



**CITY OF NAPA VINE PLANNING COMMISSION MEETING**  
**Monday – July 3, 2023 – 6:00 PM**

Deborah Graham,  
*Position 1*

Amy Hollinger  
*Position 2*

Arnold Haberstroh,  
*Position 3*

Amy Morris  
*Position 4*

Scott Collins  
*Position 5*

Bryan Morris  
PW/CD Director

**I. PLEDGE OF ALLEGIANCE**

**II. INVOCATION**

**III. CALL TO ORDER**

**IV. ROLL CALL**

**V. APPROVAL OF AGENDA – As Presented**

**VI. APPROVAL OF MINUTES**

**1) Planning Commission Meeting Minutes – June 5, 2023**

**VII. OLD BUSINESS**

**1) Review Chapter 17.44.070 – Standards for recreational vehicle parks.**

**VIII. NEW BUSINESS**

- 1) Adult Family Homes**
- 2) Residential Care Facilities**
- 3) Child Daycare Facilities**
- 4) Reasonable Accommodations**

**IX. CONSIDERATION**

**1) Short Term Rentals**

**X. CITIZEN COMMENT**

**XI. GOOD OF THE ORDER**

**XII. ADJOURNMENT**

**City of Napavine**  
407 Birch Ave SW  
P O Box 810  
Napavine, WA 98565  
360-262-3547

**City Website**  
[www.cityofnapavine.com](http://www.cityofnapavine.com)

**Planning Commission Meeting is held in person and via  
Teleconference.**

**Teleconference Information**

**Dial-in number (US): (720) 740-9753**

**Access code: 8460198**

**To join the online meeting:**

**<https://join.freeconferencecall.com/rdenham8>**



**NAPAVINE PLANNING COMMISSION MINUTES**  
**June 5, 2023 6:00 P.M.**  
**Napavine City Hall, 407 Birch Ave SW, Napavine, WA**

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**PLEDGE OF ALLEGIANCE:**

**INVOCATION:** Invocation was led by Director Morris.

**CALL TO ORDER:**

**Commissioner Graham** opened the regular Planning Commission meeting to order at 6:02 PM

**ROLL CALL:**

Planning Commission present: **All Present**

**APPROVAL OF AGENDA – As presented:**

**Commissioner Haberstroh motioned to approve the agenda as presented, seconded by Commissioner Hollinger. Vote on motion 4 aye, 0 nay.**

**APPROVAL OF MINUTES:**

**Commissioner Collins motioned to approve minutes from the Planning Commission Meeting on May 15, 2023, seconded by Commissioner Morris. Vote on motion 4 aye and 0 nay.**

**OLD BUSINESS:**

**1. Review Chapter 17.44.070 – Standards for recreational vehicle parks.**

**Director Morris** stated staff made the recommendations from the prior meeting. Discussion was had on section H., the minimum driving surface of twenty feet. **Commissioner Collins** and **Commissioner Haberstroh** wanted to research more to see if there is a lower requirement for driving surface since it is private property. **Director Morris** will research, but stated not sure the city will want to allow a road width lower than the public works standards of 20 ft.

**Commissioner Hollinger** motioned to table until next meeting, seconded by **Commissioner Morris**. **Vote on motion 4 aye, 0 nay.**

**2. Adult Family Home/Residential Care Facility Codes – Review**

- 1) NMC 17.08.017 Adult Family Home Definition**
- 2) NMC 17.08.306 Residential Care Facility Definition**

**Executive Assistant Katie Williams** explained to Planning Commission that the definition changes to both codes was to follow state RCW's language. Planning Commission reviewed Reasonable Accommodation examples, staff will work on a reasonable accommodation code and bring to next meeting.

