Spokane City Plan Commission

Findings of Fact, Conclusions, and Recommendations

Proposed Amendment to Spokane Municipal Code Section 17C.110, 17C.190, 17C.315 and the addition of 17C.316. The proposal adds language to the code allowing the use of short term rentals in residential zones.

A recommendation from the City Plan Commission to the City of Spokane to approve an amendment to the Spokane Municipal Code Title 17C Land Use Standards.

Findings of Fact:

A. The proposal provides the requirements and standards under which residential dwelling units may be used for short-term rental use in residential zones.

B. It has been observed that short term rentals occur in residential zones and it is evident that the emergence of the “shared-economy” and short term rental use is likely to continue to increase.

C. The proposed regulations are intended to allow for a more efficient use of certain types of residential structures in a manner which keeps them primarily in residential use, and without detracting from neighborhood character. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

D. The current Spokane Municipal Code classifies short term rental use as a Retail Sales and Service in SMC 17C.190.270(C)(1)).

E. The current Spokane Municipal Code Chapter 17C.110 and Residential Zones TABLE 17C.110-1 Residential Zones Primary Uses does not permit the use of retail sales and services in residential zones.

F. The City of Spokane Comprehensive Plan contains sixteen goals the proposed legislation seeks to address in the chapters of Land Use, Housing, Economic Development, Urban Design and Historic Preservation, Natural Environment, Social Health, and Neighborhoods: LU 1.1 Neighborhoods Utilize the neighborhood concept as a unit of design for planning housing, transportation, services, and amenities. 2.1 Distribution of Housing Options Policies Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs. H 2.3 Accessory Dwelling Units Allow one accessory dwelling unit as an ancillary use to singlefamily owner-occupied homes in all designated residential areas as an affordable housing option. H 3.2 Property Responsibility and Maintenance Assist in and promote improved and increased public and private property maintenance and property responsibility throughout the city. ED 3.1 Economic Growth Policies Stimulate economic growth by supporting the formation, retention, expansion, and recruitment of businesses. ED 3.5 Locally-Owned Businesses Support opportunities to expand and increase the number of locally-owned businesses in Spokane. ED 3.6 Small Businesses Recognize the significant contributions of small businesses to the City of Spokane’s economy and seek to enhance small business opportunities. ED 3.7 Home Businesses Encourage opportunities for teleworking and home businesses that are compatible with residential neighborhoods. ED 3.8 Technology-Based Industries Encourage the development of advanced and emerging technology based industries. ED 7.2 Revenue Sources Ensure that tax revenue sources are stable, allocate costs equitably within the
community, do not penalize certain types of businesses, attract and retain businesses, and maintain the City of Spokane's high quality of life. **ED 7.3** State Tax Changes Lobby the state legislature for changes in state tax laws to allow more options or mechanisms to be available as incentives to business investment. **ED 8.3** Recreation and Tourism Promotion Promote the region's outdoor amenities as recreational and tourism business opportunities. **NE 10.3** Economic Activity Incentives Identify and provide incentives for economic activities that combine the goals and principles of economy, ecology, and social equity. **SH 2.2** Special Needs Temporary Housing Disperse special needs temporary housing evenly throughout all neighborhoods. **SH 4.1** Socioeconomic Mix Policies Ensure that all neighborhoods contain a mixture of housing types in order to provide an environment that allows for socioeconomic diversity. **N 6.2** Code Enforcement Enforce the city codes for public nuisances impacting neighborhood properties.

**G.** The Community Assembly was briefed on this proposal on November 7, 2014, December 5, 2014, January 9 2015, and February 6, 2015.


**I.** A State Environmental Policy Act (SEPA) and Determination of Non-Significance was released on January 15, 2015 for the proposed short term rental ordinance. The public comment period for the SEPA determination ended on January 30, 2015.

**J.** On December 11, 2014, the Washington State Department of Commerce was given the required 60-day notice of before adoption of proposed changes to the Spokane Municipal Code. An acknowledgement letter was received by the City on December 11, 2014.

**K.** The City Plan Commission held a public Hearing on February 11, 2015 to obtain public comments on the proposed amendments; deliberations followed.

Conclusions:

**Conclusions:**

A. The Plan Commission has reviewed all public testimony received during the public hearings and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.

B. The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

**SMC 17G.025.010 (F) Approval Criteria:**

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and

2. The proposed amendment bears a substantial relation to economic benefit, public health, safety, welfare, and protection of the environment.

C. The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan.

Recommendations:
By a vote of ___ to ___, the Plan Commission recommends to the City Council the approval of the proposed amendment to the Unified Development Code, with changes as deliberated.

Dennis Dellwo, President
Spokane Plan Commission
February 11, 2015
ORDINANCE NO. C

AN ORDINANCE OF THE CITY OF SPOKANE RELATING TO REGULATION OF SHORT TERM RENTALS; AMENDING SMC 17C.110.120; AMENDING SMC 17C.190.110; ADOPTING NEW CHAPTER 17C.316 SMC; AND SETTING AN EFFECTIVE DATE.

WHEREAS, (recitals)

WHEREAS, the City Council hereby adopts the foregoing as its findings of fact justifying its adoption of this ordinance;

Now, Therefore,

The City of Spokane does ordain:

Section 1. That SMC Table 17C.110-2 is amended as follows:

Section 17C.110T.002 Table 17C.110-2 Residential Zone Housing Types Allowed

<table>
<thead>
<tr>
<th>TABLE 17C.110-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL ZONE HOUSING TYPES ALLOWED</td>
</tr>
<tr>
<td>(Click here to view PDF)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>P – Permitted</th>
<th>N – Not Permitted</th>
<th>RA</th>
<th>RSF</th>
<th>RTF</th>
<th>RMF</th>
<th>RHD</th>
</tr>
</thead>
<tbody>
<tr>
<td>CU – Conditional Use review required</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Single-family Residence (detached)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Cottage Housing [1]</td>
<td>CU</td>
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<td>N</td>
<td>N</td>
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<td></td>
</tr>
<tr>
<td>Transitional Housing [1]</td>
<td>P</td>
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<td></td>
</tr>
<tr>
<td>Duplexes</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Mobile Home Parks [3]</td>
<td>CU</td>
<td>CU</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
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<td>----</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Single Room Occupancy (SRO)</td>
<td>N</td>
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<td>N</td>
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<td></td>
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<td>Group Living</td>
<td>See SMC 17C.330.100</td>
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<td></td>
</tr>
<tr>
<td>Multidwelling Structure</td>
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<td></td>
</tr>
<tr>
<td>Short Term Rentals [4]</td>
<td>P/CU</td>
<td>P/CU</td>
<td>P/CU</td>
<td>P/CU</td>
<td>P/CU</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
[2] See chapter 17C.300 SMC, Accessory Dwelling Units.
[4] See chapter 17C.316, Short Term Rentals

Section 2. That SMC 17C.110.120 is amended as follows:

Section 17C.110.120 Accessory Uses

Accessory uses to a primary use are allowed if they comply with specific standards for the accessory uses and all development standards. See chapter 17C.190 SMC, Use Category Descriptions. Accessory buildings such as garages are included in SMC 17C.110.225. Accessory dwelling units, bed and breakfast facilities, short-term rentals, and home occupations have specific standards in chapter 17C.300 SMC, chapter 17C.315 SMC, and chapter 17C.340 SMC, respectively.

Section 3. That SMC 17C.190.110 is amended as follows:

Section 17C.190.110 Residential Household Living

A. Characteristics.
Residential Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories). Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as Residential Household Living. Single room occupancy housing (SROs) that does not have totally self-contained dwelling units is also included if at least two thirds of the units are rented on a monthly basis. SROs may have a common food preparation area, but meals are prepared individually by the residents. Residential structures occupied by persons with disabilities requiring reasonable accommodations pursuant to the federal or state law are included in the Residential Household Living category.

B. Accessory Uses.
Accessory uses commonly found are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations, accessory dwelling units,
short-term rentals, and bed and breakfast facilities are accessory uses that are subject to additional development standards of the zoning code.

C. Examples.
Uses include single-family residences, duplexes, apartments, condominiums, retirement center apartments, manufactured housing and other structures with self-contained dwelling units. Examples also include living in SROs if the provisions are met regarding length of stay and separate meal preparation.

D. Exceptions.
1. Lodging in a dwelling unit or SRO where less than two-thirds of the units are rented on a monthly basis is considered a hotel or motel use and is classified in the Retail Sales and Service category.
2. SROs that contain programs that include common dining are classified as Group Living.
3. Guest houses that contain kitchen facilities are prohibited as accessory to Residential Household Living uses.
4. In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use, such as short-term housing or mass shelter.

Section 4. That there is adopted a new Chapter 17C.316 to read as follows:

Section 17C.316.010 Purpose
This chapter provides the requirements and standards under which residential dwelling units may be used for short-term rental use in residential zones. The regulations are intended to allow for a more efficient use of certain types of residential structures in a manner which keeps them primarily in residential use, and without detracting from neighborhood character. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

Section 17C.316.020 Description and Definitions

Option #1: [_____]

A. Description. A short-term rental is where bedrooms in a residential unit or accessory building are rented to overnight guests for fewer than 30 days. There are two types of short-term rental:

1. Type A. A Type A short term rental is where no more than 4 bedrooms are rented to overnight guests, and no commercial meetings are held.

2. Type B. A Type B short-term rental is where 5 or more bedrooms are rented to overnight guests or where fewer than 5 bedrooms are rented to overnight guests and commercial meetings are held.

Option #2: [_____]

A2. Description. A short-term rental is where an individual or family resides in a dwelling unit and rents bedrooms to overnight guests for fewer than 30 days. There are two types of short-term rentals:
1. Type A. A Type A short term rental is where no more than 4 bedrooms are rented to overnight guests, and no commercial meetings are held.

2. Type B. A Type B short-term rental is where 5 or more bedrooms are rented to overnight guests or where fewer than 5 bedrooms are rented to overnight guests and commercial meetings are held.

B. Definitions. For purposes of this chapter, the following words have the following meanings:

1. Resident. An individual or family who resides in the dwelling unit. The resident can be the owner or operator of the short-term rental.

2. Operator. The owner or a person or entity that is designated by the owner to manage the short-term rental.

Section 17C.316.030 Where These Regulations Apply

The regulations of this chapter apply to short-term rental in the following zones: RA, RSF, RTF, RMF, and RHD. In zones where Retail Sales and Service uses are allowed, limited or conditional uses, short-term rentals may be regulated either as a Retail Sales and Service use, or as a short-term rental under the regulations of this chapter. The decision is up to the applicant.

