



**Agenda Planning Commission
Gig Harbor Civic Center
Thursday, March 2, 2022
5:00 P.M.**

Due to public health concerns, this meeting will be accessible to listen by using the information below:

Link to join Webinar <https://zoom.us/j/95353411299>

Call-in: (253) 215- 8782 Meeting ID: 953 5341 1299

- I. **5:00 p.m. - Call to order, roll call**
- II. **Approval of Minutes:** February 17, 2022
- III. **Agenda Items**
 - a. Short Term Rental Study Session #2
- IV. **Other Business** Next meeting Thursday, March 17, 2022
- V. **Adjournment**



**Minutes Planning Commission
Public Hearing
Thursday, February 17, 2022
6:00 P.M.**

- I. **Call to Order:** 6:00 PM
- II. **Roll call:** Chair Hoeksema, Commissioner Krawczyk, Commissioner Grina, Commissioner Bradbury, Commissioner Soltess, Commissioner Bennett & Commissioner Brown

Staff: Katrina Knutson, AICP, Community Development Director; Carl deSimas, Principal Planner; & Michelle Thomas Planning Technician
- III. **Approval of Minutes:** January 27, 2022 & February 3, 2022 Motion Krawczyk/Bennett All in favor minutes approved as written
- IV. **Public Hearing:** Interim Zoning Controls related to ESSHB 1220 (Transitional housing, permanent supportive housing, emergency shelters and emergency housing) –
 - a. Presentation Katrina Knutson
 - b. Planning Commission Questions
 - c. Public Comment
 - i. Josie Turner
 - ii. Jeanea Worley – 3405 Erickson Street #D
 - iii. Elizabeth Wright – Outside City Limits
 - d. Planning Commission Discussion
- V. **Other Business:** Update HB 1782 Missing middle housing.
Next meeting Wednesday, March 2, 2022, Short Term Rental 2nd Study Session.
- VI. **Adjournment:** Motion Krawczyk/Grina all in favor meeting adjourned at 7:13 P.M.



Staff Memorandum

TO: Planning Commission

FROM: City Staff

SUBJECT: Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelter Regulations

DATE: February 25, 2022

At the upcoming Planning Commission (PC) meeting on **March 2, 2022**, Staff will lead a follow-up discussion regarding the subject regulations and the related draft of Ordinance 1483. Staff will then ask the PC to move a recommendation of approval forward to the City Council.

On February 17, 2022, the PC held a public hearing on the subject and later deliberated the content of what was heard and asked questions of Staff. Some Commissioners also made recommendations to improve the ordinance. Staff was directed to make those few changes and bring the ordinance back for a recommendation.

Staff has made certain changes to the ordinance as directed. Specifically, the following sections have been added:

- 17.55.010(D)
- 17.55.010(H) & (I)
- 17.57.010(B)
- 17.57.010(J) & (K)

If Commissioners approve of these amendments, and there are no additional amendments requested during discussion, Staff recommends the following motion:

The City of Gig Harbor Planning Commission recommends that Ordinance 1483, as presented by City Staff on March 2, 2022, be brought forth to the City Council and that City Council adopt the ordinance as such. The Planning Commission further recommends that the regulations contained within this ordinance are reviewed subsequent to the completion of the upcoming Housing Needs Assessment and Action Plan process.

Please feel free to contact Staff directly with any questions. Thank you

ORDINANCE NO. 1483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO PERMANENT SUPPORTIVE HOUSING, TRANSITIONAL HOUSING, EMERGENCY HOUSING, AND EMERGENCY SHELTERS; AMENDING 17.14.020 OF THE GIG HARBOR MUNICIPAL CODE; ADDING NEW SECTIONS 17.55 and 17.57 TO THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the state legislature enacted Engrossed Second Substitute House Bill (ESSHB) 1220 signed by Governor Inslee on May 12, 2021, which became Chapter 254 Laws of 2021, and took effect on July 25, 2021, with regulations required by September 30, 2021; and

WHEREAS, Section 3 of ESSHB 1220 mandates that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed and shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed; and

WHEREAS, ESSHB 1220 was passed, in part, to address the growing homeless crisis currently facing Washington State; and

WHEREAS, the City of Gig Harbor currently has no permanent regulations related to the development and operation of transitional housing, permanent supportive housing, emergency housing, or emergency shelters needed to protect the community and residents of these units; and

WHEREAS, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

WHEREAS, on September 27, 2021, the City Council adopted Interim Zoning Controls, which established interim measures for transitional housing, permanent supportive housing, emergency housing, and emergency shelters; and

WHEREAS, the City Council directed the Planning Commission to review the Interim Regulations, consider public testimony, and provide a recommendation; and

WHEREAS, the Planning Commission conducted three work sessions, conducted a public hearing on February 27, 2022, and made a recommendation to City Council.

NOW THEREFORE, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Gig Harbor Municipal Code Section 17.14.020 “Land use matrix” is hereby amended as shown in Exhibit A.

Section 2. A new Chapter 17.55 “Permanent Supportive Housing and Transitional Housing” is hereby added to the Gig Harbor Municipal Code as follows:

Chapter 17.55 Permanent Supportive Housing and Transitional Housing

17.55.010 Regulations for Permanent Supportive Housing and Transitional Housing.

- A. The maximum allowed number of dwelling units on any property shall not exceed the number of dwelling units that would be allowed under the zoning classification adopted for the property.
- B. The maximum occupancy load of a permanent supportive housing unit and transitional housing unit shall not exceed one person for every 200 square feet of habitable space as established in Table 1004.5 of the 2018 International Building Code.
- C. The maximum occupancy of a bedroom within a permanent supportive housing unit or transitional housing unit shall be minimum of 70 square feet per person. In determining this occupancy limit, rounding to the nearest whole number shall not be allowed.
- D. Occupancy Agreement
 - 1. An occupancy agreement shall be established with the City prior to occupancy of a permanent supportive housing or transitional housing use.
 - a. Property owners and/or operators shall enter into an agreement with the City in a form that is acceptable to the City.
 - 2. The occupancy agreement shall include, but not be limited to, the following:
 - a. Names and contact information for onsite staff;
 - b. Description of the services to be provide onsite;
 - c. Description of the staffing plan to include the following:
 - i. Number of staff supporting residents and operations;
 - ii. Certification requirements;
 - iii. Staff training programs
 - iv. Staff to client ratios; and
 - v. Roles and responsibilities of all staff.
 - d. Program rules and code of conduct describing occupant expectation and consequences for failing to comply. The code of conduct shall, at a minimum, address the following topics:
 - i. The use or sale of alcohol and illegal drugs;
 - ii. Threatening or unsafe behavior; and
 - iii. Weapon possession.

- e. Safety and security plan reviewed and approved by the City of Gig Harbor Police Department.
 - f. A plan for potential impacts on nearby businesses and residences including a proposed mitigation approach.
 - g. Description of eligibility for residency and a referral process.
 - h. Parking and management plan that includes a prohibition of automobile camping onsite and in designated on-street parking.
- E. All bedrooms within a permanent supportive housing unit or transitional housing unit shall comply with the criteria established in the International Residential Code.
- F. No permanent supportive housing or transitional housing unit may be located within half a mile of another property that contains permanent supportive housing or transitional housing. Compliance with this standard will be based on the date of complete application.
- G. All operators of permanent supportive housing or transitional housing shall utilize the Pierce County Homeless Information Management System.
- H. All operators of permanent supportive housing or transitional housing shall be properly licensed and shall meet all relevant state, county, and local requirements.
- I. Permanent supportive housing or transitional housing shall be subject to inspection by City Officials on an annual basis. The inspections shall be conducted by the City Police Chief and the City Building Official, or their designee.
- J. For the purposes of this chapter, the definition of permanent supportive housing shall be consistent with RCW 36.70A.030 and the definition for transitional housing shall be consistent with WAC 458-16-320(e).

Section 3. A new Chapter 17.57 “Emergency Shelters and Emergency Housing” is hereby added to the Gig Harbor Municipal Code as follows:

Chapter 17.57 Emergency Shelters and Emergency Housing

17.57.010 Regulations for Emergency Shelters and Emergency Housing.

- A. The occupancy of an emergency shelter or emergency housing shall be limited to no more than 10 families or forty people, whichever is fewer.
- B. Occupancy Agreement
 - a. An occupancy agreement shall be established with the City prior to occupancy of a permanent supportive housing or transitional housing use.
 - i. Property owners and operators shall enter into an agreement with the City in a form that is acceptable to the City.
 - b. The occupancy agreement shall include, but not be limited to, the following:
 - i. Name and contact information for onsite staff;
 - ii. Description of the services to be provide onsite;
 - iii. Description of the staffing plan to include the following:

1. Number of staff supporting residents and operations;
 2. Certification requirements;
 3. Staff training programs
 4. Staff to client ratios; and
 5. Roles and responsibilities of all staff.
- iv. Operational rules and code of conduct describing occupant expectation and consequences for failing to comply. The code of conduct shall, at a minimum, address the following topics:
 1. The use or sale of alcohol and illegal drugs;
 2. Threatening or unsafe behavior; and
 3. Weapon possession.
 - v. Safety and security plan reviewed and approved by the City of Gig Harbor Police Department.
 - vi. A plan for potential impacts on nearby businesses and residences including a proposed mitigation approach.
 - vii. Description of eligibility for residency and a referral process.
- C. Parking and management plan that includes a prohibition of automobile camping onsite and in designated on-street parking.
 - D. No more than one continuously operating emergency shelter and no more than one continuously operating emergency housing facility shall be in operation at the same time in city limits.
 - E. No emergency shelter or emergency housing facility may be located within a half mile of another emergency shelter or emergency housing facility.
 - F. No emergency housing facility or emergency shelter shall be located within a half mile of permanent supportive housing or transitional housing units.
 - G. For the purposes of this section, the definition of emergency shelter shall be, "A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations."
 - H. For the purposes of this section, the definition of emergency housing shall be, "Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement."
 - I. All operators of emergency shelters or emergency housing shall utilize the Pierce County Homeless Information Management System.
 - J. All operators of emergency shelters or emergency housing shall be properly licensed and shall meet all relevant state, county, and local requirements.
 - K. Emergency shelters or emergency housing shall be subject to inspection by City Officials on an annual basis. The inspections shall be conducted by the City Police Chief and the City Building Official, or their designee.

