

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE of the City of Port Angeles, Washington implementing new regulations for short-term lodging operations; adopting a new Chapter 17.23 of the Port Angeles Municipal Code (“PAMC”), Short-Term Rentals; adopting a new Chapter 17.24 PAMC, Bed and Breakfasts; repealing Chapter 17.18 PAMC; amending sections 14.36.010, 17.01.020, 17.08.015, 17.08.095, 17.10.040, 17.11.040, 17.12.040, 17.14.020, 17.15.020, 17.20.020, 17.25.040, and 17.94.065 pertaining to short-term lodging amendments; amending the Master Fee Schedule; adopting reporting requirements; providing for severability; establishing an effective date; and staying enforcement until a date certain.

WHEREAS, the City has an interest in regulating short-term lodging to balance the benefits they provide to the City with the impacts they can have on the community; and

WHEREAS, in 2017 the City passed Ordinance 3577 which created a definition for short-term rentals and allowed them as a use in certain zones; and

WHEREAS, the City Council finds that substantial changes to the City’s regulations of short-term lodging is in the best interests of the City,

Now, Therefore,

THE CITY COUNCIL OF THE CITY OF PORT ANGELES DO HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Title 17 of the Port Angeles Municipal Code is hereby amended by adding a new Chapter 23, Short-Term Rentals, as set forth in Exhibit A, which is incorporated herein by this reference.

**Section 2.** Title 17 of the Port Angeles Municipal Code is hereby amended by adding a new Chapter 24, Bed and Breakfasts, as set forth in Exhibit B, which is incorporated herein by this reference.

**Section 3.** Chapter 17.18 of the Port Angeles Municipal Code is repealed in its entirety.

**Section 4.** Section 14.36.010 of the Port Angeles Municipal Code relating to the sign code is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 5.** Section 17.01.020 of the Port Angeles Municipal Code relating to the purposes of zones is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 6.** New definitions relating to short-term lodging are added to Chapter 17.08 of the Port Angeles Municipal Code as set forth in Exhibit C, which is incorporated herein by this reference. The codifier is authorized to appropriately alphabetize and number the definitions and insert them into the proper sections in Chapter 17.08 PAMC.

**Section 7.** Section 17.10.040 of the Port Angeles Municipal Code relating to conditional uses in the R7 zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 8.** Section 17.11.040 of the Port Angeles Municipal Code relating to conditional uses in the R9 zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 9.** Section 17.12.040 of the Port Angeles Municipal Code relating to conditional uses in the R11 zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 10.** Section 17.14.020 of the Port Angeles Municipal Code relating to permitted uses in the residential medium density zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 11.** Section 17.15.020 of the Port Angeles Municipal Code relating to permitted uses in the residential high-density zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 12.** Section 17.20.020 of the Port Angeles Municipal Code relating to permitted uses in the commercial zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 13.** Section 17.25.040 of the Port Angeles Municipal Code relating to permitted uses in the commercial, regional zone is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 14.** Section 17.94.065 of the Port Angeles Municipal Code relating to developmental standards for conditional uses in residential zoning is hereby amended as set forth in Exhibit C, which is incorporated herein by this reference.

**Section 15.** The Master Fee Schedule is amended to incorporate the new fees, which are shown in Exhibit D. Future revisions for short-term lodging fees will be made through Resolution.

**Section 16.** City staff is directed to prepare and deliver the following reports:

*A. Vacant and Blighted Properties*

As part of the 2025 Comprehensive Plan, the Directors of Finance, Community and Economic Development, Public Works and Utilities, Police Chief, and City Attorney will present options to the Planning Commission for encouraging the redevelopment of vacant and blighted properties.

*B. SB 5334 Implementation.*

If Senate Bill 5334 becomes law, the Directors of Finance and Community and Economic Development will present options to the Planning Commission for incentivizing and supporting long-term rentals and supportive housing within the City of Port Angeles.

**Section 17. - Corrections.** The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of the scrivener's/clerical errors, references to other local, state, or federal laws, codes, rules or regulations, or ordinance numbering, section/subsection numbers and any references thereto.

**Section 18. - Severability.** If any provisions of this Ordinance, or its application to any person or circumstances, are held invalid, the remainder of the Ordinance, or application of the provisions of the Ordinance to other persons or circumstances, is not affected.

**Section 19. - Effective Date.** This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum. This ordinance shall take effect on July 1, 2024, after publication of an approved summary thereof consisting of the title.

**Section 20 – Enforcement Stayed.** The Chief of Police and the Director of Community and Economic Development shall Stay Enforcement of this Ordinance until November 1, 2024.

PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Kate Dexter, Mayor

APPROVED AS TO FORM:

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William E. Bloor, City Attorney

ATTEST:

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Kari Martinez-Bailey, City Clerk

## Exhibit A

### NEW CHAPTER 17.23 SHORT-TERM RENTALS

#### **17.23.010 Purpose.**

The purpose of this chapter is to establish regulations for the operation of short-term rentals within the City of Port Angeles. This Chapter does not apply to hotels, motels, and bed and breakfasts. This Chapter also establishes a short-term rental business license permit program; platform-based enforcement provisions; and building and fire life-safety inspection requirements for all short-term rentals.

#### **17.23.020 Definitions (Reserved).**

#### **17.23.030 Applicability.**

- A. The licenses required by this Chapter prevail over other provisions of the PAMC that may relate to short-term rental licenses, as amended now or hereafter. In the event of a conflict, the provisions in this Chapter shall control.
- B. A short-term rental business license is required for all short-term rentals occurring in the City.
- C. The Director is hereby authorized to implement, interpret, enforce, and make Director's Determinations for any section of this Chapter and any other applicable PAMC chapters. Director's Determinations are intended to clarify and explain the PAMC requirements.

#### **17.23.040 Short-Term Rental Platform Business License.**

- A. It is unlawful for any person to operate as a platform within the City without a valid platform business license pursuant to this Chapter.
- B. Platform business licenses are issued by the Director and may be obtained by filing an application to the City's Community and Economic Development Department.
- C. All platforms operating in the City of Port Angeles must comply with the following:
  1. Possess a valid platform business license issued pursuant to this Chapter.
  2. Prior to providing booking services, require that all owners, authorized agents, and/or operators using the platform obtain a valid short-term rental business license through the City and include a business license number in any listing for a short-term rental on the platform.
  3. Remove any listings from the platform within four business days upon notification by the City that a short-term rental listed on the platform does not comply with the requirements of this Chapter.
  4. Provide the following information in an approved electronic format to the City annually by February 1 of each year for the previous year's operations:
    - a. The total number of short-term rentals in the City listed on the platform during the applicable reporting period, and

- b. The total number of nights each short-term rental was rented through the platform during the applicable reporting period.
- 5. Inform all owners, authorized agents, and/or operators who use the platform of their responsibility to collect and remit all applicable local, state, and federal taxes unless the platform does this on their behalf.
- 6. Provide to the City a listing of all owners, authorized agents, and/or operators inside the City for which the platform provides booking services by February 1 of each year for the previous year's operations.
- 7. Upon request by the Director, permit the Director access to review the records listed above that are required to be kept under this Chapter in a manner consistent with state and federal law.