Section 17C.316.040 Type A Short-Term Rentals

A. Use-related regulations.

1. Permit required. A Type A short-term rental requires a Type A short-term rental permit per .040 C below.

2. Allowed structure type. A Type A short-term rental is allowed only in the following residential structure types:
   a. House;
   b. Attached house;
   c. Duplex;
   d. Apartments;
   e. Condominiums; and
   f. Accessory dwelling unit.

B. Standards. The following standards apply to Type A short-term rentals. Adjustments are prohibited.

1. Maximum size. A type A short-term rental is limited to renting a maximum of 4 bedrooms to overnight guests.

2. Accessory dwelling units. On sites with an accessory dwelling unit, the resident can live in the primary or accessory dwelling unit and rent bedrooms in either dwelling
unit, but the maximum number of bedrooms on the site that can be rented to overnight guests is 4.

3. Detached accessory structures. A bedroom in a detached accessory structure can be rented to overnight guests, and counts toward the maximum size limit.

4. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:
   a. Met the building code requirements for a sleeping room at the time it was created or converted;
   b. Meets fire code requirements.

5. Number of overnight guests. The total number of guests occupying a dwelling unit with a Type A short-term rental may not exceed two (2) people per bedroom.

6. Employees. Nonresident employees are prohibited. An operator, hired service for normal maintenance, repair and care of the resident or site, such as yard maintenance or house cleaning, is allowed.

7. Services to overnight guests and visitors. Serving alcohol and food to overnight guests and visitors is allowed, subject to other county and/or state requirements.

8. Commercial meetings. Commercial meetings include luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation. Commercial meetings are prohibited with a Type A short-term rental. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year; this is not considered a commercial meeting.


10. Advertising. All advertisements for the short-term rental must list short-term rental permit number.

C. Type A Short Term Rental Permit. The owner of a Type A short-term rental must obtain a permit from the Planning and Development Services Department. The permit requires the owner to agree to abide by the requirements of this section, and document that the required notification requirements have been met:

1. Notification. The owner must:
   a. Prepare a notification letter that:
      i. Describes the operation and the number of bedrooms that will be rented to overnight guests; and
      ii. Includes information on how to contact the owner or operator by phone.
b. Mail or deliver the notification letter to all recognized organizations and owners of property abutting and directly across the street from the short-term rental.

2. Required information for permit. In order to apply for a Type A short-term rental permit, the owner or operator must submit to the Planning and Development Services Department:

   a. Completed application form bearing the address of the property, the name, signature, address, and telephone number of the owner and operator if operator is not also an owner.

   b. A short-term rental application and permit fee established by [separate ordinance].

   c. Proof of property insurance covering the property.

   d. A copy of the owner's current City of Spokane business license.

   e. A copy of the notification letter and a list with the names and addresses of all property owners and organizations that received the letter.

   f. A site plan.

D. Renewal of and Revoking a Type A Short-Term Rental Permit. A Type A short-term rental permit must be renewed per the procedures in chapter 4.04 SMC and can be revoked according to the procedures in chapter 4.04 SMC for failure to comply with the regulations of this chapter. When a Type A short-term rental permit has been revoked, a new Type A short-term rental permit will not be issued to the owner at that site for 2 years.

Section 17C.316.050 Type B Short-Term Rentals

A. Use-related regulations.

1. Conditional use permit. A Type B short-term rental requires a Type III conditional use permit. The approval criteria are stated in SMC 17C.320.080 F, Institutional and Other Uses in Residential Zones.

2. Allowed structure type. A Type B short-term rental is allowed only in the following residential structure types:

   a. House;
   b. Attached house;
   c. Duplex;
   d. Apartments;
   e. Condominiums; and
   f. Accessory dwelling unit.

B. Standards.
1. Maximum size. Maximum set through conditional use review.

2. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:
   a. Met the building code requirements for a sleeping room at the time it was created or converted;
   b. Meets fire code requirements.

3. Number of residents and overnight guests. The total number of residents and overnight guests occupying a dwelling unit with a Type B short-term rental may be limited as part of a conditional use approval.

4. Employees. Nonresident employees for activities such as booking rooms and food preparation may be approved as part of the conditional use review. Hired service for normal maintenance, repair and care of the residence or site, such as yard maintenance or house cleaning, is allowed. The number of employees and the frequency of employee auto trips to the facility may be limited or monitored as part of a conditional use approval.

5. Services to guests and visitors. Serving alcohol and food to guests and visitors is allowed, subject to other county and/or state requirements.

6. Commercial meetings.
   a. Commercial meetings. Commercial meetings, as defined above, are regulated as follows:
      i. In the residential single family zones, commercial meetings are prohibited;
      ii. In all other zones, the number of commercial meetings per year shall be determined as part of a conditional use review. The maximum number of visitors or guests per event will be determined through the conditional use review. Adjustments to the maximum number of meetings per year are prohibited.

   b. Historic landmarks. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year. This does not count as a commercial meeting.

   c. Meeting log. The operator must log the dates of all commercial meetings held, and the number of visitors or guests at each event. The log must be available for inspection by city staff upon request.

7. Appearance. Residential structures may be remodeled for the development of a short-term rental, subject to required approvals and permits. Structural alterations may not be made that prevent the structure from being used as a residence in the future. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed. Examples of such alterations
include installation of more than three parking spaces, paving or required setbacks, and commercial-type exterior lighting.


9. Advertising. All advertising for the short-term rental must include short-term rental permit number.

Section 17C.316.060 Monitoring

All short-term rentals must maintain a guest log book. It must include the names and home addresses of guests, guest’s license plate numbers if traveling by car, dates of stay, and the room assigned to each guest. The log must be available for inspection by city staff upon request.

Section 17C.316.070 Pre-Established Bed and Breakfast Facilities

A. Nonconforming Use. Bed and breakfast facilities that were operating before June 14, 2006, which have not obtained a conditional use permit under Chapter 17C.315 SMC, may continue to operate subject to the requirements and limitations in SMC 17C.315.160.A.

B. Bed and Breakfasts with a Conditional Use Permit. Bed and breakfast facilities operating under an approved conditional use permit may chose to operate under Chapter 17C.315 SMC or this Chapter.

Section 5. Effective Date. This ordinance shall take effect and be in force on  

PASSED BY THE CITY COUNCIL ON ____________________________.

__________________________
Terri Pfister, City Clerk

Approved as to Form:
Assistant City Attorney
Short Term Rentals
Plan Commission Draft 1/28/15
Prepared for Plan Commission Hearing 2/11/15

ORDINANCE NO. C

AN ORDINANCE OF THE CITY OF SPOKANE RELATING TO REGULATION OF SHORT TERM RENTALS; AMENDING SMC 17C.110.120; AMENDING SMC 17C.190.110; ADOPTING NEW CHAPTER 17C.316 SMC; AND SETTING AN EFFECTIVE DATE.

WHEREAS, (recitals)

WHEREAS, the City Council hereby adopts the foregoing as its findings of fact justifying its adoption of this ordinance;

Now, Therefore,

The City of Spokane does ordain:

Section 1. That SMC Table 17C.110-2 is amended as follows:

Section 17C.110T.002 Table 17C.110-2 Residential Zone Housing Types Allowed

<table>
<thead>
<tr>
<th></th>
<th>RA</th>
<th>RSF</th>
<th>RTF</th>
<th>RMF</th>
<th>RHD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family Residence (detached)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Cottage Housing [1]</td>
<td>CU</td>
<td>CU</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Transitional Housing [1]</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Dwelling Unit (ADU) [2]</td>
<td>P</td>
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</table>

TABLE 17C.110-2
RESIDENTIAL ZONE HOUSING TYPES ALLOWED
(Click here to view PDF)
<table>
<thead>
<tr>
<th>Duplexes</th>
<th>N</th>
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<tr>
<td>Mobile Home Parks [3]</td>
<td>CU</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>Single Room Occupancy (SRO)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Group Living</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Multidwelling Structure</td>
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<td>P/CU</td>
<td>P/CU</td>
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</tbody>
</table>

Notes:
[2] See chapter 17C.300 SMC, Accessory Dwelling Units.
[4] See chapter 17C.316, Short Term Rentals

**Section 2.** That SMC 17C.110.120 is amended as follows:

**Section 17C.110.120 Accessory Uses**

Accessory uses to a primary use are allowed if they comply with specific standards for the accessory uses and all development standards. See chapter 17C.190 SMC, Use Category Descriptions. Accessory buildings such as garages are included in SMC 17C.110.225. Accessory dwelling units, bed and breakfast facilities, short-term rentals, and home occupations have specific standards in chapter 17C.300 SMC, chapter 17C.315 SMC, and chapter 17C.340 SMC, respectively.

**Section 3.** That SMC 17C.190.110 is amended as follows:

**Section 17C.190.110 Residential Household Living**

A. Characteristics.

Residential Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories). Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as Residential Household Living. Single room occupancy housing (SROs) that does not have totally self-contained dwelling units is also included if at least two thirds of the units are rented on a monthly basis. SROs may have a common food preparation area, but meals are prepared individually by the residents. Residential structures occupied by persons with disabilities requiring reasonable accommodations pursuant to the federal or state law are included in the Residential Household Living category.

Plan Commission Draft for Hearing 2/11/15
B. Accessory Uses.
Accessory uses commonly found are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations, accessory dwelling units, short-term rentals, and bed and breakfast facilities are accessory uses that are subject to additional development standards of the zoning code.

C. Examples.
Uses include single-family residences, duplexes, apartments, condominiums, retirement center apartments, manufactured housing and other structures with self-contained dwelling units. Examples also include living in SROs if the provisions are met regarding length of stay and separate meal preparation.

D. Exceptions.
1. Lodging in a dwelling unit or SRO where less than two-thirds of the units are rented on a monthly basis is considered a hotel or motel use and is classified in the Retail Sales and Service category.
2. SROs that contain programs that include common dining are classified as Group Living.
3. Guest houses that contain kitchen facilities are prohibited as accessory to Residential Household Living uses.
4. In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use, such as short-term housing or mass shelter.

Section 4. That there is adopted a new Chapter 17C.316 to read as follows:

Section 17C.316.010 Purpose

This chapter provides the requirements and standards under which residential dwelling units may be used for short-term rental use in residential zones. The regulations are intended to allow for a more efficient use of certain types of residential structures in a manner which keeps them primarily in residential use, and without detracting from neighborhood character. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

Section 17C.316.020 Description and Definitions

A. Description. A short-term rental is where a residential dwelling unit or bedrooms in a residential unit are rented to overnight guests for fewer than 30 days. There are two types of short-term rentals:
1. Type A. A Type A short term rental is where no more than 4 bedrooms are rented to overnight guests, and no commercial meetings are held. In a duplex, if one unit is occupied by the owner or operator, then the other unit may be rented in its entirety.
2. Type B. A Type B short-term rental is where 5 or more bedrooms or the non-owner occupied or non-operator occupied entire dwelling unit of any size are rented to overnight guests or where fewer than 5 bedrooms are rented to overnight guests and commercial meetings are held.

