



STAFF REPORT

Applicant Proposal: The Mason County Board of Commissioners has requested County staff prepare draft short-term vacation rental regulations.

Department: Community Development – Planning

Staff Contact(s):

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Date: June 17, 2024

Action Requested at this Meeting: PAC review draft short term vacation rental regulations with additional comments made by the Board of County Commissioners at their May 7, 2024 work session. No action required, review and make suggestions.

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 currently regulate short-term rentals but has received an increasing number of inquiries regarding the topic and has discovered there is a larger concentration than previously thought, especially in the most sensitive environments, along our waterways.

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 brought the idea of looking into the short-term

rental situation within the County to the Planning Division. 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 LAST MEETING

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/yrurts 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.

DECISION POINTS

The June 2024 work session of the planning advisory commission will review a couple of the points made by the BOCC and take public comment. The additional points outlined above, but not included in this work session, will be brought back to the commission in a subsequent meeting.

POINT 1

MCC 17.100.020 Definitions.

“Short-Term Rental” – A lodging use, that is not a hotel, motel, or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights.

DISCUSSION: The definition above is verbatim from RCW 64.37. It is important to note that “dwelling unit” as defined by the 2021 Residential Building Code is “A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.”

Current Mason County code outlines that two or more recreational vehicles, tents, and yurts on a lot for purposes other than a family or personal gathering would require a recreational vehicle park permit (same permit required for campgrounds). Recreational vehicle parks are not permitted in rural residential zoning districts. The County permits the park, not the individual RV.

MCC definition of "Recreational vehicle" means a vehicular type unit primarily designed for temporary occupation such as recreational camping, travel, or seasonal use which has its own motive power or is mounted on or towed by another vehicle.

RCW 64.37 - "Dwelling unit" means a residential dwelling of any type, including a single-family residence, apartment, condominium, cooperative unit, or room, in which a person may obtain living accommodations for less than thirty days, but not including duly licensed bed and breakfast, inn, hotel, motel, or timeshare property.

See the attached Exhibit A for examples of how other Washington State jurisdictions define “Short-Term Rentals”

POINT 2 & 3

MCC 17.100.040 Type

Types of short-term rentals are established in this section.

- (a) Type 1. Short-term rentals of type 1 are those that are owner **or operator** occupied where either 1) rooms are rented and the owner is present during the rental period, or 2) the owner resides in the principal residence on the same parcel where the short-term rental is located.*
- (b) Type 2. Short-term rentals of type 2 are located in a dwelling that is not owner **or operator**-occupied nor does the owner **or operator** reside on the lot where the short-term rental is located.*
- (c) Type 3. Short-term rentals of type 3 are those that have an occupancy limit over [...]*

DISCUSSION: The BOCC indicated that there may be a need for a “type 3” short-term rental that would cover standards for high occupancy. This session should determine what occupancy limit type 3 short term rentals should encompass. PAC members should also keep in mind that type 3 may require additional standards to be met and fleshing those out will occur when we look at MCC 17.100.050 Standards for Operation of Short-Term Rentals.

See Exhibit A for examples of how other Washington State jurisdictions define short-term rentals.

POINT 4

MCC 17.100.050 Standards for Operation of Short-Term Rentals

*(c) Occupancy limits shall be based on the number of bedrooms approved for the qualifying structure in relation to the on-site sewage system **or sewer connection** approved by the Mason County Environmental Health Department.*

*(1) Occupancy shall be limited to two (2) persons per bedroom, plus two (2) additional persons per short-term rental, **or as approved by the Mason County Environmental Health Department, whichever is less.***

(2) Operation and maintenance of on-site sewage systems shall be as prescribed by MCC 6.76.070 and performed by a qualified specialist as outlined in MCC 6.76.100.

DISCUSSION: Statements from HUD officials (Keating Memorandum) describe two persons per bedroom reasonable under the fair housing act, state and local ordinances on life safety, health, or fire code should be applied. Washington State law allows for limits on unrelated persons occupying a household or dwelling unit when the use is a short-term rental. The occupancy limit is then refined by local health or building codes.

See the attached Exhibit A for examples of how other Washington State jurisdictions limit occupancy.

POINT 5 & 6

MCC 17.100.050 Standards for Operation of short-term rentals

(b) ~~[# of short-term rentals per parcel]~~

DISCUSSION: The BOCC indicated they were not interested in limiting the number of short term rentals per parcel, nor if the owner had to live on site. However, there will be limits in areas based on the definition of short-term rental and the fact that current rural residential

zoning allows for a main residence and one accessory dwelling unit, no more. The Title 17 accessory dwelling unit code and shoreline master program currently required an owner of a shoreline lot containing a main residence and an ADU to reside in one or the other.

SUGGESTION: Addition in red.

MCC 17.100.050 Standards for Operation of Short-Term Rentals

(a) *Operation of a short-term rental shall be within a qualifying structure as defined within this chapter and shall meet all other applicable development regulations as outlined in Mason County Code.*

POINT 7

MCC 17.100.030 Applicability

This chapter shall apply to all short-term rentals in all zoning districts of the County. These standards are in addition to other development regulations. If there are any conflicts between this chapter and other development regulations, the most restrictive provisions shall apply.

DISCUSSION: The BOCC desired the draft regulations apply county-wide, no change needed to current code section.