**17.23.050 Short-Term Rental Fire Life-Safety Requirements and Inspections.**

All short-term rentals must comply with the following inspection requirements:

- A. All short-term rental owners or authorized agents must obtain a fire life-safety inspection of the rental, and pay the inspection and review fees outlined in the Port Angeles Master Fee Schedule for each new or renewed license. Type I short-term rentals are required to meet the provisions for the entire structure where the rooms are located. The Director will determine the inspection frequency in one, three, or five-year increments.
- B. All short-term rentals must have a code-compliant, non-expired fire extinguisher located visibly on each floor of the dwelling and one located within six feet of any cooking appliances.
- C. Inspection results may require minor building renovations or improvements, specifically related to fire life-safety items, requiring a building permit through the City's Community and Economic Development Department.
- D. All short-term rental licenses will contain the following language:
  - 1. The fire life-safety review for this short-term rental is limited to basic fire life-safety inspection, including but not limited to 911 locator consistency, handrails, guardrails, egress, ingress, exterior safety lighting, smoke and carbon monoxide detection and warning, repair of any notably dangerous building concerns, and pool safety regulations. The short-term rental business license inspection is not to be construed to be an exhaustive review of all potential life/safety issues that may be present in the facility. By accepting and utilizing the short-term rental license issued by the City or utilizing the licensed short-term rental, the owner, authorized agent, short-term rental platform, guest, short-term rental operator, or any other person with interest agrees to hold the City Harmless in the event of any damage, property damage, personal injuries, and any other monetary or liabilities occurring from the short-term rental.
- E. Any short-term rental undergoing renovations, improvements, or upgrades may not operate until all items are completed and required building permits are finalized. The City will temporarily suspend any short-term rental business license until such

renovations, improvements, or upgrades are finished and finalized by the City’s Community and Economic Development Building Division. Any suspension will not alter the renewal date requirement.

- F. All egress must be adequately sized and unobstructed to allow proper escape from each sleeping unit and escape from the main dwelling.
- G. Failure to schedule and pass any required inspection is grounds for denial or revocation of the short-term rental business license.
  - 1. Upon notification by the City, the short-term rental owner, authorized agent, and/or operator will have 90 days to comply with any new minor fire life-safety upgrades. When required, the applicant must obtain a building permit, complete the work, and receive approval for the final building inspection.
  - 2. The Director may grant extensions based on a review of the circumstances, hardships, or proposed work timelines. Any extensions will be provided to the owner, authorized agent, and/or operator in writing, detailing the length of time of extension, requirements, and other relevant provisions.

**17.23.060 Zoning, Allowance, and Use Requirements:**

The following zoning, allowance, and use table requirements apply to all short-term rentals within the City.

Key to use the table:

- A. P(L) = “Permitted if Licensed” means short-term rentals allowed with a short-term rental business license.
- B. No = “No” means the use is prohibited.
- C. No Limitation = “No Limitation” means the number of short-term rentals of a particular type is not limited; therefore, no maximum cap on the number of units is set.
- D. N/A = “Not Applicable” for table 17.23.060-1 means that the requirement limitation of the number of units does not apply because that type of short-term rentals in that zone are prohibited.

Table 17.23.060 -1:

<b>Zone Classification</b>	<b>New type I short-term rental</b>	<b>Max # of new type 1 short-term rentals</b>	<b>New type II short-term rental</b>	<b>Max # of new type II short-term rentals</b>
<b>All Zones Except Industrial.</b>	P(L)	No Limitation	P(L)	Citywide Cap of 200 Annual Short-Term Rental Business Licenses, or 2% of Total Single Household Dwellings/Duplex Units (whichever is greater). Existing short-term rental business licenses are renewable regardless of whether the quota for

				licenses under the Citywide Cap has been met. Legally operating short-term rentals as of July 1, 2024, shall have priority preference for being issued a business license. The Director will conduct a lottery for all completed short-term rental business license applications submitted by August 1, 2024, and if any business license quotas remain, a second lottery on the first business day of the month for all completed short-term rental applications submitted prior to that date. Once the Cap is reached the Director will implement a waiting list for those complete applications in order of date received. As business licenses become available, this list will be utilized until the Cap is reached again.
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**17.23.070 Standards.**

All short-term rentals must comply with the following standards:

- A. After July 1, 2024, no person may operate a short-term rental without obtaining and maintaining a short-term rental business license.
- B. Licensed short-term rentals must only use platforms licensed by the City. Licensees may alternatively direct book.
- C. Only one short-term rental license will be issued per parcel.
- D. Only one short-term rental license will be issued per Owner.
- E. Each separate dwelling unit rented as a short-term rental must have its own license.
- F. Short-term rental owners and authorized agents must obtain and maintain liability insurance that satisfies the requirements of RCW 64.37.050. Proof will be required at application and renewals.
- G. Parking is required. Onsite parking is preferred; however, if onsite parking is not available, the provisions of Chapter 14.40.045(E) must be utilized.
- H. Events by guests are not allowed at any Type 2 short-term rental.
- I. Short-term rentals are not permitted in housing units subsidized through City programs, including but not limited to a Fee Waiver, NICE Neighborhood Funds, and the Affordable Housing Sales Tax Fund.
- J. Short-term rentals are not permitted in any temporary, portable, or other structure not permitted by the City for permanent occupancy (e.g., boat, tent, yurt, RV, etc.)
- K. All short-term rental owners must arrange for regular municipal garbage collection.

- L. The owner, authorized agent, operator, and/or local contact must ensure that guests adhere to all nuisance regulations and ordinances in the City of Port Angeles, including the nuisance regulations in Chapter 8.30 PAMC.
- M. Short-term rentals must have the following items posted in a conspicuous place inside the residence:
  - 1. The license;
  - 2. The good neighbor policy per PAMC 17.23.090; and
  - 3. Emergency contact information, including the residence address.
- N. All short-term rentals must comply with the applicable federal, state, and local fire, building, and health codes.
- O. Licenses are not transferable or assignable. No short-term rental business license(s) will be issued to any entity in which a member, partner, director, officer, trustee, or any other form of owner, decisionmaker, or investor in that entity already possess a short-term rental business license under this Chapter. For the provisions of this subsection, “LLC” means any entity, trust, or property ownership or leasing structure other than a natural person. Spouses and their marital community may only have one short-term rental business license. Licenses issued to an LLC must also include and be issued to the LLC governing member or owner. No transfer of the LLC governing member or owner is allowed. Any transfer of ownership, transfer to LLC, transfer to another location or structure is not allowed. Any such changes identified in this code require a new license and payment of applicable fees.
- P. All short-term rentals must have a visible, legible address.
- Q. A Type 1 Licensee may rent multiple rooms or spaces within their home under one short-term rental business license, even if those rooms are listed and rented separately on a platform.

