

Overnight Rental Regulations

Adopted April, 2019 by Ordinance #714

Winthrop Municipal Code provides for two types of overnight rental uses, defined as follows:

“Overnight/transient rentals” means the rental of an approved dwelling unit for periods of less than 30 continuous calendar days. Overnight/transient rentals are considered commercial rather than residential uses and must be approved and licensed accordingly.

“Owner-occupied overnight rental” means rental of one or more bedrooms within an approved dwelling unit for periods of less than thirty (30) continuous calendar days. The dwelling unit shall be the principal residence of the property owner. The number of bedrooms available must be at least one less than the number of bedrooms in the dwelling. Owner-occupied overnight rentals are considered commercial rather than residential uses and must be approved accordingly.

Winthrop Municipal Code Section 17.12.035 Overnight Rentals

- A. **Intent.** The intent of this section is to ensure all types of overnight rentals, including owner-occupied overnight rentals, observe the legal requirements of other tourist accommodations so that they compete fairly for commerce, and preserve the neighborhood character of the areas in which they are located.
- B. **Overnight Rental Permit Required.**
1. In order to obtain a business license for an overnight rental, including an owner-occupied overnight rental, the property owner must apply for an overnight rental permit on forms provided by the administrator and pay the application fee. Within thirty (30) days of receiving a complete application, the administrator shall determine if the proposed overnight rental meets all of the requirements and standards set forth in this section, and shall issue a decision to approve or deny the overnight rental permit. Applications which do not meet applicable standards may be denied by the administrator with written findings of fact detailing the reasons the permit is denied. An overnight rental permit may be conditioned by reasonable conditions designed to assure compliance with the requirements and standards of this section.
 2. The vested title property owner shall be the permit and license holder. The permit and business license are not transferable. To continue an overnight rental use, a new owner must obtain a new permit and license within thirty days of the transfer of ownership.
 3. Overnight rental permits shall be valid for one year, and may be renewed yearly by submitting a permit renewal fee and checklist with supporting documentation, including, but not limited to the following items: documentation of current permit from Okanogan County Public Health, number of nights occupied, total number of guests, verification of site plan and maximum occupancy, copy of information supplied to guests, and other reasonable documentation necessary to establish the use remains in compliance with the standards of this chapter.
- C. **General standards for overnight rentals and owner-occupied overnight rentals.**
1. Overnight rentals and owner-occupied overnight rentals are permitted in the B1, B2, and B3 zones, and where specifically permitted in areas covered by the overnight rental overlay.

2. Solid waste disposal. Solid waste must be removed from the overnight rental to an approved solid waste facility at a minimum of once every two weeks. Solid waste shall be stored in a completely enclosed area and secured solid waste receptacles or stored completely indoors.
3. Addressing. The address of the overnight rental shall be clearly visible from the adjoining public street.
4. Business sign. One business sign shall be placed identifying the overnight rental by name. Signs must adhere to all applicable provisions of Winthrop Municipal Code.
5. Required sign at entry. Owner shall place a legible sign inside the front entry, clearly visible to guests, listing the maximum number of occupants permitted, the maximum number of vehicles allowed to be parked on site.
6. Parking sign. A sign shall be placed to indicate the location of parking spots designated for overnight rental use. Signs must adhere to all applicable provisions of Winthrop Municipal Code.
7. Contact information. Valid telephone number for local property representative. Property representative shall be available 24 hours per day, seven days per week for the purpose of: a) responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the short term rental and b) taking remedial action to resolve any such complaints.
8. Information supplied to guests. A packet of information shall be provided to renters and posted conspicuously in the common area of the rental summarizing the guidelines and restrictions applicable to the overnight rental use.
9. Inspection. Pursuant to permit renewal, an annual inspection shall be required to ensure compliance with permit conditions, capacity, and safety. The Town will not duplicate inspection and approval of public health and safety requirements under the authority of Okanogan County Public Health, and will not permit any overnight rental that has not supplied current documentation of County approval.
10. Taxes. Property owner shall have the legal responsibility for the collection and remittance of all applicable taxes.

D. Specific standards for overnight/transient rentals

1. Occupancy. The number of bedrooms and total occupancy shall be established in the overnight rental permit. Maximum occupancy shall consist of no more than two overnight guests per bedroom at any one time, plus an additional three guests at any one time.
2. Parking. One on-site parking space shall be provided for each bedroom within the overnight rental. All parking must be accommodated on site. Maximum street access for driveway/parking is 20', and shall be approved by the Public Works Superintendent during the permit process.
3. Use restrictions within overlay zone. A renter may not use an overnight rental located within the overlay zone for a purpose not incidental to its use for lodging or sleeping purposes. This restriction includes using the rental for a meeting space, wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event or any similar group activity.
4. Use restriction for accessory dwelling units. Within the overnight rental overlay zone where both overnight rentals and accessory dwelling units are permitted, only the accessory dwelling unit or the primary dwelling on a property may be an overnight rental, but not both. If one of the dwelling units is an overnight rental, the other must be owner occupied.

