



WALLA WALLA COUNTY

Community Development Department

310 W. Poplar, Suite 200 • Walla Walla, WA 99362-2865

To: Board of County Commissioners
From: Tom Glover, Community Development Director
Date: November 20, 2017

Re: Short term rentals/Vacation Rental by Owner (VRBO)

Attachment: Walla Walla Vacation Rental listings in unincorporated county.

Background

You have asked me to assemble information regarding VRBOs, Vacation Rentals by Owner, in the unincorporated area of Walla Walla County.

To start, I conducted an on-line search of all of the VRBOs in the County registered at the following websites: www.airbnb.com and www.vrbo.com Through that search effort I discovered 38 locations listed as available for short-term rental (lodging). That list is attached. Most of them are entire homes that are available for short-term renting, including a few that appear to be accessory dwelling units. It's possible that at least two of those places may be operating as approved Bed & Breakfast accommodations, permitted through our department, or otherwise permitted outright by County Code (although there may be additional building code requirements depending on the type of occupancy).

Next, I reviewed the ordinance the City of Walla Walla recently adopted regarding short-term rentals. Ordinance No. 2017-33 is the second ordinance the City adopted on this topic; it was adopted by City Council on November 1, 2017. This latest ordinance bans any **non-owner** occupied short-term rental **not** registered with the City by November 9, 2017. As well, it provides additional clarity to the regulation of owner-occupied short-term rentals first regulated by the adoption by City Council of Ordinance 2017-23 on August 9, 2017.

Splitting the short-term rental into two types was seen by the City as a way to address the concern of absentee landlords, and complaints from residents of the neighborhoods about noise from parties, excessive traffic, and additional impacts to established residential neighborhoods.

- “Short term rental” means temporary lodging for charge or fee at a dwelling for a rental 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. This does not apply to hotels, motels, and bed and breakfast establishments.
- Two types of short term rentals:
 - Type 1 means short term rental at a dwelling that is the owner’s principal residence and where either (1) no more than 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.

- Type 2 means short term rental at a dwelling that is not the owner's principal residence.
- A Permit and License is **required** for all types of short term rentals. The requirements and approval process are contained within the ordinance/code. All permits and licenses are to be renewed each year.
- **Only type 1 short term rentals (owner-occupied/principal residence) are allowed within the city limits.**
- Only Type 2 short term rentals that were lawfully established and existing as of November 9, 2017 will be allowed as non-conforming uses. Such uses may not be significantly changed, altered, extended, or enlarged and must cease. Owners of type 2/non-owner occupied short term rentals must prove lawful establishment and continuing existence of such use.
- Type 2 short term rentals established and existing as of November 9, 2017 must obtain a short-term rental permit and license, and must apply for such permit and license by no later than February 1, 2018.
- City Business Registration for Type 2 short-term rentals must be applied for, and obtained by Nov. 9, 2017.
- If the Type 2 short-term rental has been determined to be lawfully established and existing, and the use has not been abandoned, then non-conforming status runs with the property. If the new owner continues the property as a Type 2 short-term rental, then the new owner is required to obtain a Type 2 short-term rental permit and license and comply with regulations.
- Type 1 short-term rentals allowed in the following zones:
 - R-60, Single-Family Residential (High Density);
 - R-72, Single-Family Residential (Medium Density);
 - R-96, Single-Family Residential (Low Density);
 - RM, Multi-family Residential;
 - CC, Central Commercial District;
 - CH, Highway Commercial.

This link will direct you to the City of Walla Walla's Frequently Asked Questions (FAQ) sheet:

<https://wallawallawa.gov/depts/devservices/type2faq>

The following links will direct you to the City's Ordinance No. 2017-33 (most recent), and Ordinance No. 2017-23 (the first one concerning principal residences):

<http://epay.ci.walla-walla.wa.us:8800/lfportal/0/doc/1074235/Page1.aspx>

<http://epay.ci.walla-walla.wa.us:8800/lfportal/0/doc/1054985/Page1.aspx>

Process

Where do we go from here? If the Board of County Commissioners would like to address short-term rentals, then it would be developed and reviewed through the County's development code amendment process (Title 14 WWCC). While goals and policies of the County's Comprehensive Plan may be used in the analysis of any such amendment, it does not appear that an amendment to the Plan would be needed to process this change. At the present time, the County has no regulations regarding short-term rentals, so this would be an addition to the development code.