**17.23.080 Noncompliant Short-Term Rentals (Reserved).**

**17.23.090 Good Neighbor Policy.**

- A. The owner or the authorized agent must notify each adjacent and facing property owner of said property of the existence of the short-term rental business and provide a written list of rules and restrictions and up-to-date local contact information for any concerns, complaints, or emergencies.
- B. A copy of all rules, restrictions, and conditions imposed on the short-term rental must be posted in a prominent location in the short-term rental.
- C. Noise concerns: The hours between 10:00 PM and 7:00 AM are designated “quiet time” so that no outdoor activity will disturb the peace and quiet of the neighborhood. All activities must comply with PAMC 9.23.030 – Disturbing the peace.
- D. Whenever the short-term rental is rented, the local contact must be available twenty-four hours per day, seven days per week, to accept and respond physically to the short-term rental within 60 minutes of receiving a call to address complaints concerning noise levels. Failure to respond to all verifiable complaints will result in violation.

- E. Property condition: The owner, guests, local contact, and/or authorized agent must keep the short-term rental property in good order. No trash, junk, debris, or other unsightly materials are allowed to be visible on the property.
- F. The owner or authorized agent must establish policies and provide information to guests regarding the location of trash receptacles and the trash pick-up schedule.
- G. The owner or authorized agent must inform all guests that they cannot violate the standards of this chapter or generate any disturbances that may disrupt the peace, safety, and general welfare of the neighborhoods in which they are located.
- H. The guests must not block any driveways, streets, rights-of-way, or other public or private access routes.
- I. All guests, owners, authorized agents, and/or operators must comply with the City's Nuisance Code, Chapter 8.30 PAMC.
- J. The City will revoke a short-term rental business license upon the third violation within a 36-month period of this section by the licensee and their guests. Short-term rental business licenses revoked for violation of this section may not be renewed, and the Owner may not apply for a short-term rental business license on any other property in the city for two years.

**17.23.100 Short-Term Rental Business License Application Requirements.**

An application for a short-term rental business license must be determined complete to reserve a business license spot. A complete application includes:

- A. A complete application for the City's short-term rental business license.
- B. A site plan to scale, of the property, showing the entire dwelling unit used for the short-term rental, all other structures, parking, entrance and exit locations, and other relevant information as required by the Director. A consultant is not required. This item may be hand-drawn to scale; there is no requirement for a computer-generated site plan unless the owner or authorized representative prefers this method.
- C. Scaled floor plan that includes structure dimensions throughout the entire dwelling unit and the square footage. The floor plan must also show all smoke and carbon monoxide alarm locations, fire extinguisher locations, and all ingress or egress areas with dimensions. All rooms must be labeled. All sleeping accommodations should be clearly marked, including any accommodation outside the bedroom. The City has the right to deny sleeping accommodation outside of a designated bedroom for fire, health, and life safety. If an area is prohibited from sleeping, the license must clearly state the condition. A consultant is not required. This item may be hand-drawn to scale; there is no requirement for a computer-generated site plan unless the owner or authorized representative prefers this method.
- D. Proof of short-term rental liability insurance pursuant to RCW 64.37.050.
- E. Copy of the owner's State of Washington Master Business License.
- F. Payment of all fees as determined by the City's Master Fee Schedule upon the application being deemed complete.

- G. Any other information the Director deems reasonably necessary to administer this Chapter.
- H. If applicable, building permits for any proposed remodels, required building improvements, or other changes requiring a permit.
- I. A signed copy of the good neighbor policy. This policy shall be posted at the site after City review and approval.
- J. If the application is to renew an existing short-term rental business license, the following is also required:
  - 1. A copy of the operating period's rental log, including the price per night per rental in the City, charged per guest, and the total price charged for each guest's stay.
  - 2. Documentation showing the lodging tax paid to the State of Washington for the previous year of operation.

**17.23.110 Review Procedures.**

- A. Staff shall determine whether an application for a short-term rental business license is complete within 28 days after application submittal.
- B. Staff will determine capacity for a short-term rental. If there is no capacity for a short-term rental, the application will be denied and be offered a place on the waiting list.
- C. Procedures A and B listed above must be complete and meet this chapter's requirements before the City inspector performs the inspection.
- D. If the building report review, checklist, or inspection results in any failed areas, the applicant must fix all required items, obtain any permits necessary to resolve any items, and finalize any required permits prior to issuance of a short-term rental license.
- E. If the inspection fails, or further correction or information is required for the City Inspector's report, the applicant will be charged a reinspection fee. This reinspection fee will be charged for each required subsequent review or reinspection until all items pass. The applicant is responsible for working with the Community and Economic Development Building Division to ensure a complete application and must have an approved building permit to proceed with any work.
- F. The City will only issue the short-term rental business license if the application meets all standards and passes all reviews and inspections.
- G. The short-term rental business license and associated conditions must be posted visibly for all guests.
- H. Water, sewer, power, adequate access from a public right-of-way, police, fire, and waste disposal must be available and adequate for the proposed short-term rental.
- I. The proposal should not cause detrimental effects on the surrounding residential area due to changes in the neighborhood, which include but are not limited to traffic volume and frequency, noise, activities occurring on-site, lighting, and the ability to provide utility service.

- J. The proposal must be compatible with the surrounding area aspects, including but not limited to landscaping, location of the structure(s), parking areas, and the residential nature of construction and/or architectural details of the structure.

**17.23.120 Director Decision.**

The Director is authorized to and will approve, deny, or approve with modifications or conditions, all short-term rental business licenses in writing in the form of a license or a denial letter. The Director must attach such conditions as may be deemed necessary to ensure land use compatibility, public safety, and compliance with all standards and requirements of this Chapter.

- A. Any person aggrieved by the decision of the Director under this Chapter may appeal the decision to the Hearing Examiner. See Hearing Examiner Fees in the Master Fee Schedule.
- B. Appeals must be submitted to the Director in writing within 15 days following the date of the Director's decision.
- C. The Hearing Examiner shall conduct an open record public hearing on the appeal of the Director's decision with notice being given as set forth in PAMC 17.96.140. The Hearing Examiner's decision shall be final unless appealed to Clallam County Superior Court in accordance with PAMC 17.96.150.

**17.23.130 Term of a Short - Term Rental Business License.**

- A. A short-term rental business license will be issued for a set period of time, with its effective date running from the date of issuance. The applicant must submit the renewal application 60 days prior to the existing short-term rental business license's expiration date. The City is not responsible for informing the owner of the expiration of the license. All applicable standards of this chapter must be met, and the annual inspection must be completed prior to the expiration.
- B. The short-term rental business license will be issued in the legal owner's name. If the property is sold, the license terminates, and a new owner will have to obtain a new license and comply with the regulations stated in this Chapter to operate as a short-term rental. The short-term rental business license is not a vested transferable right.

