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Mark Personius, AICP
Director

Memorandum

TO: The Honorable Whatcom County Council's Planning & Development Committee
The Honorable Satpal Sidhu, County Executive

FROM: Cliff Strong, Senior Planner

THROUGH: Mark Personius, AICP, Director

DATE: October 29, 2021

SUBJECT: Update on Vacation Rental Regulations – Titles 20 and 23 Amendments

Purpose

The purpose of today's discussion is to provide the information the Planning & Development Committee requested regarding the proposed vacation rental amendments to WCC Titles 20 (Zoning) and 23 (Shoreline Management Program).

Requested Information

At your 9/28/21 meeting the Planning & Development Committee requested the following information:

Would the County's proposed registration requirement be duplicative of the State's registration requirement?

There was concern that the County's proposed registration of vacation rental units would be duplicative of the State's registration requirement. However, RCW 64.37.040(2) only requires that short-term rental *platforms* register with the Washington State Department of Revenue. "Platform" refers to the internet service that "provides a means through which an operator may offer a dwelling unit, or portion thereof, for short-term rental use, and from which the person or entity financially benefits." It does not require short-term rental *operators* to register. Thus, the Council's proposed registration system for operators would not be duplicative, and would provide the County with information and means to better enforce safety measures and nuisance complaints.

How many complaints has the County received regarding vacation rentals?

There was concern that regulating vacation rentals may no longer be as big of an issue as it once was and the Committee asked staff to obtain data on the number of complaints the County has received over the past several years. We have since requested this information from both the Sheriff's Office and PDS' Code Enforcement Division. Unfortunately the answer from both entities is that they don't track this information as their officers, when responding to a nuisance complaint, have no way of knowing whether a dwelling is a vacation rental or just the occupant's home. Thus, this information is not available.

What's the City of Bellingham's experience been with Granicus' registration system?

At your last meeting staff asked if the Council would be supportive of contracting with a third party vendor to provide an online registration system. We mentioned that the City of Bellingham has already contracted with and has been using Granicus, and the Committee asked what their experience has been. PDS staff has now spoken with several Bellingham staff, including their Planning Manager, Code

Enforcement Officer, and their IT staff, and all gave the program glowing reviews, stressing that it has provided them with a means to better monitor safety, track taxes, and enforce complaints.

Shall staff organize a presentation by Granicus to the Planning & Development Committee?

Staff asked this question of the Committee, which seemed interested. However, as there still seems to be a question as to whether Council wants to continue this project, we think it might be best to conclude that discussion first. Such a presentation can be scheduled for a later meeting when it's apparent that the Council wants to continue.

Next Steps

Staff would like to get direction as to whether the Council is still interested in moving forward with the proposed amendments or removing this project from the docket.

If the former, and if the Council is interested in further exploring contracting with a vendor to provide the registration system, then staff will scheduled a presentation for a later meeting.