as my husband has a large family who lives in Idaho (so Chelan is a nice in-between) that we can use for our family, privately. We would also wonder what the restrictions would be for renting any (even if it is only our initial residence) out as a vacation accommodation. We are in our thirties and are looking to build a retirement residence for us (as our primary purpose of purchasing land) but we still live and work in the Seattle area and would intend to use the residence for vacation but ideally rent it out when we or our family is not there. I know Chelan has guidelines on this as well. We are just exploring all of our options and want to know what our limitations are.**

**I appreciate your help!**

**Thank you.**

**From:** Deniese Aultman [mailto:[Deniese.Aultman@co.chelan.wa.us](mailto:Deniese.Aultman@co.chelan.wa.us)]  
**Sent:** Tuesday, February 25, 2014 9:49 AM  
**To:** Biersack, Helen  
**Subject:** RE: Residential zoned building permit question

Hello,

The zoning regulations for Residential Structures depend on where the parcel of land is- what the zoning is/ is it in critical areas/ flood plain-way/ things like that. I would need to know the location of the proposed residence. If your questions are more for structural direction and not zoning –our plans examiner (Casey Headlee) can help with that. All residential (habitable space) structures need a building permit no matter what size.

Zoning Code is Chapter 11-

Accessory Dwelling Units: Chapter 11 - 11.88.200 and are limited to 1200 Sq.ft. or less and also need a building permit.

Accessory Buildings: – 11.88.170 Accessory Uses and Structures.

**\*\*Structures under 288 Sq.ft. – are one story and used as storage or carport (when anchored to the ground), tool shed, etc... are exempt from a building permits under Chapter 3 – 3.04.100.**

Hope this helps.

Let me know of any other questions or if you would like specific information regarding a parcel.

Thanks

Deniese

**Email 4**

## Samuel A. Rodabough

---

**From:** Angel Hallman <Angel.Hallman@CO.CHELAN.WA.US>  
**Sent:** Tuesday, November 17, 2015 6:07 PM  
**To:** Hank Lewis  
**Subject:** FW: sign for vacation rentals

We need to discuss this topic when you get a chance. Thanks

*Angel Hallman*  
*Code Enforcement Manager*  
*Chelan County, Community Development*

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Ben Stanton  
**Sent:** Tuesday, November 17, 2015 4:04 PM  
**To:** Lilith Yanagimachi; Angel Hallman  
**Subject:** RE: sign for vacation rentals

So I spoke to Nathan and basically let him know that this type of sign proposal is not permitted by the code that we have to govern with. I then read him the allowed exempt sign type and his response was silence. I then let him know that perhaps a discussion with senior planner or manager could further his understanding of this dilemma. I did not discuss the home occupation type of sign with him because of the fact that Mr. Newell clearly is not living at this residence. He intends on taking this up with management or possibly complaining to his commissioner (did not state this but from his tone, it sounded possible).

*Ben Stanton*  
*Assistant Planner*  
**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

---

**From:** Lilith Yanagimachi  
**Sent:** Tuesday, November 17, 2015 3:07 PM  
**To:** Angel Hallman <[Angel.Hallman@CO.CHELAN.WA.US](mailto:Angel.Hallman@CO.CHELAN.WA.US)>; Ben Stanton <[Ben.Stanton@CO.CHELAN.WA.US](mailto:Ben.Stanton@CO.CHELAN.WA.US)>  
**Subject:** sign for vacation rentals

Pursuant to 11.92.050(3) only lawfully existing enterprises are allowed to utilize signs. It seems to me that the use of a SFR for a vacation rental is a permitted use by way of the County's historical practice of not regulating outside of Manson UGA. The past discussions have centered around the fact that most SFR rentals (short or long term) have a similar impact to the SFR. We have not called a vacation rental a commercial use that I'm aware of. Based on this information, it would appear that the only signs permitted would be those related to a SFR:

11.92.030 Exempt signs. (1) Noncommercial signs less than two square feet in area and bearing only property, numbers, postal box numbers or names of occupants of premises, flush-mounted on a primary structure;

As a stretch, the vacation rental may fit the sign provisions of a home occupation but this should be reviewed as an Administrative Interpretation.