**17.23.140 Short-Term Rental Platform – Violations and Enforcement.**

- A. Violations. It is a violation of this Chapter for any person or platform to:
  - 1. Operate a short-term rental platform within Port Angeles without possessing a valid short-term rental platform business license issued pursuant to section PAMC 17.23.040. Platforms cannot allow rental postings for units within the City without including a valid City business license number.
  - 2. Fail to require that any owner, authorized agent, or operator for a short-term rental using the platform, prior to providing booking services, possess a valid short-term rental business license issued by the City and include the business license number in any listing.
  - 3. Fail to post the business license number for all City of Port Angeles listings.

4. Fail to remove any listing for short-term rentals within four business days after written notice of violation is provided by the City to the platform. Failure to remove the listing within four business days will result in penalties per this Chapter.
5. Misrepresent any material fact in an application for a platform business license or submit inaccurate information to the City when the City requests information from the platform pursuant to this Chapter.
6. Fail to comply with any requirements of this Chapter applicable to short-term rental platforms.

**17.23.150 Short-Term Rental Owner, Authorized Agent, and/or Operator – Violations and Enforcement.**

A. Violations. It is a violation of this Chapter for any person to:

1. Offer or provide a dwelling unit, or portion thereof, for short-term rental use without possessing a valid short-term rental business license for that dwelling unit, or portion thereof, issued pursuant to this Chapter.
2. Offer a short-term rental of any type on a platform without possessing a valid short-term rental business license pursuant to this Chapter.
3. Utilize a platform that is not licensed by the City.
4. Misrepresent any material fact in any short-term rental business license application or other information submitted to the City pursuant to this Chapter.
5. Fail to comply with any requirements of this Chapter applicable to owners, authorized agents, or operators of a short-term rental.

**17.23.160 Enforcement.**

- A. Using the procedures set out in PAMC 2.90, this Chapter will be enforced against platforms, owners, authorized agents, and/or operators violating this Chapter may be issued a citation, notice of violation and order to cease, and/or any notice of daily fines.
- B. Violations of this Chapter are civil violations, and penalties for violations of this Chapter may be imposed as follows:

Violations:	
• 1 <sup>st</sup> Violation of PAMC 17.23	\$500.00
• 2 <sup>nd</sup> Violation of PAMC 17.23	\$1,000.00
• 3 <sup>rd</sup> + Subsequent Violations of PAMC 17.23	\$3,000.00
Daily Fines – once notice of violation and order to cease issued:	
• Daily Fee for the first 14 days	\$500.00 per day
• Daily Fee for each day after 14 days	\$1,000.00 per day

**17.23.170 Limitations.**

- A. Once a short-term rental business license has been issued, it cannot be transferred to another location, owner, authorized agent, and/or operator.
- B. The short-term rental platform business license will be valid for a period of one year only. The short-term rental platform must apply for a renewal at least 60 days before the current short-term rental platform business license expiration as set forth in this Chapter. The City must have confirmed receipt of the renewal request prior to the expiration date for the request to be considered submitted before the expiration date.
- C. The short-term rental business license shall be valid for a set period of time only. The owner, authorized agent, and/or operator must apply for a renewal at least 60 days before the current short-term rental business license expiration as set forth in this Chapter. The City must have confirmed receipt of the renewal request prior to the expiration date for the request to be considered submitted before the expiration date.

**17.23.180 Denial, Revocation, or Refusal to Renew any Short-Term Rental Business License.**

- A. The Director may immediately deny, revoke, or refuse to renew the short-term rental platform business license of any platform for violating or failing to comply with any applicable provision or any reason set forth in this Chapter.
- B. The Director may immediately deny, revoke, or refuse to renew the short-term rental business license of any owner, authorized agent, and/or operator for violating or failing to comply with any applicable provision or for any reason set forth in this Chapter.
- C. No short-term rental business license or platform business license issued pursuant to this Chapter may be renewed unless all outstanding penalties assessed against the licensee and all past and present fees are paid in full to the City's Community and Economic Development Department or the City's Code Enforcement Division.
- D. Appeals shall be submitted to the Director in writing within 15 days following the date of the decision.
- E. The Hearing Examiner shall conduct a hearing on the appeal of the Director's decision with notice being given as set forth in PAMC 17.96.140. The Hearing Examiner's decision shall be final unless appealed to Clallam County Superior Court in accordance with PAMC 17.96.150. See Hearing Examiner Fees in the Master Fee Schedule.

## **Exhibit B**

### **NEW CHAPTER 17.24 BED AND BREAKFASTS**

#### **17.24.010 Purpose.**

The purpose of this chapter is to establish regulations for the operation of bed and breakfasts within the City of Port Angeles. This Chapter does not apply to hotels, motels, and short-term rentals. This Chapter also establishes a bed and breakfast business license permit program, platform-based enforcement provisions, and building fire life-safety inspection.

#### **17.24.020 Definitions (Reserved).**

#### **17.24.030 Applicability.**

- A. The licenses required by this Chapter prevail over other provisions of the PAMC that may relate to bed and breakfast licenses, as amended now or hereafter. In the event of a conflict between the provisions, the provisions in this Chapter control.
- B. A bed and breakfast business license is required for all bed and breakfasts in the City.
- C. The Director is hereby authorized to implement, interpret, enforce, and make Director's Determinations for any section of this Chapter and any other applicable PAMC chapters. Director's Determinations are intended to clarify and explain the PAMC requirements.

#### **17.24.40 Bed and Breakfast Platform Business License.**

- A. It is unlawful to operate as a bed and breakfast platform within the City without a valid platform business license pursuant to this Chapter.
- B. Platform business licenses are issued by the Director and may be obtained by filing an application to the City's Community and Economic Development Department.
- C. All platforms operating in the City of Port Angeles must comply with the following:
  1. Possess a valid platform business license issued pursuant to this Chapter.
  2. Prior to providing booking services, require that all bed and breakfast operators using the bed and breakfast platform obtain a valid bed and breakfast business license through the City and include a business license number in any listing for a bed and breakfast on the platform.
  3. Remove any listings from the platform within four business days upon notification by the City that a bed and breakfast listed on the platform does not comply with the requirements of this Chapter.
  4. Provide the following information in an approved electronic format to the City annually by February 1 of each year for the previous year's operations:
    - a. The total number of bed and breakfasts in the City listed on the platform during the applicable reporting period, and

- b. The total number of nights per bed and breakfast for all bed and breakfasts that were rented through the platform during the applicable reporting period.
5. Inform all bed and breakfast operators who use the bed and breakfast platform of their responsibility to collect and remit all applicable local, state, and federal taxes unless the bed and breakfast platform does this on their behalf.
6. Provide to the City a listing of all owners and bed and breakfast operators inside the City for which the platform provides booking services by February 1 of each year for the previous year's operations.
7. Upon request by the Director, permit the Director access to review the records listed above that are required to be kept under this Chapter in a manner consistent with state and federal law.