Section 4. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance has been transmitted to the Washington State Department of Commerce, as required by law.

Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 6. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this ___ day of _____, 2022.

Tracie Markley
Mayor

Approved as to form:

Attest:

Daniel Kenny
City Attorney

Joshua Stecker
City Clerk

PUBLICATION DATE:
EFFECTIVE DATE:

EXHIBIT A

17.14.020 Land use matrix.

Uses	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ¹⁹	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁴
Dwelling, single-family	-	P	P	P	P	C	P	P	P ³¹	P ¹⁴	C	C	P ¹⁴	-	P	P	P	-	P ¹⁴	P
Dwelling, duplex	-	-	-	P	P	P	-	P	P ³¹	P ¹⁴	C	C	P ¹⁴	-	P	P	P	-	P ¹⁴	P
Dwelling, triplex	-	-	-	C	P	P	-	P	P ³¹	P ¹⁴	C	C	P ¹⁴	-	-	C ¹⁷	P	-	P ¹⁴	P
Dwelling, fourplex	-	-	-	C	P	P	-	P	P ³¹	P ¹⁴	C	C	P ¹⁴	-	-	C ¹⁷	P	-	P ¹⁴	P
Dwelling, multiple-family	-	-	-	-	P	P ⁶	-	P	P ³¹	P ¹⁴	C	C	P ¹⁴	-	-	-	-	-	P ¹⁴	P
Accessory apartment ¹	-	C	P	-	P	-	C	C	P ³¹	P ¹⁴	C	C	P ¹⁴	-	-	-	P	-	P ¹⁴	P
Family day care provider	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Home occupation ²	-	P	P	P	P	P	P	P	C	P	-	C	-	-	P	P	P	-	-	-
Adult family home	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Living facility, independent	-	-	-	C	-	P	C	C	C	P	C	C	P	C ²¹	-	-	-	-	-	P
Living facility, assisted	-	-	-	C	-	P	C	C	C	P	-	C	P	C	-	-	-	-	-	P
Nursing facility, skilled	-	-	-	C	-	P	C	C	C	P	C	C	P	C	-	-	-	-	-	P
<u>Permanent Supportive Housing</u> ³²	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Transitional Housing</u> ³²	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Emergency Housing</u> ³³	-	-	-	-	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>
<u>Emergency Shelter</u> ³³	-	-	-	-	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	<u>C</u>	<u>C</u>	-	<u>C</u>
Hospital	-	-	-	-	-	-	-	-	C	-	C	C	-	C	-	-	-	C	-	-
School, primary	P	C	P	C	P	C	C	C	C	P	C	C	P	-	-	-	-	P	-	-
School, secondary	P	C	P	C	P	C	C	C	C	P	C	C	P	-	-	-	-	P	-	-
School, higher educational	P	C	-	C	-	C	C	C	C	P	C	C	P	-	-	-	-	P	-	-

Uses	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ¹⁹	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁴
School, vocational/trade	P	C	-	C	-	C	C	C	C	P	C	C	P	P	-	-	-	P	-	-
Government administrative office	P	C	P	C	P	C	C	P	P	P	P	P	P	P	C	P	P	P	P	P
Public/private services	P	C	-	C	-	C	C	C	C	P	C	C	P	C	C	C	C	P	P	P
Religious worship, house of	-	C	P ⁵	C	P ⁵	C	C	C	C	P	C	C	P	C	-	-	-	C	-	P/C ¹⁵
Museum	P	-	-	-	-	-	-	-	-	-	C	C	P	-	C	C	P	-	-	-
Community recreation hall	P	-	P	C	P	C	C	C	C	P	C	C	P	-	-	-	C	P	P	-
Clubs	-	-	C	C	C	C	C	C	P	P	P	P	P	C	-	C ²⁰	P	P	C	-
Parks	P	P	P	P	P	P	P	P	P	P	C	C	P	-	P	P	P	P	P	P
Essential public facilities	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Utilities	P	C	P	C	P	C	C	C	C	P	C	C	P	C	C	C	C	P	P	P
Electric vehicle charging station ²⁵	P	P ²⁶	P ²⁶	P ²⁶	P ²⁶	P ²⁶	P ²⁶	P	P	P	P	P	P	P	P ²⁶	P ²⁶	P	P	P	P
Rapid charging station ²⁷	P	-	-	-	P ²⁸	P ²⁸	-	P ²⁸	P	P	P	P	P	P	-	-	P	P	P	P ²⁸
Battery exchange station	-	-	-	-	-	-	-	-	P	-	P	P	P	C	-	-	-	C	P	-
Cemetery	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lodging, level 1	-	C	-	C	-	P	P	P	P	P	C	C	-	-	C	C	C	-	-	P
Lodging, level 2	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	-	-	P
Lodging, level 3	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	P	-	P
Personal services	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Business services	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Professional services	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	P	P	P	P	P
Ancillary services	P	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P
Product services, level 1	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	P	P	P	P	P

Uses	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ¹⁹	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁴
Product services, level 2	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	P ¹⁶
Sales, level 1	-	-	-	-	-	-	C ^{7,8}	-	P	P	P	P	P	C ²²	-	-	P	C ²³	P ¹³	P
Sales, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	C ²²	-	-	-	-	-	-
Sales, level 3	-	-	-	-	-	-	-	-	-	-	-	P	-	C	-	-	-	-	-	-
Sales, ancillary	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	-	P	P	-	-
Commercial child care	-	-	C	-	C	-	C	C	C	-	-	P	-	C	-	-	-	C	-	-
Recreation, indoor commercial	-	-	-	-	-	-	C	C	P	-	P	P	P	C	-	-	-	C	-	P
Recreation, outdoor commercial	-	-	-	-	-	-	C	C	C	-	P ¹⁰	P	P	C	-	-	-	C	-	P
Entertainment, commercial	-	-	-	-	-	-	-	-	P	-	P	P	P	-	-	-	-	C	-	P
Automotive fuel-dispensing facility	-	-	-	-	-	-	-	-	P	-	P	P	P	C	-	-	-	C	P	-
Vehicle wash	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-
Parking lot, commercial	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Animal clinic	-	-	-	-	-	-	-	-	P ⁹	-	P	P	-	P	-	-	-	P	-	P
Kennel	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
Adult entertainment facility ³	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-
Restaurant 1	-	-	-	-	-	-	C ⁸	P	P	P	P	P	P	P	-	C ¹²	P	P	P	P
Restaurant 2	-	-	-	-	-	-	-	-	P	-	P	P	P	C ²²	-	C ²⁹	P	C ²³	P	P
Restaurant 3	-	-	-	-	-	-	-	-	P	-	P	P	P	C ²²	-	C ²⁹	P	C ²³	P	P
Food truck ³⁰	-	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	P	P	P	P
Tavern	-	-	-	-	-	-	-	-	C	-	P	P	P	-	-	-	P	-	-	-
Drive-through facility	-	-	-	-	-	-	-	-	C	-	C	C	P	-	-	-	-	-	-	-
Marina	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-
Marine sales and service	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-
Marine boat sales, level 1	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	P	P	-	-	-

Uses	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ¹⁹	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁴
Marine boat sales, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	C ²²	-	P	P	-	-	-
Ministorage	-	-	-	-	-	-	-	C	-	-	C	C	P	C	-	-	-	-	-	P
Industrial, level 1	-	-	-	-	-	-	-	C	C	-	C	P	-	P	-	-	-	C	-	P
Industrial, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-
Marine industrial	-	-	-	-	-	-	-	-	-	-	-	P	-	C	-	P ¹¹	C	-	-	-
Wireless communication facility ⁴	C	C	C	C	C	C	P	P	C	P	C	P	P	P	C	C	C	P	P	-
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

¹ Accessory apartments requiring conditional use permits are subject to the criteria in GHMC [17.64.045](#).

² Home occupations are subject to Chapter 17.84 GHMC.

³ Adult entertainment facilities are subject to Chapter 17.58 GHMC.

⁴ Wireless communication facilities are subject to Chapter 17.61 GHMC.

⁵ Houses of religious worship shall be limited to parcels not greater than five acres.

⁶ Multiple-family dwellings shall be limited to no more than eight attached dwellings per structure in the R-3 district.

⁷ Sales, level 1 uses shall be limited to food stores in the RB-1 district.

⁸ See GHMC 17.28.090(G) for specific performance standards of restaurant 1 and food store uses in the RB-1 zone.

⁹ Animal clinics shall have all activities conducted indoors in the DB district.

¹⁰ Drive-in theaters are not permitted in the B-2 district.

¹¹ Marine industrial uses in the WM district shall be limited to commercial fishing operations and boat construction shall not exceed one boat per calendar year.

¹² Coffeehouse-type restaurant 1 uses shall not exceed 1,000 square feet in total size in the WM district.

