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## 17.57 Hosted homeshares and vacation home rentals.

### 17.57.010 Purpose.

Dwelling units may be used as hosted homeshares or vacation home rentals in the Single-Family Large Lot Residential (RL), Single-Family Residential District (R-1), Two-Family Residential District (R-2), Multi-Family Residential District (R-3), Mobile/Manufactured Home Residential District (MHRP), and the Commercial Zone (C). Hosted homeshares and vacation home rentals are prohibited in the Riverfrontage District Zone (RD).

### 17.57.020 License Required.

- A. Persons operating a hosted homeshare or vacation home rental shall obtain a short-term rental operating license pursuant to Chapter [5.02](#) of the White Salmon Municipal Code.

### 17.57.030 Use Restrictions – All Zones.

- A. The room(s) for transient rental shall not include rooms within a recreational vehicle, travel trailer, or tent or other temporary shelter.
- B. The maximum occupancy for the dwelling shall be two persons per bedroom plus two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons.
- C. One (1) hard surfaced off-street parking space shall be provided for every two bedrooms in accordance with the requirements of Chapter [17.72](#). In calculating the number of spaces required, the total shall be rounded up. If the garage is to be utilized to meet the parking requirement, a photo of the interior of the garage shall be submitted to show the garage is available for parking. Required parking may be permitted on another lot within 250 feet of the subject property with a shared parking agreement or proof of legal parking access.

### 17.57.040 Additional Use Restrictions – Residential Zones (RL, R-1, R-2, R-3, and MHRP).

- A. A hosted homeshare or vacation home rental is only permitted when it is an accessory use to the existing and continued residential use of a dwelling as the primary residence of the property owner and is limited to the rental of one dwelling unit, or room, within a hosted homeshare per property. Proof of primary residence shall be provided in accordance with Chapter [5.02](#) of the White Salmon Municipal Code.
  - B. The accessory use of a primary residence as a hosted homeshare wherein the rental of an attached or detached accessory dwelling unit (ADU), or a room within the residence with the owner present within the primary residence is allowed without limit to number of nights per year.
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C. The accessory use of a primary residence as a vacation home rental (entire home) is limited to a total of one-hundred and fifty (150) days per calendar year.

D. A hosted homeshare or vacation home rental shall be issued for a period not to exceed one year, with its effective date running from the date the permit is issued to January 31 of the following year and may be renewed annually by the owner or contact person provided all applicable standards are met for a maximum of 8 consecutive years (7 consecutive permit renewals), whereupon the applicant may reapply for a permit pursuant to WSMC Chapter 5.02.

E. The number of hosted homeshare and vacation home rental permits available yearly shall be capped at ten (10) percent of existing housing stock (dwelling units) pursuant to WSMC Chapter 5.02.

**17.57.050 Additional Use Restrictions – Commercial Zones (C)**

A. A hosted homeshare or vacation home rentals are permitted only when no more than 30% of residential units on a parcel in the commercial zoning district are for the purpose of short-term rental. This number shall be rounded to the nearest integer, with a half integer rounded down, depending on the number of existing or proposed units.

B. With the exception of existing hosted homeshares and vacation rentals in the Commercial zones which meet the requirements of subsection 17.57.060, no new hosted homeshare or vacation home rental shall be permitted to occupy a ground floor space with commercial street frontage.

**17.57.060 Prior Existing (Nonconforming) Use.**

For purposes of hosted homeshare and vacation home rentals, the nonconforming use provisions in WSMC Chapter [17.76](#) (Nonconforming Uses and Structures) shall apply except as specifically modified in this section.

A. Any hosted homeshare or vacation home rental lawfully established and actually in existence prior to the effective date of this 2022 ordinance may continue as a legal nonconforming use until 10 years (9 total consecutive permits) from the adoption date of this ordinance, at which time use of the property shall come into full compliance with the then-applicable provisions of this WSMC Title [17](#). This provision does not apply to existing 'Legacy' uses in the commercial zone which were permitted by outright use.

B. A hosted homeshare or vacation home rental in the C, RL, R-1, R-2, R-3, and MHHP zones shall be deemed to be lawfully established and actually in existence if, at any time prior to the effective date of this 2022 ordinance all of the following occurred:

1. The home was actually used as a hosted homeshare or vacation home rental as defined in WSMC [17.08.530](#);
  2. The owner obtained from the City a Business License and paid Lodging Taxes; and
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3. The owner obtained a Short-Term Rental Permit pursuant to WSMC Chapter [5.02](#).

C. The proponent of the nonconforming use status of a hosted homeshare or vacation home rental has the burden of proving by a preponderance of credible evidence all of the elements of a nonconforming hosted homeshare or vacation home rental.

D. In addition to proving the elements of a nonconforming hosted homeshare or vacation home rental as described in subsection E2 of this section, to maintain that status, the owner shall apply for and obtain a Short Term Rental Operating License under WSMC Chapter [5.02](#) within 12 months of the effective date of Ordinance **XXXX**, which is January **■**, 2022, and maintain in good standing that License for the remaining duration time periods provided in this section. Failure to maintain the Short Term Rental Operating License in good standing for the remaining duration of the time periods shall result in the immediate termination of any nonconforming use status the home may otherwise have had by operation of law and without the need for any action by the City. The non-conforming use status provided for herein does not transfer with title to the property.

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