

ORDINANCE #817

AN ORDINANCE OF THE TOWN OF TWISP, WASHINGTON, AMENDING AND REPEALING SECTIONS OF CHAPTER 18.10, ADDING A NEW CHAPTER 18.70 REGARDING SHORT-TERM VACATION RENTALS AND REPEALING SECTION 18.50.080(4)(a) OF THE TWISP MUNICIPAL CODE.

WHEREAS, the Town Council of the Town of Twisp, Washington, (“Town”), has recognized the necessity to revise the Twisp Municipal Code to provide for Short-Term Vacation Rentals (“STVR”); and

WHEREAS, the Town Council of the Town has previously enacted a moratorium on the filing, acceptance, processing and/or approval of applications for STVRs (previously described as “Overnight Accommodations and Overnight Rentals”) to allow time to address options and draft new code additions/changes regarding STVRs in a comprehensive manner.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Twisp, Washington as follows:

Section 1 – Amendment and Repealer-Chapter 18.10.

A. Section 18.10.150 of the Twisp Municipal Code is hereby amended to add the following definitions:

“Owner” shall mean a person or persons, firm, corporation, partnership, limited liability company or partnership, or any other business entity which holds fee ownership in whole or in part of a parcel of property located in the Town of Twisp and makes application to the Town for a Short-Term Vacation Rental Permit.

“Owner Occupied” as used in Chapter 18.70 of the Twisp Municipal Code and the District Use Chart under Title 18 of the Twisp Municipal Code means an Owner’s primary residence and their usual place of return for housing as evidenced by at least two (2) of the following documents: voter registration, driver’s license, car registration, or other means of identification as approved by the Town, and shall not include a firm, corporation, partnership, limited liability company or partnership, or any other business entity. An Owner can only have one (1) primary residence and must be occupied by the Owner at least nine (9) months a year.

B. Section 18.10.190 of the Twisp Municipal Code is hereby amended to add the following definition:

“Short-Term Vacation Rental” or “STVR” means a living unit available for rent within a single-family home, accessory dwelling unit, condominium, apartment or in a multi-family or mixed-use/commercial building, which is rented on a nightly, weekly, or other basis for less than 30 consecutive days, but not occurring within approved hotels, motels, inns or bed and breakfast, which have additional life or safety standards, and otherwise is an allowed use. STVRs are usually booked through a service, an internet site or direct contact with the Owner, and may or may not have onsite management.

C. The following definitions in Section 18.10.150 of the Twisp Municipal Code are hereby repealed in their entirety:

“Overnight Accommodation” means a single-family residential dwelling unit or a portion thereof, other than approved hotels, motels, inns or bed and breakfast, rented on a nightly, weekly, or other basis less than month-to-month rental. Such uses may be within a single-family home, accessory dwelling unit, condominium, multi-family or mix/commercial use building and generally have an owner/occupant, onsite management or contact.

“Overnight Rental” means a single-family residential dwelling unit on an individual lot, other than approved hotels, motels, inns or bed and breakfast, rented on a nightly, weekly, or other basis less than month-to-month rental. Such uses may be within a single-family home, accessory dwelling unit, condominium, and multi-family or mix/commercial use building. Such uses are usually booked through a service or direct contact with the owner, and do not have onsite management.

Section 2. Amendment and Repealer- District Use Chart.

Appendix A, District Use Chart, of Chapter 18 of the Twisp Municipal Code is hereby amended as follows:

A. The Legend shall be amended to add the following:

AS = Allowed; STVR Permit Required

B. Under “Residential Uses” the following uses and corresponding requirements shall be repealed:

“Overnight Accommodations” and “Overnight Rentals”.

C. There shall be added under “Residential Uses” the following:

	R1	R2	R3	C1	C2	C3	CR	I	AIR	PU
Short-Term Vacation Rentals (STVR) Owner Occupied	AS	AS	AS	AS	AS	AS	AS	P	P	P
Short-Term Vacation Rentals (STVR) Non-Owner Occupied	P	P	P	AS	AS	AS	AS	P	P	P

Section 3. Amendment – Section 14.05.030 – Table 1.

Twisp Municipal Code, Section 14.05.030-Table 1, Permit Procedures Types I – IV shall be amended as follows:

I. Under Permit Type 1, Permit Type: Administrative Permits (TMC 18.50.080) shall be amended as follows:

Administrative Permits (TMC 18.50.080) and STVR Permits (TMC 18.70).

