

## Ben Rough

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**From:** Bill Pope <mazamabill@gmail.com>  
**Sent:** Monday, January 04, 2016 9:00 PM  
**To:** Ben Rough  
**Cc:** john@methowconservancy.org  
**Subject:** Nightly rental provisions

Ben:

I have been looking at the new proposed zoning code, including 17A.270. While it appears that nightly rentals will be allowed outside of planned developments, I appreciate the fact that there will be significant restrictions placed on these new nightly rentals so that the value of PD lots is not unduly affected. As I understand it, the intent is to allow NR's in other zones but otherwise to have no impact on NR's in existing qualified PDs.

If that is the intent, then I think some additional language may be required. Right now, proposed OCC 17A.270.020 (D) states that the operation of a nightly rental within a qualified PD is "exempt from these permit requirements". But if these existing NR's are exempt from the permit requirements, is it clear that they are also not subject to the "Conditions" in 17A.270.040? Subsection A of that section states that "[t]he following conditions shall be required for the operation of all nightly rentals", which creates some ambiguity. Subsection B says the same with respect to a longer list of conditions. None of these conditions has been imposed on NR's within qualified PDs in the past (for example, a max of 10 people in a NR), and I am assuming you don't intend to impose them now. Please correct me if I am wrong.

To fix this problem, I believe the language in 17A.270.040, subsections A and B, should be amended as follows (the new language is underlined):

"A. The following conditions shall be required for the operation of all nightly rentals for which a permit under 17A.270.020 is required..."

"B. The following conditions, in addition to those also identified in Section A (OCC 17A.270.040 (A)), shall be required for the operation of all nightly rentals for which a permit under 17A.270.020 is required within areas designated..."

In the course of my review, I also noticed a problem in sections 17A.130.060 (C) and (D). Shouldn't those be consistent with (A) and (B) by adding the "allowance for a second unit" language? I'm sure this is just an oversight, since 17A.130.040 allows accessory dwellings in all four MRD zones.

What is the schedule for the adoption of 17A by the Commissioners?

Thanks. Bill

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