



City of Langley SHORT TERM RENTALS

The vision and objectives were used by the PAB to assist in guiding the review.

Vision

- Tourism continues to play an important role in Langley's economy
- Fulltime residents outnumber seasonal residents and tourists
- Tourism and service workers live in Langley
- Long-term rentals outnumber short-term rentals
- The majority of short-term rentals are bedrooms or accessory dwelling units where the owner/manager lives there.
- A small percentage of whole homes are used as short-term rentals and the owner/manager lives in close proximity.
- All short-term rental operators and operations comply with the City and State Codes.
- The City enforces unauthorized short-term rentals.

Objectives:

Establish and manage a short-term rental regulation and program that:

- Prevents residential neighborhoods from being turned into tourist areas to the detriment of full-time residents
- Does not negatively affect property values (and property tax revenue)
- Does not create pseudo hotels or "party houses"
- Minimizes public safety risks and nuisances such as noise, trash and parking problems
- Gives permanent residents the option to occasionally use their properties to generate extra income from short-term rentals.
- Maximizes the availability of potentially more affordable housing options by minimizing the numbers of long-term rental properties being converted into short-term rentals
- Ensures that short-term rentals are taxed in the same way as traditional lodging providers to create a level playing field and maintain local service jobs
- Ensures that the city does not lose out on lodging tax revenue that is invested in tourism related activities consistent with State code
- Is managed and enforced equitably across the City.
- Does not create an undue burden on City staff and resources.
- Builds in cost recovery.

**SUMMARY TABLE
PROPOSED SHORT TERM RENTAL REGULATIONS**

	STR - Type I Rooms	STR - Type II B&B Inn	STR – Type III Commercial	STR – Type IV Limited
Current LMC	B&B Rooms LMC 18.22.070	B&B Inn LMC 18.22.080	Tourist Accommodation Commercial LMC 18.22.085)	NEW
Type of use	Accessory or Secondary	Principal	Principal but not on 1 st fl or street level in CB zone	
Zone	RS5000, RS7200, RS15000 and RM		Neighborhood Business, Central Business	RS5000, RS7200, RS15000 and RM
Number of bedrooms	2 bedrooms max In DU or ADU	Whole home and ADU – max 6 bdrms		Whole home and ADU – max 5 bdrms
Number of guests	Two adults and child < 6 years per legally established bedroom. The maximum number of guests is 10.			
Residential Requirements	Hosted	Hosted	Non-hosted	Non-hosted
Approval process	Administrative/ notice	Hearing Examiner/notice	Administrative/ notice	Annual STR license
Inspections	Initial application - inspection Annual confirmation			
Septic	Confirmation of IC septic permit and # of permitted bedrooms	Not permitted on septic	Not permitted on septic	Confirmation of IC septic permit and # of permitted bedrooms
Parking	All parking located on the subject property. One parking stall per bedroom being rented and where hosted two parking stalls for the owner/resident manager.			

SHORT-TERM RENTAL

Short-Term Rental Type I – Rooms

1. STR Type I is hosted and the owner/operator shall reside on-site when guests are present.
2. The number of guest rooms shall be limited to no more than two.
3. Is permitted as an accessory or secondary use in all residential zone districts.
4. Is approved by the Planning Official pursuant to LMC 18.36.025.
5. Approvals are not transferable.

Short-Term Rental Type II – B&B Inns

1. STR Type II is hosted and the owner/operator shall reside on-site when guests are present.
2. The number of guest rooms shall be limited to no more than six.
3. Is permitted as a principal (conditional) use in all residential zone districts.
4. Is approved by the Hearing Examiner pursuant to LMC 18.37.070
5. Approvals are transferable.

Short-Term Rental Type III - Commercial

1. STR Type III maybe hosted or non-hosted.
2. Is permitted as a principal use in the commercial zone districts
3. In the CB zone short term rental use is not permitted on the first floor and/or street level of the building.
4. Is approved by the Planning Official pursuant to LMC 18.36.025
5. Approvals are not transferable.

Short-Term Rental Type IV – Limited

1. STR Type IV maybe non-hosted
2. The number of guest rooms shall be limited to no more than five.
3. Is permitted in all residential zone districts.
4. Is approved by the Planning Official pursuant to LMC 5.40
5. Is approved as a license and is valid for one year.
6. A maximum number of this type of license will be issued each year.

**SHORT-TERM RENTAL
GENERAL REGULATIONS**

This section provides supplemental standards for short-term rentals in zoning districts where the use is permitted

The following conditions shall apply to short-term rentals

1. No short-term rental shall operate without having obtained prior approval pursuant to the LMC XXX and a business license in accordance with Chapter 5.XXX.
2. Guest rooms may be located in the principal dwelling unit and/or an accessory dwelling unit.
3. One guest room may accommodate a maximum of two adults and children under the age of six years.
4. In addition to the parking requirements for a single-family residence, one off-street parking space shall be required for each guest room.
5. In residential zone districts, one non-illuminated sign not exceeding four SF is permitted. In commercial zone districts, one non-illuminated sign not exceeding eight SF is permitted.