**Commissioner Haberstroh motioned to pass NMC 17.08.017 Adult Family Home Definition and NMC 17.08.306 Residential Care Facility Definition on to City Council, Seconded by Commissioner Morris. Vote on motion 4 aye, 0 nay.**

**NEW BUSINESS:**

**1. Review NMC 17.60.020 Habitation in Recreation Vehicles**

**Director Morris** explained to the Planning Commission that this is a code change requested by the police department.

**Commissioner Morris motioned to pass NMC 17.60.020 Habitation in Recreation Vehicles code changes on to council, seconded by Commissioner Haberstroh. Vote on motion 4 aye, 0 nay.**

**CONSIDERATION:**

**Short Term Rentals**

**Director Morris** requested the Planning Commission brainstorm how the city wants to process short term rentals/vrbo/airbnb. **Executive Assistant Katie Williams** provided two examples of codes from Gig Harbor and Bellingham.

**GOOD OF THE ORDER:**

**Commissioner Haberstroh** is happy that the Tumatic Taproom and Napavine Grill are successful, but the lack of parking for his tenants at the post office is starting to become an issue.

**Commissioner Collins** requested new chairs for the sitting area for Council and Planning, with all the updates to city hall it would be nice to have all matching chairs.

**ADJOURNMENT** 7:22 pm

**Commissioner Hollinger** motioned to adjourn, seconded by **Commissioner Morris** Vote 4 aye, 0 nay.

*These minutes are not verbatim. If so desired, a recording of this meeting is available online at <https://fccdl.in/MkfAH3q7uN>*

**Respectfully submitted,**

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Bryan Morris, Community Development/Public Works Director

Planning Commission Chairperson

- **17.44.070 - Standards for recreational vehicle parks.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

Recreational vehicle parks developed or enlarged after the effective date of the ordinance codified in this title shall be designed and developed in accordance with the following conditions and limitations:

- A. The minimum site area shall be three acres.
- B. The maximum length of stay of any unit shall be one hundred eighty days.
- C. Landscaping shall be provided around the perimeter of the site as approved by the board of adjustment.
- D. There shall be a minimum of ~~ten~~ **fifteen** feet of separation maintained between all recreational vehicle pads.
- E. One off-street parking stall shall be provided for each designated recreational vehicle space.
- F. The following facilities shall be provided in accordance with rules and regulations promulgated by the director of the county health department:
  1. Laundry facilities.
  2. Toilets;
  3. Bathing facilities;
  4. Garbage disposal facilities.
- G. A minimum of five percent of the site shall be provided for recreational activity for the occupants of the park. The area shall be exclusive of the required perimeter buffer area, centrally located and of such grade and surface to be suitable for active recreation.
- H. Internal circulatory roads shall provide access to each space and shall have a minimum driving surface of ~~twenty-two~~ **twenty** feet in width and shall be constructed with a road base and surface in accordance with the adopted county road standards for local access streets.
- I. Access to the site shall be over a ~~county or state maintained~~ **City of Napavine** road improved to county standards as determined by the department of public works and transportation.
- J. Pedestrian walkways shall be provided to the service building(s), recreational activities and adjacent public street(s). Walkways shall be of a hard, durable, all-weather surface and a minimum width of ~~four~~ **five** feet.
- K. Surface water runoff shall be controlled in accordance with county standards.
- L. Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impacts on adjacent properties.

M .All public streets abutting the site shall be improved to county standards in accordance with the adopted road standards for the classification of road involved.

N. Water supply shall be provided subject to the approval of the county fire marshal.

O. Garbage disposal facilities shall be provided in accordance with applicable county board of health rules and regulations, and subject to approval of the health department.

P Electrical service connections shall meet state Department of Labor and Industries standards.

**Q. Manufactured recreational vehicles only, No alterations, No tarps, No temporary or permanent additions**

**R. Twenty-five percent (25%) of the recreational vehicle sites must be full hook up sites. (water, sewer and electrical)**

**S. Park must have sewer dump station available for tenants only.**

**T. Park must have on site management at all times**

**U. Park must allow police access at all times**

~~(Ord. 163 5 4.8.13, 1989)~~

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## 17.81 Adult family home, residential care facility or supported living arrangements

~~Adult family homes, residential care facilities or supported living arrangements may be sited as a matter of right in all other zoning districts provided that the conditions set forth in Section 17.82.040 of this chapter are met (Ord. No. 454, § 6, 2-24-09)~~

### Adult Family Homes

**Permitted Use: Adult Family homes are allowed in all residential and commercial zoning areas.**

“Adult Family Homes are permitted, subject to obtaining a state license in accordance with Chapter 70.128 RCW and the following:

- a) Compliance with all building, fire, safety, health code, and city licensing requirements; and
- b) Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located; and
- c) A business license through the City.”