- 13 Sales, level 1 uses shall be limited to less than 7,500 square feet per business in the PCD-NB district.
- 14 Residential uses shall be located above a permitted business or commercial use.
- 15 Houses of religious worship on parcels not greater than 10 acres are permitted uses in the MUD district; houses of religious worship on parcels greater than 10 acres are conditionally permitted uses in the MUD district.
- 16 Auto repair and boat repair uses shall be conducted within an enclosed building or shall be in a location not visible from public right-of-way and adjacent properties.
- 17 Only one triplex dwelling or one fourplex dwelling is conditionally permitted per lot in the WM district.
- 18 Planned unit developments (PUDs) are conditionally permitted in the ED district.
- 19 Junkyards, auto wrecking yards and garbage dumps are not allowed in the C-1 district.
- 20 Clubs in the WM zone shall not serve alcoholic beverages and shall not operate a grill or deep-fat fryer.
- 21 Independent living facilities are conditionally allowed in the ED zone only when in combination with assisted living facilities, skilled nursing facilities or hospitals in the same site plan or binding site plan.
- 22 See GHMC 17.45.040 for specific performance standards of sales and restaurant uses in the ED zone.
- 23 See GHMC 17.54.030 for specific performance standards of sales and restaurant uses in the PCD-BP zone.
- 24 Permitted and conditional uses in the MUD district overlay are subject to the minimum parcel size and location requirements contained in GHMC 17.91.040(A).
- 25 Level 1 and Level 2 charging only.
- 26 Electric vehicle charging stations, Level 1 and Level 2 only, are allowed only as accessory to a principal outright permitted or principal permitted conditional use.
- 27 The term “rapid” is used interchangeably with Level 3 and “fast charging.”

- ²⁸ Only “electric vehicle charging stations – restricted” as defined in Chapter 17.73 GHMC.
- ²⁹ Only those properties lying adjacent to or southeast of Dorotich Street are allowed to request a conditional use permit for a restaurant 2 or restaurant 3 use. In other areas of WM zone, restaurant 2 and restaurant 3 uses are prohibited. See Chapter 17.48 GHMC for specific performance standards for restaurant uses in the WM zone.
- ³⁰ Food truck permits shall be processed with a special use permit, per Chapter 17.65 GHMC.
- ³¹ Permitted above and below street-level nonresidential uses.
- ³² Permanent supportive housing and transitional housing shall comply with the standards of GHMC 17.55.
- ³³ Emergency shelters and emergency housing shall comply with the standards of GHMC 17.57.



Staff Memorandum

TO: Planning Commission

FROM: Carl de Simas, Principal Planner
Planning Division

SUBJECT: Short-Term Rental Regulations

DATE: February 23, 2022

At the upcoming Planning Commission (PC) meeting on **March 2, 2022**, Staff will lead a follow-up discussion regarding short-term rental (STR) regulations, and public comments heard during the recent open comment period. Our hope is that PC will provide Staff with some additional direction regarding items they would like further research on; or, if amenable, direction on regulations they would or would not like to see in a draft ordinance.

If you will recall, at the PC's last meeting (January 27, 2022) where this topic was discussed, we reviewed how the city has been defining and permitting STRs in the past, and the recently adopted emergency ordinance (Ordinance 1467) that places a temporary hold on future permit submittals for them. The major takeaway from that meeting was the PC's desire to hear from the public before moving forward with any specific language or direction.

On February 4, 2022, staff advertised a two-week public comment period to garner feedback on what our community thinks about STR, both generally and specifically, relative to potential regulations. We advertised on the City's web site, email, City News, Gig Harbor Now, the Tacoma News Tribune, and all social media channels available to us. The notices have been included in your packets.

During this period, we received 36 comments. These comments have been numbered and summarized in a table for ease of review and reference. The summary table assigns each comment a number that corresponds to the complete comment. The materials have been provided in your packets and are titled as follows:

- Complete Comments: "Comments Received 03.02.22 PC Study Session"
- Summary Table: "Summary Comments Received 03.02.22 PC Study Session"

Two additional sets of comments have been provided as well. Those are comments received prior to and during the City Council hearing in October 2021, including 12 comments. The other set are those that were received outside of a formal public comment period, including 4 comments. The former were provided at your last study session, while the latter you are seeing for the first time.

Lastly, Staff will also be presenting and discussing answers to a few questions that Commissioners posed at the last meeting: Current Lodging, Level 1-3 Permitted Zoning Districts; Tax Benefits of STR; Current Permit Fees.

Staff's hope, again, is that the PC will consider the comments received to date and provide Staff with direction on next steps. Some potential next steps might be: further research of specific items heard from the public or from some other source; draft regulations for review and consideration at an upcoming PC Study Session; research other jurisdictions for regulations specific to items the PC is interested in including in our own regulations.

Please feel free to contact me directly with any questions. Thank you

From: [Michelle Thomas](#)
To: [Michelle Thomas](#)
Cc: [Carl de Simas](#)
Bcc: [Mbattson@gigharborchamber.com](#); [TomiKent@msn.com](#); [pkatich@comcast.net](#); [guyhoppen@comcast.net](#); [meganb@allovus.com](#); [hayley@allovus.com](#); [paigeschulte@windermere.com](#); [ehnadler@gmail.com](#); [james.karrer@vacasa.com](#); [paulkadzik@comcast.net](#); [maggiearnold00@yahoo.com](#); [cdsunharbor@yahoo.com](#); [8mmfinder@gmail.com](#)
Subject: NOTICE –REQUEST FOR PUBLIC PARTICIPATION
Date: Friday, February 4, 2022 3:47:04 PM
Attachments: [image001.png](#)

We want to hear from you!

Public Comment Period: February 4, 2022 through February 18, 2022

The City of Gig Harbor Planning Commission has begun discussing [Short Term Rental Regulations](#). At the initial meeting, they decided it was important to get early feedback from you, the Gig Harbor Community.

We are interested in hearing any thoughts, suggestions, and questions you might have. Here is a list of questions that City Staff and the Planning Commission have been thinking about:

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?
- Should short term rentals be limited to certain zones? If so, which zones are appropriate?
- Should short term rentals be allowed as a conditional use or a permitted use?
- How will the City monitor and regulate new and existing short-term rentals?
- Should the City impose a registration process for short term rentals with annual renewals?
- Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?
- Should short-term rentals be allowed in accessory apartments (ADUs)?
- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?
- Should the City limit the number of rooms that can be rented?
- What should the permitting process look like?
- Are there other comparable jurisdictions with short-term rental regulations?

Please provide your comments to City Staff: Michelle Thomas, Planning Technician – mthomas@gigharborwa.gov or City of Gig Harbor, Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335

Michelle Thomas

[City of Gig Harbor](#) | Planning Technician

Planning Division

Phone: 253.851.6170

Direct Phone: 253.853.8255



"THE MARITIME CITY"

COMMUNITY DEVELOPMENT
PLANNING DIVISION

NOTICE – REQUEST FOR PUBLIC PARTICIPATION

The City of Gig Harbor Planning Commission is seeking early community input from February 4th through February 19th as they begin drafting regulations around short-term rentals. For more information on the project and to learn how to provide comment, please visit the City of Gig Harbor web site www.cityofgigharbor.net and search "Short Term Rental." Or you may contact city staff for assistance:

Michelle Thomas at mthomas@gigharborwa.gov or (253)851-6170.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0059167

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

TAC - Legal Ads

Final Cost:

23.18

Payment Type:

Account Billed

User ID:

IPL0021041

PREVIEW FOR AD NUMBER IPL00591670**NOTICE – REQUEST FOR
PUBLIC PARTICIPATION**

The City of Gig Harbor Planning Commission is seeking early community input from February 4th through February 19th as they begin drafting regulations around short-term rentals. For more information on the project and to learn how to provide comment, please visit the City of Gig Harbor web site www.cityofgigharbor.net and search "Short Term Rental." Or you may contact city staff for assistance:

Michelle Thomas at mthomas@gigharborwa.gov or (253)851-6170.
W000000000

Publication Dates

[<< Click here to print a printer friendly version >>](#)

ACCOUNT INFORMATION

CITY OF GIG HARBOR IP

3510 GRANDVIEW ST

GIG HARBOR, WA 98335-1214

253-851-8136

noemail@noemail.com

CITY OF GIG HARBOR

TRANSACTION REPORT**Date**

February 3, 2022 10:48:27 AM EST

Amount:

23.18

SCHEDULE FOR AD NUMBER IPL00591670

February 4, 2022

The News Tribune (Tacoma)

Comment No.	Name	Date & Comment Method	Summary
1	Guy Hoppen	02.05.22 email	>Supportive of short term rentals for homes that are owner occupied for a portion of the year. >Would like to see policy created to disincentivize non owner occupied short term rentals.
2	Jeanne Jueau	02.05.22 email	>Disagrees that broad regulation of short-term rentals is necessary. >Believes that STRs which are owner occupied/operated should be exempt from city regulation. >Only regulation of STRs should be in relation to corporate operation.
3	Sophia Schelling	02.07.22 email	>Concerns over the current real estate market and how short term rentals could potentially make it even more difficult for first time home buyers.
4	Bryan Smith	02.07.22 email	>Feels that current regulations are enough. >Cites statistics that show an increase to rental costs due to these types of regulations.
5	Bill Coughlin	02.08.22 email	>Notes that STRs are located in his neighborhood and he has not noticed any adverse impacts. >Confident that the city can/will manage the issue. >A moderate tax is appropriate that would fund management and add to tourism budget.
6	Robin Fry	02.08.22 email	>Opposed to STRs. >Neighboring property is used as a STR and is in poor condition. >STR should be kept to apartments so they do not damage suburban neighborhoods. >Opposed to packing tiny houses into residential neighborhoods. >Would like to see homelessness issues addressed. >Suggests relaxing the GMA to building apartments and new homes on cheaper rural land; continue to build apartments in Tacoma and Bremerton.
7	Heidi	02.08.22 email	>There should not be a fee/application for the residents to own and operate a STR. >Believes if regulations are in place, people will find a way around.
8	Tomi Kent-Smith	02.09.22 email	>Housing or lodging facilities should be compliant with regulations in order to be protected legally. >Zoning regulations should be the same as the surrounding residential area. >Lodging tax should be collected.