An amendment to the development code, sponsored by the County, is appropriate at this time as the County has made the call for amendments for the 2018 annual review cycle. Applications are due November 30, 2017 with an anticipated completion deadline of June 2018. If we process this application along with our comprehensive plan update, then we would not be required to follow a separate SEPA review process for it.

The proposed amendment would be first reviewed by the County's Planning Commission; first in an informal workshop, and then later, in a formal public hearing. Following the public hearing the Planning Commission would forward a recommendation to the Board of County Commissioners, who would make the final decision on it.

The County could pass an interim zoning ordinance in the meantime, until a more complete ordinance amending the development regulations can be presented for consideration. However, crafting such an interim zoning regulation will need to be done carefully, and would require staff time and a public hearing.

Walla Walla Vacation Rental listings in unincorporated county, via:

www.airbnb.com/s/Walla-Walla-WA

www.vrbo.com/vacation-rentals/usa/washington/wa-south-central/walla-walla

1. Wine Country Mountain Cabin Retreat up Mill Creek
2. Bohemian artists studio up Mill Creek
3. Vineyard View Estate, Mill Creek Rd.
4. Andare: Your home at the edge of the fields (Sapolil Rd.)
5. Midcentury modern farmhouse w/pool (Smith Rd.)
6. Airfield Vacation Loft (WW Airport)
7. A quiet one bedroom guest house (WW east, School Ave.)
8. Studio Garde Cottage (WW east, south School Ave.)
9. Modern Elegance, Featured on HGTV (west, Nibler Rd.)
10. Farm Rural – Private Room in Home (west, Double ‘D’ Alpaca Ranch, Byerly Rd.)
11. Country Retreat – Alpaca Farm (RV, west, Double ‘D’ Alpaca Ranch, Byerly Rd.)
12. River Watch (NW, Charbonneau, Snake River)
13. 100 Acres. 100 Mile Views. 7 Min & Light Years Away (Middle Waitsburg Rd.)
14. Brown Rabbit Farm (west, Detour Rd.)
15. Walla Walla Wine Country Casita (south, Greystone Dr., off Beet Rd.)
16. Spectacular Wine Country Estate! (west, Prentiss Rd/Hwy 12)
17. Happy Hideaway (RV, west/Wallula Rd., Campbell Rd/Russet Rd.)
18. Cozy 3 bedroom country home (west, Old Highway 12/Heritage Rd.)
19. Country View (west, Wallula Ave./Campbell Rd.)
20. Riverfront B&B Room (south, Old Milton Highway, Cottonwood Creek)
21. Private Guesthouse with indoor pool and hot tub (west/College Place, SW 6th St.)
22. Walla Walla Wine Country Sojourn (south, Winona Ln./Gray Lynn Dr.)
23. Lasater Homestead (south, Braden Rd.)
24. Cozy Room in Walla Walla (south, Prospect Ave./Plaza Way)
25. Cozy Cottage in Walla Walla Wine Country (south, Langdon Rd., Pioneer Dr., Hill Rd.)
26. Azure Mountain Inn (southeast, Powerline Rd., Cottowood Rd., Hill Rd.)
27. Mt View Lodge (south, Pranger Rd./Whiteley Rd.)
28. Mountain Views in Walla Walla (south, Braden Rd.)
29. Sole Rosso-winery w/2nd floor apt (south, Old Milton Highway/Hwy 125)
30. Peaceful Family Farm in the heart of wine country (SE, OMH, Cottonwood Creek)
31. A Welcome Escape! Peppers Bridge B&B Cottage (south, OMH/Peppers Bridge Rd.)
32. Cottage in the country (south, west of Farm Labor Homes, Farmland Rd.)
33. Eco Country Escape (south, Langdon Rd., Hill Rd.)
34. Amanzi Retreat (south, Prospect, 3rd Ave., Yellowhawk St.)
35. Modern French Country Home with Gorgeous View (south, Taumarson Rd.)
36. Luxury + Value: Wine Country Escape (south, Plaza Way, Highland Rd.)
37. Private Creekside Retreat (east, Mill Creek Rd., 7 Mile Rd.)
38. Walla Walla Farm Getaway (west, Sweeple Rd., to Double River Rd.)