### Residential Care Facilities

**Permitted Use: Residential Care Facilities are allowed in all residential zoning areas.**

“Residential care facilities means facilities which care for at least five (5) but not more than fifteen (15) functionally disabled persons, and which are not licensed as an adult family home pursuant to Chapter 17.128 RCW. Residential care facilities are subject to the following:

- a) Compliance with all building, fire, safety, health code, and state and city licensing requirements; and
- b) Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the zoning classification in which the home is located; and
- c) A safe passenger loading area shall be provided, if determined necessary by the Community Development director; and
- d) A business license through the City”

## **Chapter 17.82 CHILD DAY CARE FACILITIES, ADULT FAMILY HOMES, RESIDENTIAL CARE FACILITIES AND SUPPORTED LIVING ARRANGEMENTS<sup>1</sup>**

**Sections:**

### **17.82.010 Purpose and intent.**

It is the purpose and intent of this chapter to:

- A. Provide for the location of certain types of uses, services and facilities which, because of their unique characteristics, cannot (or should not) be limited to or automatically included in specific land use classification districts.
- B. Permit essential services and facilities which are needed or may be needed by or in the community, but the exact nature, scale, or location of which cannot be foreseen or predicted.
- C. Establish development standards for such uses and facilities in order that properties adjacent to such uses, especially properties which are clearly different character from the use of uses identified in this chapter, are reasonably protected from adverse effects or impact of these special uses.
- D. To authorize the city to impose reasonable conditions, restrictions and development requirements on the uses herein defined as may be deemed appropriate for those uses in any given land use district.
- E. Provide for a review process which will enable city officials, the general public and proponents of the uses herein defined to evaluate the need, location, scale and development characteristics of said uses and their impact on adjacent properties and the community as a whole, to the end that such uses may be approved, modified, or disapproved fairly and objectively.
- F. To facilitate the siting of licensed child day care facilities in the city of Napavine.
- G. ~~To facilitate the siting of residential care facilities and adult family homes in the city of Napavine.~~

(Ord. No. 454, § 1, 2-24-09)

### **17.82.020 Child day care centers in zoning districts R-2 and R-3.**

Child day care centers whether located in the residence of the care provider or in a separate structure may be permitted in zoning districts R-2 and R-3 as an essential public facilities and special property use subject to application, public hearing, administrative review, and consideration by the city council as set forth below:

- A. Application and Administrative Review Process.

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<sup>1</sup>Editor's note(s)—Ord. No. 454, adopted February 24, 2009, repealed the former Chapter 17.82, §§ 17.82.010—17.82.100, and enacted a new Chapter 17.82 as set out herein. The former Chapter 17.82 pertained to similar subject matter and derived from Ord. No. 199, §§ 1—7, 1992.