#### **17.24.050 Bed and Breakfast Fire Life-Safety Requirements and Inspections.**

All bed and breakfasts must comply with the following inspection requirements:

- A. All bed and breakfast owners or authorized agents must obtain a fire life-safety inspection of the rental and pay the inspection and review fees outlined in the Port Angeles Master Fee Schedule. Bed and breakfasts are required to meet the provisions for the entire structure where the rooms are located.
- B. All bed and breakfasts must have a code compliant, non-expired fire extinguisher located visibly on each floor of the dwelling and one located within six feet of any cooking appliances.
- C. Inspection results may require minor building renovations or improvements, specifically related to fire life-safety items, requiring a building permit through the City's Community and Economic Development Department.
- D. All bed and breakfast licenses will contain the following language:
  1. The fire life-safety review for this bed and breakfast is limited to basic fire life safety inspection, including but not limited to 911 locator consistency, handrails, guardrails, egress, ingress, exterior safety lighting, smoke and carbon monoxide detection and warning, repair of any notably dangerous building concerns, and pool safety regulations. The bed and breakfast business license inspection shall not be construed to be an exhaustive review of all potential life/safety issues that may be present in the facility. By accepting and utilizing the bed and breakfast license issued by the City or utilizing the licensed bed and breakfast, the owner, authorized agent, bed and breakfast platform, guest, bed and breakfast operator, or any other person with interest agrees to hold the City Harmless in the event of any damage, property damage, personal liability issues, and any other monetary or liabilities occurring from a bed and breakfast.
- E. Any bed and breakfast requiring renovations, improvements, or upgrades may not operate until all items are completed and required building permits are finalized. The City will temporarily suspend any bed and breakfast business license until such

renovations, improvements, or upgrades are finished and finalized by the City’s Community and Economic Development Building Division.

- F. All egress must be adequately sized and unobstructed to allow proper escape from each sleeping unit and escape from the main dwelling.
- G. Failure to schedule and pass an annual inspection is grounds for revocation of the bed and breakfast business license.
  - 1. Upon notification by the City, the bed and breakfast owner, authorized agent, and/or bed and breakfast operator will have 90 days to comply with any new minor fire or life safety upgrades. When required, the applicant must obtain a building permit, complete the work, and receive approval for the final building inspection.
  - 2. The Director may grant extensions based on a review of the circumstances, hardships, or proposed work timelines. Any extensions will be provided to the bed and breakfast operator in writing, detailing the length of time of extension, requirements, and other relevant provisions.

**17.24.060 Zoning, Allowance, and Use Requirements:**

The following zoning, allowance, and use table requirements apply to all bed and breakfasts within the City.

Key to use the table:

- A. P(L) = “Permitted if Licensed”. Bed and breakfasts are allowed with a bed and breakfast license.
- B. No = Prohibited Use.

Table 17.24.060 -1

<b>Zone Classification</b>	<b>New bed and breakfasts</b>	<b>Existing bed and breakfasts</b>
<b>Residential, Mixed Density (R7)</b>	P(L)	P(L)
<b>Residential, Low Density (R9)</b>	P(L)	P(L)
<b>Residential, Low Density (R11)</b>	P(L)	P(L)
<b>Residential, Medium Density (RMD)</b>	P(L)	P(L)
<b>Residential, High Density (RHD)</b>	P(L)	P(L)
<b>Commercial Office (CO)</b>	P(L)	P(L)
<b>Commercial Neighborhood (CN)</b>	P(L)	P(L)
<b>Community Shopping District (CSD)</b>	P(L)	P(L)
<b>Commercial Arterial (CA)</b>	P(L)	P(L)
<b>Central Business District (CBD)</b>	P(L)	P(L)
<b>Commercial Regional (CR)</b>	P(L)	P(L)
<b>Industrial Light (IL)</b>	No	No
<b>Industrial Heavy (IH)</b>	No	No
<b>Industrial Park (IP)</b>	No	No
<b>Industrial Marine (IM)</b>	No	No

<b>Public Building – Park</b> <b>New Bed and Breakfasts may be allowed subject to the underlying zoning, see above.</b>	No	P(L)
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**17.24.070 Standards.**

All bed and breakfasts must comply with the following standards:

- A. After July 1, 2024, no person may operate a bed and breakfast without obtaining and maintaining a bed and breakfast business license.
- B. Licensed bed and breakfasts must only use platforms licensed by the City. Licensees may alternatively direct book.
- C. Bed and breakfasts may provide breakfast, light snacks, or both to guests, and the facility and operator must meet applicable health and safety regulations, including but not limited to regulations of Clallam County Public Health and the Washington State Department of Health, which may require separate permits.
- D. The bed and breakfast operator or owner must remain onsite, while guests are present.
- E. A bed and breakfast with four or fewer guest rooms must provide parking spaces for the operator and one space per guest bedroom. Bed and breakfasts with more than four guest rooms must provide parking spaces for the operator, guests, and employees.
- F. Events by guests are allowed up to the occupancy limit that is determined by the number of bedrooms, the Clallam County Health Department, and/or the Liquor and Cannabis Board.
- G. Bed and breakfasts are not permitted in housing units subsidized through City programs, including but not limited to a Fee Waiver, NICE Neighborhood Funds, and the Affordable Housing Sales Tax Fund.
- H. Bed and breakfasts are not permitted in any temporary, portable, or other structure not permitted by the City for permanent occupancy (e.g., boat, tent, yurt, RV, etc.)
- I. All bed and breakfast owners must arrange for regular municipal garbage collection.
- J. The bed and breakfast operator must ensure that guests adhere to all nuisance regulations and ordinances in the City of Port Angeles, including the nuisance regulations in Chapter 8.30 PAMC.
- K. Bed and breakfasts must have the following items posted conspicuously inside each guest room:
  - 1. The license;
  - 2. The good neighbor policy per PAMC 17.24.090; and
  - 3. Emergency contact information, including the residence address.
- L. All bed and breakfasts must comply with the applicable international, federal, state, and local fire, building, and health codes.
- M. All bed and breakfasts must have a visible, legible address.

#### **17.24.080 Noncompliant Bed and Breakfast (Reserved).**

#### **17.24.090 Good Neighbor Policy.**

- A. The bed and breakfast operator must notify each adjacent and facing property owner of said property of the existence of the bed and breakfast business and provide a written list of rules and restrictions and up-to-date local contact information for any concerns, complaints, or emergencies.
- B. A copy of all rules, restrictions, and conditions imposed on the bed and breakfast must be posted in a prominent location in the bed and breakfast.
- C. Noise concerns: The hours between 10:00 PM and 7:00 AM are designated “quiet time” so that no outdoor activity will disturb the peace and quiet of the neighborhood. All activities must comply with PAMC 9.24.030 – Disturbing the peace.
- D. Property condition: The owner, guests, local contact, and/or authorized agent must keep the property in good order. No trash, junk, debris, or other unsightly materials are allowed to be visible on the property.
- E. The bed and breakfast operator must establish policies and provide information to guests regarding the location of trash receptacles and the trash pick-up schedule.
- F. The bed and breakfast operator must inform all guests that they cannot violate the standards of this chapter or generate any disturbances that may disrupt the peace, safety, and general welfare of the neighborhoods in which they are located.
- G. The guests must not block any driveways, streets, rights-of-way, or other public or private access routes.
- H. All guests, owners, authorized agents, and/or operators must comply with the City’s Nuisance Code, Chapter 8.30 PAMC.