POINT 8

MCC 17.100.050 Standards for Operation of Short-Term rentals

(e) *Solid waste normal residential handling and removal shall be managed in compliance with MCC 6.72.030(h)(3) with additional requirements, as follows:*

(1) Curbside waste removal service is required weekly and proof of service shall be required prior to issuance of a short-term rental permit;

(2) If curbside service is not available at the short-term rental location, a letter from Mason County Garbage, or authorized waste and recycling service provider, shall be provided to the Department prior to issuance of a short-term rental permit;

(A) A waste removal plan shall be included within the property management plan as part of the permit application.

DICUSSION: The BOCC desired weekly curbside garbage service as a one of the conditions required for operating a short term rental, if curbside service is not available at the short term rental location proof of this lack of service must be provided as a condition of the permitting process.

SUGGESTION: When we review the section regarding keeping records and submitting as a condition of permit renewal, staff suggests listing the specific records to keep and include within that list proof of curbside service and/or receipts for waste disposal.

NOTIFICATION & COMMENT

PUBLIC NOTIFICATION

Staff maintains a notification list for this project. The June 17, 2024 PAC Work session notice was emailed to the list on May 31, 2024. The work session is also advertised on the County project webpage, the PAC Agenda, Minutes, and Audio 2024 webpage, and in the Shelton-Mason Journal.

PUBLIC COMMENTS

Staff has included all comments received through June 6, 2024, indicated as comments for the record, as an attachment to this packet. Comments provided after that date will be forwarded to PAC but will not make it into the packet for posting on the project webpage.

RECOMMENDATION

REQUESTED ACTION

Staff requests feedback on draft regulations so far, no official action is required at this work session.

ATTACHMENTS

- **Exhibit A – Examples of Short-Term Rental code from Washington State jurisdictions**
- **Draft Mason County Short-Term Vacation Rental Regulations**
- **Public Comments Received April 30, 2024 though June 6, 2024 (comments after this date will be forwarded to the PAC);**

Exhibit A: Short-Term Rental Regulations

June 17, 2024 – PAC Work Session

The below examples are portions of a jurisdiction's code. The restrictive nature of each jurisdiction cannot be deduced from these code portions. For example, some jurisdictions may seem to be more lenient with occupancy limits but require a conditional use permit for all short-term rentals. Conditional use permits require a higher level of review, may require studies submitted and just like their name suggests can require conditions, typically set by a hearing examiner, beyond what is stated in the code.

Definition of "Short-Term Rental" in other jurisdictions.

Chelan County:

"Short-term rental" means a commercial use utilizing a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental owner or operator for a fee for fewer than thirty consecutive nights or days, by intent or net effect of nights or days rented. They are commonly referred to as vacation rentals. They are a form of commercial tourist or transient accommodations. Short-term rental units may be whole house rentals, apartments, condominiums, or individual rooms in homes. They are rented as a single lodging unit, do not provide food service, and retain the form and function of a dwelling unit. For the purpose of administration and enforcement of this title, the terms "overnight rental," "nightly rental," "daily rental," and "vacation rental" are interchangeable with short-term rentals. Subleasing or subletting of units for short-term rental is prohibited.

Grays Harbor County:

"Short term rental" means rental of a single-family or two-family dwelling unit for dwelling, lodging or sleeping purposes to one group with duration of occupancy of less than thirty consecutive days. Other land uses such as motels and multiple-family dwellings that are explicitly defined and regulated in this code separately from short term rentals are not considered to be short term rentals."

Short term rentals shall not be operated outdoors, in an accessory structure, in a recreational vehicle, or any non-residential structure.

San Juan County:

"Vacation rental of a residence or an ADU" means a single-family residential unit or an accessory dwelling unit that is rented (for periods of less than 30 days)."

Not allowed in natural and conservancy shoreline designation. Not allowed in agriculture lands, forest resource land use designation, in exempt structures, structures connected to the town of Friday harbor water system, structures other than an SFR or adu, such as boats, tents, vehicles or unpermitted structures.

Exhibit A: Short-Term Rental Regulations

June 17, 2024 – PAC Work Session

Skamania County:

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

STVRs are only allowed in conjunction with residential uses in zones where residential uses are allowable.

City of Walla Walla:

"Short-term rental" means temporary lodging for charge or fee at a dwelling for a period of less than one month, or less than 30 continuous days if the rental period does not begin on the first day of the month.

Yakima County:

Define Short-Term Rentals as a residential dwelling unit, or portions thereof, that are rented to overnight guests for fewer than 30 consecutive days.

Categories of short-term rentals in other jurisdictions.

Chelan County:

Tier 1: Owner-occupied, short-term rentals where either (a) rooms are rented and the owner is personally present at the dwelling during the rental period, or (b) the short-term rental is located within the same parcel as the owner’s principal residence and the owner is personally present at the dwelling during the rental period, or (c) the entire dwelling is rented no more than 15 total days in a calendar year, provided that an on-site qualified person is there during the owner’s absence. Portions of calendar days are counted as full days.

Tier 2: Short-term rentals at a dwelling that is not owner-occupied with a maximum occupancy of 12 people, which includes children.

Tier 3: Short-term rentals that may be either not-owner occupied or owner-occupied and have a maximum occupancy of 16, which includes children. No short-term rental may operate as a Tier 3 short-term rental without meeting all Tier 3 provisions.

Grays Harbor County:

No specification of different tiers or types.

Exhibit A: Short-Term Rental Regulations

June 17, 2024 – PAC Work Session

San Juan County:

No specification of different tiers or types (note they have restricted the number of STRs or outright prohibited on some of the islands)

Skamania County:

Tier 1 - Owner or operator is present on-site during the course of the rental.

