

PROPOSED BY: \_\_\_\_\_  
INTRODUCTION DATE: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 20 (ZONING) TO REGULATE SHORT-TERM/VACATION RENTALS**

**WHEREAS**, the Council’s docket includes items PLN2014-00020 and PLN2016-00011 to “Amend Whatcom County Code Title 20 (Zoning) & Title 23 (Shoreline Management Program) to allow vacation rentals under certain conditions as a use within certain zones and shoreline designations.”

**WHEREAS**, over the years, the County has received numerous complaints about excessive noise, over-parking, and other nuisances; and,

**WHEREAS**, the Whatcom County Council reviewed and considered Planning Commission recommendations, staff recommendations, and public comments on the proposed amendments; and

**WHEREAS**, the County Council hereby adopts the following findings of fact:

**FINDINGS OF FACT**

1. Whatcom County Planning and Development Services submitted an application for a zoning code amendment to add a definition and standards for vacation rental units.
2. The amendment would add vacation rentals as an accessory use in zones where “bed and breakfast establishments” are currently permitted as an accessory use.
3. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on December 8, 2014.
4. Notice of the subject amendment was submitted to the Washington State Department of Commerce on November 26, 2014, for their 60-day review. No comments were received.
5. On January 8, 2015, the Whatcom County Planning Commission held a duly noticed public hearing on a proposal to amend the Zoning Code (WCC Title 20) to allow vacation rental units as accessory uses in most zones, and recommended approval.
6. The County Council held an advisory public hearing on May 10<sup>th</sup>, 2022, and a duly noticed public hearing on the proposed amendments on \_\_\_\_\_, 2023.
7. WCCP Policies 2A-13, 2FF-1, 2FF-3, 2FF-4, and 7K-4 support small home-based businesses in the rural areas of the county.
8. WCCP Policies 2FF-3 and 2FF-4 support rural businesses provided they do not adversely impact rural character or surrounding uses.
9. WCCP Policy 2DD-2 supports protecting rural character through development regulations.
10. The vacation rental amendments are necessary to better regulate vacation rentals, minimize impacts on neighboring properties, and ensure consistency with WCC Title 23 (Shoreline Management Program).
11. The Council deems it appropriate to require registration by owners of vacation rentals as a means of enforcing health, safety, and other requirements, but understands it will take some time for

Planning and Development Services and Finance to engage a vendor to develop and administer a vacation rental registration system, develop a fee structure for said registry and develop a strategy to inform vacation rental operators of the pending registration requirement and performance standards in Exhibit B.

12. Therefore, Exhibit B shall not become effective until after Council acts to approve the fee structure and implement the vacation rental registration system.

13. In addition, many of the amendments are solely to fix grammar and have more concise language.

**CONCLUSIONS**

- 1. The amendments to the development regulations are in the public interest.
- 2. The amendments are consistent with the Whatcom County Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

**Section 1.** Amendments to the Whatcom County Code related to defining vacation rentals and specifying in what zones vacation rentals are allowed by what permit, as shown in Exhibit A, are hereby adopted and shall become effective 10 days after the County Executive signs this ordinance.

**Section 2.** Planning and Development Services and the Finance Department are requested to work together to engage a vendor to develop and administer a vacation rental registration system, public outreach strategy, and a fee structure for said registry. Said fee structure, to be added to the County’s Unified Fee Schedule, shall be presented to the Council for consideration and potential adoption as soon as practicable. At that time, an ordinance adopting Exhibit B shall also be presented to Council to consider.

**Section 3.** Staff is authorized to work with Code Publishing to correct and update any cross-references made ineffective by these amendments.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED as to form:

( ) Approved      ( ) Denied

\_\_\_\_\_  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, Executive

Date: \_\_\_\_\_