B. Definitions. For purposes of this chapter, the following words have the following meanings:
1. Resident. An individual or family who resides in the dwelling unit. The resident can be the owner or operator of the short-term rental.

2. Operator. The owner or a person or entity that is designated by the owner to manage the short-term rental.

Section 17C.316.030 Where These Regulations Apply

The regulations of this chapter apply to short-term rental in the following zones: RA, RSF, RSF-C, RTF. In RMF and RHD zones, all regulations of this chapter apply except that for Type A rentals, residency of the owner or operator is not required and the entire up to 4 bedroom dwelling unit may be rented short term without a Conditional Use Permit. In zones where Retail Sales and Service uses are allowed, limited or conditional uses, short-term rentals may be regulated either as a Retail Sales and Service use, or as a short-term rental under the regulations of this chapter. The decision is up to the applicant.

Section 17C.316.040 Type A Short-Term Rentals

A. Use-related regulations.

1. Permit required. A Type A short-term rental requires a Type A short-term rental permit per .040 C below.

2. Allowed structure type. A Type A short-term rental is allowed only in the following residential structure types:
   a. Single-Family Residence;
   b. Attached house;
   c. Duplex;
   d. Apartments;
   e. Condominiums; and
   f. Accessory dwelling unit.
   g. Manufactured Homes

B. Standards. The following standards apply to Type A short-term rentals. Adjustments are prohibited.

1. Maximum size. A type A short-term rental is limited to renting a maximum of 4 bedrooms to overnight guests.

2. Accessory dwelling units. On sites with an accessory dwelling unit, the resident can live in the primary or accessory dwelling unit and rent bedrooms in either dwelling unit, but the maximum number of bedrooms on the site that can be rented to overnight guests is 4.

3. Detached accessory structures. A bedroom in a detached accessory structure can be rented to overnight guests, and counts toward the maximum size limit.

Plan Commission Draft for Hearing 2/11/15
4. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:
   a. Met the building code requirements for a sleeping room at the time it was created or converted;
   b. Meets fire code requirements.

5. Number of overnight guests. The total number of guests occupying a dwelling unit with a Type A short-term rental may not exceed two (2) people per bedroom.

6. Employees. Nonresident employees are prohibited. Hired service for normal maintenance, repair and care of the resident or site, such as yard maintenance or house cleaning, is allowed.

7. Services to overnight guests and visitors. Serving alcohol and food to overnight guests and visitors is allowed, subject to other county and/or state requirements.

8. Commercial meetings. Commercial meetings include luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation. Commercial meetings are prohibited with a Type A short-term rental. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year; this is not considered a commercial meeting.


10. Advertising. All advertisements for the short-term rental must list short-term rental permit number.

C. Type A Short Term Rental Permit. The owner of a Type A short-term rental must obtain a permit from the Planning and Development Services Department. The permit requires the owner to agree to abide by the requirements of this section, and document that the required notification requirements have been met:

1. Notification. The owner must:
   a. Prepare a notification letter that:
      i. Describes the operation and the number of bedrooms that will be rented to overnight guests; and
      ii. Includes information on how to contact the owner or operator by phone.
   b. Mail or deliver the notification letter to all recognized organizations and owners of property abutting and directly across the street from the short-term rental.

2. Required information for permit. In order to apply for a Type A short-term rental permit, the owner or operator must submit to the Planning and Development Services Department:
a. Completed application form bearing the address of the property, the name, signature, address, and telephone number of the owner and operator if operator is not also an owner.

b. A short-term rental application and permit fee established by [separate ordinance].

c. Proof of property insurance covering the property.

d. A copy of the owner’s current City of Spokane business license.

e. A copy of the notification letter and a list with the names and addresses of all property owners and organizations that received the letter.

f. A site plan.

D. Renewal of and Revoking a Type A Short-Term Rental Permit. A Type A short-term rental permit must be renewed per the procedures in chapter 4.04 SMC and can be revoked according to the procedures in chapter 4.04 SMC for failure to comply with the regulations of this chapter. When a Type A short-term rental permit has been revoked, a new Type A short-term rental permit will not be issued to the owner at that site for 2 years.

Section 17C.316.050 Type B Short-Term Rentals

A. Use-related regulations.

1. Conditional use permit. A Type B short-term rental requires a Type III conditional use permit. The approval criteria are stated in SMC 17C.320.080 F, Institutional and Other Uses in Residential Zones.

2. Allowed structure type. A Type B short-term rental is allowed only in the following residential structure types:

   a. House;
   b. Attached house;
   c. Duplex;
   d. Apartments;
   e. Condominiums; and
   f. Accessory dwelling unit.
   g. Manufactured Homes

B. Standards.

1. Maximum size. Maximum set through conditional use review.

2. Bedroom requirements. The City’s Building Official must verify that each bedroom to be rented to overnight guests:
a. Met the building code requirements for a sleeping room at the time it was created or converted;
b. Meets fire code requirements.

3. Number of residents and overnight guests. The total number of residents and overnight guests occupying a dwelling unit with a Type B short-term rental may be limited as part of a conditional use approval.

4. Employees. Nonresident employees for activities such as booking rooms and food preparation may be approved as part of the conditional use review. Hired service for normal maintenance, repair and care of the residence or site, such as yard maintenance or house cleaning, is allowed. The number of employees and the frequency of employee auto trips to the facility may be limited or monitored as part of a conditional use approval.

5. Services to guests and visitors. Serving alcohol and food to guests and visitors is allowed, subject to other county and/or state requirements.

6. Commercial meetings.

a. Commercial meetings. Commercial meetings, as defined above, are regulated as follows:

   i. In the residential single family zones, commercial meetings are prohibited;

   ii. In all other zones, the number of commercial meetings per year shall be determined as part of a conditional use review. The maximum number of visitors or guests per event will be determined through the conditional use review. Adjustments to the maximum number of meetings per year are prohibited.

b. Historic landmarks. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year. This does not count as a commercial meeting.

c. Meeting log. The operator must log the dates of all commercial meetings held, and the number of visitors or guests at each event. The log must be available for inspection by city staff upon request.

7. Appearance. Residential structures may be remodeled for the development of a short-term rental, subject to required approvals and permits. Structural alterations may not be made that prevent the structure from being used as a residence in the future. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed. Examples of such alterations include installation of more than three parking spaces, paving or required setbacks, and commercial-type exterior lighting.

9. Advertising. All advertising for the short-term rental must include short-term rental permit number.

Section 17C.316.060 Monitoring

All short-term rentals must maintain a guest log book. It must include the names and home addresses of guests, guest’s license plate numbers if traveling by car, dates of stay, and the room assigned to each guest. The log must be available for inspection by city staff upon request.

Section 17C.316.070 Pre-Established Bed and Breakfast Facilities

A. Nonconforming Use. Bed and breakfast facilities that were operating before June 14, 2006, which have not obtained a conditional use permit under Chapter 17C.315 SMC, may continue to operate subject to the requirements and limitations in SMC 17C.315.160.A.

B. Bed and Breakfasts with a Conditional Use Permit. Bed and breakfast facilities operating under an approved conditional use permit may chose to operate under Chapter 17C.315 SMC or this Chapter.

Section 5. Effective Date. This ordinance shall take effect and be in force on ________________.

PASSED BY THE CITY COUNCIL ON ________________.

________________________________________
Terri Pfister, City Clerk

Approved as to Form:

________________________________________
Assistant City Attorney
SEPA ENVIRONMENTAL CHECKLIST
UPDATED 2014

Purpose of checklist:
Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:
This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:
Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:
For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

A. background

1. Name of proposed project, if applicable: Short Term Rental

2. Name of applicant: Heather Trautman

3. Address and phone number of applicant and contact person: 808 West Spokane Falls Blvd
Spokane WA 99201, (509) 625-6834, Heather Trautman
4. Date checklist prepared:
December 11, 2014

5. Agency requesting checklist:
City of Spokane

6. Proposed timing or schedule (including phasing, if applicable): The project is proposed to go to hearing with the Plan Commission February 11th, 2015 then proceed with the City Council process with a hearing on March 2nd, 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No plans for future additions, expansions, or further activity are anticipated.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. An environmental checklist for major components of the Spokane Unified Development Code was conducted in 2005 and 2006. The environmental review received a determination of non-significance.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. There are no applications pending for government approvals related to this proposal.

10. List any government approvals or permits that will be needed for your proposal, if known. No additional approvals or permits are required the proposed ordinance will go through a hearing with the Plan Commission in January, proceed through City Council in February and then to the Mayor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) The short term rental ordinance is proposing the allowance of short term rental use in residential zones. A short term rental is considered the use of a home, rooms within a home, a multifamily unit, attached dwelling unit, detached dwelling unit, duplex or similar dwelling unit for the rental to a guest for the duration of less than 30 days. Currently the Spokane Municipal Code considerers short term rental use as a retail sales/service use which is a commercial use and not permitted in residential zones. This proposal would allow short term rental use to occur in residential zones.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you
are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. The proposal would apply to zones RA, RSF, RSF-C, RTF, RMF, and RHD within the boundaries of the City of Spokane. The zones cover approximately 75% of the city’s total area.