#### **17.24.100 Bed and Breakfast Business License Application Requirements.**

An application for a bed and breakfast business license must be determined complete. A complete application includes:

- A. A completed application form for the City’s bed and breakfast business license.
- B. A site plan to scale, of the property, showing the entire dwelling unit used for the bed and breakfast, all other structures, parking, entrance and exit locations, and other relevant information as requested by the Director. A consultant is not required. This item may be hand-drawn to scale; there is no requirement for a computer-generated site plan unless the owner or authorized representative prefers this method.
- C. Scaled floor plan that includes structure dimensions throughout the entire dwelling unit and the square footage. The floor plan must also show all smoke and carbon monoxide alarm locations, fire extinguisher locations, and all ingress or egress areas with dimensions. All rooms must be labeled. All sleeping accommodations should be clearly marked, including any accommodation outside the bedroom. The City has the right to deny sleeping accommodation outside of a designated bedroom for fire, health, and life safety. If an area is prohibited from sleeping, the license must clearly state the condition.

A consultant is not required. This item may be hand-drawn to scale; there is no requirement for a computer-generated site plan unless the owner or authorized representative prefers this method.

- D. The bed and breakfast operator must provide copies of approvals from the applicable State and Local regulatory departments.
- E. Copy of the owner's State of Washington Master Business License.
- F. Payment of all fees as determined by the City's Master Fee Schedule upon the application being deemed complete.
- G. Any other information the Director deems reasonably necessary to administer this Chapter.
- H. If applicable, building permits for any proposed remodels, required building improvements, or other changes requiring a permit.
- I. A signed copy of the good neighbor policy. This policy must be posted at the site after City review and approval.
- J. If the application is to renew an existing bed and breakfast business license, the following is required:
  - 1. A copy of the operating period's rental log, including the price per night charged per guest and the total price charged for each guest's stay.
  - 2. Documentation showing the lodging tax paid to the State of Washington for the previous year of operation.

**17.24.110 Review Procedures.**

- A. Staff shall determine whether an application for a bed and breakfast business license is complete within 28 days after application submittal.
- B. If the building report review, checklist, or inspection results in any failed areas, the applicant must fix all required items, obtain any permits necessary to resolve any items, and finalize any required permits prior to issuance of a bed and breakfast license.
- C. If the inspection fails, or further correction or information is required for the City Inspector's report, the applicant will be charged a reinspection fee. This reinspection fee will be charged for each required subsequent review or reinspection until all items pass. The applicant is responsible for working with the Community and Economic Development Building Division to ensure a complete application and must have an approved building permit to proceed with any work.
- D. The City will only issue the bed and breakfast business license if the application meets all standards and passes all reviews and inspections. The bed and breakfast business license and associated conditions must be posted visibly for all guests.
- E. Water, sewer, power, adequate access from a public right-of-way, police, fire and waste disposal must be available and adequate for the proposed bed and breakfast.
- F. The proposal should not cause detrimental effects on the surrounding residential area due to changes in the neighborhood, which include but are not limited to traffic volume

and frequency, noise, activities occurring on-site, lighting, and the ability to provide utility service.

- G. The proposal must be compatible with the surrounding residential area aspects, including, but not limited to landscaping, location of the structure(s), parking areas, and the residential nature of construction and/or architectural details of the structure.

#### **17.24.120 Director Decision.**

The Director is authorized to and will approve, deny, or approve with modifications or conditions, all bed and breakfast business licenses in writing in the form of a license or a denial letter. The Director must attach such conditions as may be deemed necessary to ensure land use compatibility, public safety, and compliance with all standards and requirements of this Chapter.

- A. Any person aggrieved by the decision of the Director under this Chapter may appeal the decision to the Hearing Examiner. See Hearing Examiner Fees in the Master Fee Schedule.
- B. Appeals must be submitted to the Director in writing within 15 days following the date of the Director's decision.
- C. The Hearing Examiner shall conduct a hearing on the appeal of the Director's decision with notice being given as set forth in PAMC 17.96.140. The Hearing Examiner's decision shall be final unless appealed to Clallam County Superior Court in accordance with PAMC 17.96.150.

#### **17.24.130 Term of a Bed and Breakfast Business License.**

- A. A bed and breakfast business license will be issued for a set period of time, with its effective date running from the date of issuance. The applicant must submit the renewal application 60 days prior to the existing business license's expiration date. The City is not responsible for informing the owner of the expiration of the license. All applicable standards of this chapter must be met, and the annual inspection must be completed prior to the expiration.
- B. The bed and breakfast business license will be issued in the legal owner's name. If the property is sold, the license terminates, and a new owner would have to obtain a new license and comply with the regulations stated in this Chapter to operate as a bed and breakfast. The bed and breakfast business license is not a vested transferable right.

#### **17.24.140 Bed and Breakfast Platform – Violations and Enforcement.**

- A. Violations. It is a violation of this Chapter for any person or bed and breakfast platform to:
  - 1. Operate a bed and breakfast platform within Port Angeles without possessing a valid bed and breakfast platform business license issued pursuant to section 17.24.040. Platforms cannot allow rental postings for units within the City without including a valid City business license number.
  - 2. Fail to require that any owner, authorized agent, or bed and breakfast operator using the bed and breakfast platform, prior to providing booking services,

possess a valid bed and breakfast business license issued by the City and include the business license number in any listing.

3. Fail to post the business license number for all City of Port Angeles listings.
4. Fail to remove any listing for a bed and breakfast within four business days after written notice of violation is provided by the City to the bed and breakfast platform. Failure to remove the listing within four business days will result in penalties per this Chapter.
5. Misrepresent any material fact in an application for a bed and breakfast platform business license or submit inaccurate information to the City when the City requests information from the bed and breakfast platform pursuant to this Chapter.
6. Fail to comply with any requirements of this Chapter applicable to bed and breakfast platforms.

**17.24.150 Bed and Breakfast Operator – Violations and Enforcement.**

A. Violations. It is a violation of this Chapter for any person to:

1. Offer or provide a dwelling unit, or portion thereof, for bed and breakfast use without possessing a valid bed and breakfast business license for that dwelling unit, or portion thereof, issued pursuant to this Chapter.
2. Offer a bed and breakfast on a bed and breakfast platform without possessing a valid bed and breakfast business license pursuant to this Chapter.
3. Utilize a platform that is not licensed by the City.
4. Misrepresent any material fact in any bed and breakfast business license application or other information submitted to the City pursuant to this Chapter.
5. Fail to comply with any requirements of this Chapter applicable to owners, authorized agents, or bed and breakfast operators of a bed and breakfast.