E. Specific standards for owner-occupied overnight rentals.

1. **Occupancy.** The number of bedrooms and total occupancy shall be established in the overnight rental permit. Maximum occupancy shall consist of no more than two overnight guests per bedroom approved for overnight rental.
2. **Owner-occupied.** The dwelling unit shall be the principal residence of the property owner, and the owner shall live on-site during periods of occupancy as an overnight rental.
3. **Parking.** In addition to two residential parking spaces, one on-site parking space shall be provided for each bedroom approved for overnight rental. All parking must be accommodated on site. Maximum street access for driveway/parking is 20', and shall be approved by the Public Works Superintendent during the permit process.

Overnight Rentals are allowed in the following zoning districts, as specified in TABLE 17.16.010:

Land Use	R-I	R-II	R-III	PR	B-I	B-II	B-III	IND	PU	T/R
Retail Trade and Services										
Owner-occupied overnight rental					A	A	A			A
Overnight rentals					A	A	A			A

17.30.040 Overnight Rental Overlay (ORO).

A. Policy. The overnight rental overlay establishes additional areas where overnight rentals may be permitted outside of those zones identified in Table 17.16.010. Overnight rental uses within the overlay must comply fully with Section 17.12.035, or any amendments thereto or any replacements thereof.

B. Allowed Uses. In the overnight rental overlay those uses shall be allowed as set forth in the table of Allowed Uses in Chapter 17.16 for the underlying zone district. In addition, overnight rental uses may be allowed in compliance with the provisions of Section 17.12.035.

C. Lot Size, Allowable Densities, Lot Coverage, Height and Setbacks. Lot sizes, allowable densities, lot coverage, height and setback requirements in the overnight rental overlay shall be as set forth for the underlying zone district.

D. Signs. Signs for overnight rental uses within the overlay district shall comply with Section 17.12.035.

**TOWN OF WINTHROP
OVERNIGHT RENTAL APPLICATION**

The Town of Winthrop regulates overnight rentals under Section 17.12.035 of the Winthrop Municipal Code. Overnight rental businesses require a business license, overnight rental permit, and annual permit renewal. The property owner with vested title is required to hold the permit and license.

Business Name: _____ Business Address: _____

Zoning District: _____ Parcel #: _____

Property owner

Manager (if different than landowner)

Name: _____

Name: _____

Mailing Address: _____

Mailing Address: _____

City, ST, Zip: _____

City, ST, Zip: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

Use

Overnight Rental

Owner-occupied Overnight Rental

Number of rooms in home: _____

Total occupancy: _____

Number of rooms for rent: _____

Number of parking spaces: _____

Required Documentation

The following documentation is required for approval of an overnight rental. Please attach pictures, drawings, or narrative documentation for the following items.

- Site Plan. Site plan needs to be drawn to scale, illustrating property boundaries, location of structures, parking spaces, and driveway access.
- Address visible from the adjoining street.
- Business sign placed so as to visibly identify the overnight rental by name. Signs must comply with applicable requirements under zoning and westernization codes.
- Entry sign placed inside front entry. The sign must be clearly visible to guests, list the maximum number of occupants, and the maximum number of vehicles allowed to be parked on site.
- Parking sign placed to indicate location of designated spaces for overnight guests. All required parking must be located on the property. The maximum allowed width of a driveway/access to the parking area is 20' and must be approved by the Public Works Superintendent.
- Information for guests available. An information packet summarizing the guidelines for use of the rental must be posted where it is clearly visible to guests.

- Okanogan County Public Health permit for current year.
- Water & Sewer rates. I understand that my water and sewer rates may be affected by conversion of a residence to an overnight rental, and am prepared to pay the associated fees and monthly rate.
- Solid Waste. I understand solid waste must be stored in a completely enclosed area in secured solid waste receptacles or stored completely indoors, and must be removed to an approved solid waste facility at a minimum of once every two weeks.

Other Permit Requirements

Is the project within the **Western Theme overlay**: Yes _____ No _____

If yes, have you obtained a westernization permit? _____

Is your property within **200' of the river**? Yes _____ No _____

If so, have you applied for a Shoreline Permit? _____

Is the project within 100 feet of a **Critical Area** (aquifer recharge area, wetland, habitat conservation area, geologic or flood hazard area)? Yes _____ No _____

If so, conversion to an overnight rental may require consultation with Planner and compliance with the Town's Critical Areas Ordinance.

I hereby certify that I am the above applicant and hereby state that the foregoing information, and all information attached hereto, is true to the best of my knowledge.

Property Owner's Signature

Date

***** THIS SECTION FOR TOWN USE *****

Check the following items to be sure the application is complete:

- Form complete with signatures Application fee paid
- All documentation attached Location info adequate
- Allowed Use in Zone/Overlay
- Other permit applications submitted

Date Received: _____ Date application deemed complete: _____
Received by: _____ Decision & Date: _____

Zoning inspection complete Approved Date: _____ Initial _____

Notes: _____

Building Department review Approved Date: _____ Initial _____

Notes: _____

Public Works review complete Approved Date: _____ Initial _____

Notes: _____

Deputy Clerk review complete Approved Date: _____ Initial _____

Notes: _____