Comment No.	Name	Date & Comment Method	Summary
9	Bonnie O'Malley	02.10.22 email	>STRs can help contribute to tourism. >Owner occupied rentals should be considered separately from strictly rental occupancy. >Standards for STRs should be the same as any residential unit, STRs should not be singled out. >Should not be limited to certain zones. >Should be allowed as a permitted use, with a renewable annual license. >Permitting should be a simple registration, providing proof of insurance, and demonstrating property is compliant with regulations that apply to all residents with regards to noise, parking, etc. >Agreement that owners are responsible for providing city regulations to renters and responsible for handling non-compliance.
10	Erin Pope	02.10.22 email	>Supportive of more controls and limits on STRs as they are ruining downtown. >Limit STRs to outside downtown. >Limit number in each neighborhood; require ample off-street parking for guests; and, tax owners appropriately to improve infrastructure for residents.
11	Nancy Hohenstein	02.12.22 email	>Provides an example of how unregulated STRs have negatively effected another city. >Concerned Gig Harbor could have similar issues arise if limits are not put in place for rentals.
12	James Grijalva	02.14.22 email	>Cautions against short term rentals. >Encourages Gig harbor to look into more regulated options for short term lodging (Hotels and owner-occupied Bnb's). >AirBnb type rentals contribute to pricing out young families in an already competitive real estate market.
13	Erik Jensen	02.14.22 email	>Family and neighbors against AirBnbs. >Destroying the fabric of our community. >Huge disruption to our lifestyle, and the very reason we moved here. >Request that you do not allow AirBnb to operate in Gig Harbor.
14	James Karrer - VACASA	02.14.22 email	>Provides examples of what Clallam and Jefferson Counties are doing regarding STRs. >Suggests a distance restriction between individual STRs.
15	Helen Nuckolls	02.14.22 email	>Visit Gig Harbor during holidays and in summer to visit family while renting an STR and would like to continue doing so.

Comment No.	Name	Date & Comment Method	Summary
16	Thomas Bienvenu	02.14.22 email	>Any short term rental should be registered with the city with contact information in case of any emergency/issue. >Dwelling must be maintained to all current building and safety codes and emergency information should be posted. >Dwelling must be rated for total number of occupants at any one time. >Off street parking must be sufficient to handle occupants. >Minimum rental period of 4 nights. >Transient occupancy tax, tourism tax, lodging tax, sales tax.
17	Katie Owens	02.15.22 email	>Opposed to a additional taxes for STRs as they would have negative long and short term effects for renters and rental owners and be a disservice to the community. >Provides a personal story of utilizing a STR during a home renovation.
18	Dan Russo	02.15.22 email	>Opposed to STRs in the R1 Zone and particularly the "view basin" because of the impact on noise and traffic in an already congested area. >If banning STRs is not possible, then some sort of cap would be the next best suggestion. Perhaps a yearly lottery for short term rentals. >Rental owners should be subject to all the same taxes as those operating hotels and inns. Perhaps additional taxes in the R1 zone and view basin. >City should get very aggressive about permitting requirements and fines for noncompliance.
19	Heather Imig	02.17.22 email	>Provides a personal story regarding difficulty finding temporary housing in Gig Harbor. >People rely on their homes as sources of income to help create financial freedom. >Hopes people in Gig Harbor can do as they wish with their home, it is their investment in their future.
20	Cheryl Clevon	02.17.22 email	>Opposed to STRSs, particularly non-owner occupied. >STRs lead to less homes available to be purchased by families who want to make Gig Harbor their home. >Concerns over more homes being bought strictly for investment. >Owner occupied STRs should be the only form considered. >New regulations will be difficult for existing city staff to enforce.
21	Rachel Criddle	02.17.22 email	>STRs can be beneficial for tourism in Gig Harbor. >Recommends regulations regarding trash, parking, and noise, with suspension of license for more than 3 complaints. >Require owner to designate a contact who can be available to respond within an hour to emergencies. >Limiting STRs based on zoning is not appropriate. >Urges city to lift moratorium and implement reasonable permitting process.

Comment No.	Name	Date & Comment Method	Summary
22	Katie Doherty	02.17.22 email	>Notes that as a business owner, their businesses are positively impacted by short term rentals available in Gig Harbor. >Lodging in Gig Harbor and particularly downtown is insufficient. >Permitting process should be concise and should have a price point which does not create a barrier in order to get the currently unpermitted STRs in the city into compliance. >City should work with the Gig Harbor Short-Term Rental Alliance to develop regulations.
23	Amy Janson	02.17.22 email	>Provides examples of how STRs have provided income for property owners who were going through difficult times. >There is a need for transitional style housing for buyers and sellers of homes. >STRs help to support local eateries and other businesses.
24	Tara Tangney	02.17.22 email	>STRs help our town generate revenue. >Should be regulated similar to privately owned homes.
25	Tom Tomlinson	02.17.22 email	>Annual registration for STRs. >Specific number of renters allowed. >Taxes to match what hotels pay. >Offstreet parking required. >Property owner availability for emergencies/issues with owner living in city-limits. >Quiet hour and/or noise restrictions. >Minimum 1 week stay. >Current zoning regulations enforced. >Penalties for noncompliance.
26	Denise Peterson	02.18.22 email	>Consider the impact restrictions will have on both hosts and small business. >STRs offer accommodation options that hotels do not. >Tourism is a lifeline for many of the small businesses in Gig Harbor.
27	Dolores Nilsen	02.18.22 email	>STRs should only be allowed in commercial areas, not in residential areas. >STRs should be owner-occupied. >Management companies have no concern for neighbors.
28	Marcia Owens	02.18.22 email	>Opposed to new taxes on short-term rentals. >STRs provide flexibility for guests and owners. >STRs can provide income for owners following tragedy or other circumstances. >Guests contribute to local businesses.
29	Ken Malich	02.18.22 email	>People create short-term rentals without supporting the needs of our community. >Bad for small hotels in the area. >STRs put pressure on the city to provide more services to visitors and not residents. >City is becoming a temporary place to live. >Permanent neighborhoods stabilize a small community. >Does not want to see Gig Harbor become an Arizona style snowbird city.

Comment No.	Name	Date & Comment Method	Summary
30	Carolyn Allen - GHSTRA	02.18.22 email	>Wants reasonable short-term rental rules and regulations approved and the rights of property owners acknowledged in Gig Harbor. >Short-Term rentals do not correlate with property values and affordable housing. >STRs are often used as transitional housing for buyers/sellers. >STRs support downtown business owners. >Notes the lack of complaints to the city regarding short-term rentals. >Notes the Gig Harbor Short Term Rental Alliance regulations proposal.
31	Justin Stiefel	02.18.22 email	>STRs are important to supporting a strong tourist and visitor industry. >Any rules put in place should recognize the value they bring to the community and economy. >Provides a list of goals that rules should be structured to meet (equality of treatment of homeowners whether they live in or out of Gig Harbor. protection of the interests of those near STRs, collection of taxes, modern and affordable options for visitors, support downtown business, avoid city lawsuits). >Should be available in all zones. >City should draft the rules to avoid the need for Conditional Use analysis. >Penalties for those who do not register with the city get a permit. >City should consider setting a restriction on the number of STR units a person or entity can have permitted inside the city limits at one time.
32	Jeri Valdez	02.18.22 email	>Should be limited to a very small percentage of units with maximum lengths in place. >This would protect our community and also bring new attention to the area.
33	Gibelle Peterson	02.18.22 email	>In support of STRs. >STRs allow them to visit family members who live in Gig Harbor.
34	Anelissa Peterson	02.18.22 email	>In support of STRs. >Increased flexibility for renters.
35	Stefan Peterson	02.18.22 email	>Provides a place for out of town guests to stay. >Continue to allow STRs.
36	Marcia Owens	02.18.22 email	>Provides a review from a STR that notes they hope gig harbor will not severely restrict STRs.

01. Hoppen 02.04.22

From: [guy hoppen](#)
To: [Michelle Thomas](#)
Subject: Re: NOTICE –REQUEST FOR PUBLIC PARTICIPATION
Date: Friday, February 4, 2022 6:56:19 PM
Attachments: [image001.png](#)

Michelle,

Some of your questions beg for lay clarification. Some are answerable for me.

Bottom line is I see a massive distinction between what I characterize as the 100%'s, that is buying a home with zero intent of living there and the full intention of 100% short term rental use. I would like to see that trend interrupted for good. On the flip side, wise short term rental policy, in my view, can help slow gentrification. So creating policy that would punish owner occupiers seems counter productive if one values the community character that is developed by long term residents. The challenge is defining what a homeowner is, likely some proof that the property owner actually lives in Gig Harbor for a portion of a year or a portion of some undefined length of time.