11.92.060(2)(F) Home Occupations in Residential Areas. (i) Signs for home occupations in residential areas shall only be authorized for a legally established home occupation; (ii) Only one home occupation sign shall be allowed; (iii) Home occupation signs shall be a flush-mounted wall sign, unlighted and shall not exceed four square feet in area; (iv) Outside of urban growth areas regulated by this code, one additional, unlighted sign shall be allowed at the driveway access point with the public road, provided it is no more than six square feet in area and is forty-two inches or less in height.

Also, this site is located off the highway and may require a WSDOT permit pursuant to CCC 11.92.050(18), depending on the final determination of the type of sign permitted.

Interesting question, let me know how the discussion goes.

*Lilith Yanagimachi, AICP*  
Planner II, Chelan County  
Phone 509.667.6586  
[lilith.yanagimachi@co.chelan.wa.us](mailto:lilith.yanagimachi@co.chelan.wa.us)

*This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.*



**Email 5**

**Samuel A. Rodabough**

---

**From:** Brad Scott <Brad.Scott@CO.CHELAN.WA.US>  
**Sent:** Tuesday, January 26, 2016 8:12 AM  
**To:** Tyler Evans  
**Subject:** RE: Vacation Rental

Yes, that would need to be permitted.

Brad Scott  
Permit Coordinator  
Chelan County, Community Development  
316 Washington Street, Suite 301  
Wenatchee, WA 98801,  
509-667-6581 (phone)  
509-667-6475 (fax)

This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

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

From: Tyler Evans [mailto:tylere@dcpud.org]  
Sent: Monday, January 25, 2016 3:47 PM  
To: Brad Scott  
Subject: Re: Vacation Rental

I'm looking at a property in Manson that's located outside the city limits and is zoned residential.

Tyler

> On Jan 25, 2016, at 3:37 PM, Brad Scott <Brad.Scott@CO.CHELAN.WA.US> wrote:  
>  
> What are you looking to rent?  
>  
> **The only jurisdiction in Chelan County that regulates vacation rentals (homes), at this time, is Manson.**  
>  
> You can find the Annual Vacation Rental Application on the county website to see what we require for those applicants.  
>  
> [http://www.co.chelan.wa.us/files/community-development/documents/apps\\_form/Building-Fire/ANNUAL-VACATION-RENTAL-APPLICATION.pdf](http://www.co.chelan.wa.us/files/community-development/documents/apps_form/Building-Fire/ANNUAL-VACATION-RENTAL-APPLICATION.pdf)  
>  
>  
> Brad Scott  
> Permit Coordinator

> Chelan County, Community Development  
> 316 Washington Street, Suite 301  
> Wenatchee, WA 98801,  
> 509-667-6581 (phone)  
> 509-667-6475 (fax)

>  
> This e-mail may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version. This e-mail may be subject to public disclosure, and appropriate discretion should be used when replying.

>  
>  
> -----Original Message-----

> From: Tyler Evans [mailto:tylere@dcpud.org]  
> Sent: Monday, January 25, 2016 2:59 PM  
> To: Brad Scott  
> Subject: Vacation Rental

>  
> Hey Brad I'm wondering if you can tell me what zoning allows for short term rentals in the County.

>  
>  
>  
> Thanks Tyler  
>

**Email 6**

## Samuel A. Rodabough

---

**From:** Kevin Lynch <klynch2@hotmail.com>  
**Sent:** Wednesday, October 23, 2013 7:56 AM  
**To:** Terri Scott  
**Subject:** RE: Definition

Actually no problem in this case, just need clarification of covenants and rules...  
Thanks again for you help!

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
kevin@leavenworthproperties.com  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>

---

From: Terri.Scott@CO.CHELAN.WA.US  
To: klynch2@hotmail.com  
Date: Wed, 23 Oct 2013 07:52:13 -0700  
Subject: RE: Definition

Kevin,  
Chelan County only regulates overnight rentals in the UGA of Manson. We have nothing in the code that prohibits property owners from opening up their homes to overnight rentals. We have had numerous complaints from the neighboring homes adjacent to these rentals. We also don't enforce covenants so I suppose the homeowners association could re write the CC&R's to prohibit short term rentals.

The commissioners have been approached to implement code regulating overnight rentals several times but haven't gone in that direction yet. You could contact them and see if anything is in the works.

Sorry I couldn't give you the tools to take action. I'm gathering you are having a problem with a certain overnight rental.