Walla Walla County Commisioners

April 12 2017

RECEIVED
 APR 19 2017
 WALLA WALLA COUNTY
 COMMISSIONERS

I am writing today because of my concern with how Bed and Breakfast were portrayed in a recent meeting about the escalating problem with VRBO's and unlicensed Bed and Breakfasts. I understand that it was said that the only difference between a d VRBO, a house that is rented for a short term stay and a Bed and Breakfast was that we serve breakfast. The problem is these VRBO's are not being controlled nor are Bed and Breakfasts that are not licensed. These properties deplete our tax dollars by not paying into the system, and take business away from those of us that do. I wish I could have attended the meeting but would like to point out some of the differences.

1. Licenses: **Tansient accomodations** permit, this permit inspection includes property cleanliness, bedding, Inspects refrigerators, furnace filters, stairways, lighting, air quality.

Pool and Spa Permit: required for any facility that has a pool or spa to be current and licensed.

When I see VRBO's advertising pools and spas I often wonder if they are licensed and inspected it is required that they be tested and recorded daily which we do.

Food Handlers Permit, insure the proper food handling and dishwashing requirements for Food Service of any kind.

County Health Dept permit, Kitchen and food service inspection

Certified and Inspected by WBBG that you meet all of their inspection cryteria, they inspect Bedding, bathrooms, garbage cans, storage, laundry, fire extinguishers, lighting, carpets, All permits, food handlers, fire inspections, State business permits, it is a very extensive Inspection. I would be happy to supply a copy of what is expected of a licensee.

WWBBIA membership

2. Last year we donated 14 room nights to local charities, we support the Humane Society, Planned Parenthood, Birthright, Walla Walla Community College, Rotary Club, St Marys Auxillary, AM Vets, State Patrol Dependants fund, Pink Ball, Friends, Ect. These are just a few of the things we do to be a part of our community. Two year ago we donated 7 room nights to an elderly neighbor who's furnace went out in the the middle of winter. We participate and know our neighbors probably more than your average homeowner who couldn't tell you who lives next door.
3. We have a kitchen licensed and inspected by three different agencies. As per city rules we have six off street parking spots for our 4 rooms.
4. If you would like to check out our Inn we have a professional website www.innatblackberrycreek.com. Where guests can get all of the information for reservations and our policies. They also see clear photos of our rooms and surroundings.
5. We live just behind our Inn. The Inn has someone onsite approx. 11 hours a day between housekeeping and our other staff. We also return in the evenings to make sure everything is

closed up for the night. There is always someone available by phone if someone is not onsite and they have a question. We have a no entertaining policy so we very rarely have any issues with people. Yes there is a large variety of people staying at our facility. Our average guest is College educated and makes upwards of \$100,000 per year, similar to the surveys tourism Walla Walla has done. An average day for our staff starts at 7:00 am and we are generally onsite off and on till about 6 pm and then back to check again about 9:30pm

6. We provide income to Carpenters, tradesman and Landscapers in the community (all local)
7. Attached is a photo of the Inn, and a photo of one of the rooms.

I have many memorable conversations, and fun times I have experienced with guest, the girls who work for me and I tell them where they should go for dinner, give them directions, make reservations for them, tell them our favorite wineries or a beautiful drive, show them a great bike ride, offer them a test cookie, or a sample of something yummy we are trying for future guests. We participate, we don't just hand them the keys and leave. So as you can see there is a little bit more difference than just serving food. Sorry if this was long but I was blown away by that analogy. I run a professional Bed and Breakfast, yes it's a business but one that contributes to the quality of the community and the experience that guests receive.

The following are a few reviews written by guests, there are over 500 more just like them on trip advisor. www.tripadvisor.com . We also have about 50 reviews on facebook.

“Relaxation at its finest!”