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1. Application. Application for the siting of a child day care center in zoning districts R-2 and R-3 shall be made to the community development department of the city of Napavine on a form to be provided by the city.
  2. Administrative Review Requirements. City staff shall review applications for child day care centers to be located in zones R-2 and R-3 and may approve, modify or deny the application without further review subject to the following requirements:
    - a. All applicants shall meet Washington state child day care licensing requirements;
    - b. All applicants shall comply with all building, fire safety, health code and city business licensing requirements;
    - c. Signage, if any will conform to the requirements of Section 17.68.020(H) of the Napavine Municipal Code;
    - d. Parking requirements shall conform to Section 17.64.010 of the Napavine Municipal Code;
    - e. The site must be landscaped in a manner compatible with adjacent residences;
    - f. No structural or decorative alteration which will alter the residential structure used for a child day care center is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;
    - g. The child day care center shall not be located within three hundred feet of another child day care center.
  3. Additional Requirements/Staff Recommendations. City staff may attach conditions to the application/permit in order to reduce conflicts between the child day care center and surrounding neighborhood, including but not limited to conditions and limitations to deal with problems of noise attenuation, special parking needs and hours of operation.
  4. Administrative Review—Notice to Public. Notice of each application for siting of a child day care center in zoning districts R-2 and R-3 shall be given to the public as follows:
    - a. Notices shall be posted on site and in two other conspicuous locations in the vicinity of the site at least ten calendar days prior to staff reporting and further action on the application;
    - b. The notice shall include a description of the proposal, site location, deadline for submitting written comments and the address and phone number of the community development department of the city of Napavine.
  5. Staff Report and Forwarding of Application to the City Council. On all applications which are administratively approved and which are to be forwarded to the city council for further action, city staff under the direction of the community development department shall prepare a written staff report. Such staff report shall address all issues of compliance with applicable provisions of the Napavine Municipal Code and shall further address possible impacts upon the neighborhood in which any such use is proposed to be located and shall further contain any all recommended conditions and limitations which city staff deems necessary to accompany an approval of such application. The written staff report shall accompany each application forwarded to the city council for further action.
  6. Public Hearing and Essential Public Facilities and Special Property Use Permit Process. Final approval of all applications for siting of day care centers in zoning districts R-2 and R-3 shall be subject to a public hearing, notice of which shall be made pursuant to Section 17.88.070 of the Napavine Municipal Code and final approval of all applications shall be determined through the essential public facilities and special property use permit process subject to the requirements of the specific provisions of Chapters 17.80 and 17.88 of the Napavine Municipal Code.



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(Ord. No. 454, § 3, 2-24-09)

**17.82.030 Child day care centers in all other zoning districts.**

Child day care centers may be sited as a matter of right in all other zoning districts provided that the conditions set forth in Section 17.82.020(A) of this chapter are met.

(Ord. No. 454, § 4, 2-24-09)

**~~17.82.040 Adult family homes, residential care facilities and supported living arrangements in R-2 and R-3 zones.~~**

~~Adult family homes, residential care facilities and supported living arrangements whether located in the residence of the care provider or in a separate structure may be permitted in zoning districts R-2 and R-3 as an essential public facilities and special property use subject to application, public hearing, administrative review and consideration by the city council as set forth below:~~

~~A. Application and Administrative Review Process.~~

- ~~1. Application. Application for the siting of an adult family home, residential care facility or supported living arrangements in zoning districts R-2 and R-3 shall be made to the community development department of the city of Napavine on a form to be provided by the city.~~
- ~~2. Administrative Review Requirements. City staff shall review applications for adult family home, residential care facility or supported living arrangements to be located in zones R-2 and R-3 and may approve, modify or deny the application without further review subject to the following requirements:~~
  - ~~a. All applicants shall meet Washington state adult family home, residential care facility or supported living arrangements licensing requirements;~~
  - ~~b. All applicants shall comply with all building, fire safety, health code and city business licensing requirements;~~
  - ~~c. Signage, if any will conform to the requirements of Section 17.68.020(H) of the Napavine Municipal Code;~~
  - ~~d. Parking requirements shall conform to Section 17.64.010 of the Napavine Municipal Code;~~
  - ~~e. The site must be landscaped in a manner compatible with adjacent residences;~~
  - ~~f. No structural or decorative alteration which will alter the residential character of an existing residential structure used for an adult family home, residential care facility or supported living arrangements is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;~~
  - ~~g. The adult family home, residential care facilities or supported living arrangements shall not be located within three hundred feet of another adult family home, residential care facility or supported living arrangements.~~
- ~~3. Additional Requirements/Staff Recommendations. City staff may attach conditions to the application/permit in order to reduce conflicts between the adult family home, residential care facility or supported living arrangements and surrounding neighborhood, including but not limited to conditions and limitations to deal with problems of noise attenuation, special parking needs and hours of operation;~~

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4. ~~Administrative Review— Notice to Public. Notice of each application for siting of an adult family home, residential care facility or supported living arrangements in zoning districts R-2 and R-3 shall be given to the public as follows:
    - a. ~~Notices shall be posted on site and in two other conspicuous locations in the vicinity of the site at least ten calendar days prior to the staff report and further action on the application;~~
    - b. ~~The notice shall include a description of the proposal, site location, deadline for submitting written comments and the address and phone number of the community development department of the city of Napavine.~~~~
  
