



# STAFF REPORT

**Applicant Proposal:** The Mason County Board of Commissioners requested County staff prepare draft short-term rental regulations based on their initial feedback and subsequently present to the Planning Advisory Commission for review and refinement if needed.

**Department:** Community Development – Planning

Staff Contact(s):

Marissa Watson, Senior Planner

Ext. 367 or [mwatson@masoncountywa.gov](mailto:mwatson@masoncountywa.gov)

**Date:** December 16, 2024

**Action Requested at this Meeting:** PAC review discussion draft regulations, PAC member suggestions with staff responses, PAC member supplemental commentary, and the staff report. See below body of report under Recommendation for two suggested paths for action.

## SUMMARY OF PROPOSAL & BACKGROUND

### APPLICANT (DEPARTMENT GENERATED)

Community Development  
615 W. Alder Street  
Shelton, Wa 98584

### PROPOSAL

The Community Development Department's Planning Division has been tasked with drafting short-term rental regulations.

### BACKGROUND

Mason County does not regulate short-term rentals at this time but has received an increasing number of inquiries regarding the topic.

Many other jurisdictions within Washington State have been regulating short term rentals to varying degrees. The discussions around them range from the lack of long term housing supply, community fracture, environmental impact, income generation, tourism boost, supplement of lodging options, and so forth. The Board of County Commissioners tasked the Planning Division with looking into the short-term rental situation within the County. The BOCC decided to review this topic prior to the Planning Advisory Commission.

The Planning Division drafted a survey asking the community to provide their input on the topic. Information regarding the survey and a QR code were provided on a postcard that was mailed to marine shoreline owners only. This area was chosen for the postcard mailing because of the complexity and cost of mailing the whole County. The marine shoreline areas are very concentrated with short term rentals. The County also sent out a press release, hoping to engage a wider range of the County, informing them of a project webpage where the survey link could also be accessed. The survey opened on November 16, 2023 and closed on January 12, 2024.

Over 1,500 survey responses were received. The BOCC conducted their first work session on February 6, 2024. The work session reviewed the common themes that were gathered from the survey responses as well as summaries of regulations from four other counties. The commissioners also provided their initial thoughts on areas that they believed staff should concentrate when drafting regulations. Staff has reviewed regulations from other jurisdictions in Washington (Grays Harbor, Skamania, San Juan, Pacific, Jefferson, Chelan) in order to assess commonalities in how specific aspects of short-term rentals are regulated.

The commissioners' initial recommendations for review were established in the first draft short-term rental regulations, currently MCC 17.100. The BOCC's second work session on May 7, 2024 provided additional feedback to refine the draft regulations with, as well as communicate to the planning advisory commission.

## SUMMARY OF BOARD OF COUNTY COMMISSIONER MEETINGS

The Board of County Commissioners made the following points during their May 7, 2024 work session:

1. The definition of short-term rental needs to be refined further. There may be a need to restrict RV/tents/yurts from the definition.
2. There should be tiers/types for owner-occupied vs. non-owner-occupied short-term rentals
3. There should be a tier/type three for higher occupancy situations, these might be a special use type situation.
4. What determines the occupancy limit?
5. No limit on number of STRs per parcel (land use restrictions would still apply).
6. No restriction on owner/operator living in one or the other short term rental units (this would not currently be valid for the shoreline. Lots within shoreline jurisdiction which have a primary residence and an accessory dwelling unit require the owner to live in one or the other).
7. County wide application of regulations.
8. Residential waste
  - a. Require curbside service weekly

- b. Proof of disposal when curbside not available
  - i. Mason County Garbage – letter provided if curbside not available
- 9. Fire, Safety, and Health Inspection
  - a. Not necessarily additional fee for inspection; initial fee could cover or renewal fee cover.
  - b. Fee for position coverage plus daily fee per night
    - i. Alternative to daily fee (tracking may be difficult)
    - ii. Building inspection schedule – adding inspections may require additional staffing
  - c. Failure of first inspection may require re-inspection which would be an additional fee.
- 10. All departments that would be required for permitting, review, and inspection would need to provide a projection of staff time required.
- 11. Parking issues – some debate whether owner/operator within 1 hour or 3 hours is sufficient.
- 12. Permit good for one year, requires renewal.
- 13. Management Plans – submitted to County as permit requirement, may need to further refine what is currently in draft.
  - a. Where is parking located (site plan)
  - b. Fire
    - i. Extinguishers and annual inspections
    - ii. Burn ban information in plan
- 14. Fine system – tiered with final violation resulting in permit revocation.
  - a. Discussion among BOCC indicated that three violation before revocation may be too harsh; Westport, Wa fine system mentioned as example.
  - b. Appeal process defined
    - i. Discussion with prosecutor's office.