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments? What are these standards? *My instinct is to say no until you can provide a synopsis of what those standards are. Is that something you can provide?*
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood? *Not sure any new regs should be applied. We have VRBO'd our home and we restrict tenants to the same # of occupants that have typically occupied our house. Not sure why adjusting zoning regs would be necessary.*
- Should short term rentals be limited to certain zones? If so, which zones are appropriate? *I don't think so, our experience suggests that there are no more short term renters than a typical homes long term occupants - maybe find a method that limits short term occupants to bedrooms, existing owner occupants, etc.*
- Should short term rentals be allowed as a conditional use or a permitted use? *I think that the conditional/permitted use should be clearly explained prior to asking this question.*
- How will the City monitor and regulate new and existing short-term rentals? *Through lodging tax? What other monitoring are you suggesting, please detail monitor & regulate meanings and manifestations.*
- Should the City impose a registration process for short term rentals with annual renewals? *What would that entail? If its a burden on the owner occupant I would say no. Keep it simple.*
- Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit? *I believe short-terms should be owner occupied for an undefined period of a given year. The purchasing of City homes for 100% short term rental use would erode community in my view and I would not support that use.*

Should short-term rentals be allowed in accessory apartments (ADUs)? *Seems a method by which gentrification could be avoided by allowing, 'old timers' or long term residents, to mitigate exploding property tax assessments and diminishing income as they age, two reasons that force community members out of their longtime homes. Earning legitimate income from their properties through part-time primary residence or ADU (same owner occupied property) short term rentals is a method that can actually, in my view, retain community character and provide a means for 'old timers' and home owners of modest incomes to retain their, sometimes multi-generation owned properties.*

- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental? *Perhaps it will be the only method of keeping the 100% short term, non-owner occupiers from swallowing up downtown area homes for short term rental use. So yes. We VRBO our home when we're gone in Alaska fishing for up to four months, some retirees are snowbirds, these short term landlords have different motivations than the 100%'s who presumably don't have a community stake beyond a purely financial one. I could envision downtown/waterfront becoming a majority of 100% short term rental properties over time if unregulated.*
- Should the City limit the number of rooms that can be rented? *Rooms? No. I'm not aware of too many short term landlords that rent rooms. Wouldn't work from our experience. We rent our whole house albeit it's a small house. And when we rent as a short term tenant it's never occurred to me to rent just a room.*
- What should the permitting process look like? *Keep it simple, no reason to punish city residents with onerous red tape.*
- Are there other comparable jurisdictions with short-term rental regulations? *Have no idea, be a good idea for planning to research that and report.*

Guy Hoppen
8402 Goodman Drive NW
GH 98332

On 02/04/2022 3:47 PM Michelle Thomas <mthomas@gigharborwa.gov> wrote:

We want to hear from you!

Public Comment Period: February 4, 2022 through February 18, 2022

The City of Gig Harbor Planning Commission has begun discussing [Short Term Rental Regulations](#). At the initial meeting, they decided it was important to get early feedback from you, the Gig Harbor Community.

We are interested in hearing any thoughts, suggestions, and questions you might have. Here is a list of questions that City Staff and the Planning Commission have been thinking about:

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?
- Should short term rentals be limited to certain zones? If so, which zones are appropriate?
- Should short term rentals be allowed as a conditional use or a permitted use?
- How will the City monitor and regulate new and existing short-term rentals?
- Should the City impose a registration process for short term rentals with annual renewals?
- Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?
- Should short-term rentals be allowed in accessory apartments (ADUs)?
- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?
- Should the City limit the number of rooms that can be rented?
- What should the permitting process look like?
- Are there other comparable jurisdictions with short-term rental regulations?

Please provide your comments to City Staff: Michelle Thomas, Planning Technician – mthomas@gigharborwa.gov or City of Gig Harbor, Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335

Michelle Thomas

[City of Gig Harbor](#) | Planning Technician

Planning Division

Phone: 253.851.6170

Direct Phone: 253.853.8255

3510 Grandview Street, Gig Harbor, WA 98335

02. Juneau 02.05.22

From: [Jeanne Juneau](#)
To: [Michelle Thomas](#)
Subject: Commentary re :Short Term Rentals (STRs) in Gig Harbor
Date: Saturday, February 5, 2022 5:16:36 PM

I own a single family home on Hunt Street off Soundview Dr. For the past 4 years, I have rented my guest suite (2BR, 1BA with family room, separate entrance, downstairs from the main home, one driveway parking space, no separate kitchen) through both Air BnB and VRBO platforms.

Please note my objection to the implicit bias in the wording of your questions, and a **STRONG OBJECTION** to a fabricated 'emergency' moratorium which has unnecessarily super-charged this issue for the Planning Commission, STR owners and the City Council. The questions PRESUME that broad regulation is NECESSARY---a premise with which I disagree.

This said, below are my views regarding regulation of STRs in Gig Harbor.

- *Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?*

STRs that are operated in owner-occupied properties should be exempt from any city regulation, including inspections for 'life/safety' standards. Homeowners assume personal liability for operating an STR which is covered by their homeowner's insurance. STR owners can describe safety equipment in their listings (my listing includes hard-wired smoke detectors, carbon monoxide detectors, first aid kit, fire extinguisher, multiple re-chargeable flashlights, child safety kit, and posted emergency instructions.) Potential guests can search for these enhanced safety features as they wish.

- *What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood? (**Perfect example of a question that presumes the need for zoning regulations at all. Implicit bias in the question.**)*

NONE other than those applicable to other residents.

- *Should short term rentals be limited to certain zones? If so, which zones are appropriate?*

NO. Any private homeowner (not corporate owners) in ANY zone should be able to operate a STR without encumbrance from the city.

- *Should short term rentals be allowed as a conditional use or a permitted use?*

I do not understand this question. Please define your terms.

- *How will the City monitor and regulate new and existing short-term rentals? (**Another example of a 'loaded question'---there is a presumption that the City WILL be (and should be) 'monitoring and regulating' at all**)*

I feel strongly that the ONLY regulation re: STRs relates to corporate operation of STRs (companies like VACASA, PACASO, and operation of multiple STRs by one owner/owner group). I see NO NEED for regulation of privately-owned properties, particularly those that

are owner-occupied.

- *Should the City impose a registration process for short term rentals with annual renewals?*

NO. If the owners use platforms like AirBnB and VRBO, the city already receives a tax cut directly from the platform. If the owners do not use such platforms, they have chosen to operate 'underground' and will presumably continue to do so. The city has better things to do than chase down a resident who may occasionally rent a spare bedroom to help make ends meet.

- *Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?*

Owner-occupied STRs should not be regulated at all (stated above). There should be no geographical residence restrictions on STR owners, just as there are no geographical residence restrictions on owners of other businesses in the city.

- *Should short-term rentals be allowed in accessory apartments (ADUs)?*

Yes.

- *Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?*

30 consecutive days occupancy seems to be a standard delineation between short and long-term rentals. There should not be a restriction on the total number of calendar days for occupancy of a STR.

- *Should the City limit the number of rooms that can be rented?*

I feel the City should restrict any entity from operating more than 2 properties as STRs at any one time. The number of rooms is irrelevant if this restriction is in place.

- *What should the permitting process look like? (Once again, this is a 'loaded question' that presumes the need for a permitting process at all.)*

No permit required, no fees, no regulation whatsoever for owner-occupied STRs.

Non owner-occupied property owners should be limited to operating two properties as STRs at any one time, be required to register with the town, provide contact information, emergency alternative contact information, property description (including parking), proof of liability insurance, copy of lease/rental agreement/house rules. There should be no fees associated with this registration process. If any permitted STR is found to be in violation of existing city ordinances (excessive noise, trash, parking violations, etc.) they run the risk of losing their permit.

- *Are there other comparable jurisdictions with short-term rental regulations?*

I do not know how these communities handle STRs, but I think comparable communities should include: Poulsbo, Port Townsend, Sequim, Chambers Bay, Allyn, Kingston, Hansville, Ruston, Port Gamble, Port Ludlow, Camano Island, and Anacortes.

03. Schelling 02.07.22

From: [Sophia Schelling](#)
To: [Michelle Thomas](#)
Subject: Short Term Rental Moratorium
Date: Monday, February 7, 2022 1:23:20 PM

Good Afternoon,

I am a citizen of Gig Harbor who is currently renting and would like to give my input on this moratorium.

I am a 25 year old nurse who works near Gig Harbor and loves living in this community. Unfortunately, this housing market is not set up for first time home buyers. With these sky high prices and low inventory it makes it almost impossible to buy a home at the moment. I would love to own a home in Gig Harbor, but for the meantime I will continue to rent. I have other friends who live in Gig Harbor who are in the same position as me. One is an accomplished lawyer and one an engineer at the shipyard. Both of these women are professional, college educated, people who are renting in Gig Harbor. I know they would also love to buy a home eventually in the Harbor but at this time it is not conducive.

Please take this testimony into consideration,

Thank you!

04. Smith 02.07.22

From: [Bryan Smith](#)
To: [Michelle Thomas](#)
Subject: Short Term Rentals
Date: Monday, February 7, 2022 3:34:50 PM

...I do not own one.

Studies has shown that 30% of rent in the State of Washington is added due to these types of regulations. Yes, externally, they sound awesome. But, once we get into the reality of these regulations, costs go up nearly 100% of the time.

Why do we continue to need ADDITIONAL regulations, in top of existing regulations, to create a structure that everyone would agree on? I feel current regulations are enough.

Thank you.

Bryan

Bryan Smith

Vice President

DB DEBT RECOVERY

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05. Coughlin 02.08.22

From: [Bill Coughlin](#)
To: [Michelle Thomas](#)
Subject: Short term rentals in GH
Date: Tuesday, February 8, 2022 8:44:09 AM

Because of the desirability of the area, Short term rentals are happening and will continue to happen in single family residential areas of Gig Harbor. I have quite a few already happening in my neighborhood that have been going on for years. I have not noticed any adverse impacts.