  6. ~~Staff Report and Forwarding of Application to the City Council. On all applications which are administratively approved and which are to be forwarded to the city council for further action, city staff under the direction of the community development department shall prepare a written staff report. Such staff report shall address all issues of compliance with applicable provisions of the Napavine Municipal Code and shall further address possible impacts upon the neighborhood in which any such use is proposed to be located and shall further contain any and all recommended conditions and limitations which staff deems necessary to accompany an approval of such application. The written staff report shall accompany each application forwarded to the city council for further action.~~
  
  7. ~~Public Hearing and Essential Public Facilities and Special Property Use Permit Process. Final approval of all applications for siting of adult family home, residential care facility or supported living arrangements in zoning districts R-2 and R-3 shall be subject to a public hearing, notice of which shall be made pursuant to Section 17.88.070 of the Napavine Municipal Code and final approval of all applications shall be determined through the essential public facilities and special property use permit process subject to the requirements of the specific provisions of Chapters 17.80 and 17.88 of the Napavine Municipal Code.~~

(Ord. No. 454, § 5, 2-24-09)

**~~17.82.050 Adult family home, residential care facility or supported living arrangements in all other zoning districts.~~**

~~Adult family home, residential care facility or supported living arrangements may be sited as a matter of right in all other zoning districts provided that the conditions set forth in Section 17.82.040 of this chapter are met.~~

(Ord. No. 454, § 6, 2-24-09)

## Chapter ~~17.82~~ REASONABLE ACCOMMODATIONS

### Sections:

#### **17.82.010 Purpose**

The Federal Fair Housing Act and Fair Housing Act Amendments require that reasonable accommodations be made in the rules, policies, practices, or services, when such accommodations may be necessary to afford disabled persons equal opportunity to use and enjoy a dwelling. The rights created by the statutes are requirements of Federal law and shall be interpreted and applied in accordance with Federal case law. The State has passed laws which restrict a municipalities ability to regulate Adult Family Homes and Residential Care Facilities. (RCW 49.60.222 or RCW 35A.63.240)

The Community Development Director may grant individuals reasonable accommodation when necessary to comply with the provisions of the Federal Housing Act amendments, RCW 49.60.222, or RCW 35A.63.240.

#### **“Procedure.**

- 1) **Request.** A request for a reasonable accommodation in the form of a modification of the State Building Code including, but not limited to, the Group LI requirements may be made to the Administrators or his or her designee. Such accommodation shall be reasonable, personal to the applicant, and granted pursuant to the definitions and requirements of the Fair Housing Act and Fair Housing Act Amendments as the same exists or is hereafter amended. Forms for requests for a reasonable accommodation shall be found at the Community Development Office at City Hall.
- 2) **Decision.** The written decision of the Community Development Director or his or her designee shall be provided to the applicant and copies of the decision posted at the post office, City Hall, library, and on or near the subject site, and mailed to all property owners within 300 feet of the subject site.
- 3) **Recording of Decision.** Notice of the decision of the Community Development Director or his or her designee be filed with the City Clerk. All such notices shall conspicuously state that all accommodations granted under this section are personal to the applicant and that they expire either (A) when the applicant terminates his or her occupancy at the subject site OR (B) when the Adult Family Home or Residential Care Facility’s City business license renewed, whichever occurs first.
- 4) **Appeals.** The decision of the Community Development Director or his or her designee shall be appealable only to Lewis County Superior Court. The appeal period for such appeals shall commence on the date the notice of decision is postmarked.
- 5) **Renewal.** Any reasonable accommodation granted shall be required to be renewed once each year at the time the Adult Family Home or Residential Care Facility’s business license is to be renewed. No accommodation shall be valid for longer than one (1) calendar year. No City business license shall be granted at the time of renewal where the status of a reasonable accommodation is unknown. Renewal forms may be found at the Community Development Office at City Hall.