**Terri Scott - Planning Technician II**  
Chelan County Community Development  
316 Washington Street  
Wenatchee, WA 98801  
[Terri.Scott@co.chelan.wa.us](mailto:Terri.Scott@co.chelan.wa.us)  
509 - 667-6231  
509 - 667-6475 (fax)

This email may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version.

This email may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Kevin Lynch [mailto:klynch2@hotmail.com]  
**Sent:** Tuesday, October 22, 2013 11:10 AM  
**To:** Terri Scott  
**Subject:** RE: Definition

Terri:  
Here is the question. We cannot find any definition of residential that precludes nightly or monthly rental. So therefore if covenants say for residential use only how can that restrict nightly rental? County code does not preclude either.  
Ideas?

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
[kevin@leavenworthproperties.com](mailto:kevin@leavenworthproperties.com)  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>

From: [Terri.Scott@CO.CHELAN.WA.US](mailto:Terri.Scott@CO.CHELAN.WA.US)  
To: [klynch2@hotmail.com](mailto:klynch2@hotmail.com)  
Date: Mon, 21 Oct 2013 13:33:56 -0700  
Subject: RE: Definition

Kevin,  
I am so surprised.....we have definitions in the code under 14.98. I looked and there is no definition for residential. Does the dictionary have a suitable definition?

**Terri Scott - Planning Technician II**  
Chelan County Community Development  
316 Washington Street  
Wenatchee, WA 98801  
[Terri.Scott@co.chelan.wa.us](mailto:Terri.Scott@co.chelan.wa.us)  
509 - 667-6231  
509 - 667-6475 (fax)

This email may contain electronic versions of Chelan County documents. Any discrepancies between the electronic version provided by Chelan County and the printed version that is available from the originating office will be decided in favor of the printed version.

This email may be subject to public disclosure, and appropriate discretion should be used when replying.

---

**From:** Kevin Lynch [<mailto:klynch2@hotmail.com>]  
**Sent:** Thursday, October 17, 2013 2:13 PM  
**To:** Terri Scott  
**Subject:** Definition

What does the county say is the definition of "residential". I have a client that is questioning the covenants on the property.  
Is there a place where I can find the definition? My client is meeting with his neighbors tonight... sorry for the short notice... If there is a reference I would greatly appreciate it.  
Regards,

Kevin Lynch  
Owner / Broker  
Realtor of the Year North Central Washington Association of Realtors 2011  
President North Central Washington Association of Realtors 2011  
[kevin@leavenworthproperties.com](mailto:kevin@leavenworthproperties.com)  
Direct 509-679-3837  
Office 509-548-1151  
Fax 509-548-6270  
About me:  
<http://www.leavenworthproperties.com/about/102>





**Email 7**

## Samuel A. Rodabough

---

**From:** Jeff S. Wilson <Jeff.Wilson@CO.CHELAN.WA.US>  
**Sent:** Tuesday, July 31, 2012 7:40 AM  
**To:** Justin Wilaby  
**Cc:** Doug England; David R. Grimes  
**Subject:** RE: Vacation Rental Code Amendment Status Update

Mr. Wilaby,

Please contact David Grimes, Asst. Director, to arrange a meeting or phone call to discuss your situation and how to address your request. David manages the planning activities and can walk you through the Comp Plan and Rezone processes.

David's contact info:

- e-mail: [david.grimes@co.chelan.wa.us](mailto:david.grimes@co.chelan.wa.us)
- phone: 509.667.6464

I will coordinate with David on our end.

Regards,  
Jeff

**Jeffrey S. Wilson, AICP**  
**Director**  
**Chelan County Department of Community Development**  
316 Washington Street, Suite 301  
Wenatchee, WA 98801  
Direct 509.667.6228  
Cell 509.630.6503  
Fax 509.667.6415  
E-Mail: [jeff.wilson@co.chelan.wa.us](mailto:jeff.wilson@co.chelan.wa.us)

E-mails may contain electronic versions of Chelan county documents. Any discrepancies between the electronic version provided by Chelan county and the printed version that is available from the originating office will be decided in favor of the printed version. These e-mails may be subject to public disclosure, and appropriate discretion should be used when replying.