B. ENVIRONMENTAL ELEMENTS

1. Earth
   a. General description of the site
      (circle one): Flat, rolling, hilly, steep slopes, mountainous,
      other __________

      This ordinance will apply to all RA, RSF, RSF-C, RTF, RMF, and RHD zones within the city. There are a variety of terrain types, which includes flat areas, steep, hills, and river valleys.

   b. What is the steepest slope on the site (approximate percent slope)? Within the city, several residential zones are located on an area of steep slope. In some areas, residential lots are located on slopes greater than 45%.

   c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. There are also a range of soil types found throughout the residential areas within city limits.

   d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. There are likely areas of unstable soils present in residential zones of the City of Spokane.

   e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. This proposal does not include filling or grading requirements.

   f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Though areas of erosion as result of construction may be present in residential zones, this proposal will not directly result in clearing or construction.

   g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? This ordinance itself will not result in the creation of additional impervious surfaces on residential properties.

   h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: There are no proposed mitigation measures as there are no likely impacts to erosion or other earth impacts as a result of this proposal.
2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. There could be an increase in automobile or transportation related emissions due to this proposal with short term rental customers driving to and from the rental unit.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. There are no off-site emissions or odor that may impact the proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: There are no proposed measures to reduce or control emissions or other impacts to the air.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. There are a variety of streams, ponds, wetlands, etc. located in the City of Spokane such as the Spokane River, and Latah Creek and some residential areas are close to such waterbodies.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. Some residential areas are located near water bodies but this project does not include construction work and all buildings must comply with the existing regulations concerning shoreline.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. This proposal will not create any new projects that will require dredging or filling from surface waters or wetlands.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. This ordinance will likely not directly create any new projects that will require dredging or filling from surface waters or wetlands.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Some residential zones within the city are located in a 100-year floodplain; specifically, those located near the Spokane River and Latah Creek.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. This proposal does not involve any discharges of waste materials to surface waters.

b. Ground Water:
1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **Additional water could be required as a result of this proposal due to rental customer’s use of the facilities in a rental unit.**

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **Additional wastewater could be required as a result of this proposal due to rental customer’s use of the facilities in a rental unit.**

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **Stormwater collection and disposal will not be affected as a result of this ordinance.**

2) Could waste materials enter ground or surface waters? If so, generally describe. **Waste materials would not enter ground or surface waters as a result of this ordinance.**

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **This proposal would not impact drainage patterns.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **There are no measures to reduce or control surface, ground, and runoff water and drainage as there are no likely impacts as a result of this proposal.**

4. Plants

a. Check the types of vegetation found on the site:

- [ ] Deciduous tree: alder, maple, aspen, other
- [ ] Evergreen tree: fir, cedar, pine, other
- [ ] Shrubs
- [ ] Grass
- [ ] Pasture
- [ ] Crop or grain
- [ ] Orchards, vineyards or other permanent crops.
- [ ] Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- [ ] Water plants: water lily, eelgrass, milfoil, other
- [ ] Other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **This project will not likely bring forth projects to remove or alter vegetation.**
c. List threatened and endangered species known to be on or near the site. It is a possibility that some threatened or endangered plant species may inhabit on or near any of the residential zones within the city.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: There are no measures to preserve or enhance vegetation as this proposal is unlikely to impact landscaping or vegetation.

e. List all noxious weeds and invasive species known to be on or near the site. It is a possibility that some noxious weeds or invasive plant species may inhabit on or near any of the residential zones within the City.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:
   - birds: hawk, heron, eagle, songbirds, other:
   - mammals: deer, bear, elk, beaver, other:
   - fish: bass, salmon, trout, herrings, shellfish, other ______

   Any number of species may inhabit on or near any residential lot within the City of Spokane.

b. List any threatened and endangered species known to be on or near the site. Threatened or endangered animal species could also potentially inhabit on or near any residential zone within the City of Spokane.

b. Is the site part of a migration route? If so, explain. The City of Spokane is within a migration route for birds.

d. Proposed measures to preserve or enhance wildlife, if any: There are no proposed mitigation measures as there are no likely impacts to wildlife as a result of this proposal.

e. List any invasive animal species known to be on or near the site. It is a possibility that some invasive animal species may inhabit on or near any of the residential zones within the City of Spokane.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. This proposal is a non-project action and will not directly require energy sources.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. This will not likely influence the use of solar energy by properties.
c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: There are no proposed mitigation measures as there are no likely impacts to energy as a result of this proposal.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. There are no environmental health hazards that would expose toxic chemicals, risk fire and explosion, spill or hazardous waste that could occur as a result of this proposal.

1) Describe any known or possible contamination at the site from present or past uses. This proposal applies to residential areas in Spokane therefore it is possible that some residential properties might have possible contamination from past or present use.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. This proposal applies to residential zones in the City of Spokane which does contain underground hazardous liquid and gas transmission pipelines.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. There are no toxic or hazardous chemicals that might be stored, used, or produced related to this proposal.

4) Describe special emergency services that might be required. There are no anticipated special emergency services anticipated to be required as a result of this proposal.

5) Proposed measures to reduce or control environmental health hazards, if any: There are no measures to reduce or control environmental health hazards as this proposal is not likely to impact environmental health.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? The proposal applies to residential zones in City limits therefore any noise would exist from residential zones or surrounding uses.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. There could be an increase of traffic in residential areas due to this proposal based on an increase in short term rental guests getting to and from rental units.

3) Proposed measures to reduce or control noise impacts, if any: There are no measures to reduce or control noise impacts. The Spokane Municipal Code Chapter 10.08D Noise Control addresses standards for noise in residential areas.
8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. The current use of the site is residential and adjacent property use is dependent upon the individual lot.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? This proposal applies to residential zones in the City of Spokane and some sites might have been used as working farmlands or working forest lands. Agriculture and forest land are not anticipated to be converted to other uses as a result of this proposal.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: This proposal will not affect surrounding working farm or forest land.

c. Describe any structures on the site. This proposal applies to residential zones therefore it is likely the structures will be residential such as single family homes, multifamily units, condominiums, apartment units, duplexes, attached or detached dwelling units and other similar dwelling units.

d. Will any structures be demolished? If so, what? Demolition of structures as a direct result of this proposal is not anticipated.

e. What is the current zoning classification of the site? The proposal would apply to zones RA, RSF, RSF-C, RTF, RMF, and RHD within the boundaries of the City of Spokane.

f. What is the current comprehensive plan designation of the site? This ordinance will apply to the following comprehensive plan land use designations: Residential 15+, Residential 15-30, Residential 10-20, and Residential 4-10, and Agriculture.

g. If applicable, what is the current shoreline master program designation of the site? Where residential zones border or lie near the Spokane River and Latah Creek, the shoreline designations are Natural Environment (both surveyed and un-surveyed), Urban conservancy (both surveyed and un-surveyed), Wastewater Treatment Environment, Shoreline Residential, Urban Intensive, and Limited Urban Environment.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. The Spokane Municipal Code identifies Critical Aquifer Recharge Areas, Fish and Wildlife Conservation areas, Floodplain Management, Spokane Geologically Hazardous Areas, Shoreline Management Areas, and Wetland Protection Areas throughout the city.

i. Approximately how many people would reside or work in the completed project? The 2013 estimated population for the City of Spokane is 210,721.
i. Approximately how many people would the completed project displace? Long-term residential units could be converted to short-term rental units as a result of this proposal.

k. Proposed measures to avoid or reduce displacement impacts, if any: The number of potential displaced as a result of this proposal is relatively small and could be reviewed in the future.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: The proposal includes measures to protect the residential character of neighborhoods and residential zones include, limit of number of bedrooms available for rent, limit the number of guests, and require commercial events and properties with hired employees to obtain a conditional use permit. The proposal includes existing parking standards for residential zones with revocation of permit for non-compliance.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: The proposal is unlikely to change compatibility with agriculture and forest lands and if it did then it would be subject to existing regulations.

9. Housing
a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. This ordinance will not likely create new residential units, but this ordinance applies to residential households of all incomes. There is a potential for existing units to be repurposed for short term use.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. Long term residency units could be converted to short term use units as a result of this proposal but none are likely to be eliminated.

c. Proposed measures to reduce or control housing impacts, if any: Limits on the number of rooms allowed to use for short term rent is proposed as a measure to reduce or control housing impacts.

10. Aesthetics
a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? The maximum building height for a primary structure on residential zones RA, RSF, and RTF is 35 feet. For zones RMF and RHD, the maximum height is also 35 feet, but the base height may be modified depending on its location to 40 ft, 45 ft, 55 ft, 70 ft, or 150 ft. Based on existing code accessory structures may have a maximum height of 30 ft for RA; 20 ft for RSF, and RTF; and 35 ft for RMF and RHD.

b. What views in the immediate vicinity would be altered or obstructed? No views are likely to be altered as a direct impact of this ordinance.
c. Proposed measures to reduce or control aesthetic impacts, if any: This proposal includes measures to reduce or control aesthetic impacts such as; structural alterations may not be made that prevent the structure from being used as a residence in the future. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Additional light and glare will likely not be produced on passing of this ordinance.
b. Could light or glare from the finished project be a safety hazard or interfere with views? This is a non-project action and will not likely directly bring forth new construction projects that would result in producing more light and glare.
c. What existing off-site sources of light or glare may affect your proposal? Existing off-site light sources will not affect implementation of this ordinance.
d. Proposed measures to reduce or control light and glare impacts, if any: There are no measures to reduce or control light and glare impacts as this proposal is unlikely to impact light or glare.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? There are a variety of recreational opportunities near residential zones. The types of park and recreational facilities in the city, located near residential zones, are community and senior centers, golf courses, aquatic centers, neighborhood parks and mini-parks, community parks, major parks, arboretums, sports complexes, trails, dog parks, conservation land, and parkways.
b. Would the proposed project displace any existing recreational uses? If so, describe. This ordinance is unlikely to displace any recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: There are no proposed measures as this proposal is unlikely to impact recreation or recreation opportunities.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. Many residential buildings in the City of Spokane are also classified as historic at the local, state, and national levels.
b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. The City of Spokane contains numerous historic sites on residential zones that include the Patsy Clark Mansion, the Glover Mansion, and the Campbell House.
c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of
archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. There are no methods to assess the potential impacts to cultural and historic resources as this proposal is unlikely to impact cultural and historic impacts.

e. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. There are no measures to avoid, minimize, or compensate for loss, changes to and disturbance to resources as this proposal is unlikely to impact resources.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. This proposal applies to all residential zones located on both private drives and public streets in the City of Spokane.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Spokane Transit Authority operates public transit routes throughout the city and serves many residential zones.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? The parking requirements for residential zones in particular zone are addressed in the Spokane Municipal Code Section 17C.230.145 and Spokane Municipal Code TABLE 17C.230-2.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). It is unlikely this proposal will require the construction of new streets, roads, streets, pedestrian, bicycle or state transportation facilities.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. The proposal itself will not use water, rail, or air transportation but short term rental customers may use a variety of transportation modes to reach the rental unit.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? The proposal would result in non-significant residential traffic with 4 trips per day estimated for short term rental use. A hotel room generates 8 trips per day and a motel generates 6 trips per day. The sources of these estimations were provided by the Engineering Department at the City of Spokane.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. The proposal would not interfere with agricultural and forest products.
h. Proposed measures to reduce or control transportation impacts, if any:
There are no proposed measures to reduce or control transportation impacts as this proposal is not likely to impact transportation.

15. Public services
a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
The proposed project may result in an increased need for public services due to transient use (less than 30 days).
b. Proposed measures to reduce or control direct impacts on public services, if any.
There are no measures proposed to reduce or control impacts on public services as impacts would not be significant.

16. Utilities
a. Circle utilities currently available at the site:
    electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other 
Residential areas in the City of Spokane have access to the utilities:
    electricity, natural gas, water, refuse service, telephone, and sanitary sewer.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. There are no proposed utilities for the project. Short term rental operators may be required to install sprinkler systems therefore upgrades to water pipes directly servicing their rental units might be required.

