

BOARD OF COUNTY COMMISSIONERS
CHELAN COUNTY, WASHINGTON

RESOLUTION NO. 2020-86

Summary: A resolution enacting a moratorium on the designation, permitting, construction, development, expansion, remodeling, creation, locating, and siting of short term rental uses, structures, residences, businesses, lots, zones, buildings.

Whereas, a short term rental is a residential dwelling or portion thereof, either detached or attached, rented out on a nightly basis for less than 30 days to an individual, family, or group of transient guests, is not a permitted hotel, motel, or bed and breakfast, and includes structures, buildings, and residences where the owner or manager is either on site or not, and includes but is not limited to properties that are advertised on internet platforms such as Airbnb and HomeAway, and

Whereas, RCW 64.37.010 defines a short term rental as a lodging use, that is not a hotel, motel, or bed and breakfast, in which a dwelling unit or portion thereof is offered or provided to a guest or guests by a short term rental operator for a fee for fewer than thirty consecutive nights, and is subject to taxation, and

Whereas, Chelan County has been engaged in the process of drafting, reviewing, and seeking public input and testimony, for several months, regarding regulations applicable to short term rentals, and

Whereas, Chelan County has received large volumes of public input regarding potential regulations pertaining to short term rentals and said public input has been both positive and negative, and

Whereas, data provided to Chelan County, including but not limited to a July 2020 Berk Consulting report indicates that short term rentals have increased to a great extent in Chelan County and continue to rise, and

Whereas, short term rentals have potential negative impacts on residential areas not originally anticipated, including but not limited to nuisance impacts such as excess garbage, insufficient parking, excess noise, trespassing, infringement upon privacy, lack of septic capacity, increased fire risk, zoning code violations, inadequate insurance coverage, excess demands upon law enforcement, and other negative impacts on the peaceful enjoyment of neighborhoods and public health, safety, and welfare, and

Whereas, the proliferation of short term rentals also has a potential negative impact on the economy of the county, exacerbating the scarcity of affordable housing for permanent residents as well as excess demands on public services and facilities, and

Whereas, the rate of new applications for short term rental related permits and approvals has continued to increase and permit application processing is not manageable, and

Whereas, in order to have effective and appropriate regulation of short term rentals, the county needs to maintain the status quo until such time as the new short term rental regulation adoption and implementation process finalizes, and

Whereas, a moratorium pertaining to the designation, permitting, construction, development, expansion, remodeling, creation, locating, and siting, etc., of short term rental uses, structures, residences, businesses, lots, zones, buildings, etc., needs to be enacted.

Whereas, this moratorium will be for a period not to exceed six months unless extended for good cause by resolution at a later date, although it is hoped that it can be ended prior to six months;

NOW, THEREFORE, BE IT RESOLVED as follows by the Chelan County Board of Commissioners:

1. The above recitals are hereby adopted as findings and conclusions herein.
2. Chelan County does hereby adopt a six month moratorium on the designation, permitting, construction, development, expansion, remodeling, creation, locating, and siting of short term rental structures, residences, businesses, uses, lots, zones, and buildings.
3. While this moratorium is in effect, no application for any county permits or approvals, including but not limited to building, remodeling, expansion, occupancy, tenant improvement, fence, deck, variance, conditional use, fire safety, fire code, drainage, driveway permits, subdivision, short plat, rezone, comprehensive plan amendment, binding site plan, boundary line adjustment, other development, designation, or construction permits or approvals shall be accepted as either consistent or complete by any county department if said application pertains to either an existing or future short term rental use, structure, site, business, lot, residence, zone, or buildings.
4. Proof of complete compliance with Chapter 64.37 RCW prior to the date of enactment of this moratorium shall be required as part of the criteria necessary to prove an existing short term rental.
5. The Chelan County Department of Community Development may develop forms and procedures, or amend existing forms and procedures, as it deems useful to implement this moratorium.
6. This board will conduct a public hearing on October 6th, 2020 at 10:15 regarding this moratorium;
7. This moratorium shall be for a period not to exceed six months unless extended for good cause by resolution at a later date, although it is hoped that it can be ended prior to six months;

8. This moratorium shall take effect immediately and is in the best interests of good government and the public health, safety, and welfare.

DATED at Wenatchee, Washington this 25th day of August, 2020.

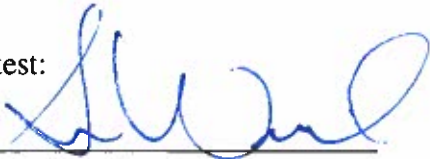
CHELAN COUNTY BOARD OF COMMISSIONERS


DOUG ENGLAND, CHAIR


BOB BUGERT, COMMISSIONER


KEVIN OVERBAY, COMMISSIONER

Attest:



Susan Ward, Deputy Clerk of the Board

Dated: 8-25-20