**From:** Justin Wilaby [mailto:[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Monday, July 30, 2012 6:07 PM  
**To:** Jeff S. Wilson  
**Cc:** Doug England; Ron Walter; Keith Goehner  
**Subject:** Re: Vacation Rental Code Amendment Status Update

Jeff-

Thank you for you email and for proving a thorough explanation.

I'm not sure how I missed this on [www.codepublishing.com](http://www.codepublishing.com). The TA zoning permitted use (17.24.010) is exactly what I am looking for. Let's proceed with the meeting that you suggested. Who shall I contact to schedule it?

Regards,

Justin Wilaby

On Mon, Jul 30, 2012 at 5:39 PM, Jeff S. Wilson <[Jeff.Wilson@co.chelan.wa.us](mailto:Jeff.Wilson@co.chelan.wa.us)> wrote:

Mr. Wilaby,

In response to your e-mail correspondence with Commissioner England, my staff and I have been researching your situation to clear up the issue as best is possible.

Chelan County only regulates "vacation, or nightly rentals" in one of two situations. First, the County has adopted specific regulations pertaining to the regulation of "vacation" rentals in the Manson Urban Growth Area otherwise the county does not regulate this activity. Second, under a Memorandum of Understanding between the County and the Cities, the county regulates activities within urban growth areas under the regulations of the adjoining city (e.g. City of Chelan).

In your particular case, your property lies within the urban growth area for the City of Chelan. The County has adopted their zoning designation and code for their UGA area. As your property is zoned R-1, the county utilizes the City of Chelan regulations for your property when reviewing land use activities. In short, the zoning allows for "one-family dwellings" as a permitted use; it does not allow for "motels." The use of the word "motel" is important in this instance, as they have a very specific definition (see attached), which includes the phrase "This term also includes and single-family dwelling used for motel purposes as defined herein." Additionally, another key term used in the definition of a "motel" is "transient guests", which also defined in the Chelan City code (see attached). To make a long story short, under the Chelan city code, a "vacation," or "nightly rental" is not permitted in the R-1 zone as it is considered a "Motel."

I know that you have raised the possibility of requesting a rezone of the property from the present R-1 designation to the "TA" designation. At this point in time to support a rezone to "TA," the Comprehensive Plan map must first be amended to change the land use designation of your property from R-1 to TA. Additionally, you will then need to request a rezone of the property, to TA, if the Comprehensive Plan map amendment request is approved. The steps for processing the Comprehensive Plan amendment request and subsequent rezone is very technical in nature (refer to Chelan County Code Chapter 14.14), so I will just try and provide a brief overview in this e-mail, and encourage you to set a meeting, or conference call to discuss in more detail. However, to get you started, here is a short outline of the process:

- Comprehensive Plan map designation of property must be amended from R-1 to TA.
- Submit your application to amend the Comprehensive Plan map. We only docket amendment requests, by State Code, once a year. We would need to receive your request prior to March 1<sup>st</sup>, 2013. This application is then reviewed and forwarded to City of Chelan for comment. You may find it easier to submit your request simultaneously to Chelan County and City of Chelan prior to the end of September of this year, as the City of Chelan docketing schedule in October 1<sup>st</sup> of this year for scheduling for review during 2013.
- Once this process is initiated, the earliest it would be reviewed by the Board of Chelan County Commissioners is fall of 2013.

- If the Comprehensive Plan map is approved for amendment, once the Resolution is adopted by the Commissioners, you would then need to submit for a rezone of the property to the new Comprehensive Plan map designation.

As I indicated earlier, this is a complicated process and I think you would benefit greatly from either a face-to-face meeting with my Department staff, or we can arrange a conference call to discuss.

Hope this provides some insight and options for you.

Regards,

Jeff

**Jeffrey S. Wilson, AICP**

**Director**

**Chelan County Department of Community Development**

316 Washington Street, Suite 301

Wenatchee, WA 98801

Direct [509.667.6228](tel:509.667.6228)

Cell [509.630.6503](tel:509.630.6503)

Fax [509.667.6415](tel:509.667.6415)

E-Mail: [jeff.wilson@co.chelan.wa.us](mailto:jeff.wilson@co.chelan.wa.us)

E-mails may contain electronic versions of Chelan county documents. Any discrepancies between the electronic version provided by Chelan county and the printed version that is available from the originating office will be decided in favor of the printed version. These e-mails may be subject to public disclosure, and appropriate discretion should be used when replying.