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**Criteria.** The Community Development Director or his or her designee may determine that such reasonable accommodations may be necessary in order to comply with the Federal Fair Housing Act and Federal Housing Act Amendments, RCW 35A.63.240, or RCW 70.128.140. All such accommodation shall be personal to the application and shall expire immediately if the disabled applicant terminates occupancy at the subject site. The Community Development Director or his or her designee may make determination pursuant to the following:

- 1) An applicant for reasonable accommodation must demonstrate to the satisfaction of the Community Development Director that the special needs of the proposed residents makes it necessary for them to live in a household of the size proposed in order to have equal opportunity to use and enjoy a dwelling.
- 2) The Community Development director shall determine what adverse land impacts, including cumulative impacts, if any, would result from granting the proposed accommodation. The director shall take into account the size, shape and location of the dwelling unit and lot, the building occupancy load, the traffic and parking conditions on adjoining and neighboring streets, the vehicle usage to be expected from residents, staff and visitors, and any other circumstances the director determines to be relevant as to whether the proposed increase in density will adversely impact the neighborhood.
- 3) The Community Development director shall consider the applicant's need for accommodation in light of the anticipated land use impacts, and the director may impose conditions in order to make the accommodation reasonable in light of those impacts.
- 4) A grant of reasonable accommodation permits a dwelling to be inhabited only according to the terms and conditions of the applicant's proposal and the director's decision. If the Community Development director determines that the accommodation has become unreasonable because circumstances have changed or adverse land use impacts have occurred that were not anticipated, the Community Development Director shall rescind or modify the decision to grant reasonable accommodation.
- 5) Nothing herein shall prevent the director from granting reasonable accommodation to the full extent required by federal or state law."

## Short-Term Rental Regulations

The City of Bellingham recently adopted new regulations that define what is allowed as a short-term rental (STR) in [Bellingham Municipal Code Section 20.10.037 \(https://bellinham.municipal.codes/BMC/20.10.037\)](https://bellinham.municipal.codes/BMC/20.10.037). The regulations are intended to balance the economic opportunity created by STRs with the need to maintain the city's housing supply and protect the rights and safety of owners, guests and neighbors.

An STR is defined as a lodging use, other than a hotel or motel, in which a dwelling unit or portion thereof is provided to guests by an STR operator for a fee for fewer than 30 consecutive nights. STRs are allowed, with some exceptions, in legally-established dwelling units in residential, commercial and urban village zoning districts.

Key regulations include:

- In Residential Zoning Districts:
  - STRs are limited to one per operator.
  - The dwelling unit, including accessory dwelling units, hosting the STR must serve as the primary residence of the owner or long-term renter (with at least a 270-day lease) for at least 270 days/year and the whole unit may be rented no more than 95 days/year.
- In **single-family zones**, STRs are not permitted in detached accessory dwelling units.
- In Commercial and Urban Village Zoning Districts:
  - There is no limit on the number of STRs per operator
  - STRs may be located in primary or nonprimary residences
  - For STRs in nonprimary residences, there is no limit on the number of days/year the unit may be rented
  - For STRs in primary residences, there is no limit on the number of days/year the unit must serve as the primary residence of the applicant or the number of days/year it may be rented
- In all Zoning Districts:
  - STRs are not allowed in the Lake Whatcom Watershed or shoreline areas.
  - STRs are not allowed in units subsidized by the multi-family tax exemption program or other housing subsidy programs.

### Permit Types

The new regulations require an STR land use permit for all STRs in the City. The table below summarizes the permit type required in each zoning district. Type I and Type II STR permits are approved administratively by the Planning Director or designee. Please contact the Permit Center (City Hall – 210 Lottie St., 360-778-8300) for more information.