Tier 2 - Owner or operator is not present on-site during the course of the rental.

Tier 3 - Any STVR with an allowable occupancy of 15 or more persons, or three or more unique rentals on an individual property, whether or not the owner or operator is present on-site during the course of the rental.

City of Walla Walla:

Short-term rental Type 1 means short-term rental at a dwelling that is the owner's principal residence and where either (1) rooms are rented and the owner is personally present at the dwelling during the rental period, or (2) the entire dwelling is rented no more than 90 total days in a calendar year. Portions of calendar days shall be counted as full days. The room(s) for rent may be located within a detached or attached accessory dwelling unit.

Short-term rental Type 2 means short-term rental at a dwelling that is not the owner's principal residence.

(Note: City Council adopted Ordinance No. 2017-33, which bans new Type 2 short term rentals (non-owner occupied). Non-owner-occupied short-term rentals within the city which existed prior to Nov. 9, 2017, may potentially continue operation as a non-conforming use.)

Yakima County:

No tiers or types but all STRs require the following:

A conditional use permit for short-term rental approval. A conditional use permit for the short-term rental use of an eligible dwelling unit must be completed and submitted to the County for review. If compliance with the provisions of this chapter is demonstrated, approval for a short-term rental use will be issued.

Occupancy rules in other jurisdictions.

Chelan County:

Occupancy.

Exhibit A: Short-Term Rental Regulations

June 17, 2024 – PAC Work Session

(i) The number of rented or occupied bedrooms shall not exceed the number approved in relation to the on-site sewage system approved by the Chelan-Douglas health district, or strictly follow the requirements of any sewer district or other waste management provider that is being utilized by the rental.

(a) All short-term rentals must meet and maintain this standard immediately, and this provision is not subject to any grace period.

(b) Occupancy of bedrooms is limited to two persons per bedroom, including children.

Grays Harbor

Number of Occupants: The overnight sleeping occupancy of a short term rental unit shall not exceed the following:

For a unit served by an on-site sewage disposal system (septic/drainfield system), two persons per bedroom plus two additional persons or the number of persons accommodated by the system as determined by the Environmental Health Division, whichever number of persons is less.

San Juan County:

No more than two overnight guests per bedroom plus additional three overnight guests shall be accommodated at any one time. The number of bedrooms is determined by the approved building permit for the structure. A guest is a person over two years of age.

Skamania County:

The STVR shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health (water and septic), and any other applicable codes.

Operator indicates occupancy limit in application and county is allowed reasonable access to verify compliance with development and operational standards.

City of Walla Walla:

No occupancy limit stated in code but the city does not allow new type 2 short term rentals meaning only type 1 which have the following limits Short-term rental Type 1 means short-term rental at a dwelling that is the owner's principal residence and where either (1) rooms are rented and the owner is personally present at the dwelling during the rental period, or (2) the entire dwelling is rented no more than 90 total days in a calendar year. Portions of calendar days shall be counted as full days. The room(s) for rent may be located within a detached or attached accessory dwelling unit.

Exhibit A: Short-Term Rental Regulations

June 17, 2024 – PAC Work Session

Yakima County:

Occupancy. Maximum occupancy of the short-term rental shall be based on the International Building Code standards. The property owner shall be responsible for ensuring that the short-term rental is in conformance with its maximum occupancy.

Chapter 17.100 SHORT-TERM ~~VACATION~~-RENTALS

17.100.010 Purpose.

The purpose of this chapter is to provide the framework necessary to operate a short-term ~~vacation~~-rental within the County. The desired outcome of these requirements is the minimization of impacts on residential neighborhoods, the support of economic and tourism vitality, and the protection of natural resources, public health, and life safety.

These provisions reflect the goals and policies of the County Wide Planning Policies including but not limited to those that take into account the rural nature of the County, the need for affordable housing, the promotion of economic opportunities for all citizens, and the limitation or controls needed to ensure no detrimental effects on environmentally sensitive areas.

17.100.020 Definitions.

“County” _ Mason County, Washington

“Department” _ Department of Community Development

“Short-Term ~~Vacation~~-Rental” _ A lodging use, that is not a hotel, motel, or bed and breakfast [redacted] in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights.

“Short-Term ~~Vacation~~-Rental Operator” _ Any person who receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term ~~vacation~~-rental unit, or their authorized agent.

“Short-Term ~~Vacation~~-Rental “Owner” _ Any person who, alone or with others, has title or interest in any building, property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

17.100.030 Applicability

This chapter shall apply to all short-term ~~vacation~~-rentals in all zoning districts of the County. These standards are in addition to other development regulations. If there are any conflicts between this chapter and other development regulations, the most restrictive provisions shall apply.

17.100.040 Type

Types of short-term ~~vacation~~-rentals are established in this section.