Health and Safety

6. All short-term rentals shall comply with requirements of adopted building codes for smoke and carbon monoxide detectors and egress windows in all guest rooms. The operator shall maintain a functioning fire extinguisher with a minimum 2A-10BC rating located on a means of egress route, as approved by the building official. The means of egress route shall be posted in each guest room in readily visible location.
7. All guest rooms shall meet the building code requirement for a sleeping room at the time it was created or converted and shall be within a building approved for habitation by the Building Official.
8. In residential zones, onsite meals and beverages may be served to room guests and their guests only. Food service, if provided, shall comply with Island County Health Department rules and permitting.
9. For properties not served by City sewer, the total number of bedrooms shall be limited to the number of bedrooms permitted by the Island County health department on-site septic permit.

Nuisance

10. The use a residential unit for a short-term rental shall not violate any applicable conditions, covenants, or other restrictions on real property.
11. Events or commercial functions are prohibited in any STR in a residential zone district
12. Small, informal non-commercial gatherings of family and friends of short-term rentals guests are permitted, provided the gathering is not a disturbance to the surrounding neighborhood.
13. Short-term rentals located in or adjacent to residential zone district shall not infringe upon the right of neighboring residents to reasonable peaceful occupancy of their homes.
14. A copy of the STR permit and license and all applicable rules and regulations shall be included with the STR rental contract and posted within the STR unit in a prominent place within 10 feet of the door.

Restrictions

15. Where the dwelling unit is a duplex building only one STR is permitted.
16. The ownership and operation of short-term rentals in residential zoned districts are limited to no more than one per individual, family living together, domestic partnership, those living as a family unit and/or acting as a principal in any business entity that has ownership of a residential unit. Assigning ownership and/or application for short-term rental use to separate any individuals that are living together as a family, in a domestic partnership, or living as a family unit as a means of exceeding this limitation is not permitted.
 - a. An operator may be a principal, spouse or registered domestic partner or a principal in a no more than one short-term rental permit issued pursuant to this section.
 - b. A maximum of one Type I, II, or IV short-term rental permit is permitted per operator.
 - c. A long-term tenant who has signed a lease may serve as a short-term rental operator. The property owner must serve as a co-applicant on the tenant's application. A tenant's short-term rental permit counts toward the permit cap of one short term rental permit for both tenant and property owner.

Management

17. A copy of the STR permit and license and all applicable rules and regulations shall be included with the STR rental contract and posted within the STR unit in a prominent place within 10 feet of the door.
18. For non-hosted STRs, a property manager shall be available twenty-four (24) hours per day, seven (7) days per week during all times that the property is rented or used on a transient basis. The property manager must be available to respond to complaints and arrive at the STR site within 20 minutes at all times during the rental period.

Home Occupation Use

19. A Type I or II Home Occupation may be permitted on the same property as a hosted Short-Term Rental.

DEFINITIONS

“Events or commercial functions” include banquets, parties, weddings, meetings, charitable fund raising, commercial or advertised activities or gatherings for direct or indirect compensation.

“Guest” means the overnight occupant(s) renting the short-term rental for a specified period of one day and no longer than thirty days, and the visitors of the overnight occupants.

‘Hosted short term rental’ means a short-term rental where the owner with the majority interest in the residential property, or an owner holding an equal shared interest if no other owner owns a greater interest, occupies the dwelling unit or accessory dwelling unit as his or her principal residence and offers the dwelling or a habitable person thereof for the short-term rental by others, and is present during the occupancy.

“Non-hosted short-term rental” means a dwelling unit, accessory dwelling unit or portion thereof, that is offered as a short-term rental where the owner or shared ownership interest does not occupy the dwelling or ADU offered for short-term rental.

“Owner” means any person who, alone or with others, has title or interest in any building property, dwelling unit, or portion thereof, with or without accompanying actual possession thereof, and including any person who as agent, or executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement shall ~~not~~ be considered an owner. (Seattle)

“Person” means any individual, firm, corporation, association, governmental entity, or partnership and its agents or assigns. (Seattle)

“Primary residence” means a person’s usual place of return for housing where one makes their home and conducts their daily affairs, including, without limitations, paying bills and receiving mail. A primary residence is generally the dwelling unit with the residential address used on documentation related to identification, taxation and insurance purposes, including, without limitation, income tax returns, medical service plans, voter registration, pay check stubs, lease or rental agreement, mortgage agreement, bank statements, driver’s license, valid state identification, and/or vehicle registration. (Seattle)

“Property managers” means a person or company responsible for the day to day operation of the STR. Property managers may be professional property managers, realtors, property owners or other designated persons. Property manager information must be kept up to date and must be identified on the STR license.

“Short-term rental” means a lodging use, other than a hotel or motel, in which a dwelling unit or portion thereof or ADU is provided to guests by a short-term rental operator for a fee for fewer than 30 consecutive nights. A dwelling unit or portion thereof that is used by the same individual or individuals for 30 or more consecutive nights is not a short-term rental.

“Short-term rental operator” or “operator” means any person who is the owner of a dwelling unit or portion thereof, who offers or provides that dwelling unit, portion thereof, or ADU for short-term rental use or a person who is the tenant of a dwelling unit, or portion thereof, who offered or provided a short-term rental as set forth in LMC XXX.