| Short-term Rental Type:  | Review Process Type for Residential Zoning Areas: | Review Process Type for Commercial and Urban Village Zoning Areas: |
|--|---|--|
| <b>Primary Residence</b> – No more than 2 bedrooms in a dwelling unit, including an accessory dwelling unit (when permitted), may be rented to overnight guests. The subject dwelling unit must serve as the primary residence of the applicant (the owner or long-term tenant) for no less than 270 days per year. The whole dwelling unit may be rented for no more than 95 days per year. | Type I  | Type I   |
| <b>Primary Residence</b> – No more than 5 bedrooms in a dwelling unit, including an accessory dwelling unit (when permitted), may be rented to overnight guests. The subject dwelling unit must serve as the primary residence of the applicant (the owner or long-term tenant) for no less than 270 days per year. The whole dwelling unit may be rented for no more than 95 days per year. | Type II   | Type 1   |
| <b>Non-primary Residence</b> – No more than 5 bedrooms in a dwelling unit, including an accessory dwelling unit (when permitted), may be rented to overnight guests. The subject dwelling unit is not the primary residence of the applicant. There is no limit on the number of days per year the dwelling unit may be rented.  | Not Allowed                                       | Type 1   |

Safety and courtesy requirements include the following:

- One off-street parking space during guest stay in residential zones
- Operations must prevent unreasonable disturbances to nearby residents
- No change in outside appearance of building or premise that indicates the site is hosting a commercial use
- Local contact person must be available 24 hours/day
- Good neighbor guidelines must be posted in the unit and rental agreement
- No events for compensation in residential zones
- Safety requirements and a City inspection per 20.10.037.D.11 (inspection is required prior to application approval)

- Proof of a valid City of Bellingham [business license \(https://dor.wa.gov/\)](https://dor.wa.gov/) must be submitted with the application (may take several weeks to receive the license number)
- Liability insurance

Please refer to [Bellingham Municipal Code Section 20.10.037 \(https://bellingham.municipal.codes/BMC/20.10.037\)](https://bellingham.municipal.codes/BMC/20.10.037) for the complete set of requirements for STRs.

#### Applying for a Short-term Rental Permit

Prior to submitting an application, please complete these pre-application steps:

- Check in with City staff in the Permit Center (City Hall – 210 Lottie St., 360-778-8300) to obtain guidance on your proposal.
- If you are applying for a Type 1 STR permit, a courtesy notice must be mailed or delivered to residents and property owners adjacent to the STR. See the application for instructions and a sample courtesy notice.

The STR application is available on the City's [Land Use Application webpage \(https://cob.org/services/permits/forms-land-use\)](https://cob.org/services/permits/forms-land-use). After meeting with City staff on your proposal, please fill out the application and submit it to staff in the Permit Center (City Hall – 210 Lottie St.)

An [application fee \(https://cob.org/wp-content/uploads/land-use-fee-sheet.pdf\)](https://cob.org/wp-content/uploads/land-use-fee-sheet.pdf) and a City of Bellingham [business license number \(https://dor.wa.gov/\)](https://dor.wa.gov/) for your STR are required to be submitted with the application. Please note that if you do not currently have a City of Bellingham business license for your STR, you will need to apply for one through the [Department of Revenue \(https://dor.wa.gov/open-business/apply-business-license\)](https://dor.wa.gov/open-business/apply-business-license). Once your business license application is submitted to the DOR, it may take up to two weeks to receive your City of Bellingham business license number.

STR permit application fees are as follows:

- Type I: \$370.00
- Type II: \$550.00
- Type III-A: \$847.00
- Renewal (before January 1 of every even-numbered year): \$250.00
  - [STR Renewal Affidavit \(https://cob.org/wp-content/uploads/str-renewal-affidavit.pdf\)](https://cob.org/wp-content/uploads/str-renewal-affidavit.pdf)

## Resources

- [Planning & Community Development Department \(https://cob.org/gov/dept/pcd\)](https://cob.org/gov/dept/pcd)
- [STR Application \(https://cob.org/wp-content/uploads/str-application.pdf\)](https://cob.org/wp-content/uploads/str-application.pdf)
- [STR Renewal Affidavit \(https://cob.org/wp-content/uploads/str-renewal-affidavit.pdf\)](https://cob.org/wp-content/uploads/str-renewal-affidavit.pdf)
- [STR Ordinance 2018-11-024 \(https://cob.org/wp-content/uploads/str-2018-11-024.pdf\)](https://cob.org/wp-content/uploads/str-2018-11-024.pdf)
- [Frequently Asked Questions \(https://cob.org/wp-content/uploads/str-faq.pdf\)](https://cob.org/wp-content/uploads/str-faq.pdf)
- [STR Example Scenarios \(https://cob.org/wp-content/uploads/str-example-scenarios.pdf\)](https://cob.org/wp-content/uploads/str-example-scenarios.pdf)
- (Archived) [Legislative Process \(https://cob.org/services/planning/development/str-legislative-process\)](https://cob.org/services/planning/development/str-legislative-process)