As a former long term member of the Planning Commission, I am confident that that the city can and will manage this issue. A moderate tax is appropriate that would fund its management as well as providing funding for the city's tourism budget ...similar to the hotel/motel tax.

Bill Coughlin

06. Fry 02.08.22

From: [robinsfry](#)
To: [Michelle Thomas](#)
Cc: ["Dan White"; "Marlyn & Jim Jensen"; Tracie Markley](#)
Subject: Gig Harbor Short Term Housing Input
Date: Tuesday, February 8, 2022 9:10:32 AM

Hi Michelle,

I saw that the City of Gig Harbor is requesting input on short term rental housing.

I'm opposed to short term housing, being moved into residential neighborhoods in the suburbs. My neighbors use their home as a short term rental, and it is in a state of disrepair. The roof, the outdoor lighting, the yard are all in poor shape and the property is a blight on the residential neighborhood. NO one knows who lives there, people come and go, the house is dark, no one participates with the neighbors, I've been unable to contact the residents despite multiple attempts. Who knows what condition the interior is in.

Short term housing should be kept to apartments, which are zoned as such. Do NOT change single family zoning and damage our suburban neighborhoods, or put homeless people and the associated crime, garbage and drugs, out in the suburbs! Government housing has been built for decades to house folks on public assistance and these housing units are notoriously associated with drugs, disrepair and crime.

I'm also opposed to packing tiny houses, into residential neighborhoods zoned for single family and larger lots. People purchase their homes, with the understanding that the zoning laws will protect their property investment.

The homeless problem is primarily one of substance abuse and mental illness. It is not a housing shortage issue. Let's address the real problems of mental health and drugs, NOT enable more drug addicts and crime and homeless folks, in the Gig Harbor area, by placing these folks in homes, or apartments, in residential neighborhoods. No one wants Gig Harbor to look like Seattle, which has become a magnet for the homeless from all around the nation.

One solution to our growing population, is to relax the GMA and let builders build apartments and new homes, on cheaper land, in rural communities. Continue to build apartments inside of the Tacoma City limits and in Bremerton, where it is zoned for commercial and multi family housing.

What does the Rental Housing association have to say about this issue? The more benefits one gives to the homeless, the more homeless population a city will attract. It's the simple law of supply and demand. Do not add to our homeless population, please.

Robin S Fry

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Tuesday, February 8th, 2022 at 6:05 AM, Gig Harbor Patch <noreply@patch.com> wrote:



The quickest way to get caught up on the most important things happening today in Gig

07. Heidi 02.09.22

From: [Heidi](#)
To: [Michelle Thomas](#)
Subject: STR
Date: Wednesday, February 9, 2022 7:58:05 AM

Why would the city have any say with what I do with my own property unless it's hurting someone else. STR's bring tourism to our area. The city only has 2 crappy hotels that are way over priced for the accommodations they offer. Air B&B's are a great way to put money in the little person's hands instead of the big corporate hotels.

There should not be a fee/application for the residents to own and operate an STR. They are bringing folks here to spend money!! If you do that, people will just go around it. I know I would. Why do a money grab, just because you want to? Think twice about that!

08. Kent-Smith 02.09.22

From: [Tomi Kent Smith](#)
To: [Michelle Thomas](#)
Subject: Re: Short term Rentals
Date: Wednesday, February 9, 2022 2:46:52 PM
Attachments: [image001.png](#)

NOTICE –REQUEST FOR PUBLIC PARTICIPATION

MT

Michelle Thomas <mthomas@gigharborwa.gov>

Fri 2/4/2022 3:47 PM

To: Michelle Thomas

Cc: Carl de Simas

We want to hear from you!

Public Comment Period: February 4, 2022 through February 18, 2022

The City of Gig Harbor Planning Commission has begun discussing [Short Term Rental Regulations](#). At the initial meeting, they decided it was important to get early feedback from you, the Gig Harbor Community.

We are interested in hearing any thoughts, suggestions, and questions you might have. Here is a list of questions that City Staff and the Planning Commission have been thinking about:

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?
- My belief is that any housing or lodging facility rented to others should be compliant. I personally believe that if an owner were going to rent to others, they would want their property compliant so that they are protected legally.
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?
- Zoning regulations should be the same as the surrounding residential area.
- Should short term rentals be limited to certain zones? If so, which zones are appropriate?
- No, that is a form of redlining and is forbidden. The only difference between a short term rental and a regular resident is the length of time. Short term rentals are appropriate for residential areas.
- Should short term rentals be allowed as a conditional use or a permitted use?
- If licensed, then permitted. If no license, conditional.
- How will the City monitor and regulate new and existing short-term rentals?
- how does the city monitor and regulate apartments , condos, and hotels/bed and breakfast

rentals?

- Should the City impose a registration process for short term rentals with annual renewals?
 - Yes. For the purpose of collecting Lodging tax
- Should short-term rentals be owner occupied?
 - Not necessarily
- Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?
 - Not necessarily. Do hotel owners or apartment owners have to?
- Should short-term rentals be allowed in accessory apartments (ADUs)?
 - If the ADU is not currently needed as an accessory unit, why not?
- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?
 - No,
- Should the City limit the number of rooms that can be rented?
 - No
- What should the permitting process look like?
 -
- Are there other comparable jurisdictions with short-term rental regulations?
 - Yes, a quick search online will take you to several jurisdictions outlining their approach to Airbnb, VRBO.

Please provide your comments to City Staff: Michelle Thomas, Planning Technician – mthomas@gigharborwa.gov or City of Gig Harbor, Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335

Michelle Thomas

City of Gig Harbor | Planning Technician
Planning Division

Phone: 253.851.6170

Direct Phone: 253.853.8255

3510 Grandview Street, Gig Harbor, WA 98335

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From: Michelle Thomas <mthomas@gigharborwa.gov>

Sent: Wednesday, February 9, 2022 2:43 PM

To: Tomi Kent Smith <tomikent@msn.com>; Carl de Simas <cDesimas@gigharborwa.gov>

Subject: RE: Short term Rentals

I'm sorry Ms. Smith,

I can not open any of the files.

Michelle Thomas

[City of Gig Harbor](#) | Planning Technician
Planning Division
Phone: 253.851.6170
Direct Phone: 253.853.8255
3510 Grandview Street, Gig Harbor, WA 98335



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From: Tomi Kent Smith <tomikent@msn.com>
Sent: Wednesday, February 9, 2022 2:42 PM
To: Michelle Thomas <mthomas@gigharborwa.gov>; Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Short term Rentals

Tomi Kent Smith
3414 Harborview Drive
Gig Harbor 98332

09. O'Malley 02.10.22

From: [Bonnie O"Malley](#)
To: [Michelle Thomas](#)
Subject: Short Term Rentals
Date: Thursday, February 10, 2022 7:19:32 AM

2.10.22

City of Gig Harbor Planning and Zoning / City Council

Attn: Michelle Thomas

RE: Short Term Rental Moratorium and Regulations

Just prior to the introduction of the Short Term Rental Moratorium, I completed a major renovation to the lower level of my Primary Residence with the intention of using the space as a Short Term Rental when not occupied by family and friends. This space would only be used in this manner during the time that I or a responsible family member is in residence in the upper level, and therefore would not have been subject to all of the regulations that are currently under consideration by your jurisdiction.

Out of concern for the direction that the City of Gig Harbor is taking pertaining to this matter, I have been an active participant in forming GHSTRA, the Gig Harbor Short Term Rental Alliance, in an effort to be informed, and to inform others on the subject of prospective guidelines, restrictions and regulations. As you are most likely aware, we have engaged in considerable research and communication with the City in an effort to attain a fair and equitable platform for the inevitable regulation of what I consider a right of property ownership.

I walk the Harbor almost every day, and I have met so many visitors who stop me and ask for recommendations on where to eat, where to shop, and where to find whatever they need, including accommodations for both short and long term stays. I have rented my house during Winter months through a Gig Harbor property manager when I travel South in Snowbird Season. I recognize firsthand the need for Short Term Rentals in Gig Harbor to support a thriving Tourist business that is crucial to our city. Many other visitors seek temporary housing while visiting family and friends who can not house them. Some of my previous renters needed a place to stay for a short period of time while executing renovations to their own homes, and others were here to spend some time in the Harbor while exploring the area for a home of their own.

Additionally, I have been the owner of two STR's in Lake Havasu City, AZ., and many of my friends are STR owners with a long history of successful rentals throughout the United States

and in some cases, in foreign countries. I am familiar with most of the pros and cons from the point of view of ownership, neighborhood relations and City regulation. GHSTRA, with Carolyn Allen as our primary liason with the city, has presented Planning and Zoning and the City Council with our perspective with regard to aspects of regulation that the City is considering. With the proper communication and regulation, I believe that we can find common ground and avoid litigation.

My Viewpoint is as follows:

<!--[if !supportLists]-->• <!--[endif]-->*Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?*

STR's that are Owner Occupied should be considered separately from those establishments which are strictly rental occupancy. That being said, most property owners will have met requirements that address the life/safety standard guidelines relevant to their rental insurance regulations. Today's sophisticated consumers shop accommodations that provide the best comfort and safety features. Most STR owners are already implementing these features.

<!--[if !supportLists]-->• <!--[endif]-->*What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?*

Exactly the same standards applied to all residents / owners and renters of Gig Harbor residential establishments, single and multi-family. I see no reason to single out STR's on these matters. What works for one should work for all, assuming city zoning regulations are reasonable, equitable, and most importantly, enforceable. If the structure of our city government implements and enforces regulations for the residential life of current homeowners, why should it not be able to do the same for STR's as well, making all homeowners responsible for their property regardless of how they use it?

