

## What criteria must be met to be classified as existing non-conforming?

2E(i)(a-g) - (i) A short-term rental use shall be considered lawfully established and existing and allowed to continue to operate as a legally nonconforming use only if the owner proves all the following:

(a) That a location was actually, physically used for short-term rental purposes during the periods specified in subsections (2)(E)(i)(b) and (f) of this section. Proof of rental listing, and income generated is also required; and

(b) That sales and lodging taxes required under Chapter [64.37](#) RCW were fully paid for all short-term rental use between July 28, 2019, when Chapter [64.37](#) RCW was in effect, and August 25, 2020; and

*\*(c) That the short-term rental immediately meets all requirements of subsection (3) of this section; provided, that the requirements for parking and signs shall be met within one year of the effective date of the ordinance codified in this section, and all legally required health and safety provisions within subsection (3) of this section including, garbage, consumer safety, fire safety and outdoor burning, and property management plan communications provisions are met within ninety days of the effective date of the ordinance codified in this section, except that in the Manson urban growth area, all provisions consistent with Section [11.23.040](#) as it existed on August 25, 2020, shall be met on the effective date of the ordinance codified in this section; and*

(d) That the short-term rental operator has obtained the required land use permits within the time requirements in subsection (4) of this section; and

(e) Liability insurance shall be obtained consistent with RCW [64.37.050](#) as of the effective date of the ordinance codified in this section (September 27, 2021) per subsection (3)(N) of this section; and

(f) If located inside of the Manson urban growth area, documentary evidence that the short-term rental was properly registered as a vacation rental with Chelan County per Section [11.23.040](#) as of August 25, 2020, or that the short-term rental owner held a vacation rental permit in the Manson UGA as of July 28, 2019, or in 2020 prior to August 25, 2020. This documentary evidence also satisfies the requirements found in subsection (2)(E)(i)(a) of this section, provided failure to accurately represent and disclose a property's short-term rental history is grounds for immediate permit denial or revocation, and loss of all existing nonconforming status.

(g) Any property owner claiming existing nonconforming status as a short-term rental within any Zip Code, subarea, or urban growth area shall resolve any existing county code violations on the property as required under subsection (4)(A)(ii) of this section and shall have complied with all other relevant provisions of this section and apply for and have received an initial short-term rental administrative land use permit and any required conditional use permits under subsection (4) of this section by December 31, 2022, or by failing to do so shall waive all claim to having existing nonconforming status.

**What is the time associated with grace period?**

4A(ii) - ii) *All uses on the property must fully comply with this title and the property may not have existing unresolved Chelan County code permitting, land use, or other violations under Title [3](#), [11](#), [15](#), or [16](#) in order to be eligible to apply for an administrative short-term rental land use permit or conditional use permit under this chapter. Existing properties claiming nonconforming short-term rentals may be issued a provisional short-term rental permit and may be provided the time of their respective grace period pursuant to subsection (2)(E)(i)(c) (noted above) of this section, but no later than December 31, 2022, to address all violations. No provisional or other short-term rental land use permits shall be issued after that date until any violations are resolved. The director may extend the timeframe for up to six additional months to obtain compliance upon a showing of a good faith effort.*

*Note: Grace period is between September 27, 2022, to December 31, 2022 but may not operate if outstanding violations exist after September 27, 2022 as provisional permit will be revoked.*

**What time frame is established to meet unresolved issues before revocation of provisional status?**

2E(ii)(c) - *If the nonconforming short-term rental cannot comply with criteria, grace period, and timelines in subsection (2)(E)(i) of this section, it must cease operating no later than one year from the effective date of the ordinance codified in this section (September 27, 2021) and any issued county permit to operate as a short-term rental immediately becomes null and void, subject to appeal under Chapter [14.12](#) and Title [16](#).*

**If unresolved issue are not met, what time frame is used to no longer be classified as legally non-conforming?**

Loss of provisional on September 27, 2022 if still have unresolved violations  
In order to maintain legal non-conforming status the property must have all violations resolved and all permits issued by December 31, 2022

**At what point is existing non-conforming provision permit terminated?**

2E(ii)(c) - *If the nonconforming short-term rental cannot comply with criteria, grace period, and timelines in subsection (2)(E)(i) of this section, it must cease operating no later than one year from the effective date of the ordinance codified in this section (September 27, 2021) and any issued county permit to operate as a short-term rental immediately becomes null and void, subject to appeal under Chapter [14.12](#) and Title [16](#).*