C. Signature
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____________________________
Name of signer: Heather Trautman
Position and Agency/Organization: Director of Neighborhood Services and Code Enforcement
City of Spokane
Date Submitted: 12/30/14

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or
at a faster rate than if the proposal were not implemented. Respond briefly and in
general
terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; pro-
duction, storage, or release of toxic or hazardous substances; or production of noise? There
should not be an increase in water discharge as a result of this proposal. There could
be an increase in the emissions to air due to an increase in residential area traffic of
short term rental customers getting to and from the rental unit.

Proposed measures to avoid or reduce such increases are: A limit on the number of
rooms available for rent in a short term rental is a measure to reduce emissions to air.

2. How would the proposal be likely to affect plants, animals, fish, or marine life? The proposal
is unlikely to affect animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
There are no proposed measures to protect or conserve plants, animals, fish or
marine life as it is unlikely for this proposal to impact plants, animals, fish or
marine life.

3. How would the proposal be likely to deplete energy or natural resources? This proposal
would not deplete natural resources or energy.

Proposed measures to protect or conserve energy and natural resources are: There are
no measures to protect or conserve energy or natural resources as this proposal
is unlikely to impact energy or natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or
areas designated (or eligible or under study) for governmental protection; such as parks,
wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or
cultural sites, wetlands, floodplains, or prime farmlands? This proposal would not affect
environmentally sensitive areas, or areas designated for government protection.

Proposed measures to protect such resources or to avoid or reduce impacts are: There
are no proposed measures as there are no likely impacts to resources.

5. How would the proposal be likely to affect land and shoreline use, including whether it
would allow or encourage land or shoreline uses incompatible with existing plans?
This proposal would not likely change the current land use of affected areas, (currently
residential) nor encourage land and shoreline uses inconsistent with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are: There are
no measures to avoid or reduce shoreline and land use impacts. The Spokane
Municipal Code Chapter 17E.060 Shoreline Regulations addresses shoreline and
land use related projects.
6. How would the proposal be likely to increase demands on transportation or public services and utilities? Short term rental customers would use a variety of transportation modes to access the rental unit.

Proposed measures to reduce or respond to such demand(s) are: This proposal includes limits to the number of rentable rooms which reduces the demand on utilities, public services, and transportation.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. The proposal does not conflict with local, state or federal laws.
Notice SEPA Determination

Notice is hereby given that The City of Spokane Department of Neighborhood Services and Code Enforcement has proposed an amendment to the unified development code to permit the use of short term rentals in residential zones. Any person may submit written comments on the proposed actions or call for additional information:

City of Spokane, Neighborhood Services and Code Enforcement
Attn: Heather Trautman
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333
(509) 625-6083; htrautman@spokanecity.org

Documents relating to this proposal at: https://beta.spokanecity.org/bcc/commissions/planning-commission/

Location: The affected geographic area is residential zones including, zones RA, RSF, RSF-C, RTF, RMF, and RHD within the boundaries of the City of Spokane. A map of the City of Spokane and residential zones can be viewed at http://maps.spokanecity.org/

Description of Proposal: The short term rental ordinance proposes the allowance of short term rental use in residential zones. A short term rental is considered the use of a single family home, room(s) in a home, multifamily unit, attached or detached dwelling unit, duplex or other legal dwelling unit for rental for duration of less than 30 days. The amendments apply to the Unified Development Code in the Spokane Municipal Code Section 17C.110, 17C.190, 17C.315 and the addition of 17C.316.

SEPA: A DNS was issued on January 15 2015 under Section WAC 197-11-340(2). The lead agency will not act on this proposal for at least 14 days. Comments regarding this DNS must be submitted no later than 5:00 PM January 30 2015 if they are intended to alter the DNS.

Only the applicant, persons submitting written comments and persons testifying at a hearing may appeal the decision of the Plan Commission and City Council.
SPOKANE ENVIRONMENTAL ORDINANCE
NONPROJECT DETERMINATION OF NONSIGNIFICANCE

Proposed Amendments to the Spokane Municipal Code, Short Term Rental Project

PROPOSENT: City of Spokane, Neighborhood Services and Code Enforcement

DESCRIPTION OF PROPOSAL: The short term rental ordinance proposes the allowance of short term rental use in residential zones. A short term rental is considered the use of a single family home, room(s) in a home, multifamily unit, attached or detached dwelling unit, duplex or other legal dwelling unit for rental for duration of less than 30 days. The amendments apply to the Unified Development Code in the Spokane Municipal Code Section 17C.110T.002 Table 17C.110-2 Residential Zone Housing Types, Section 17C.190.110 Residential Household Living, 17C.315 and the addition of Section 17C.316.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The affected geographic area is residential zones including, zones RA, RSF, RSF-C, RTF, RMF, and RHD within the boundaries of the City of Spokane. A map of the City of Spokane and residential zones can be viewed at http://maps.spokanecity.org/.

LEAD AGENCY: City of Spokane, Neighborhood Services and Code Enforcement

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

[ ] There is no comment period for this DNS.

[ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

[x] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments must be submitted no later than 5:00PM January 30, 2015, if they are intended to alter the DNS.

***********************************************************************

Responsible Official: Heather Trautman

Position/Title: Director of Neighborhood Services and Code Enforcement Phone: (509) 625-6083

Address: 808 West Spokane Falls Boulevard, Spokane, WA 99201-3329

Date Issued: January 15, 2015 Signature:

***********************************************************************

APPEAL OF THIS DETERMINATION, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

***********************************************************************
Notice of Plan Commission Public Hearing and SEPA Determination

Notice is hereby given that The City of Spokane Department of Neighborhood Services and Code Enforcement has proposed an amendment to the unified development code to permit the use of short term rentals in residential zones. A public hearing on this proposal will be held on **February 11, 2015 at 4pm** in the lower level of Spokane City Hall at 808 W. Spokane Falls Blvd, Spokane, WA 99202 (this hearing may be continued to a later date). Any person may submit written comments on the proposed actions or call for additional information:

City of Spokane, Neighborhood Services and Code Enforcement
Attn: Heather Trautman
808 West Spokane Falls Boulevard
Spokane, WA 99201-3333
(509) 625-6083; htrautman@spokanecity.org

Documents relating to this proposal at: [https://beta.spokanecity.org/bcc/commissions/plan-commission/](https://beta.spokanecity.org/bcc/commissions/plan-commission/)

**Location:** The affected geographic area is residential zones including, zones RA, RSF, RSF-C, RTF, RMF, and RHD within the boundaries of the City of Spokane. A map of the City of Spokane and residential zones can be viewed at [http://maps.spokanecity.org/](http://maps.spokanecity.org/).

**Description of Proposal:** The short term rental ordinance proposes the allowance of short term rental use in residential zones. A short term rental is considered the use of a single family home, room(s) in a home, multifamily unit, attached or detached dwelling unit, duplex or other legal dwelling unit for rental for duration of less than 30 days. The amendments apply to the Unified Development Code in the Spokane Municipal Code Section 17C.110, 17C.190, 17C.315 and the addition of 17C.316.

**SEPA:** A DNS was issued on January 15 2015 under Section WAC 197-11-340. The lead agency will not act on this proposal for at least 14 days. Comments regarding this DNS must be submitted no later than January 30 2015 if they are intended to alter the DNS.

**Only the applicant, persons submitting written comments and persons testifying at a hearing may appeal the decision of the Plan Commission and City Council.**

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Chris Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.
December 11, 2014

Heather Trautman
City Planner
City of Spokane Planning Services
808 West Spokane Falls Boulevard Second Floor
Spokane, Washington 99201-3329

Dear Ms. Trautman:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Spokane - Proposed amendment to amend SMC 17C.110.120 and SMC 17C.190.110; and adopt a new chapter 17C.316 SMC to allow the short term (less than 30 days) rental use of a home, rooms in a home, whole house, condominium, or apartment in residential zones. These materials were received on December 11, 2014 and processed with the Material ID # 20889.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services
Public Comments Received by 2/3/15

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Name</th>
<th>General Opinion</th>
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<tbody>
<tr>
<td>12/29/2014</td>
<td>Nicholas Bowcut</td>
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<td>12/31/2014</td>
<td>Donna Fagan</td>
<td>Opposed</td>
</tr>
<tr>
<td>1/5/2015</td>
<td>Bruce and Rebekka Higgins</td>
<td>Opposed</td>
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<td>1/5/2015</td>
<td>Victor Fraizer</td>
<td>Opposed</td>
</tr>
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<td>1/5/2015</td>
<td>Jim Hanley</td>
<td>Opposed</td>
</tr>
<tr>
<td>1/12/2015</td>
<td>Bill Davis</td>
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<td>1/25/2015</td>
<td>Kandy Brandt</td>
<td>In favor</td>
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<td>1/25/2015</td>
<td>Lincoln Heights Neighborhood Council</td>
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</tr>
<tr>
<td>1/25/2015</td>
<td>Lloyd</td>
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</tr>
<tr>
<td>2/3/2015</td>
<td>Rebecca Mack</td>
<td>In favor</td>
</tr>
<tr>
<td>2/3/2015</td>
<td>Mari-Pat</td>
<td>In favor</td>
</tr>
<tr>
<td>2/3/2015</td>
<td>Planning Department</td>
<td>In favor</td>
</tr>
</tbody>
</table>
From: Nic Bowcut [mailto:nnbowcut@gmail.com]
Sent: Friday, December 26, 2014 12:00 PM
To: Trautman, Heather
Cc: Minarik, Rod
Subject: Re: FW: Request for Comments for Short Term Rental

Hello Heather!

Sounds good to me! I worry about this becoming an excuse for curious characters to run stuff out the residence but really, you can never truly monitor and stop that. I think it is reasonable and makes sense!

On Wed, Dec 24, 2014 at 9:52 AM, Caro, Jackie <jcaro@spokanecity.org> wrote:

To: Neighborhood Council Chairs & Vice Chairs

Subject: Request for Comments for Short Term Rental

Good Morning,

Please find attached the Request for Comments and Environmental Checklist for the proposed project, Short Term Rental. Please direct any questions or comments to the Director of Neighborhood Services and Code Enforcement, Heather Trautman, at htrautman@spokanecity.org.

Thank you,

Stephanie Bishop | City of Spokane | Clerk III / CO Coordinator
509.625.6244 | fax 509.625.6013 | sbishop@spokanecity.org
Nicholas N. Bowcut
Director - Next Level Development
nextlevelgivesback.org
nextlevelspokane.com
(503) 935-9250
Hello, I would like to address the problem of bordellos opening up in residential neighborhoods. I was not able to read the whole ordnance. Could you give me the section where it would be addressed. I understand there are other laws that could prohibit this but! We have had some major loopholes in legislation that has produced businesses that are not family friendly.