## Contacts

Permit Center – 360-778-8300



## Short-term Rental (STR) Permit Frequently Asked Questions

### 1. What Type of Permit Procedure is Proposed?

- a. Type II decision. Type II permits are approved administratively by the Director rather than the Hearing Examiner (Type III and III-A) or the City Council (Type IV-V). Type II procedure requires a public notice of application and notice of decision. Additionally, Type II procedure allows for an open record public hearing before the Hearing Examiner if the Director's decision is appealed. Permit procedures are found in the [Gig Harbor Municipal Code \(GHMC\) Section 19.01.003](#).

### 2. What is Administrative review?

- a. Administrative review (all Type 1 and Type II permits) offers a simplified review and decision process as opposed to other review processes which require the Hearing Examiner or City Council to be the decisionmaker. With a Type II procedure, the decision is made by the Director or their designee and does not require a public hearing prior to the decision. This helps to reduce the review time and cost as additional public noticing for public meetings would not be necessary, nor would fees associated with a hearing examiner decision.

### 3. Why is Code Enforcement not Addressed in the Ordinance?

- a. Enforcement regulations already exist within the Gig Harbor Municipal Code, so there is no need for them to be in the STR ordinance. Our current land-use enforcement process can be reviewed in [Chapter 19.16 GHMC, Enforcement of Land Use Codes](#). As with most commercial uses, the enforcement and policy procedures of [Chapter 15.24 GHMC, Enforcement](#), and [Title 5 GHMC, Business Licenses and Regulations](#), might also apply depending on the violation.

### 4. What will the fees be for an STR Permit?

- a. The proposed fee for the Type II STR Permit is \$650. Staff is working to update the City's fee schedule resolution for the February 27<sup>th</sup> City Council Meeting. The current fee schedule can be found on the [City of Gig Harbor Web Site](#).

### 5. What is a summary of the current Ordinance?

- a. The current ordinance stipulates that a short-term rental permittee may only possess one short-term rental permit within the City. The application will be processed as a Type II procedure requiring noticing, public comment, and an administrative decision. An approved permit would be issued to one person, non-transferable, and would expire if property ownership changes, or the short-term rental permittee no longer possesses a valid business license. All short-term rentals would also require a city business license consistent with [Title 5 GHMC, Business License and Regulations](#). The business license, as with all business licenses, would be renewed annually. The proposed regulations require that a short-term rental permittee must meet additional criteria, specific to short-term rentals, to successfully renew their business license. If they are unable to meet those



## Short-term Rental (STR) Permit Frequently Asked Questions

criteria, their license would not be renewed, and their short-term rental permit approval would also expire.

- 6. The Council asked for staff to monitor STRs after approval of the Ordinance. How will staff do this?**
  - a. The City Council has directed Staff to create an STR tracking web page, tracking issued STR permits, STR enforcement actions, and other yet to be determined data related to STR permitting in the City. This data will be compiled and presented to City Council on a quarterly basis.
- 7. What if I have a previously approved Conditional Use Permit for my STR?**
  - a. Lodging, Level 1 would remain a Conditional Use Permit in most zones, which is a Type III procedure requiring a public hearing and decision by the City's Hearing Examiner. Those STRs that have been issued a CUP for a Lodging, Level 1 use will be permitted to continue and will not be affected by this ordinance.
- 8. Who should I contact with questions?**
  - a. Community Development Director Carl de Simas at 253-853-7628 or [cdesimas@gigharborwa.gov](mailto:cdesimas@gigharborwa.gov)