**From:** Justin Wilaby [mailto:[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Monday, July 30, 2012 10:45 AM  
**To:** Doug England  
**Cc:** Jeff S. Wilson; Ron Walter; Keith Goehner  
**Subject:** Re: Vacation Rental Code Amendment Status Update

Doug-

Thank you for the fast response. I have to admit, I am impressed with the 12 hour turnaround on your response.

According to my research, the property seems to be in an RL zone outside of the Chelan City limits (the short plat shows R-1 zoning - nomenclature differences?) and inside the Chelan UGA. There is a very large TA zone adjacent to the immediate south of the property that seems to be the result of new zoning adopted in 1998. Although I can find the regulatory language pertaining to vacation rentals in Manson, I cannot find anything explicitly defining which zones allow or disallow this use in the city of Chelan or Chelan County.

The Chelan County code found at [codepublishing.com](http://codepublishing.com) under "zoning" does not seem to define the TA zone and its permitted uses but other documents specify this designation is meant to accommodate vacation residences, seasonal housing, transient temporary housing and recreational uses. If this language also defines the TA zone adjacent to the 302 Little Butte Ranch Road property and RL zones disallow vacation rentals in UGAs, is appropriate for me to begin an application for a zoning change request? The idea is that because of the close proximity to the existing TA zone, incorporating another 2 acre parcel may be reasonable. If not, would you be able point me to some other options?

Also, when speaking to Denise in Community Development, she was relaying information given to her from another person. Although the context of the conversation was Chelan County and I am certain I asked her to reiterate the information, she could have been speaking about RL zones in the Chelan UGA and I missed that part.

I am hopeful we can work together to resolve this issue so I can put to rest my suspicions that the property purchase may have been a mistake based on the intended use.

I am truly grateful for your help.

Regards,

Justin Wilaby

On Mon, Jul 30, 2012 at 12:06 AM, Doug England <[Doug.England@co.chelan.wa.us](mailto:Doug.England@co.chelan.wa.us)> wrote:

Justin

Thank you for your email and I will try to answer some of the questions you have raised.

First of all it is not true that all vacation rentals outside of the Manson UGA are operating illegally. Because of the uniqueness of the Manson UGA, there are some regulations specific to it. Your research is correct that there are currently no other County regulations involving vacation rentals. The problem in your location involves not County regulations but the Chelan city codes associated with the fact that Little Butte Road is within the Chelan UGA (Urban Growth Area). To comply with the State Growth Management requirements, Chelan County agreed to use the City of Chelan building and development codes within that area. Chelan currently prohibits vacation rentals in residential zones. I will check tomorrow to see if you are in a single family residential zone or in another zone in which the city will allow that use. Your use of a local management company would be very wise, as there are a number that provide very good service.

While I am checking other avenues that would allow you to proceed, would you please check your notes to see who with Community Development incorrectly indicated the vacation rentals were illegal throughout the county so I can correct them?

You are correct in indicating that our desire is not to stop vacation rentals but only to help them be good neighbors and blend into their neighborhoods. Many of us were concerned with overly extended UGA boundaries and unintended problems that these unusually large areas would create. I hope we will be able to work within the city rules to work through your problem.

I will let you know tomorrow what I can find out.

Doug England

---

**From:** Justin Wilaby [[jwilaby@gmail.com](mailto:jwilaby@gmail.com)]  
**Sent:** Sunday, July 29, 2012 11:39 AM  
**To:** Jeff S. Wilson; Doug England; Ron Walter; Keith Goehner  
**Subject:** Vacation Rental Code Amendment Status Update

**Re: Vacation Rental Code Amendment**

Justin & Shannon Wilaby  
302 Little Butte Ranch Road  
Chelan, WA 98816  
**Geo ID: 272215340070**

To Whom it May Concern:

Thank you for taking the time to read this email and I appreciate any feedback you may have.

After coming to Chelan for over 15 years and falling in love with the area, my wife and I decided to invest in a 2 acre parcel at 302 Little Butte Ranch Road where we plan to retire in 30 years or so. Our goal is to build a modest 4 bedroom home using a local builder for use as a vacation home with our kids until retirement. In order to recoup some of the construction expenses, and

so others can enjoy it while we are not using it, we would like to offer the house as a short term vacation rental.