Section 4 – Repealer – Section 18.50.080(4)(a).

The following section of 18.50.080(4)(a) is repealed in its entirety:

(a) The following conditions must be met prior to approval of an administrative permit for overnight accommodations and overnight rentals. Compliance with said conditions is required on an annual basis. Noncompliance may result in revocation of permit.

(i) Town business license.

- (ii) Transient accommodation permit.
- (iii) Okanogan County health district permits as appropriate for food service, if any.
- (iv) Parking will be required in underlying zone.

Section 4. Amendment – Chapter 18.70.

Chapter 18 of the Twisp Municipal Code is hereby amended to add a new Chapter 18.70, Short-Term Vacation Rentals, as follows:

18.70.010 Purpose. The purpose of this chapter is to ensure that nightly rentals observe the legal requirements of other transient tourist accommodations so that they compete fairly for commerce, that long-term housing stock needs are adequately considered, and to preserve the residential character of the areas in which they are located.

18.70.020 Permits and Licenses – Application – Fees.

Short-Term Vacation Rental Permits (“STVR Permit(s)”) must be renewed annually prior to the anniversary date of original issuance of the STVR Permit. A STVR Permit is personal to the Owner and is not transferable as part of the sale of property. A STVR Permit Application from the new property Owner must be approved as provided in this chapter for the property to continue as a Short-Term Vacation Rental.

Application for a STVR Permit shall be made to the Town of Twisp Planning Department on a form to be furnished by the Town requiring such information related to the ownership and conduct of such STVR. The fee for a STVR Permit shall be established by resolution of Town of Twisp Town Council.

Other required permits/licenses for the issuance of a STVR Permit include a Town of Twisp Business License, an Okanogan County Public Health Overnight Transient Accommodations Permit, Washington State Unified Business Identifier (“UBI”) and Town of Twisp Change of Use Permit. Such issued permits shall be presented to the Town prior to the approval and issuance of a STVR Permit.

No more than 15 STVR Permits will be issued within the Town of Twisp on an annual basis (January 1st through December 31st). STVR Permits will be issued to the first 15 applications submitted to the Town by an owner, deemed complete by the Town with all fees paid in full and approved. Such annual limitation shall

include all existing vested administrative permits for overnight rentals and overnight accommodations. STVR Permits will be limited to a maximum of 2 permits per Owner.

Applications may be submitted beginning on January 1st of each year and received by January 31st. If existing STVR Permit holders do not apply by January 31st, they will be treated as a new application. If existing STVR Permit holders make application within the timeframe stated, they shall have precedence over any new applications made for a STVR Permit. Provided, that STVR Permit applications for the calendar year after adoption of this Ordinance shall begin on the first day of month after the effective date of this Ordinance until 15 applications are received as provided herein. Such STVR Permits issued for the first calendar year shall expire on December 31st of the first year and a new application period shall begin on January 1st as provided herein.

18.70.030 STVR Permit to be Displayed.

STVR Permits issued shall at all times be prominently displayed at the location of the STVR of the Owner in Twisp, Washington.

18.70.040 Record Keeping.

It shall be the duty of every Owner or STVR operator to possess and maintain the following permits and records:

1. Unified Business Identifier (UBI). A valid Washington UBI number for taxation purposes, along with supporting information validating registration of the specific STVR. At no time shall the STVR operate without a valid UBI.
2. Public Health Permit. An Overnight Transient Accommodation Permit (“OTA”), from the Okanogan County Public Health District to operate the STVR. At no time shall the STVR operate without a valid OTA Permit from the Okanogan County Public Health District.
3. Building Permits/Change of Use Permit. An inspection report from the Town Twisp Building Official verifying that the STVR met all applicable use and building code requirements.

4. Town of Twisp Business License. A valid Town of Twisp Business License issued by the Town for the STVR.

18.70.050 STVR Permits-Conditions of Approval, Cancellation/Revocation, Appeals and Enforcement.

Applications for a STVR Permit shall be processed and issued in the manner provided in Section 18.50.080 of the Twisp Municipal Code, and may be cancelled or revoked pursuant to Section 18.50.080. In addition, notice, appeals and enforcement, as applicable, shall be governed by Sections 18.50.110, 18.50.120 and 18.50.130 of the Twisp Municipal Code.

