

17.80.050 Vacation rental dwelling permit criteria.

A. Purpose. The vacation rental dwelling permit is in recognition of the desire of many people to rent their vacation home on occasions when they, themselves, are not using it.

B. Standards. A vacation rental dwelling permit shall be issued as an accessory use provided the following standards are met:

1. There must be no offensive noise, smoke, dust, litter or odor noticeable at or beyond the property line resulting from the use of the dwelling as a vacation rental dwelling.

2. The use shall not adversely affect the residential character of the neighborhood.

3. There shall not be an excessive generation of traffic created by the vacation rental dwelling.

4. One off-street parking space will be provided for each bedroom in the dwelling unit, but in no event shall less than two spaces be provided for each dwelling unit.

5. The dwelling must maintain the residential nature of the front and side yards. The lot must be landscaped and maintained as a permanent residence similar to the surrounding area.

6. The permittee must also comply with the requirements of the transient room tax ordinance as a condition for issuance or renewal of a vacation rental dwelling permit.

7. The permittee must provide receptacles for the deposit of garbage and subscribe to a solid waste collection service for the vacation rental dwelling.

C. Conditions for Issuance of the Permit.

1. Step One Process.

a. Notice. Upon receipt of an application for a vacation rental dwelling permit, notice must be mailed at applicant's expense to all owners of property within one hundred feet of the exterior boundary of the property for which the application is made, giving the property owners notified twenty days in which to respond to the city planning department.

b. Planning Department Review. If no objections or complaints are received regarding the proposed use of the property as a vacation rental dwelling, the planning department may issue a vacation rental dwelling permit to the applicant. However, if the planning department determines that there are significant neighborhood impacts or that greater discretion is required, the planning department may refer the application to the planning commission for a Step Three process hearing.

2. Step Two Process.

a. If three or fewer written objections or complaints are received from unrelated individuals who are adversely affected by the proposed use of the property as a vacation rental dwelling, after the notice requirements of the Step One process have been met, the planning department shall hold a meeting involving the applicant and the complaining property owners and occupants to review the proposed application and use. The meeting shall be in lieu of a public hearing in order to provide the opportunity to resolve any potential conflicts in an informal setting consistent with the standards of the zoning ordinance. If the complainants, property owners or occupants still object to the proposed use after the meeting, no permit shall be issued at that time and a hearing shall be set before the planning commission in accordance with the Step Three process specified below. If the complainants and city staff are satisfied, a permit may be issued. The planning and community development director shall give notice of issuance of the permit as provided in Section [17.76.020\(B\)](#) to all property owners notified of the application.

3. Step Three Process. If the staff refers the matter to the planning commission for hearing, or a hearing is required as a result of a Step One or Step Two mandatory referral, the application will be deemed an application for a conditional use and the conditional use requirements of [Chapter 17.60](#) shall apply, as well as the standards for issuance of a vacation rental dwelling permit. The zoning ordinance public hearing notice provisions and application fee requirements for a conditional use shall also apply.

D. Annual Permit Fee. A vacation rental dwelling permit shall be issued for a period of one year and may be renewed annually if all standards and conditions are met. A copy of the issued permit shall be sent to the county health department. The fee for the vacation rental dwelling permit shall be in the same amount as the base fee for the business occupation tax for a business entity having three workers or less. A vacation rental dwelling permittee shall not be required to pay a business occupation tax in addition to the annual fee for the vacation rental dwelling permit.

E. Complaints. Complaints on nonconformance with the above conditions, or with conditions required by the planning commission as a result of issuance of a vacation rental dwelling permit through the conditional use process, shall be dealt with as follows:

The planning commission shall review the vacation rental dwelling permit upon receipt of two written complaints from two unrelated individuals who are adversely affected by the proposed use. The complaint shall clearly state the nature of the objection to the vacation rental dwelling. All such complaints shall be investigated by the planning department and the results of the investigation shall be reported to the planning commission at a regular meeting. The complainants and owner of the vacation rental dwelling shall be notified of the meeting. Standards of judging objections shall include, but are not limited to, the following:

1. Generation of excessive traffic;
2. Monopoly of on-street parking spaces;
3. Other offensive activities not in harmony with the residential neighborhood as may be determined by the planning commission;

4. Compliance with vacation rental dwelling permit standards;

5. The planning commission, upon hearing the evidence, may: (1) approve the use as it exists; (2) require the use to be terminated; (3) impose appropriate restrictions on the operation of the vacation rental dwelling.

The determination of the planning commission shall become final ten days after date of its written decision unless appealed. (Ord. 2002-02, § 2(part); Ord. 95-15; Ord. 92-3; Ord. 84-2 § 10.050)