I contacted Chelan County Planning and was told vacation rentals in residential zones are a violation of zoning laws and that all vacation rentals outside of the Manson UGA are operating illegally. In doing my own research which included speaking to a number of property management companies that specialize in vacation rentals in Chelan county, it became apparent to me that this may not be accurate information. I have read about a number of discussions on this topic in the Chelan County Commissioners minutes which includes possible code amendments to regulate, but not ban vacation rentals in residential areas. I also understand that tax revenues from tourist activities represent a large portion of income for Chelan county and tourism is strongly supported because of this but some irresponsible property owners are the source of complaints by permanent residents.

I would like to better understand the status of vacation rentals in the county and more specifically, whether or not my wife and I are legally able to offer our soon to be new home to tourists during the times when we are not there. I have 6 year track record as a responsible landlord in western Washington and plan to operate (with the help of a local Property Management company) with integrity in Chelan county if allowed to do so.

Thank you again for your time and I hope to hear from you soon.

Regards,

Justin Wilaby

## Wendy Lane

---

**From:** Sherrie Littlefield <badslittlefield@gmail.com>  
**Sent:** Wednesday, August 26, 2020 3:20 PM  
**To:** CD STRComment  
**Subject:** Re: STR next door woes  
**Attachments:** 20200826\_151604.jpg; 20200826\_151714.jpg

**External Email Warning!** This email originated from outside of Chelan County.

---

Dear Comissioners,

Our woes living next to a duplex STR at 12364 Meacham Rd, Leavenworth continue. I've investigated and found that our properties are zoned RW- river waterfront and as such to run a business out of these properties you need a CUP- conditional use permit. The STR next door does not have a CUP.

We have a constant trespassing problem. The guests walk across our land and access the river via our property which has an easier access. We've had to retrieve our patio chairs from next door because while we were away their short term renters have helped themselves to our furniture. Because our homes are very close together, the STR renters somehow think they can trespass. We've put up private property signs and have contacted the owner and his vacasa property manager. What else can we do? We have an illegal poorly run hotel next door and it's destroying our peace. The county must act to protect the quality of neighborhoods by preventing the commercial enterprise of STRs from operating outside of appropriate zoning.

Thank you,

Sherrie Littlefield

Home owner:

12370 Meacham Rd

Leavenworth, WA 98826

425-351-1848

On Mon, Aug 10, 2020, 1:24 PM Sherrie Littlefield <[badslittlefield@gmail.com](mailto:badslittlefield@gmail.com)> wrote:

Dear Commissioners,

I am writing to you today as a neighbor of a STR that is fed up with having strangers parade in and out of my neighborhood. We have owned our home in Plain since 2015. It is a cabin set on the banks of the idyllic Wenatchee River. It is our peaceful retreat, all seasons of the year. The duplex cabin next to us was formerly owned by a family that used it personally and did rent it out as a vacation rental that was managed by Destination Leavenworth. There were renters occasionally and we never had any issues. This Spring, they sold their cabin and since then, there has been a non-stop parade of renters in two units, even during the covid lockdown times. The renters have ranged from families to full blown parties. This last weekend we had a bachelor party going on replete with booming loud music, binge drinkers, yelling and hollering. They lugged huge logs from the river and proceeded to try to burn them even though the wood extended out 2-3 feet on either side of the regulation size fire pit. They roared up and down our dirt gravel road, posted with please go slow, keep the dust down signage and when signalled to slow down, we were greeted with the objectionable sign language. When they checked out, they drove across the median of our shared driveway and out our driveway with their pick up truck and boat on a trailer!! We have no number to call. Vacasa maintains a website and we've emailed and gotten no response. I've talked to the cleaners who only refer us to the website. Our only recourse is to call the Sheriff and we hate to take their time plus we also hear that unless there is violence, they rarely deal with STR issues. We should have a number to call and someone who is responsible for these STRs should be on site in a reasonable amount of time (30 min) to deal with ANY issues that arise.

Then there is the issue of garbage piling up. Photos attached. This is unsanitary, and attracts rodents and bears to our neighborhood. Additionally, The CDC says that there should be a 12 hour time period between renters and cleaning staff. Next door, renters are out by noon, cleaners in by 1 pm and new renters are in by 4 pm. It is impossible to clean these cabins to covid-19 prevention standards in that short amount of time. I've observed the cleaners and they DO NOT wear masks while cleaning. All this puts the cleaners and the next renters' health at risk. My address is 12370 Meacham Rd. Leavenworth, WA 98826.