Thank you Donna Fagan
Sent from my iPad
Sent from my iPhone

Begin forwarded message:

From: GARY POLLARD <pogary1020@msn.com>
Date: January 11, 2015 at 3:33:50 PM PST
To: Heather Trautman <htrautman@spokanecity.org>
Subject: Comments on Short Term Rentals

Heather,

As I mentioned during the Jan. 09, 2015 Community Assembly meeting on the short term rentals proposal all that responded to the request for comments were in support with one suggestion. Mr. Bill Davis sent the following:

As a residential homeowner I am not opposed to this but a couple of caveats: Require a background check on the “renters” and insurance proof for this classification of occupancy. The normal homeowners will not protect the homeowner from liability generated by the “renter”. Normal homeowners policies exclude coverage for renters and boarders. The city needs to get professional advice and counsel from a knowledgeable homeowners underwriter/agent.

Bill Davis
Surety Ambassador

509-838-3501
509-755-9339 direct

Take Care,

Gary Pollard: Chair
Riverside Neighborhood Council
455-5202
At this point our neighborhood is in favor of sending the proposal forward. The only concern was raised at the meeting and I hope he forwarded his response to you. As for the Items for Review I personally favor 1-2 bedrooms, owner occupied with limited number of permits in the neighborhood, & limited # of people that can stay. I am not certain I understand the hardship clause so am not commenting. Adequate parking is necessary with either of the options.
Hi Marilyn,

1. Concerning the proposed Short Term Rental ordinance: I’m in favor of it when:
   a. The smaller number of bedrooms is selected for each category, and
   b. When the owner is live-in, in all instances. If we’ve got an “agent” rather than a live-in owner, then I think they should go the business route that is available, and not use this, and
   c. When parking is more clearly specified. For instance: renters could use on-property parking first, and no more than one additional street parking place, regardless of the number of bedrooms – unless neighbors sign off on more use on street parking (which wouldn’t be a problem in some neighborhoods).

2. Won’t be attending the Traffic Calming workshop.

Thanks for representing us!

Kandy

It was great to see you at our Neighborhood Council meeting last Tuesday. I have 2 points I need to clarify.

1. At the next Community Assembly meeting I will be voting on Lincoln Height’s opinions about the Short Term Rental proposed ordinance. Please respond yes or no your feelings about this going forward. If you have strong feelings about the proposal please complete the form you received and send to Tara Zeigler, Code Enforcement, Office of Neighborhood Services at City Hall. I will gladly get those responses to Tara if you drop your form to me at 3620 E 35th Ave (just east of Freya on 35th) by the end of next week.

2. The Traffic Calming workshop will be held at Wilson School at 911 W 25th on January 29th @ 6pm - 7:30. If you cannot attend that evening District 1 has a workshop on January 28th @ Northeast Community Center on 4001 N Cook, Same times.
From: speedy1727@gmail.com [mailto:speedy1727@gmail.com] On Behalf Of Jim Hanley
Sent: Thursday, January 01, 2015 11:43 AM
To: Trautman, Heather
Subject: Short Term Rentals

In reading the proposal I don't see limits on the number of rentals an individual can own, nor limits on how many times a unit can be rented. What is to keep me from buying up some homes in a residential neighborhood and going full bore to rent them out on a short term basis? I have thus established a thriving commercial business that appears to be shielded from current neighborhood zoning.

The intent of residential zoning is to keep business activities from adversely impacting my standard of living. I have no problem with a person occasionally renting out a room, or their house for a short term rental, but I am uneasy about allowing a business to be created around this concept while embedded in a residential neighborhood. I have no problem with a person located in a commercial zone pursuing the short term model. I know we have B&Bs in Browns Addition, but that area is zoned for apartments.

What am I missing on this?

Hoping your 2015 is wonderful,

Jim Hanley
342-1553
From: Trautman, Heather  
Sent: Monday, January 05, 2015 10:13 AM  
To: Zeigler, Tara  
Subject: FW: Request for Comments for Short Term Rental

From: Peacock, William  
Sent: Monday, January 05, 2015 8:56 AM  
To: Trautman, Heather  
Subject: RE: Request for Comments for Short Term Rental

Could you send the request for comments in a word document? I could then easily type in my response and send back.
Thank you!
Bill Peacock

From: Bishop, Stephanie  
Sent: Wednesday, December 24, 2014 9:52 AM  
To: Allenton, Steven; Arnold, Dale; Becker, Kris; Brown, Eldon; Brown, Ken; Buller, Dan; Caputo, Dee; Casci, Erin; Corley, Jacki; Coster, Michael; Dalrymple, Dana; Divens, Karin; Dolan, Pam; Duvall, Megan; Engelhard, Scott; Environmental Review; Erkel, Tim; Figg, Greg; Gately, John; Halsey, John; Hanson, Tonilee; Holderby, Steve; Howell, Gordon; Hughes, Rick; Hynes, Mike; Johnson, Candy; Kaehler, Gretchen; Kay, Char; Kegley, Daniel; Kells, Patty; Kokot, Dave; Lueck, Jerry; Madunic, Tony; Mallahan, Jonathan; McCann, Jacob; McClure, Jeff; Meyer, Eric; Moore, David; Moore, Michael; Morris, Mike; Neff, Julie; Neighborhood Services; Nilsson, Mike; Note, Inga; Nyberg, Gary; Palmquist, Tami; Peacock, William; Pederson, John; Ragaza-Bourassa, Anna; Richman, James; Sakamoto, James; Sanders, Theresa; Schmidt, Lynn; SEPA Center; Sikes, Jeremy; Steele, David; Taylor, Mike; Trautman, Heather; Kevin Wallace; Weingart, LuAnn; Wendle, Ned; Westby, April; Windsor, Scott  
Cc: Zeigler, Tara  
Subject: Request for Comments for Short Term Rental

Good Morning,

Please find attached the Request for Comments and Environmental Checklist for the proposed project, Short Term Rental. Please direct any questions or comments to the Director of Neighborhood Services and Code Enforcement, Heather Trautman, at htrautman@spokanecity.org.

Thank you,
Victor,

Thank you for the comments! We will forwarding it to the Plan Commission for their hearing in February.

Heather

From: Victor Frazier [mailto:victor.frazier@comcast.net]
Sent: Saturday, January 03, 2015 11:00 PM
To: Trautman, Heather
Subject: Short Term Rental Comments

Heather,

Just a quick note to express my opinion that any short term rental properties should provide one off street parking spot per guest bedroom.
Even in the property owners have to sacrifice the use of their own garage or off street parking to accomplish this.

Victor
Tara:

Thanks for letting us know your office is open for public comment regarding the city's consideration of short-term rentals. Although my wife and I can understand the demand for short-term rentals during periods such as Bloomsday or Hoopfest, we have serious misgivings about such lodging in residential areas, considering some nuisances occurring with even longer-term residences.

At the very least, we would like to see that owners of short-term lodgings be bonded as a precaution against neighborhood problems, with repeated patterns of abuse resulting in bond forfeiture and loss of license. It might also be a good idea to require patrons to place noise or damage deposits and to require verification of identity. As a former night auditor, I know that at least one local motel was able to stop drug dealing by requiring patrons to pay by credit-or-debit card.

Thanks again for reviewing and relaying our concerns.

Bruce and Rebekka Higgins
2628 N. Altamont St.
835-4106
<table>
<thead>
<tr>
<th>Maximum number set through the Conditional Use Review</th>
<th>Number of Guests</th>
<th>Total Occupancy equals 2 people per bedroom multi-amily building</th>
</tr>
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<tbody>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-smoker, no less than 120 square feet (NC)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>L-shaped, no less than 70 square feet (NC)</td>
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</tr>
<tr>
<td>Has no less than 70 square feet of floor area in the room</td>
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<td></td>
</tr>
<tr>
<td>No less than 70 square feet in any horizontal direction</td>
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</tr>
<tr>
<td><strong>Type B - High Intensity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Only one story available for Type B</td>
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<tr>
<td>Allow in houses, apartment complexes, apartment complexes</td>
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<tr>
<td><strong>Type A - Low Intensity</strong></td>
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<td></td>
</tr>
<tr>
<td>Tree growth may apply for Type B</td>
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<td></td>
</tr>
<tr>
<td>Allow in houses, apartment complexes, apartment complexes</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>Not applicable, this type goes through substantial review</td>
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<td>under conditional use process</td>
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</table>

| **Type A - Low Intensity**                              |                 |                                                                 |
| Can be non-owner occupied                              |                 |                                                                 |
| **Type B - High Intensity**                             |                 |                                                                 |
| Can be non-owner occupied                              |                 |                                                                 |
| Option #1: Must be owner occupied                      |                 |                                                                 |
| **Type A - Low Intensity**                              |                 |                                                                 |
| Option #2: Can be non-owner occupant                   |                 |                                                                 |
| **Type B - High Intensity**                             |                 |                                                                 |
| Option #1: 1-2 bedrooms                                |                 |                                                                 |
| Option #2: 3-5 bedrooms                                |                 |                                                                 |
| **Type A - Low Intensity**                              |                 |                                                                 |
| Option #1: 1-2 bedrooms                                |                 |                                                                 |
| Option #2: 3-5 bedrooms                                |                 |                                                                 |

**Permits**
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection

**Requirements**
- May be reviewed by the building department with regulations
- May be reviewed by the building department with regulations
- May be reviewed by the building department with regulations
- May be reviewed by the building department with regulations
- May be reviewed by the building department with regulations

**Permits**
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection
- Premise Plan Inspection

**Short Term Rentals - Recommendation Matrix**

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**Neighborhood Council Totals**
<table>
<thead>
<tr>
<th>Type A - Low Intensity</th>
<th>Type B - High Intensity</th>
<th>Number of Guests</th>
</tr>
</thead>
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<tr>
<td>Requirements</td>
<td>Permits</td>
<td>Full Conditional Use Review, Permit Request, License Renewal</td>
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<tr>
<td>Building</td>
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<td>Allowing in house, attached house, duplexes, apartment complexes</td>
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</tr>
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</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Over Occupancy</strong></td>
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</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Permit Requirements</strong></td>
<td></td>
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</tbody>
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- **Type A - Low Intensity**
  - Can be non-owner occupied
  - Option #1: Must be owner occupied
  - Option #2: Can be non-owner occupant
  - Option #3: 3 or more bedrooms
  - Option #4: 1-2 bedrooms
  - Option #5: 0 or more bedrooms

- **Type B - High Intensity**
  - Permit required if unable to comply with regulations
  - Option #1: Conditional Use Review
  - Option #2: Conditional Use Permit
  - Option #3: Administrative Permit