**17.24.160 Enforcement.**

- A. Using the procedures set out in PAMC 2.90, this Chapter will be enforced against platforms, owners, authorized agents, and/or operators violating this Chapter may be issued a citation, notice of violation and order to cease, and/or any notice of daily fines.
- B. Violations of this Chapter are civil violations, and penalties for violations of this Chapter may be imposed as follows:

Violations:	
• 1 <sup>st</sup> Violation of PAMC 17.24	\$500.00
• 2 <sup>nd</sup> Violation of PAMC 17.24	\$1,000.00
• 3 <sup>rd</sup> + Subsequent Violations of PAMC 17.24	\$3,000.00
Daily Fines – once notice of violation and order to cease issued:	
• Daily Fee for the first 14 days	\$500.00 per day

• Daily Fee for each day after 14 days	\$1,000.00 per day
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**17.24.170 Limitations.**

- A. Once a bed and breakfast business license has been issued, it cannot be transferred to another location or bed and breakfast operator.
- B. The bed and breakfast platform business license will be valid for a period of one year only. The bed and breakfast platform must apply for a renewal at least 60 days before the current bed and breakfast platform business license expiration as set forth in this Chapter. The City must have confirmed receipt of the renewal request prior to the expiration date for the request to be considered submitted before the expiration date.
- C. The bed and breakfast business license will be valid for a set period of time only. The bed and breakfast operator must apply for a renewal at least 60 days before the current bed and breakfast business license expiration as set forth in this Chapter. The City must have confirmed receipt of the renewal request prior to the expiration date for the request to be considered submitted before the expiration date.

**17.24.180 Denial, Revocation, or Refusal to Renew any Bed and Breakfast Business License.**

- A. The Director may immediately deny, revoke, or refuse to renew the bed and breakfast business platform license of any platform for violating or failing to comply with any applicable provision or any reason set forth in this Chapter.
- B. The Director may immediately deny, revoke, or refuse to renew the bed and breakfast business license of any bed and breakfast operator for violating or failing to comply with any applicable provision or for any reason set forth in this Chapter.
- C. No bed and breakfast business license or platform business license issued pursuant to this Chapter may be renewed unless all outstanding penalties assessed against the licensee and all past and present fees are paid in full to the City’s Community and Economic Development Department or the City’s Code Enforcement Division.
- D. Appeals shall be submitted to the Director in writing within 15 days following the date of the decision.
- E. The Hearing Examiner shall conduct an open record public hearing on the appeal of the Director’s decision with notice being given as set forth in PAMC 17.96.140. The Hearing Examiner’s decision shall be final unless appealed to Clallam County Superior Court in accordance with PAMC 17.96.150. See Hearing Examiner Fees in the Master Fee Schedule.

## Exhibit C

### Miscellaneous Code Revisions

#### 14.36.010 - Purpose.

The purpose of this chapter is to enhance the aesthetic and commercial appeal of the City by establishing standards and regulations for the design, placement, size and maintenance of all exterior signs and sign structures which convey a commercial message and aid the general public in locating businesses, goods, and services. The intent of the Sign Code is to differentiate between the intensities of various commercial and industrial zones as well as the pedestrian character of the Central Business District and Commercial Neighborhood Zones and the automobile-oriented character of other commercial and industrial zones. Commercial message signs are not allowed in residential zones, except as provided for residential trailer parks, short-term rentals, and bed and breakfasts in Chapters 17.13, 17.23, and 17.24 ~~17.18~~ PAMC. Residential structure and subdivision identification signs permitted in Titles 16 and 17 PAMC are not considered commercial message signs and, therefore, are not regulated under the Sign Code. It is further the purpose of this chapter to protect the general health, safety and welfare of the citizens of the City and ensure vehicular and pedestrian safety by prohibiting flashing, rotating, fluttering, mobile, and similar signs or devices that may distract or change locations and thereby endanger the traveling public.

#### 17.01.020 - Purposes of zones.

~~T. *Bed and breakfast permit.* The purpose of this chapter is to ensure that a bed and breakfast is compatible with its surrounding properties, and when located in a residential neighborhood, ensure nuisance mitigation for the surrounding residences. This special use provides procedures and regulations for business activities taking place within a residential use.~~

#### 17.08.010 – “A.”

Authorized Agent. A property management company, other entity, or person designated by the owner in writing to act on their behalf. The authorized agent may or may not be the local contact for complaints.

#### 17.08.015 - "B."

~~A. *Bed and breakfast.* A single household residence that remains owner occupied at all times and provides lodging for guests and travelers for a period of up to 30 days, and where food service is typically limited to breakfast, which may be served to overnight guests only. Bed and breakfasts are outright permitted uses in all residential high and medium density zones, but are a conditional use in residential single household zones.~~

Bed and breakfast. A lodging use where rooms are provided to guests by an onsite resident bed and breakfast operator or owner for a fee by prearrangement on a daily or short-term basis. Breakfast and/or light snacks are served to those renting rooms in the bed and breakfast.

Bed and breakfast operator. Any person who is the owner or resident manager of a bed and breakfast unit.

Bed and breakfast platform or Platform. A person other than the bed and breakfast operator that provides a means through which a bed and breakfast operator may offer a bed and breakfast unit and from which the person financially benefits.

Bed and breakfast unit. A room associated with a bed and breakfast that is offered or provided to a guest(s) by a bed and breakfast operator for a fee for fewer than 30 consecutive nights.

Blighted Property. A property within the City which is suffering from physical dilapidation, deterioration, defective construction, or inadequate sanitary facilities as determined by the building standards of the International Property Maintenance Code as adopted by the City.

**17.08.020 – “C.”**

City Building Inspector. A building inspector employed by the City.

**17.08.025 – “D.”**

Designated lessee. A person who resides at a principal residence in a minimum one-year long-term lease with the owner.

Director. The Department of Community and Economic Development Director or his/her designee.

Dwelling unit, Short-term rental and bed and breakfast. A building or portion thereof with one or more rooms that are arranged, designed, or used for occupancy as separate living quarters and is constructed in accordance with the International Building Code or International Residential Code. Permanently installed kitchen, sleeping, and sanitary facilities must always be provided within the dwelling unit.

**17.08.030 – “E.”**

Economic hardship. Economic hardship occurs when the applicant demonstrates to the Director of Finance that the total income of his or her household is at or below 65% area median income (AMI) or provides documentation that the applicant is currently receiving one of the following benefits:

- Senior Property Tax Exemption from the Clallam County Assessor’s Office; or
- Utility Discount through the City of Port Angeles or Clallam County PUD; or
- Temporary Assistance to Needy Families (TANF); or
- Disability through the Social Security Administration.

