



King County

Department of Development and Environmental Services

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REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: January 13, 2011

TO: Building Services Division Staff
Jim Chan, Manager
Chris Ricketts
Jarrod Lewis
Sheryl Lux
Lisa Dinsmore

Land Use Services Division Staff
Randy Sandin, Manager
Steve Bottheim
Molly Johnson

John Starbard, Director
Harry Reinert, Special Projects Manager and RRC Chair
Devon Shannon, Prosecuting Attorney's Office

FM: Harry Reinert, Chair

Present: Devon Shannon, Cristy Craig, Jarrod Lewis, Chris Ricketts, Jim Chan, Jeri Breazeal,
Nancy Hopkins, Elizabeth Deraitus, and Harry Reinert

- 1. Is a temporary use permit required for the days a structure constructed under a permit for a single family detached residence is rented as a "vacation rental" when that residence is also rented out for events, such as weddings, family reunions, and corporate retreats, and provides sleeping accommodations for up to 20 guests?**

Background

At its October 28, 2010 meeting, the Regulatory Review Committee ("Committee") considered the use classification for a structure constructed under a permit for a single family residence that is rented out for events. The Moon Mansion is located on property zoned F-Forestry. The Committee concluded that due to the nature of the activities, when the Moon Mansion is rented for events it was functioning as a conference center. Any rentals associated with those events, including days lodging is provided to participants in an event, are included in calculating the sixty days per year allowed under the temporary use permit.

In subsequent communications, the Moon Mansion's owner has stated that she also rents the building as a vacation rental unassociated with any events. She states that she has separate contracts for these two types of rentals.

Discussion

The Committee previously discussed the question of whether a single family residence can be rented as a vacation rental. See, [RRC Minutes, October 6, 2005](#). In that case, the determination was that rental of a single family residence as a vacation cabin did not convert the use into a hotel or motel use.

The present case involving the Moon Mansion is more complicated because the structure has multiple uses. During corporate retreats, weddings, and similar events, Moon Mansion essentially functions as a conference center, with lodging sometimes provided to participants in the events. Since this use is not permitted in the F zone, it may only be allowed under a temporary use permit.

When no event is involved, however, Moon Mansion functions as a single family dwelling. In the F zone, single family residences are a permitted use. As the Committee has previously determined, vacation rentals do not convert a single family residence into a different use. As a result, rental of Moon Mansion unassociated with an event does not require a temporary use permit. The days when Moon Mansion is rented without any associated event are not included in the 60 days per year allowed under the temporary use permit.

Conclusion

The Moon Mansion was originally constructed as a single family residence and is located in the Forestry zone. The owners offer the facility for weddings and other events and for corporate retreats. The facility can provide lodging to participants at these events. This use is similar to a conference center, which is not a permitted use in the F zone. The Moon Mansion is also offered as a vacation rental unassociated with any events. Single family residences are a permitted use in the F zone. Rental of a residence is also permitted.

Moon Mansion may be permitted as a conference center as a temporary use under K.C.C. Chapter 21A.32. Temporary uses are limited to a maximum of sixty days in each calendar year. Each day the facility is rented for an event, including any days when lodging is provided to event participants, is included in the sixty day allotment.

When Moon Mansion is rented as a vacation rental unassociated with any event, it is a permitted use. Those days are not included in the sixty days allowed under the temporary use permit.