<!--[if !supportLists]-->• <!--[endif]-->*Should short term rentals be limited to certain zones? If so, which zones are appropriate?*

Absolutely not. If STR's are limited to private property ownership, the regulations should be equitable without discrimination of location.

<!--[if !supportLists]-->• <!--[endif]-->*Should short term rentals be allowed as a conditional use or a permitted use?*

Permitted. A reasonable, renewable yearly license at a reasonable fee allows the City to have a record of use.

<!--[if !supportLists]-->• <!--[endif]-->*How will the City monitor and regulate new and existing short-term rentals?*

As above.

<!--[if !supportLists]-->• <!--[endif]-->*Should the City impose a registration*

process for short term rentals with annual renewals?

As above

<!--[if !supportLists]-->• <!--[endif]-->Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?

Not necessarily. Non-owner Occupied Rentals should be responsible for dealing with renters who violate city ordinances which apply equally to all property owners, whether living on premises or not.

<!--[if !supportLists]-->• <!--[endif]-->Should short-term rentals be allowed in accessory apartments (ADUs)?

Yes. Current zoning regulations should dictate occupancy in terms of numbers.

<!--[if !supportLists]-->• <!--[endif]-->Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?

If Regulations are equitable, it doesn't matter.

<!--[if !supportLists]-->• <!--[endif]-->Should the City limit the number of rooms that can be rented?

Private Property / Private Decision ~ providing the property owner is compliant with all city ordinances. Enforcement is the responsibility of the property owner, and like any property, whether strictly a residence or a rental, the owner is liable for violations of city ordinances and should be held accountable.

<!--[if !supportLists]-->• <!--[endif]-->What should the permitting process look like?

Simple Registration with contact information for owners and emergency contacts, and confirmation that the property is compliant with the same regulations that apply to all residents with regard to noise, parking accommodations, etc. An agreement that owners will be responsible for providing city regulations to renters and responsible for eviction of renters who are non-compliant. Proof of insurance.

<!--[if !supportLists]-->• <!--[endif]-->Are there other comparable jurisdictions with short-term rental regulations?

There are some good guidelines, but Gig Harbor is Gig Harbor. Precedents set by other communities are irrelevant.

Thank you for your time and consideration.

Bonnie O'Malley

8101 Bayridge Ave., Gig Harbor, 98332

203.481.0792

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10. Pope 02.10.22

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Subject: FW: Short term rentals
Date: Thursday, February 10, 2022 11:22:09 AM

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

-----Original Message-----

From: Erin Pope <lilachicad@gmail.com>
Sent: Thursday, February 10, 2022 9:08 AM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: Short term rentals

I'm writing in support of more controls and limits for short term rentals. In my opinion, they're ruining downtown.

I grew up on Ross Avenue in the 80s/90s, surrounded by a mix of retired couples and middle class families (many of whom were cousins, of course). My brother still lives in the family home that our dad left us. That street alone now has several AirBnBs. The Millville area is crowded with short term rentals. My husband and I lived with my brother while we house hunted for 18 months and we were outbid on multiples homes in our near downtown despite drawing well-paid professional salaries. The home prices have skyrocketed due to supply/demand, and we found it impossible to compete with investment funds and businesses who snatch houses up to rent out. Now Millville is a neighborhood of a fortunate few who inherited family homes and wealthy transplants from Seattle and California who want to change the community culture. My brother is tired of parking and noise issues from the Airbnb across the street from his house and I'm disheartened that a couple making nearly a half million couldn't spent 18 months and went through 7 rejected offers before finally purchasing a house out of city limits. I am no longer eligible to volunteer for city government organizations because of my address. Our city is losing valuable community members to those who want to profit off tourists who already have plenty of lodging options in the area.

I propose we limit short term rentals to outside the downtown area, limit how many rentals can be in each neighborhood, require that property owners provide ample off-street parking for guests, and tax those owners appropriately so we can improve the infrastructure for residents. We need to be mindful of how limiting residential homes to only wealthy business owners degrades community spirit.

Sincerely,
Erin Pope

Sent from my iPhone

11. Hohenstein 02.14.22

From: [NANCY HOHENSTEIN](#)
To: [Michelle Thomas](#)
Subject: Short Term Rental feedback
Date: Monday, February 14, 2022 6:59:50 AM

While I have no personal experience with issues related to the short term rental expansion, my son and his wife do.

They live in Welches, Oregon, and there is no regulation in that area on the massive move to turn single family homes into B&Bs. For the businesses in the area, the growth has made affordable housing for lower income individuals vanish. The outcome is that businesses like restaurants and resorts are finding it impossible to hire enough staff to run their businesses. And for the people who remain in owner-occupied residences suffer from noise and trash pollution in their neighborhoods. The results create neighborhood uproars requiring law enforcement intervention. Also, with a major reduction in permanent residents, there is a smaller and smaller pool of responsible residents to support and lead local government and solve issues that arise from the transient population

Granted, Gig Harbor and Welches Oregon are very different communities with very different economies, but the issues they face could arise, perhaps to a lower level, in Gig Harbor without some limits placed on their development.

Nancy Hohenstein

12. Jensen 02.14.22

From: [Erik Jensen](#)
To: [Michelle Thomas](#)
Subject: Air B&B
Date: Monday, February 14, 2022 1:53:56 PM

Our family and neighbors are totally against Air B&B. It's destroying the fabric of our community. People are coming in to these neighborhoods and being obnoxious. Loud, drinking, trash and rude. They have no ties to the neighborhood and seem entitled to do what ever they want. We have children and elderly living here. It's a huge disruption to our lifestyle. The very reason we moved here.

I respectfully request that you not allow Air B&B to operate in Gig Harbor.

Sincerely

Erik

13. Karrer 02.14.22

From: [James Karrer](#)
To: [Michelle Thomas](#)
Cc: [Carl de Simas](#)
Subject: Re: NOTICE –REQUEST FOR PUBLIC PARTICIPATION
Date: Monday, February 14, 2022 12:32:27 PM
Attachments: [image001.png](#)

Hello folks:

I wanted to submit the following feedback...

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments? [Yes, standard practice in Clallam County for example requires a fire and life safety inspection, they send out someone from the fire department to look at smoke detectors, egress doors, hand/guard rails, etc.](#)
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood? [One thing you can implement is a "distance restriction" - meaning if a home is located within 500 feet of an actively permitted home, they are ineligible for permit.](#)
- Should short term rentals be limited to certain zones? If so, which zones are appropriate? [Standard practice in several cities, Port Angeles for example, prohibits STR in zones R7, R9 and R11.](#)
- Should short term rentals be allowed as a conditional use or a permitted use? [Conditional if you want to keep better control over things.](#)
- How will the City monitor and regulate new and existing short-term rentals? [This is the purpose of the moratorium, hope the feedback helps.](#)
- Should the City impose a registration process for short term rentals with annual renewals? [Yes, obtain conditional use permit, meet all of the city criteria, renew annually is most typical.](#)
- Should short-term rentals be owner occupied? [No, these are not truly vacation rentals, rather someone's home that allows guests for a certain period of time, it's not as comfortable a setting in comparison for travelers who are accustomed to staged vacation rentals.](#)
- Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit? [No, this is quite unreasonable in my opinion for many reasons.](#)
- Should short-term rentals be allowed in accessory apartments (ADUs)? [As long as they fit the criteria to obtain a conditional use permit.](#)
- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental? [No. Commonly homes in the area rent for 40-60% of the year, pricing and owner usage being the two biggest variables. My goal is always to set homes up for a quality renter vs a quantity of renters. Limiting the number of nights available to rent however is going to deter local STR owners and investors from purchasing.](#)
- Should the City limit the number of rooms that can be rented? [I would say no here, but one of things that Jefferson County does is specify the numbers of max occupants on the permit based on the septic system/size. This keeps people from putting multiple bunk beds/sofa beds in the home with the hopes of hosting as many people as possible. Jefferson Co's inspection/permit process is thorough, takes roughly 45-60 days to complete with a cost around \\$700 to process.](#)

I hope this helps! Please let me know if anyone has any questions or would like additional input!

On Fri, Feb 4, 2022 at 3:47 PM Michelle Thomas <mthomas@gigharborwa.gov> wrote:

We want to hear from you!

Public Comment Period: February 4, 2022 through February 18, 2022

The City of Gig Harbor Planning Commission has begun discussing [Short Term Rental Regulations](#). At the initial meeting, they decided it was important to get early feedback from you, the Gig Harbor Community.

We are interested in hearing any thoughts, suggestions, and questions you might have. Here is a list of questions that City Staff and the Planning Commission have been thinking about:

- Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?
- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?
- Should short term rentals be limited to certain zones? If so, which zones are appropriate?
- Should short term rentals be allowed as a conditional use or a permitted use?
- How will the City monitor and regulate new and existing short-term rentals?
- Should the City impose a registration process for short term rentals with annual renewals?
- Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?
- Should short-term rentals be allowed in accessory apartments (ADUs)?
- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?
- Should the City limit the number of rooms that can be rented?
- What should the permitting process look like?
- Are there other comparable jurisdictions with short-term rental regulations?