- **Type B - High Intensity**
  - Permit required if unable to comply with regulations
  - Option #1: Conditional Use Review
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<th>Option #1: 3-5 bedrooms</th>
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<td></td>
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<td>Option #2: 5 or more bedrooms</td>
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<table>
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<tr>
<th>Strategies to Limit Impact on Single Family Residential use</th>
<th>Discussion #1: Limit number of Licenses per neighborhood</th>
<th>Not applicable, this type goes through substantial review under conditional use process</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Discussion #2: Limit number of people that can stay</td>
<td></td>
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| Bedroom Requirements | Legal definition of a bedroom: Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction, no less than 70 square feet (IRC) |

| Number of Guests | Total Occupancy equals: 2 people per bedroom multiplied by total number of rooms. | Maximum number set through the Conditional Use Review. |
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<tbody>
<tr>
<td>Administrative Permit over the Counter Permit.</td>
<td>Yes</td>
<td>Type III Conditional Use Review</td>
</tr>
<tr>
<td>Permit related inspection</td>
<td>No</td>
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<td>Option #1: Must be owner occupied</td>
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<td>Total occupancy equals 2 people per bedroom, multiplied by total number of rooms.</td>
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Tara Zeigler
Neighborhood Services and Code Enforcement
zteigler@spokanecity.org
(509) 625-6662
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</tr>
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<td>Yes</td>
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**Option #1:** 1-2 bedrooms  
**Option #2:** 4 or less bedrooms  

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<th>Type C - Low Intensity</th>
<th>Type D - Low Intensity</th>
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<tbody>
<tr>
<td>Floor Area</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>Number of Bedrooms</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Number of People</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Number of Floors</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>Permit Required</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Video Monitoring</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Parking</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Pets</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Smoking</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Note: This matrix is a representation of the recommendations for short-term rentals based on different criteria.*
<table>
<thead>
<tr>
<th><strong>Number of Bedrooms</strong></th>
<th><strong>Building Type</strong></th>
<th><strong>Family Residential Use</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Legal definition of a bedroom: Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction.</strong></td>
<td><strong>Vacant or in use</strong></td>
</tr>
<tr>
<td><strong>Type B - High Intensity</strong></td>
<td><strong>Only owner may apply for Type B</strong></td>
<td><strong>Vacant or in use</strong></td>
</tr>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Legal requirement for a bedroom: A minimum of 70 square feet (700 sq ft).</strong></td>
<td><strong>Vacant or in use</strong></td>
</tr>
<tr>
<td><strong>Type B - High Intensity</strong></td>
<td><strong>Allow owner to dwell in one or two units of apartment or condominum</strong></td>
<td><strong>Vacant or in use</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Number of Rooms</strong></th>
<th><strong>Floor Occupancy</strong></th>
<th><strong>Requirements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Conditional Use</strong></td>
<td><strong>May be required if building is scheduled with regulations.</strong></td>
</tr>
<tr>
<td><strong>Type B - High Intensity</strong></td>
<td><strong>Conditional Use</strong></td>
<td><strong>Conditional Use Review.</strong></td>
</tr>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Conditional Use</strong></td>
<td><strong>Conditional Use Review.</strong></td>
</tr>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Conditional Use</strong></td>
<td><strong>Conditional Use Review.</strong></td>
</tr>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Conditional Use</strong></td>
<td><strong>Conditional Use Review.</strong></td>
</tr>
</tbody>
</table>

**Short Term Rentals - Recommendation Matrix**

1/11/11
<table>
<thead>
<tr>
<th>Number of Guests</th>
<th>Bedroom Requirements</th>
<th>Building Type</th>
<th>Strategies to Limit Impact on Single-Family Residential Use</th>
<th>Owner Occupancy Status</th>
<th>Number of Bedrooms</th>
<th>Permits Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A - Low Intensity</td>
<td>2 or less bedrooms; no less than 70 square feet (SQ.FT.)</td>
<td>Yes</td>
<td>Fulfill the legal definition of a bedroom. Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction.</td>
<td>Yes</td>
<td>Option 1: Must be owner occupied</td>
<td>Yes</td>
</tr>
<tr>
<td>Type A - High Intensity</td>
<td>3 or more bedrooms</td>
<td>No</td>
<td>Fulfill the legal definition of a bedroom. Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction.</td>
<td>No</td>
<td>Option 2: Can be non-owner occupied (whole dwelling unit)</td>
<td>No</td>
</tr>
<tr>
<td>Type B - Low Intensity</td>
<td>1 or 2 bedrooms</td>
<td>Yes</td>
<td>Allow in houses, attached houses, duplexes, apartments, studios. Only owner may apply for Type B</td>
<td>Yes</td>
<td>Option 1: Must be owner occupied</td>
<td>Yes</td>
</tr>
<tr>
<td>Type B - High Intensity</td>
<td>3 or more bedrooms</td>
<td>No</td>
<td>Allow in houses, attached houses, duplexes, apartments, studios. Only owner may apply for Type B</td>
<td>No</td>
<td>Option 2: Can be non-owner occupied (whole dwelling unit)</td>
<td>No</td>
</tr>
<tr>
<td>Type C - Low Intensity</td>
<td>1 or 2 bedrooms</td>
<td>Yes</td>
<td>Include &quot;hardship&quot; provision in deed for flexibility if permit limit reached.</td>
<td>Yes</td>
<td>Option 1: Must be owner occupied</td>
<td>Yes</td>
</tr>
<tr>
<td>Type C - High Intensity</td>
<td>3 or more bedrooms</td>
<td>No</td>
<td>Include &quot;hardship&quot; provision in deed for flexibility if permit limit reached.</td>
<td>No</td>
<td>Option 2: Can be non-owner occupied (whole dwelling unit)</td>
<td>No</td>
</tr>
</tbody>
</table>

Administrative Permit over the Conditional Permit. Permit related inspection.

- May be revoked if failure to comply with regulations.

Type III Conditional Use Review

- Quasi-judicial land use decision.
<table>
<thead>
<tr>
<th>Type B - High Intensity</th>
<th>Type A - Low Intensity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum number set through the Conditional Use Review:</strong></td>
<td><strong>Placed by total number of rooms:</strong></td>
</tr>
<tr>
<td><strong>Total Occupancy excl. 2 people per condition multiple:</strong></td>
<td><strong>Bedroom</strong></td>
</tr>
<tr>
<td><strong>Legal definition of bedroom:</strong></td>
<td><strong>Requirements</strong></td>
</tr>
<tr>
<td>Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction.</td>
<td>Building Type</td>
</tr>
<tr>
<td>Only owners may apply for Type B</td>
<td>Family Residential</td>
</tr>
<tr>
<td>Allow owners of dwellings to rent out, transfer of ownership.</td>
<td>Impact on Single-</td>
</tr>
<tr>
<td>Allow in house, attached houses, duplexes, apartment, townhouses.</td>
<td>Family</td>
</tr>
<tr>
<td><em>Not applicable for this Type</em></td>
<td></td>
</tr>
</tbody>
</table>

- **Strategies to Limit:**
  - Permitted in zones.
  - Single-family dwellings only.
  - Housing with fewer than 5 bedrooms.
  - More than 5 bedrooms.

- **Owner Occupancy:**
  - Must be owner occupied.
  - Cannot be owner occupied.

- **Number of Bedrooms:**
  - 1 or 2 bedrooms.
  - 3 or more bedrooms.

- **Permits & Requirements:**
  - May be reviewed if failure to comply with regulations.
  - Permitted based on site
  - Permitted based on DBC. All conditions.
  - Additional permits over the County Permit.
<table>
<thead>
<tr>
<th>Number of Guests</th>
<th>Number of Bedrooms</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Bedroom Requirements**

- **Type B - High Intensity**
  - Room no less than 70 square feet (SQF)
  - Legal definition of a bedroom: Two points of egress, direct access to the room, no less than 7 feet in any horizontal direction

- **Type B - Low Intensity**
  - Only owner may apply for Type B

**Building Type**

- **Type A - Low Intensity**
  - Under conditional use process
  - Applies to Type A

**Over Occupancy**

- **Type B - High Intensity**
  - Can be non-owner occupied?
  - Option #1: 1, Must be owner occupied
  - Option #2: Can be owner occupied

**Number of Bedrooms**

- **Type B - Low Intensity**
  - 3 or more bedrooms
  - 1 or 2 bedrooms

**Permit Requirements**

- Premise Related Inspection
- Quasi Judicial Land use decision
- Type III Conditional Use Review
- Type II Permit
- May be revoked at any time in accordance with regulations

---

Short Term Rentals - Recommendation Matrix
Memo

To: Plan Commission
From: Boris Borisov, Assistant Planner
cc: Louis Meuler, Heather Trautman, Zoraida Etter, Tami Palmquist, Tara Zeigler
Date: February 11, 2015
Re: Short Term Rentals & Comprehensive Plan Consistency

This memo is with regards to the proposed Short Term Rental Ordinance 17C.316 (referred to as proposal from here on out) and its consistency with the Comprehensive Plan. Under the proposal renting residential structures (single-family, duplex, apartment, condos, etc.) for duration less than 30 days would be permitted. Under current zoning, such uses are not allowed in residential zones per SMC 17C.110 as they are classified as Retail Sales and Service (SMC 17C.190.270(C)(1)).

The proposal would require short-term rentals to undergo additional review and meet specific standards by the zoning code. These standards would be classified under two permit types A & B, with Type A classified as an over-the-counter permit and Type B receiving more rigorous scrutiny under the conditional review process. With the emergence of the “shared-economy” and mobile platforms that facilitate quick transactions between homeowners and clients, it is evident that short-term rentals will continue to increase. Spokane’s current zoning codes do not address this new market in a sufficient manner.

The City of Spokane embraces change that helps build community and expand opportunities for citizens. We must also delicately balance the short-term rental market with the priorities of the citizens laid out in the Comprehensive Plan. The Comprehensive Plan guides the conversation on the citywide land use goal (LU1):

Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and nonresidential development and design, and proactively reinforcing downtown Spokane’s role as the urban center.

The Comprehensive Plan further builds on this goal by providing policy direction for single-family residential areas (LU1.3):
Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated centers and corridors.