- (a) Type 1. Short-term ~~vacation~~ rentals of type 1 are those that are owner or operator occupied where either 1) rooms are rented and the owner is present during the rental period, or 2) the owner resides in the principal residence on the same parcel where the short-term ~~vacation~~ rental is located.
- (b) Type 2. Short-term ~~vacation~~ rentals of type 2 are located in a dwelling that is not owner or operator-occupied nor does the owner /operator reside on the lot where the short-term rental is located.
- (c) Type 3. Short-term rentals of type 3 are those that have an occupancy limit over []

17.100.050 Standards for Operation of Short-Term ~~Vacation~~ Rentals

- (a) Operation of a short-term rental shall be within a qualifying structure as defined within this chapter and shall meet all other applicable development regulations as outlined in Mason County Code.
- ~~(b) [# of short-term rentals per parcel]~~
- (c) Occupancy limits shall be based on the number of bedrooms approved for the qualifying structure in relation to the on-site sewage system or sewer connection approved by the Mason County Environmental Health Department.
 - (1) Occupancy shall be limited to two (2) persons per bedroom, plus two (2) additional persons per short-term rental, or as approved by the Mason County Environmental Health Department, whichever is less.
 - (2) Operation and maintenance of on-site sewage systems shall be as prescribed by MCC 6.76.070 and performed by a qualified specialist as outlined in MCC 6.76.100.
- (d) Parking shall be provided for all guests on-site where the short-term ~~vacation~~ rental is located.
 - (1) Parking shall not occur within shared easements where such parking may block access to a neighboring property and/or cause a safety hazard.
- (e) Solid waste normal residential handling and removal shall be managed in compliance with MCC 6.72.030(h)(3) with additional requirement, as follows:
 - (1) Curbside waste removal service is required weekly and proof of service shall be required prior to issuance of a short-term rental permit.
 - (2) If curbside service is not available at the short-term rental location, a letter from Mason County Garbage, or authorized waste and recycling service provider, shall be provided to the Department prior to issuance of a short-term rental permit;
 - (A) A waste removal plan shall be included within the property management plan as part of the permit application. -

- (f) The short-term rental property lines, easements, as well as public easements to access shorelines shall be depicted clearly on a site plan and provided within a property management plan.
 - (1) If the short-term rental owner/operator also has ownership of tidelands and allows guests to access and utilize these tidelands for harvesting, rules regarding harvesting shellfish and the boundaries of the harvesting area shall also be depicted on the site plan provided in the property management plan.
- (g) Operator of the short-term rental shall be available 24 hours a day. The operator shall respond to any communications regarding the use of the short-term rental and/or complaints within 1 hour, and if necessary operator shall be on site within 3 hours to provide and/or initiate resolution to valid issues and/or complaints.
 - (1) Contact information for the operator shall be provided in the property management plan. Information shall consist of the operator's name, phone number, email address, and address.
- (h) The short-term rental owner/operator shall remit all applicable local taxes as specified in Mason County Code Title 3 as well as any state and federal taxes consistent with RCW 64.37.020.
 - (1) [should there be a requirement to keep records and submit]
- (i) A short-term rental operator shall maintain primary liability insurance coverage consistent with RCW 64.37.050.
- (j) Short-term ~~vacation~~-rental shall be in compliance with RCW 19.27.530 and any rules adopted by the state building code council regarding the installation of carbon monoxide alarms.
- (k) Property management plan shall be posted in a conspicuous location within the short-term ~~vacation~~-rental and shall contain all elements outlined in MCC 17.100.060(c)(4)

17.100.060 Permitting Short-Term ~~Vacation~~-Rentals

All newly established short-term ~~vacation~~-rentals shall require a land use permit as of [date of adopted ordinance]. The permit shall be issued by the Community Development Director or their designee.

- (a) The Issued Permit shall contain the following information:
 - (1) Permit holder's name and contact information (phone, email, and address)
 - (2) Operator contact information (phone, email, and address)
 - (3) Permit number
 - (4) Type of Short-Term ~~Vacation~~-Rental and Occupancy limit
 - (5) Short-term ~~vacation~~-rental site address

(6) Dates the permit is valid

- (A) Permits issued for a short-term ~~vacation~~-rental use shall be valid for one calendar year.

(b) Notification

- (1) Valid short-term ~~vacation~~-rental permit numbers shall be posted in all advertisements of the rental.
- (2) Valid permit numbers shall be conspicuously posted within the short-term ~~vacation~~ rental.
- (3) Applicants for permits shall notify neighbors within 300 feet of the short-term ~~vacation~~ rental with the information contained within a valid issued permit as outlined in (a) above.
- (A) The 300-foot measurement shall be measured from the parcel lines that contain the short-term rental use.
- (B) An affidavit of notification shall be notarized and returned to the Department [within #days of issued permit].

(c) Application Requirements

- (1) Applicants for short-term ~~vacation~~-rentals shall apply for a land use permit on forms provided by the County.
- (2) Applications shall be complete and accompanied by any required supporting documentation, property management plan and fees.
- (3) Fees associated with the initial issuance of a permit, renewal, and any required inspections shall be maintained on the County's current applicable fee schedules.
- (4) A property management plan shall be submitted by the applicant in addition to all other application requirements and shall contain the following:
- (A) Rules of Conduct
- (i) Rules shall include but are not limited to noise, quiet hours, trespassing, pet management, [...]
- (B) Short Term Rental street address
- (C) Site plan with property boundary lines, easements, beach access (if any)
- (D) Floor plan with fire escapes and escape routes
- (E) Local emergency numbers
- (F) Max occupancy limits

- (G) Max number of vehicles allowed on site
 - (H) Waste pick-up schedule
 - (I) Short-Term ~~Vacation~~ Rental Owner and Operator contact information
- (5) Prior to initial permit issuance a fire, safety, health and building code compliance inspection shall be required and performed by the designated County officials.

(d) Short-Term ~~Vacation~~ Rental Permit Renewal

- (1) Application for renewal shall occur annually and at least 60 days prior to the short-term ~~vacation~~ rental permit expiration.
- (2) Renewal fees shall be per the County's applicable fee schedule.
- (3) Renewal of an existing permit may require a self-certification form addressing fire, safety, and health requirements.