Reviewed March 1, 2017

We reserved the Van Gogh suite, such a sweet retreat! Complete with every pillow you could imagine, a fireplace and an outdoor Oasis Spa. There were chocolates, a jar of homemade cookies, a stocked kitchen/fridge and fruit bowl. The gourmet breakfast was ordered to our liking and delivered to our suite doorstep. We loved Camille the house cat, she was a doll. We did not want to go back home!

Room Tip: The rooms on the west side are near a beautiful pond. It is home to frogs in the evening and geese i...

See more room tips

https://www.tripadvisor.com/ShowUserReviews-g60992-d266912-r463769853-Inn_at_Blackberry_Creek-Walla_Walla_Washington.html#

“Mother/Daughter Birthday weekend trip”

Reviewed March 1, 2017

I LOVE this B&B. This will be an annual trip (this is year 2). So relaxing and beautiful. The hosts are so friendly and welcoming. Breakfast is fantastic. It's so quiet and tucked in off the street (which isn't a busy road anyway).

Camille the Inn kitty is also a hit. She's not allowed inside, but she'll find you when you are in the hot tub, even if it's 10:00pm.

Room Tip: This is not a hotel. It is a bed and breakfast.
See more room tips

- Stayed February 2017, traveled with family

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I would ask that the Committee on Lodging restrictions regarding VRBO's and Bed and Breakfasts separate them as two different permits. I would also like them to consider that Bed and Breakfasts registered with the WBBG (the State Bed and Breakfast Association) be registered with just a nominal fee of \$50 to \$75 if they submit a current WBBG License which already covers all of the items of inspection and probably more items than the city will require. This would release the city from the burden of inspection while still making sure they comply with the regulations. There is no need to have regulation upon regulation for the people who are already following them.

This whole thing started because a lot of folks are not following the rules. I should know, I have been pushing for the VRBO's and unlicensed B&B's to be regulated for over 10 years.