The above was a framework provided for the formation of regulations. Staff has used this framework, research from other jurisdictions, analysis of existing Mason County code, and knowledge of existing administrative practices within the Department of Community Development as well as consultation with Environmental Health to revise the draft.

## SUMMARY OF PLANNING ADVISORY COMMISSION MEETINGS

The June 2024 work session of the planning advisory commission did not produce any recommendations on the eight points that staff provided for discussion. Planning staff had additional meetings with DCD and EH staff to discuss areas of concern and language suggestions. Further revision of the draft regulations occurred with the addition of the remaining topics that the BOCC desired to see added. The PAC had a public hearing on October 21, 2024, public testimony

was taken, the draft regulations were reviewed as well as the staff report. The PAC members did not make any decisions on the draft regulations at the October meeting, instead they decided to continue the hearing till December 16, 2024 and providing staff with suggested edits to the draft prior to reconvening.

**Note on the staff draft regulations:**

The current draft regulations have a few sections that would require knowledge of an adoption date to fill in, such as in section 17.100.070 Existing short-term rentals. Section 17.100.070(a) (2) and (3), 17.100.060(d) and (e), and the adoption date of the code are somewhat dependent on each other. For instance, if a code was adopted in May but the permitting period was June through July that wouldn't give citizens adequate time to familiarize themselves with the code, make adjustments in their current STR standards and apply for the permit. Also, Section 17.100.080(b) cannot be filled in fully until a 3<sup>rd</sup> party is obtained and the scope of their involvement with complaint gathering and compliance monitoring is established. The acquisition of a 3<sup>rd</sup> party permitting and compliance monitoring company that would assist DCD is administering a short-term rental permitting program will require the County to have regulations in a form that is as close to final as possible. This allows the County to have the best and most complete information for drafting a Request for Proposals.

**Note on the discussion draft regulations:**

The attached discussion draft is formatted as an 11x17 document, combining the last draft STR regulations provided by staff, the PAC member suggested edits within yellow text boxes, and staff responses to some of the PAC suggestions.

## NOTIFICATION & COMMENT

### PUBLIC NOTIFICATION

---

Staff maintains a notification list for this project. The December 16, 2024 PAC Public Hearing notice was emailed to the list on November 25, 2024. The public hearing is also advertised on the County project webpage, the PAC Agenda, Minutes, and Audio 2024 webpage, and in the Shelton-Mason Journal editions of Thursday December 5, 2024 and Thursday December 12, 2024.

### SEPA

---

A SEPA non-project checklist was drafted and a determination of non-significance was made on October 3, 2024. The DNS and Checklist comment period ends on October 17, 2024. No comments were received.

## PUBLIC COMMENTS

---

Staff has posted all comments received up until October 7, 2024 on the project website under the page "Project Documents". These comments span the months of November 2023 to October 7, 2024. The Public Comment portion of the hearing was closed at the October 21, 2024 meeting.

## RECOMMENDATION

### REQUESTED ACTION

Several of the PAC members provided a write up on their position regarding short-term rental regulations within Mason County. Five members provided write ups of varying lengths. Of the five members there was one member that believed the draft regulations presented to the PAC were very similar to other jurisdictions and added only minor additions within the discussion draft. Another member, based on edits, suggested regulations that were stricter than originally presented by staff. The following is paraphrased: three members to provide write ups expressed a strong sentiment that implementing additional regulations seemed unnecessary, lacked evidence for implementation, or believed the State rules for short-term rentals without any permitting and enforcement penalties enacted through a Mason County ordinance should suffice.

Staff is asking the Planning Advisory Commission to recommend one of the following options:

- 1) **Make a recommendation to the BOCC to disapprove adopting short-term rental regulations at this time.**
- 2) **Review the PAC suggested revisions and staff responses and continue refining the draft short-term rental regulations.**

## ATTACHMENTS

- **Discussion Draft Mason County Short-Term Vacation Rental Regulations**
- **Supplemental PAC member commentary**