Event. A wedding, bachelor or bachelorette party, concert, sponsored event, large gathering, or any similar group activity.

**17.08.035 – “F.”**

Fire life-safety checklist. A checklist of all City requirements to safely operate a short-term rental or bed and breakfast reviewed and updated by the City on a yearly basis to ensure all requirements are current and best practices. This checklist will outline all requirements for fire life-safety operations for a short-term rental.

Fire life-safety inspection. A yearly inspection required to operate a short-term rental or bed and breakfast that reviews compliance with applicable International Fire Code, International Commercial Code, International Residential Code, or other federal, state, or local building requirements pertaining to building safety, fire prevention, and safety, or other safety requirements.

**17.08.040 – “G.”**

Guest. Any person or persons renting a short-term rental or bed and breakfast.

**17.08.065 – “L.”**

Licensee. A holder of (a) a Short-Term Rental Business License, or (b) a Bed and Breakfast Business License, or (c) a Platform Business License from the City.

Local contact. A person identified by the owner who can respond twenty-four hours a day, seven days a week, to any complaint about the short-term rental during rental periods.

**17.05.075 – “N.”**

Noncompliant short-term rental. A short-term rental that was in operation before July 1, 2024, and was not compliant with the ordinances in effect prior to July 1, 2024.

**17.08.080 – “O.”**

Operator. Any person who is the owner or tenant of an established dwelling unit, or portion thereof, who offers or provides that dwelling unit, or portion thereof, for short-term rental use.

Owner, short-term rental and bed and breakfast. 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, 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.

**17.08.085 – “P.”**

Parcel. A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area.

Principal residence. A residence where the owner or designated lessee personally resides and is a person's usual place of return for housing as documented by motor vehicle registration, driver's license, voter registration, or other such evidence as determined by the Director. A person may have only one principal residence.

**17.08.090 – “R.”**

Rental period. The period a dwelling unit or portion thereof is rented to a single party, regardless of whether that party consists of one individual or multiple individuals.

**17.08.095 - "S."**

~~D. *Short-term rental.* Lodging or guest rooms used, rented or occupied for guest sleeping purposes for a period of time 30 days or less, and that contain kitchen facilities for food preparation, including, but not limited to, refrigerators, stoves and ovens. This definition includes dwelling units used, rented or hired out for vacation homes or short-term rentals that allow guests to stay for 30 days or less. Dwelling units used, rented or hired out for longer than 30 days are considered long-term rentals and not extended stay lodging.~~

D. *Short-term rental.* A dwelling unit used as temporary lodging for a charge or fee for a rental period of less than thirty (30) continuous days. Short-term rentals are classified as either Type I or Type II.

1. "Type I short-term rental" A short-term rental at a dwelling that is the owner or designated lessee's principal residence and where rooms are rented, and the owner or designated lessee is personally present at the dwelling during the rental period. Room rentals are limited to numbers below those of congregate housing as defined by the International Code Council (ICC), which requires substantial commercial upgrades to the residence for fire, life, and building safety.

2. "Type II short-term rental" A short-term rental at a dwelling unit that is not the owner's or designated lessee's principal residence.

E. *Short-term rental platform or platform.* A person established primarily for the purpose of providing a means through which an operator may offer a dwelling unit, or portion thereof, for short-term rental use and from which the person or entity financially benefits. Merely publishing a short-term rental advertisement for accommodations does not make the publisher a short-term rental platform.

F. *Short-term lodging.* See Short-Term Rental or Bed and Breakfast.

**17.10.040 - Conditional uses.**

Conditional uses must comply with the development standards in subsection 17.94.065.

~~C. — Bed and breakfasts.~~

**17.11.040 - Conditional uses.**

Conditional uses must comply with the development standards in 17.94.065 PAMC.

~~C. — Bed and breakfasts.~~

**17.12.040 - Conditional uses.**

Conditional uses. Conditional uses must comply with the minimum standards in PAMC 17.94.065.

~~C. — Bed and breakfasts.~~

**17.14.020 - Permitted uses.**

~~C. — Bed and breakfasts.~~

~~F. — Short term rental.~~

**17.15.020 - Permitted uses.**

~~C. — Bed and breakfasts.~~

~~F. — Short term rental.~~

**17.20.020 - Permitted uses.**

<b>Table 17.20.020 Principal uses permitted in commercial zones</b>						
<b>Principal Use</b>	<b>CBD</b>	<b>CA</b>	<b>CSD</b>	<b>CN</b>	<b>CO</b>	<b>Condition/Reference</b>
<b>Overnight Lodging</b>						
<del>Bed and Breakfasts</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Hotels, motels, and hostels</del>	<del>P</del>	<del>P</del>	<del>C</del>	<del>C</del>	<del>C</del>	
<del>Short term rental</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>C</del>	

**17.25.040 - Permitted uses.**

~~5. — Short term rental.~~

**17.94.065 – Development Standards for Conditional Uses in Residential Zoning.**

TABLE A

CONDITIONAL USES IN RESIDENTIAL LOW AND MIXED DENSITY ZONES THAT HAVE SPECIAL DEVELOPMENT STANDARDS

Uses	Lot Area	Lot Width	Yard Requirements				Lot Coverage	Signs Per Site
			Front	Interior Side	Corner Side	Rear		
<del>Bed and breakfasts in R7, R9, and R11</del>	<del>See PAMC Chapter 17.18</del>	<del>*</del>	<del>*</del>	<del>*</del>	<del>*</del>	<del>*</del>	<del>*</del>	<del>Two 5 sq ft signs indirectly lit</del>

**Exhibit D  
Master Fee Schedule Updates**

Future revisions for short-term lodging fees will be made through Resolution

**NEW Short-Term Rental Fee Schedule**

<b><u>Description:</u></b>	<b><u>Fee Effective</u></b> <b><u>7/1/2024:</u></b>
Platform Annual Business License	\$951.00
Type I Short-Term Rental Business License and Inspection <sup>1</sup>	\$285.30
Type II Short-Term Rental Business License and Inspection <sup>1</sup>	\$475.50
Additional Review Time/Inspection Time by the City	\$95.10/hour
Appeal of decision from PAMC 17.23:	
• Appeal	\$760.80
• Hearing Examiner	\$225.00/Hour (HE) + \$ 95.10/Hour (staff)

**NEW Bed and Breakfast Fee Schedule**

<b><u>Description:</u></b>	<b><u>Fee Effective</u></b> <b><u>7/1/2024:</u></b>
Platform Annual Business License	\$475.50
Bed and Breakfast Business License and Inspection <sup>1</sup>	\$475.50
Additional Review Time/Inspection Time by the City	\$95.10/hour
Appeal of decision from PAMC 17.24:	
• Appeal	\$760.80
• Hearing Examiner	\$225.00/Hour (HE) + \$ 95.10/Hour (staff)

<sup>1</sup> The Director may issue licenses for more than one year. The fee amount for an extended license will be prorated accordingly.