Discussion: The city's residential neighborhoods are one of its most valuable assets. They are worthy of protection from the intrusion of incompatible land uses. Centers and corridors provide opportunities for complementary types of development and a greater diversity of residential densities. Complementary types of development may include places for neighborhood residents to work, shop, eat, and recreate. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The direction given in the Comprehensive Plan calls for allowing a harmonious blend of opportunities in a manner which protects the city's residential neighborhoods from uses/development intruding on the character of single-family zones. As such, the stakeholder group considered several thresholds that would determine how much scrutiny is applied in the review process based on several factors including number of bedrooms and occupancy (Type A over the counter permit vs. Type B, Conditional Review):

<table>
<thead>
<tr>
<th>Short Term Rentals - Recommendation Matrix</th>
<th>11/1/14</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitting Requirements</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Type A - Low Intensity</strong></td>
<td><strong>Type B - High Intensity</strong></td>
</tr>
<tr>
<td>Administrative Permit over the Counter Permit</td>
<td>Type III Conditional Use Review</td>
</tr>
<tr>
<td>- Permit related inspection</td>
<td>- Quasi judicial land use decision</td>
</tr>
<tr>
<td>- May be revoked if failure to comply with regulations</td>
<td>- Permit related inspection</td>
</tr>
<tr>
<td><strong>Number of Bedrooms</strong></td>
<td>**Yes</td>
</tr>
<tr>
<td>Option #1: 1-2 bedrooms</td>
<td>Option #1: 3-5 bedrooms</td>
</tr>
<tr>
<td>Option #2: 4 or less bedrooms</td>
<td>Option #2: 5 or more bedrooms</td>
</tr>
<tr>
<td><strong>Owner Occupancy Status</strong></td>
<td>**Yes</td>
</tr>
<tr>
<td>Option #1: Must be owner occupied</td>
<td>Can be non-owner occupied (whole dwelling unit)</td>
</tr>
<tr>
<td>Option #2: Can be non-owner occupied</td>
<td></td>
</tr>
</tbody>
</table>

In the draft proposal the stakeholders considered the above table and narrowed the discussion into two main options. In option #1 (per draft ordinance SMC 17C.316) Type A is defined as a short term rental where no more than 4 bedrooms are rented to overnight guests, and no commercial meetings are held. Type B is defined as a short term rental where 5 or more bedrooms are rented to overnight guests or where fewer than 5 bedrooms are rented and commercial meetings are held. Option #2 is the same except it requires an individual or family to reside in the dwelling unit to be rented out.

Changes to this proposal were recommended by the Plan Commission at a January 28, 2015 workshop. The changes consolidate the above two options into one set of definitions:

**Section 17C.316.020 Descriptions and Definitions**

A. **Description.** A short-term rental is where a residential dwelling unit or bedrooms in a residential unit are rented to overnight guests for fewer than 30 days. There are two types of short-term rentals:
1. Type A. A Type A short term rental is where no more than 4 bedrooms are rented to overnight guests, and no commercial meetings are held. In a duplex, if one unit is occupied by the owner or operator, then the other unit may be rented in its entirety.

2. Type B. A Type B short-term rental is where 5 or more bedrooms or the non-owner occupied or non-operator occupied entire dwelling unit of any size are rented to overnight guests or where fewer than 5 bedrooms are rented to overnight guests and commercial meetings are held.

In addition, the Plan Commission recommended that the owner/operator occupancy requirement not apply in higher density residential zones:

Section 17C.316.030 Where These Regulations Apply

The regulations of this chapter apply to short-term rental in the following zones: RA, RSF, RSF-C, RTF. In RMF and RHD zones, all regulations of this chapter apply except that for Type A rentals, residency of the owner or operator is not required and the entire up to 4 bedroom dwelling unit may be rented short term without a Conditional Use Permit. In zones where Retail Sales and Service uses are allowed, limited or conditional uses, short-term rentals may be regulated either as a Retail Sales and Service use, or as a short-term rental under the regulations of this chapter. The decision is up to the applicant.

It is the view of this department that the recommendations by the Plan Commission are consistent with the Comprehensive Plan if additional standards for short term rentals in the proposal are met. Requiring owner occupancy in the single family zone while relaxing this standard in higher density areas is well suited to protect residential neighborhoods as prescribed by the Comprehensive Plan. As this proposal continues to go through the review process the guiding question is what approach will better protect residential character while allowing flexibility to accommodate the emerging shared-economy?
February 3, 2015

Comments for Support of Short Term Rentals in Spokane

My husband and I have been operating an Airbnb rental from our home on South Hill for over a year. It came as a surprise to us that we were operating outside some of the city’s neighborhood and zoning codes. Since learning that, I have been actively involved in the Stakeholder’s group along with other interested parties that are interested in creating a path to compliance so we can continue to offer alternative lodging to guests of our city.

I feel strongly that Airbnb and other short term rentals bring significant benefits to our community and our neighborhoods. I have enjoyed hosting over 100 guests and families to Spokane for Bloomsday, Hoopfest, Gonzaga events, hospital visits and more. I can provide a clean, safe and affordable alternative to corporate-owned hotels. My guests are often families and generally spend their travel dollars at neighborhood & locally owned restaurants, coffee shops, (Huckleberry’s, Bennidito’s, Rocket Bakery, Lindeman’s, etc.) providing an added boost to our local economy.

We, the Stakeholders, have worked hard at creating a fair and reasonable proposal to continue our short term rentals in a manner compatible with the city’s codes and taxes. I ask your support and consideration as we move forward to full compliance.

Sincerely,

Mari-Pat Corrigan

Mari-Pat Corrigan
1220 S. Adams St.
Spokane, WA 99204
Comments to the Spokane Plan Commission from Rebecca Mack and Tim Frothingham, re: Short Term Rentals in Spokane

February 3, 2015

****On February 2, we were informed by Tara Zeigler of Neighborhood Services that written comments to the Plan Commission were due today, February 3rd at 5:00 pm for the Plan Commission hearing scheduled for February 11th. It has been very difficult to prepare these comments given the short time frame. Just now, at 2:16 pm, I received a revision from Tara that I have cut and pasted below.

I do not believe due process is being respected here. The stakeholder group met for months and spent countless hours on this very complex issue. For the Commission to make a significant revision at this late date is highly objectionable. There is no way that meaningful comment can be prepared in an hour and a half. The change made in the Plan Commission ordinance being forwarded is a material departure from the original. I am submitting my written comments under protest.

Here is the email sent this afternoon from Tara:

A new draft of the Short Term Rental ordinance has been included for your use and recommendation dated 1/28/15. Last week, the Plan Commission requested an additional workshop for the short term rental project. The additional workshop was held Wednesday, January 28th. The change in the draft is summarized below:

(I was unable to cut and paste this portion of Tara’s email. It deals with Owner vs Versus Non-Owner Occupancy at Short Term rentals, and is frankly incomprehensible to me but constitutes a critical change from what was originally submitted to us for comment)

I have attached the most recent draft for consideration. The Plan Commission Hearing is scheduled for February 11th, at Spokane City Hall in the Lower Level Chambers at 4:00PM, this is a public testimony opportunity. You are welcome to provide written testimony on the proposal directly to me by 5:00PM today to be included in the Plan Commission documents. In addition, there will be future opportunities to comment on this proposal to the City Council at a hearing likely to be held in March as individuals, neighborhood and the Community Assembly.

I appreciate your feedback and participation through this process. If you have any questions or concerns please do not hesitate to let me know.

Thank you,

For the last 15 years my husband and I have been restoring neglected old buildings on the South Hill and in the Perry District, several of which are now on Spokane's Historic
register. We own, manage and rent several of these buildings, including single-family homes, four-plexes and a triplex.

Up until about 4 years ago, our tenants were on all long-term leases. Then, originally to help out a single mother, we changed one of our small apartments in a 4-plex into a short-term rental using Airbnb and word-of-mouth to connect with prospective guests. Allowing short-term rental of the apartment allowed the young mother to establish independence, and qualify for financial aid so she could return to school.

Later, when she moved out, we kept the apartment as a short-term rental as it seemed to be a good fit in the neighborhood and with our other tenants, not to mention the terrific enthusiasm it generated amongst our guests for Spokane and its lodging choices.

Sometime later, we decided to use another of our properties, a single-family home, into a short-term rental. We have found these 2 properties offer an attractive option for many people coming to visit Spokane, many of whom have very specific needs that cannot be met in typical accommodations. I personally have dozens of anecdotes I could relate about how these short-term rentals have enhanced Spokane’s economy and offered travelers a terrific, personal experience in our neighborhoods. We pay close attention to the needs and comfort of both our long-term renters and our short-term guests, as well as our neighbors. We have not ever had a problem accommodating all these members of our community in a pleasant and peaceful way.

I am one of the people who received citations from the City of Spokane a year ago for zoning violations for my short term rentals due to complaints filed against me by anonymous parties. I considered converting my short term rentals to long term, as that is our primary business and it would be relatively easy for me to do. However, I felt strongly that Spokane was headed in a very unfortunate direction if it continued down this path of heavy-handed code enforcement for a progressive, emerging and extremely popular lodging option. Philosophically, I believe it’s important for the City to be open to new models of business and to support citizen efforts to engage in small cottage home-based business that can be tremendously positive for all concerned.

I have been participating as a short term rental stakeholder in meetings with the city for nearly a year. At the same time, I have been meeting regularly with members of the short term rental community to try and ensure that the very wide range of families and neighborhoods in this community is represented in the process.

There are hundreds of short term rentals in Spokane on a handful of the most popular and conspicuous websites advertising these accommodations. There are untold numbers operating “underground”. It should be noted that the short term rental group was represented equally at the city’s stakeholder table (3 of us representing hundreds) with the conventional bed and breakfast establishments in town (3 of them representing 3 or 4 of Spokane’s remaining bed and breakfasts). This was frankly a bothersome proportion of representation in the stakeholder group. This small group has been very
vocal and active in their opposition to liberalizing codes in Spokane, citing a decline in their business as a result of the competition from sites such as Airbnb, VRBO, Flipkey, etc.

We have worked very long and hard on this, both in our meetings as short-term rental operators, and as a stakeholder group. We come to agreement on some major issues fairly quickly. Significantly, we were able to address what emerged as a key issue - the so-called “playing field”. Bed and breakfast operators felt there should be an “even playing field” and everyone should be subject to the same rules, regulations, permits and taxes. It developed that a “fair playing field” was more reasonable, given the wide range of accommodations we were considering. This was accomplished by having 2 types of permits - low and high density - each with different requirements. We came up with agreements that there should be permitting requirements, licensing, and that everyone should abide by taxation requirements. These agreements are roughly laid out in the Short-Term Rentals - Recommendation Matrix.

We had some sharp disagreements on a few issues I would like to address, and these are reflected in the Matrix in yellow highlight.

We feel strongly that the recommendations for requirements be less, rather than more restrictive, especially at the outset of the public process. Most importantly;

~ The number of bedrooms for Low Intensity (Type A) should be 4 or fewer bedrooms

~ Short-term rentals should not have it be a requirement that they be owner-occupied

Both these restrictions would significantly impact existing and potential short term rentals. I cannot accurately cite the number of short term rentals that would be eliminated, but personally I can tell you that both of my short term rentals would no longer be viable.

Being new to this process, it is difficult to know what issues to focus on and at what stage it’s most relevant. This has turned out to be a very complex issue with tentacles that run deep. We have a great deal more to contribute to the conversation in our community, and welcome the opportunity to answer any questions you may have.

Rebecca Mack and Tim Frothingham

527 West 13th, Spokane WA 99204

rrmack@gmail.com      509-499-1330