17.100.070 Existing Short-Term ~~Vacation~~ Rentals

- (a) Permitting is required for all short-term ~~vacation~~ rentals in the County. If a rental existed prior to the establishment of this Ordinance, it shall be considered lawfully established if the owner provides proof of the following:
- (1) The rental operator must have proof that the site address was the location of the rental and that applicable sales and lodging taxes pursuant to RCW 64.37 were remitted to the authorized collector between July 28, 2019 and [the date of this Ordinance].
 - (2) Obtain a short-term ~~vacation~~ rental land use permit within [# days from date of Ord adoption]
 - (3) All operation standards shall be met within [#days from date of Ord adoption]
 - (4) Any existing County code violations on the subject property shall be resolved prior to permit issuance.
- (b) An existing short-term ~~vacation~~ rental shall be considered non-conforming as of [date of this Ordinance] if the rental does not conform to the standards of section MCC 17.100.050.

17.100.080 Complaint Procedures

- (a) All complaints shall first be addressed with the short-term rental operator designated within the property management plan and issued permit.
- (b) If a complaint regarding operation standards or permitting, as herein described, is not resolved by the operator within a reasonable amount of time per MCC 17.100.050(g),—the

complainant may then provide the complaint to the Mason County Department of Community Development [method of providing complaint...3rd Party consultant/hotline/online form/in writing]. The complaint shall identify the informal attempts made to rectify the situation.

- (c) The Director or designee will investigate the complaint, and if deemed an operation standards or permitting violation, shall issue a notice of violation to the permit-holder per the enforcement procedures authorized in MCC 15.13. If the violation is beyond the scope of the code enforced by the Community Development Department, but still a violation of the Mason County Code the Director or designee shall forward the complaint to the appropriate department for review.

17.100.080 Revocation

- (a) The Director or designee shall revoke a short-term vacation rental permit if three (#3) violations occur within 12 months (timeframe), the short-term ~~vacation~~-rental owner shall not obtain a new short-term ~~vacation~~-rental permit sooner than one (1) year from the date of revocation.
- (b) All violations of the short-term ~~vacation~~-rental ordinance must be rectified, and the complaint(s) closed with the County prior to the issuance of a new short-term ~~vacation~~-rental permit.
- (c) Appeals of the revocation of the permit shall be pursuant to the appeals process outlined in MCC 15.11.

From: [Dave Bayley](#)
To: [Marissa Watson](#)
Subject: [CAUTION: SUSPECT SENDER] Question Received from the Mason County Website -
Date: Thursday, May 30, 2024 3:06:03 PM

Caution: External Email Warning! This email has originated from outside of the Mason County Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, DO NOT DO SO! Instead, report the incident.

From: Dave Bayley

Dept Sent To: Marissa Watson

Message: My concerns on short-term rentals: 1) Making sure the sewage disposal systems (especially on Hood Canal) have sufficient capacity to service weekend rentals. Many times, due to prices charged for weekend and summer months usage, up to 3 couples and their children share the same home at one time, which home and its sewage disposal system were designed for a family of four, and not designed to service a hotel environment.

2) I have been associated with several different types of water systems, with some being spring-fed systems. These systems, historically, have not been checked by the health department, and are being used today to provide water service to short-term rentals.

David C. Bayley

Attorney at Law

P. O. Box 337



From: [Kaly Cook](#)
To: [Marissa Watson](#)
Subject: [CAUTION: SUSPECT SENDER] Question Received from the Mason County Website -
Date: Tuesday, May 14, 2024 10:56:24 AM

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From: Kaly Cook

Dept Sent To: Marissa Watson

Message: My husband and I, both elderly senior citizens own-live on Hood Canal waterfront property; on a prior divided family parcel of 2 family built "vacation" homes We share a driveway easement off 101, which is mostly on my property. Frequent common problems are:

1. Driveway is blocked, preventing us exit; having to find vehicle owner. They have a 2 car garage and enough parking for 4 vehicles.
2. Driveway maintenance major issue
3. Collecting oysters and clams on our and other neighbor property
4. Over intended use of septic, not designed for constant large group use. 8 adults permitted.
5. When occupied constant noise, use our garbage and recycle, loss privacy, puts us at risk
6. Setting fires in fire pit during burn bans; we need to be vigilant and inform tenants-too often
7. Owner does not properly inform tenants of local rules

From: [Terence Clancy](#)
To: [Marissa Watson](#)
Subject: [CAUTION: SUSPECT SENDER] Question Received from the Mason County Website -
Date: Wednesday, May 29, 2024 10:27:02 PM

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From: Terence Clancy
Dept Sent To: Marissa Watson
Message: Hi Marissa,

I strongly support the continued allowance of Short-Term Vacation Rentals in Mason County.

We could not have afforded our shore front property if it was not for the expected revenue form that activity.

We have also spent over \$50,000 to replace our septic system with one that is approved by the county and oversized for our home, to ensure that would not be an issue.

If such activities are no prohibited it would be catastrophic for us and we would likely need to sell our property. We love our property and our neighbors and the area and want to avoid that.Â

Please continue allowance of Short-Term Vacation Rentals in Mason County.