The STR is 12364 Meacham Rd. Leavenworth, WA. 98826

I do not know who the owners are, but I will be making the effort to find out.

I am in full favor of the proposed regulation on STR's in Chelan county. In fact, I don't think that they go far enough and should be phased out of neighborhoods completely in as short of time as possible. Not only would this end the scourge of disrespectful renters for our neighborhoods and all the associated problems that come with this type of occupancy, but it would potentially free up housing



for actual Chelan county residents.

Please contact me to let me know how you plan to vote on these regulations and I'd be happy to answer any questions you may have.

Sincerely,

**Sherrie Littlefield**

[badslittlefield@gmail.com](mailto:badslittlefield@gmail.com)

## Wendy Lane

---

**From:** Trish & Mick Lamar <mtlamar@nwi.net>  
**Sent:** Wednesday, August 26, 2020 1:04 PM  
**To:** CD STRComment; runofchelancnty@gmail.com  
**Subject:** My Thoughts on Mailer

**External Email Warning!** This email originated from outside of Chelan County.

To the Board of County Commissioners,

While I'm assuming your board was not the originator of the mailer regarding STR(s) I certainly am going to let you know my thoughts:

1st: I do not own rental property,

2nd: The draconian "rules or proposed regulations" listed on this mailer are asinine at best and completely unenforceable.

3rd: You own this mess by your failure to address this years ago and you have demonstrated by your past actions your inability to step up without the "cover" of those who are attempting to suppress property owner rights.

4th: I have personally and professionally had to deal with STR related "issues" and find the idea of having "someone" (read county officials) handle "my" problem for me another example of the entitled elites that think they run this county (or would like to).

5th: The assumptions in this mailer regarding taxes and affordable housing are baseless.

6th: The ripple affect on small business would be catastrophic.

The entire tone of this mailer is counter-productive in developing a solution. If enacted the legal ramifications and costs will not be borne by the whiners but by all the taxpayers of Chelan County. You have an entire economy to rebuild after this virus and with an upcoming election and the Governor's heavy handed tactics against this county you need to stay focused and not distracted by these "we will never be happy till you people go away" folks. Income from taxes and visitors will help us get back to normal, chasing them away to hotels and motels or worse to another area of the Northwest all together is not in the county's best interest.

Mick Lamar  
Plain-Lake Wenatchee Resident

## Wendy Lane

---

**From:** Douglas Roberts <robertsdk@mail.com>  
**Sent:** Wednesday, August 26, 2020 10:38 AM  
**To:** CD STRComment  
**Cc:** runofchelancnty@gmail.com  
**Subject:** Protect Residential Neighborhoods

**External Email Warning!** This email originated from outside of Chelan County.

---

I built my house in 1990 (30 years ago) in Lake Wenatchee. I have enjoyed the peace, serenity and quietness of the area. In the last three to four years this has been *shattered* by Short Term Rentals (STR). The list of this invasion is long and partially includes:

- Parking in my driveway due to snow on our road
- Loud boisterous parties at all hours of evening and night
- Building out of control fires and setting off fireworks (in the forest)
- Walking through my 1 acre property and dogs unleashed
- Leaving enormous amounts of trash for the bears to scatter
- Having 5 homes for STR adjacent to my property *plus* 4 more within 1 block of my property
- Having multiple RV's parked on our street

I request you consider:

- NOT legalizing STR in residential neighborhoods
- PHASE OUT existing absentee owner STR's
- LIMIT occupancy to 2 per listed bedrooms
- LIMITING 3 cars per STR with NO RV parking
- ENFORCING "quiet times" from 10 PM to 10 AM

The rental agencies (Vacasa etc) do nothing to limit or respond. The Chelan Sheriff does nothing to respond. **THIS MUST STOP!**

I pay large taxes for my residence and I am a FULL TIME resident. Please let my tax dollars return this area to its beauty. Please consider this request with the intensity with which it was written. Please **PROTECT** my residential neighborhood.

Thank you.

Douglas F. Roberts

Lake Wenatchee