18.70.060 Conditions for Approval and Issuance of STVR Permit for STVR in Residential Zoning Districts.

The following conditions must be met for approval and issuance of a STVR Permit for STVR in Residential Zoning Districts:

1. Any property containing a STVR must be Owner occupied.
2. Owners shall identify the location of all online advertising (Airbnb, etc.) on the STVR Permit Application.
3. STVR Permits approving specific STVRs are personal to the Owner and are not transferable with the property.
4. A current Town of Twisp Business License is required and must be presented to the Town prior to issuance of a STVR Permit.
5. A current Okanogan County Public Health Overnight Transient Accommodations Permit is required and must be presented to the Town prior to issuance of a STVR Permit.
6. A Washington State UBI is required for the Owner and must be presented to the Town prior to issuance of a STVR Permit.
7. A Change of Use Permit from the Town of Twisp is required and must be presented to the Town prior to issuance of a STVR Permit.

8. Off-street parking must be provided for guests on the STVR property in the amount of one space per bedroom rented, plus one additional space. No STVR parking is allowed on public streets or right of way.
9. The name and contact information for the Owner or site manager must be posted on the property of the STVR and in an accessible area for STVR guests and public safety responders.
10. The Owner or site manager shall create and provide to the Administrator a list of general living provisions that will be provided to all STVR guests that will ensure guest activities on the property do not become a nuisance to the surrounding residential neighborhood.
11. The Owner or site manager must always be available to respond to complaints and emergencies and arrive at the STVR within 1 hour of being notified at all times during the rental period.
12. The Owner or site manager shall require all STVR guests to provide the Owner or site manager with a written copy of all names and contact information for each guest and vehicle license numbers.
13. One sign may be displayed for each STVR, which shall be no larger than 2-square feet with indirect downward facing lighting, so it does not interfere with neighboring residents.
14. Noise originating inside or outside of an STVR shall not exceed 65 decibels at the property line of the STVR.
15. Annual renewal of each STVR Permit is required.
16. Violations of any of the above conditions may result in the loss of the STVR Permit.

18.70.070 Conditions for Approval and Issuance of STVR Permit for STVR in Commercial Zoning Districts.

The following conditions must be met for approval and issuance of a STVR Permit for STVR in Commercial Zoning Districts.

1. Owners shall identify the location of all online advertising (Airbnb, etc.) on the STVR Permit Application.
2. STVR Permits approving specific STVRs are personal to the Owner and are not transferable with the property.
3. A current Town of Twisp Business License is required and must be presented to the Town prior to issuance of a STVR Permit.
4. A current Okanogan County Public Health Overnight Transient Accommodations Permit is required and must be presented to the Town prior to issuance of a STVR Permit.
5. A Washington State UBI is required for the Owner and must be presented to the Town prior to issuance of a STVR Permit.
6. A Change of Use Permit from the Town of Twisp is required and must be presented to the Town prior to issuance of a STVR Permit.
7. Off-street parking must be provided for guests on the STVR property in the amount of one space per bedroom rented, plus one additional space. No STVR parking is allowed on public streets or right of way.
8. The name and contact information for the Owner or site manager must be posted on the property of the STVR and in an accessible area for STVR guests and public safety responders.
9. The Owner or site manager shall create and provide to the Administrator a list of general living provisions that will be provided to all STVR guests that will ensure guest activities on the property do not become a nuisance to the surrounding area.
10. The Owner or site manager must always be available to respond to complaints and emergencies and arrive at the STVR within 1 hour of being notified at all times during the rental period.
11. The Owner or site manager shall require all STVR guests to provide the Owner or site manager with a written copy of all names and contact information for each guest and vehicle license numbers.

12. One sign may be displayed for each STVR, which shall be no larger than 2-square feet with indirect downward facing lighting, so it does not interfere with neighboring businesses.
13. Noise originating inside or outside of an STVR shall not exceed 65 decibels at the property line of the STVR.
14. Annual renewal of each STVR Permit is required.
15. Violations of any of the above conditions may result in the loss of the STVR Permit.

Section 5. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 6. Effective Date.

This Ordinance shall take effect from and after its passage by the Town Council, approval by the Mayor and publication as required by law.


Passed by the Town Council of the Town of Twisp, Washington, at its regular open meeting this 13th day of August, 2024.

APPROVED:



Hans Smith, Mayor

ATTEST:



Randy Kilmer, Town Clerk-Treasurer

APPROVED AS TO FORM:



W. Scott DeTro, Town Attorney