Please add these comments to the record for review

Terry Clancy

From: [Erika Aust & Eric Campbell](#)
To: [Marissa Watson](#)
Subject: Fw: Draft Mason County Short-Term Vacation Rental Regulations - Now Available
Date: Thursday, May 30, 2024 4:06:58 PM
Attachments: [STR Comments.pdf](#)
[image003.png](#)

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Hello Marissa,

One more thing to toss into the mix... more than once we've had a drone go up from the neighboring STR and fly around to what seemed like an excessive degree. We get the interest in aerial photos but the subject of drones deserves to be addressed at some level in the updated Mason Co regs.

Thanks -- Erika Aust & Eric Campbell

----- Forwarded Message -----

From: [REDACTED]
To: Marissa Watson <mwatson@masoncountywa.gov>
Sent: Monday, April 15, 2024 at 01:08:03 PM PDT
Subject: Re: Draft Mason County Short-Term Vacation Rental Regulations - Now Available

Good afternoon,

Thank you for allowing input...in case the formatting doesn't hold below we've attached a PDF.

- There is no need to specify “vacation” through much of the proposed policy. An STR on Orchard Beach Drive has often been rented by visiting nurses... not for vacation purposes. STRs should be regulated uniformly regardless of why they are rented.
- “Dwelling unit” in 17.100.020 needs to be defined. Is it RCW 36.70A.696? Mason County Code? A travel trailer/RV? Both sanitation and cooking facilities?
- Under 17.100.050 (f)(1) it would be good to not only require shellfish-harvest rules and harvest boundaries but also encourage respect toward neighboring shoreline properties. Out-of-state visitors do not automatically understand that beach/tidelands/shoreline property in WA is not “public” as in other states. This information should be posted in STRs with direct or community beach access.
- Under 17.100.060(b)(3) notification by permit applicants should also be made to the water utility. For a small community water system like ours (owned/operated

by Orchard Beach Community Group, 39 total connections), the conversion of a rarely used dwelling to STR or construction of an STR can mean a significant increase in water consumption.

Do neighbors within 300 feet (or the water utility) have the ability to respond to an application for an STR permit?

- We are pleased to see Rules of Conduct under 17.100.060 ©(4)(A)(i) but...should Mason County require uniform quiet hours? We have an STR as a neighbor and another one three doors away on the other side. If one has quiet hours starting at 10 p.m. but the other is midnight... what good is that? Also, if an STR advertises beach access the access cannot infringe on private property.
- It is not clear that the complaint procedures detailed in 17.100.080 accommodate concerns of neighbors/community members as much as concerns of renters.

If Mason County is going to truly regulate STRs then part of the revenue stream from permits and sales/lodging tax should go toward enforcement. Just as it can be problematic for Mason Co residents to report building code violations (because anonymity cannot be assured) the same goes for complaints about STRs. Don't put residents in the uncomfortable position of dealing directly with a possibly hostile, profit-driven absentee owner. One person's "reasonable amount of time" (as mentioned in (b)) is not another's.

Also, it would be a simple matter for someone to erect a tall fence, then create an STR (new construction or conversion) without Mason County knowing. If the county is going to regulate STRs in a credible manner it needs to be vigilant about looking for unpermitted STRs.

--Erika Aust and Eric Campbell

On Wednesday, April 10, 2024 at 10:44:39 AM PDT, Marissa Watson <mwatson@masoncountywa.gov> wrote:

Hello All,

You are receiving this email because your name is on the project notification list for Mason County Short-Term Rental Regulations.

You can now view a Draft Mason County Short-Term Rental regulations on the project webpage under the April 23, 2024 heading. <https://www.masoncountywa.gov/community-services/planning/short-term-vacation-rentals/meeting-info.php>

The draft regulations were formed based on what the commissioners indicated they were interested in regulating. The document also has comments in the side bar from staff with additional areas to think

about when regulating and some concerns. During the brief presentation from staff on April 23rd these points will also be reviewed.

Keep in mind this is only a first draft. It will be presented to the commissioners, then it will go to the planning advisory commission, and back to the commissioners again.

~~If you want your comments included in the packet for this upcoming meeting, I will have to receive them in my email by **April 15th end of business**.~~ You can still send me comments beyond this date but they may not get reviewed prior to this next work session. Either way, all the comments will make their way to the BOCC and will also be made available to the Planning Advisory Commission once I'm given the go-ahead to start that process.

- When you send me comments make sure in your email that you indicate the comments are for the record, whether the comments are in the email itself or added as an attachment.

I sent out a previous email indicating that the next work session with the Board of County Commissioners will be held on April 23, 2024 at 10a. This is after their regular Tuesday meeting.

Please check the home page of the Mason County website <https://www.masoncountywa.gov/> for meeting agenda and Zoom link. This is usually posted on the page the Thursday prior to the scheduled meeting, sometimes Friday. If you have any questions or issues with the zoom link, please contact the clerk of the board, McKenzie Smith; contact information is also posted on the same page.

Please do not contact me day of the meeting for link or information as how to access, I will not be able to respond while setting up the presentation. Your best bet is the clerk of the board. Thank you.

Kind Regards,

Marissa Watson

Senior Planner | Long Range



Phone: 360-427-9670 ext. 367

Telework: 360-930-9037

Email: mwatson@masoncountywa.gov

Address: 615 W Alder Street Shelton, WA
98584

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From: [Terry Clancy](#)
To: [REDACTED]
Date: Friday, May 31, 2024 10:15:19 PM
Attachments: [image003.png](#)

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Hi Marissa ,

Here is a more comprehensive and wordsmithed version of my earlier submission:

Dear Planning Advisory Commission (short-term vacation rental regulations),

I strongly support the continued allowance of Short-Term Vacation Rentals in Mason County.