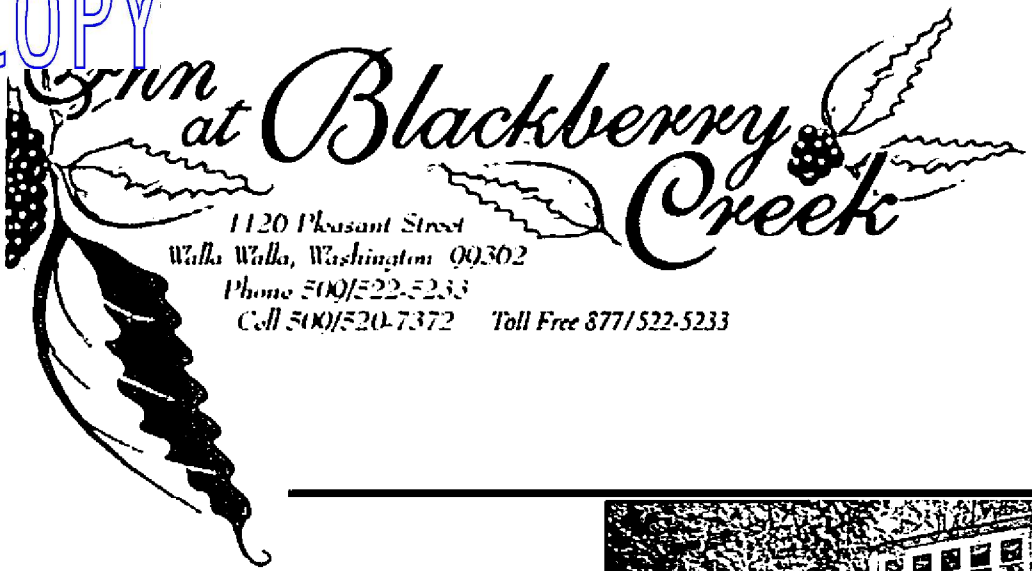
Sincerely,

Barbara Knudson

509 876 6541

www.innatblackberrycreek.com

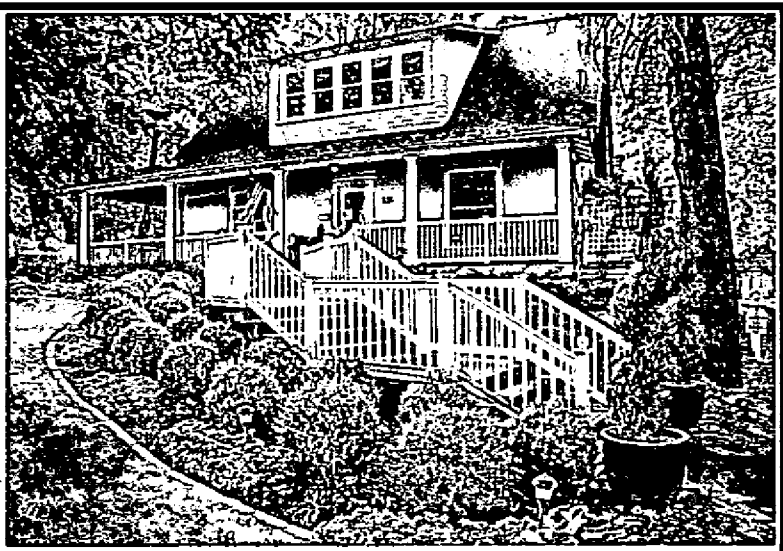
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Stay at Blackberry Creek

1120 Pleasant Street
Walla Walla, Washington 99302
Phone 509/522-5233
Call 509/520-7372 Toll Free 877/522-5233

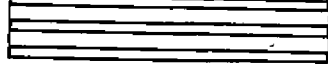
Escape to
Walla Walla Wine Country
and a relaxing retreat



Select a room with a private hot tub for two.



COPY



RECEIVED
APR 19 2017
WALLA WALLA COUNTY
COMMISSIONERS

April 17, 2017

Walla Walla City Council, Walla Walla County Commissioners, Elizabeth Chamberlain AICP

Re: VRBO and Bed and Breakfast lodging in Walla Walla

Dear City Council Members, County Commissioners and Ms. Chamberlain;

I am grateful you are taking an interest in this portion of tourism in our city. For years I have hoped to "level the playing field" by regulating Vacation Rentals by Owner (VRBO's).

I feel it is important to point out the major differences in the two entities and the fact that the Bed and Breakfasts are already regulated. The difference is much more than JUST BREAKFAST. A VRBO is an impersonal, albeit lovely, home. A Bed and Breakfast is a home full of personal touches and interactions. When staying at a VRBO there is no one to help with needs or wants whereas in a Bed and Breakfast the host/hostess is always available as we live on sight (as in my case) or very nearby. From the initial check in with personal greeting and initiation to the facility at a Bed and Breakfast to a key under the mat at a VRBO the guest feels the difference. Sometimes a Bed and Breakfast host (often in my case) will offer a ride to/from the airport or even as was the case today, a ride from the Grapevine bus. As a Bed and Breakfast we have MANY opportunities to donate nights to charity and personally The Maxwell House gives 12 a year which I hope to be a boost to our community.

When I purchased the home at 701 Boyer Avenue 12 years ago with the intent of having a Bed and Breakfast I was told and complied with the licensing of the County and the State and the requirements of the city which included parking for each guest room, the Food Handlers Permit, and of course the collection and payment of the tourism tax.

Our local organization of Bed and Breakfast owners (Walla Walla Bed and Breakfast Inns Association WWBBIA) has a high standard for membership as does the State organization (WBBG-Washington Bed and Breakfast Guild). These organizations actually have a higher standard than the County, City or State.

My hope and reason for writing to you is to encourage you to pursue licensing and regulating the Guest Houses BUT realizing the difference between them and the Bed and Breakfasts. The Bed and Breakfasts have already been inspected and are regulated and should not be lumped in with the new city regulations and fees.

Bed and Breakfasts have a discerning clientele. In the twelve years I have been in business in Walla Walla I have not had a bad experience. Not one problem with a guest. I invite you to look at my website (www.themaxwellhouse.com) to see my facility and read guest reviews.

Thank you for hearing my concern.

Penny Maxwell Bingham—The Maxwell House Bed and Breakfast—

701 Boyer Ave --509-529-4283 --inn@themaxwellhouse.com