We could not have afforded our shore front property if it was not for the expected revenue from that activity, we spent more to purchase a property that had a space for Short-Term Vacation Rentals in expectation of the revenue from that activity.

We have also spent over \$50,000 to replace our septic system with one that is approved by the county and oversized for our home, to ensure that would not be an issue with rentals.

If such activities are now prohibited it would be catastrophic for us and we would likely need to sell our property. We love our property, Shelton and our neighbors and the area and want to avoid the need to sell and all the disruption that comes with that.

Please also consider the very large amount of money that tourism and short term rentals (in all their forms) bring to the economy of Mason County. Also consider the needs of short term workers like Mason General Hospital nurses and doctors and others like tradespeople and engineers that find our location and others on sites like Furnished Finder (focused on medical professionals on short term placements) and other such sites. The efficient working of the economy requires short term accommodation and an open market for such should be encouraged.

Please continue allowance of Short-Term Vacation Rentals in Mason County.

Thank you for your consideration of our point of view.

Terry & Ingrid Clancy

Thanks

Terry

From: Marissa Watson <MWatson@masoncountywa.gov>
Sent: Friday, May 31, 2024 4:54 PM
To: Marissa Watson <MWatson@masoncountywa.gov>
Subject: Mason County Short Term Rental Regulations Review - June 17, 2024 Planning Advisory Commission Meeting

Hello All,

You are receiving this email because you are on the notification list for the Short-Term Rental Regulations review project.

Project update as follows:

- First work session with the Planning Advisory Commission is scheduled for **June 17, 2024**. The purpose of this workshop is to review the first draft of short-term vacation rental regulations including the Board of County Commissioners' suggested changes and additions.
 - Public Testimony will be allowed
 - The public does have the opportunity to provide the project manager with comments in writing, please provide by email to mwatson@masoncountywa.gov by **June 13, 2024**. Comments can be provided afterward, but keep in mind the commissioners may not have time to read prior to the meeting.
 - First Draft Regulations with revisions will be posted on the [Meeting Information](#) page, **when available**.
 - Regulations will continue to be revised and shaped as the process moves from the Board of County Commissioners, the Planning Advisory Commission, and back to the Board.

Note: the June 17th PAC meeting will have three additional items on the agenda which will be reviewed prior to the Short Term Rental regulations.

Meetings start at 6pm in the Commissioners' Chambers and through Zoom. See the corresponding agenda on the [Planning Advisory Commission Agenda, Minutes, Audio 2024](#) page for more detailed information and how to access the Zoom link.

Kind Regards,
Marissa Watson
Senior Planner | Long Range

Phone: 360-427-9670 ext. 367



Telework: 360-930-9037

Email: mwatson@masoncountywa.gov

Address: 615 W Alder Street Shelton, WA
98584

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From: [Dawn Kladerman](#)
To: [Marissa Watson](#)
Subject: RE: STR Count @ Lake Cushman
Date: Tuesday, May 7, 2024 4:03:32 PM
Attachments: [image001.png](#)

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Thanks, if you'll pass the estimated number to the Commissioners.

I know some of the parties here also have an STR in Hoodspout, Union or maybe up-canal.

We've tried to glean numbers from the various sites (VRBO, AIRBNB, VACASA, however there are others) to determine if all advertising within the development are registered.

Then, as expressed in the meeting, one of the biggest abuses is on the septic. Other than Shelton proper, who else has a sewer system (Belfair?). None of our areas are salt, so no shellfish issues, but can't imagine there isn't some environmental impact.

Our formula is 2 people per APPROVED septic bedroom. Most of Lake Cushman is 2 bedrooms, so this maxes at 6 guests (2 guests x no. of BR , + extra 2 guests). There are some 3 BR septic. We had one party claim 4 BR (based on their purchase agreement, which looks like was falsified by seller). County appraised at 3BR, but 2BR septic. They were advertising 10 and we had them correct this back to 6 – but now they are advertising 10 again. Also, we have STR owners that allow day guests, so even though they might meet the overnight guest requirement, there are extras using the facilities during the day.

We have one long-existing rental that considers themselves “grandfathered”—2 BR but often have 10+ guests (guessing by the vehicles--- 5+??). Their guests also invade/use other properties (from lawn furniture to Walking/access to lake but neighbors feel intimidated and don't call security so we have no record—that's trespass anyway....so s/b MCSO> Parking here has to be onsite, as our “roads” are easements supposed 20-30 on center but that is not all pavement.... Some are goat tracks!

I personally am not opposed to STRs, nor are AC Committee members, just would be helpful to us as a HOA community to have something beyond the RCW which is pretty vague except for licensing & insurance.

Thanks for listening and if you would forward these comments.

I'll look forward to the next meeting in June.....

Dawn

Dawn Kladerman

Architecture Committee Secretary

Permit Technician

DKladerman@lakecushmanmc.com

Lake Cushman Maintenance Company

3740 N Lake Cushman Road

Hoodsport, WA 98548

LCMC Office: [360-877-5233 x101](tel:360-877-5233)

LCMC Toll Free: [1-888-777-6443](tel:1-888-777-6443)

LCMC Fax: [\(360\) 877-6713](tel:360-877-6713)



Lake Cushman
Maintenance Company

"If you have knowledge, let others light their candles at it."

-Margaret Fuller

From: Marissa Watson <MWatson@masoncountywa.gov>

Sent: Tuesday, May 7, 2024 3:49 PM

To: Dawn Kladerman <DKladerman@LAKECUSHMANMC.COM>

Subject: RE: STR Count @ Lake Cushman

Yes, agreed. I think we will have to go more in depth with each structure and outline the contradictions that would occur when comparing to the RCW and our current permitting practices as well.

Thank you,

Marissa Watson

Senior Planner | Long Range

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From: Dawn Kladerman <DKladerman@LAKECUSHMANMC.COM>

Sent: Tuesday, May 7, 2024 2:16 PM

To: Marissa Watson <MWatson@masoncountywa.gov>

Subject: STR Count @ Lake Cushman

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link sends you to a website where you are asked to validate using your Account and Password, DO NOT DO SO! Instead, report the incident.

An FYI... we probably have 65 REGISTERED STR (registration policy in place).... Gosh knows how many are advertising **without our knowledge!** (this only includes Cushman, not Hoodspport or other nearby area of unincorporation).

The RV question is very important as the RCW says "dwelling" as well as the proposed County verbiage and RVs are prohibited as ADUs (someone mentioned a house + RV).

Dawn

Dawn Kladerman

Architecture Committee Secretary

Permit Technician

Dkladerman@lakecushmanmc.com

Lake Cushman Maintenance Company

3740 N Lake Cushman Road

Hoodspport, WA 98548

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LCMC Fax: [\(360\) 877-6713](tel:360-877-6713)



Lake Cushman
Maintenance Company

"If you have knowledge, let others light their candles at it."

-Margaret Fuller

From: [Dave Bayley](#)
To: [Marissa Watson](#)
Subject: Short Term Rental Agreements
Date: Tuesday, June 4, 2024 2:59:52 PM

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Hi Ms. Watson:

I have read the most recent draft of the Mason County regulations regarding STR.

Here are my comments:

1. Let us say there are 100 STRS on Mason Lake, but only 50 STRS decide to register with the County for a variety of reasons. How are you going to find, and when you find those other 50 STRS that have not registered as an STR, what are you going to do? Fine them \$1000 for not registering, \$100 a day thereafter plus fines for being out of possible compliance with on-site septic, water systems and other building code violations such as smoke and gas monitoring alarms?
2. Since most STRS are going to be on waterfront, with a few being view properties, getting those STRS to register and be in compliance with other county codes on waterfront properties could be a problem.
3. I like the fact that you require the county permit to be included in the advertising, but it should also be a certain font size and placed on all websites advertising the STR. Policing rogue STRS might be significantly easier if when you are checking websites advertising STR on Hood Canal, Mason Lake and other desirable locations within the county, the websites for these STRS have the county permit number prominently displayed, or not displayed at all.
4. I still do not see any reference that water systems will be check for county compliance. Remember, there are water systems on Hood Canal that are spring fed with old cisterns, old water transmission lines, and older holding tanks/water reservoirs, where small animals can reside.
5. 17.100.060 (d) (4) Permitting: Renewal. New Section. (4) Renewal of an existing permit shall require a statement there have been no changes to the STR since the last renewal date. If changes have been made to the STR, please state what was changed, added, upgraded and/or replaced.
6. Overall opinion on the most recent draft" "damn, you are doing a great job to date".

Dave Bayley

Sent with [Proton Mail](#) secure email.

From: [Deann Benitez](#)
To: [Marissa Watson](#)
Subject: Short Term Rentals
Date: Tuesday, June 4, 2024 12:58:37 PM

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Hello Marissa,

Thank you for all the work you are doing on Short Term Rentals.

I have a suggestion, not sure if it's possible, once someone is approved to operate a short term/vacation rental could it be required that the websites (AirBNB, Vrbo, etc) they advertise on be asked to require the renter to provide their County Approval Number in order to advertise (or continue to advertise) on their site?

I know it's not under your control, but it never hurts to ask them, especially since more and more States are setting up rules and regulations.

Thank you again,
Deann Benitez

From: [Pam Parsons](#)
To: [Marissa Watson](#)
Subject: Short-term rentals in Mason County
Date: Sunday, June 2, 2024 7:38:43 AM

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To: Planning Advisory Commission and Board of County Commissioners
Thank you so much for addressing the issue of **short term rental properties** in our county.

We live in a very quiet area on Grapeview Loop Road. Sadly, weekend rentals have plagued our tranquility in recent years. Our next door neighbor to the north frequently rents out his waterfront home. It's one thing if a neighbor has a big party once in a while, but these rentals bring a fresh batch of revelers nearly every weekend, in full vacation mode.

Our neighbor to the south (who is related to the neighbor on the north) is developing a camping area with several rental cabins. We'll be surrounded! It is disheartening to face our wonderful summer season, invaded by strangers every weekend.

We would appreciate:

- Limitations on noise, with a time limit of 11 pm (with an exception for July 4)
- Limitations on number of groups per year (I suggest no more than 6 or 8, considering the summer season is only about 12 weeks)
- Limitations on number of guests in each group (ie 4 people maximum, including children)
- Limitations on dogs
- Restrictions regarding trespassing on neighboring private beach space (ie, violating beach rights)
- Restrictions regarding trespassing on neighboring property in general
- Prohibiting weekend rentals altogether would be best - allow only long-term rentals (30 days or more)
- Hefty fines for violations
- Establish a procedure of recourse for neighbors, including reporting violations, with timely response by the sheriff or some other authority.

Some of these should be required items in the rental agreements for the renters.

We can't thank you enough for taking on this problem for us!

Sincerely,

David and Pamela Parsons

[REDACTED] Grapeview Loop Road
[REDACTED]