Please provide your comments to City Staff: Michelle Thomas, Planning Technician – mthomas@gigharborwa.gov or City of Gig Harbor, Planning Division, 3510 Grandview Street, Gig Harbor, WA 98335

Michelle Thomas

[City of Gig Harbor](#) | Planning Technician

Planning Division

Phone: 253.851.6170

Direct Phone: 253.853.8255

3510 Grandview Street, Gig Harbor, WA 98335



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["Schedule a meeting with me"](#)



James Karrer | Sr. Sales Executive

m: 206.229.7704

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14. Nuckolls 02.14.22

From: [Helen Nuckolls](#)
To: [Michelle Thomas](#)
Cc: [Steve Liebelt](#)
Subject: Airbnb's in Gig Harbor
Date: Monday, February 14, 2022 1:53:52 PM

Hi Michelle,

I was reading the article regarding airbnb's in Gig Harbor and I wanted to add my perspective. My mother-in-law lives in Heron's Key in Gig Harbor and we visit her for a week at Christmas, and if we can in the summer too, with family from California and Louisiana by renting an AirBnb nearby. It means the world to us to get everyone together under one roof and to be able to bring grandma over to the house to cook, play games and enjoy our company. Hoping we can continue!

Thanks!

Helen

15. Bienvenu 02.15.22

From: thorace@aol.com
To: [Michelle Thomas](#)
Subject: Short Term Rental Considerations
Date: Tuesday, February 15, 2022 12:56:39 PM
Attachments: [Short Term Rental Suggestions.docx](#)

Attached you will find my thoughts on this subject

Regards,
Tom Bienvenu

Comments Regarding Short Term Rentals in Gig Harbor, WA

Anyone offering their dwelling, in whole or in part, for short term occupancy should have that dwelling registered as such with the city. This registration should include the owner's contact information and who to contact in case of an issue or an emergency. The owner/contact person must respond to any issue within 8 hours.

The dwelling must meet and be maintained to all current local building and safety codes. Clearly stated emergency information should be posted: this can include signs indicating the location of fire extinguishers or emergency exits throughout the short-term rental unit.

Each dwelling must be rated as to the total number of occupants at any one time, maximum of two residents per bedroom is reasonable.

The property must be able to offer private, off-street parking sufficient to handle the number of occupants.

There should be a minimum rental period of 4 nights.

Renters must agree to all conditions that any resident needs to adhere to: proper parking, noise control, property upkeep.

Taxes:

The taxes levied should be as follows, with the owner being responsible for collecting the taxes from the renter and submitting this tax payment to the city or state.

There should be a Transient Occupancy Tax (TOT) for every rental as set by the city.

Tourism tax as set by the city.

Lodging tax as set by the city.

WA state sales tax as set by the state.

Thank you for considering my input.

Thomas Bienvenu
7021 Stanich Ave
GH
thorace@aol.com

16. Grijalva 02.15.22

From: [James Grijalva Jr](#)
To: [Michelle Thomas](#)
Subject: Regarding "AirBnB" rentals
Date: Tuesday, February 15, 2022 7:57:01 AM

Hello Michelle Thomas,

I moved back to Washington in September 2021 after living in Maine for the last 3 years. When my wife and I decided to move back to Washington and started researching potential locations to raise our young family we prioritized safety, public school system, the community 'culture', diversity, and easy access to state and national parks. My wife, a New Englander, and having lived in Maine, Boston, and New York City over the last 15 years we have enjoyed many vacations in New England towns that are flooded with 'AirBnBs'. I strongly caution giving serious consideration to the effect these 'short-term' rentals will have on a town/community. Just to comment on some of the things I have appreciated regarding towns with high proportions of 'AirBnB' rentals: they price out young families in an already competitive real estate market; they result in significant seasonal changes regarding local population and revenue; minimal property maintenance. If there is more demand for short term rentals in Gig Harbor, I would encourage looking into more regulated options including hotels and BnBs (where owners live on or adjacent to the rental property). This is just my personal opinion and I hope that it provides some insight in this matter.

Best Regards,

James Grijalva

17. Owens 02.15.22

From: [Owens-Chidester, Katie](#)
To: [Michelle Thomas](#)
Subject: Tax opposition for short-term rental
Date: Tuesday, February 15, 2022 11:35:09 AM

To Whom It May Concern,

I am writing this on behalf of the possible tax addition for short term rentals in Gig Harbor. I am in opposition for this tax increase and believe it will have negative long- and short-term effects for renters on an individual basis and on the local economy.

I am a resident of Gig Harbor who utilized a short-term rental as my house was being renovated secondary to a burst pipe causing massive water damage. I am a family of four; my husband and I with two young children. We stayed in a local short-term rental for approximately 3 months as our home underwent construction. Being able to stay local in a short-term rental allowed my family to continue working, keep our kids in daycare, prepare and cook meals, and to continue to make memories. None of this would be feasible if we had to stay in a hotel. Having a short-term rental was extremely beneficial for our situation. My extended family has utilized short-term rentals on several occasions while visiting Gig Harbor. They prefer options such as AirBnB and VRBO over hotels as they have young children, and these options provided a more family friendly environment. These family and friends bring income to the local community. They support small, local businesses such as restaurants, activities, farmers markets, and shops. Short-terms rentals draw income to the local economy while supporting residents. The tax addition will derail many short-term rental owners and will be a disservice to the community.

I hope you consider my personal experience and those alike.

Sincerely,

Katie Owens

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18. Russo 02.15.22

From: [Dan Russo](#)
To: [Michelle Thomas](#)
Subject: Short-term Rentals
Date: Tuesday, February 15, 2022 8:11:13 AM

Dear Ms. Thomas:

I would appreciate it if you would add the following to your public input in regards to short term rentals in Gig Harbor.

I am totally against short-term rentals in the R1 zone (particularly the "view basin") because of their impact on noise and traffic in an already congested area. Folks who use short-term rentals typically want to get the most out of them by filling the residence with as many people as possible. That means more vehicles than would occupy an owner-occupied residence or one under a long-term lease.

If banning short-term rentals is not possible, then some sort of "cap" would be my next best suggestion. In fairness to those who were planning on getting into this business in the future or waiting for a permit, perhaps some kind of yearly "lottery" for short-term rentals could be established.

Regardless of which way is decided, those operating short-term rentals should be subject to all the same taxes as those operating inns and hotels. And perhaps additional taxes should be levied for those rentals in the highly congested areas of R1, such as the view basin. And also, the city should get very aggressive about permitting requirements and fines for those who do not comply.

Thank you

Dan Russo
9404 Peacock Hill Ave
Gig Harbor, WA 98332
206-953-1735

19. Criddle 02.16.22

From: [Rachel Criddle](#)
To: [Michelle Thomas](#)
Subject: STR Moratorium
Date: Wednesday, February 16, 2022 9:00:57 PM
Attachments: [STR Letter. City of GH. FEB 22..pdf](#)

Ms. Thomas-

Please see my attached letter regarding my support for permitted operation of STRs in Gig Harbor.

Thank you,
Rachel Criddle

February 16, 2022

To whom it may concern:

Thank you for this opportunity to comment on Short Term Rentals (STR) in the City of Gig Harbor. I have lived in Gig Harbor my entire life and have witnessed the tremendous growth in this area. With proper permitting and oversight, I believe STRs are beneficial for tourism in our small town.

Not only am I a Gig Harborite, I also own STRs in other locations. I have one property in Long Beach, WA, and one in McCall, Idaho. Both of those locations have STR restrictions and a permitting process that I had to complete to legally operate my STRs. I recommend regulations regarding managing trash, parking, and noise. If an STR owner receives more than 3 complaints suspend their license. Require the owner to designate someone to be available to respond to emergencies within one hour. I do not think limiting STRs based on zoning is appropriate. Home owners' associations can restrict this in their neighborhoods if desired, but the city should not restrict this.

Overall, I believe STRs add value by offering tourists a way to quietly vacation with their family yet avoid crowded hotels. Additionally, our city would benefit from the lodging taxes that could be raised.

I urge you to consider lifting the moratorium and implementing a reasonable permitting process for STRs in Gig Harbor.

Sincerely,

Rachel Criddle

Cell: 253-225-4410

20. Imig 02.17.22

From: [Carolyn Allen](#)
To: [Michelle Thomas](#)
Cc: [Heather Imig](#)
Subject: Letter from Heather Imig/Short-Term Rentals/Planning Commission
Date: Thursday, February 17, 2022 10:33:06 PM

Hi Michelle,

Let me start by saying, when the Army relocated us here in 2017, we had 2 dogs, 1 baby and nowhere to go. We lived in the Inn at Gig Harbor for 2 weeks in a single room, until they kindly asked us to leave because we had 2 barking dogs and a screaming baby. So we were homeless, had to spend every dollar we had to live in an unfurnished apartment by the Best Western for a month while our house was pending. We slept on an air mattress, ate dinner on the floor and had to go to Ikea to buy all our cooking pans and utensils. That is unacceptable. We couldn't even find an airbnb to rent.

I live here and am a realtor in Gig Harbor, I represent so many buyers and sellers every year here. My husband and I now own short term rentals in Newberg, Oregon, Kalispell, Montana and soon to be Nashville, Tennessee and Myrtle Beach, SC. We were the proud owners of The Inn at Saltar's Point in Steilacoom, Wa. My husband is a Green Beret in the Army, and before I became a realtor I was home with my littles. Life was really rough on one single lower enlisted military salary. We literally had to put things on a credit card every month because we didn't have enough money every pay period. Many military people live paycheck to paycheck. I not only know this through my first hand experiences, but through my clients too. I see their financials and it's not easy. So we decided I would become a realtor so that we could start building our retirement fund. That's when we purchased the Inn at Saltar's Point. It was a bed and breakfast when we purchased it. While we were pending I called the town to ask if there were any restrictions on STRS, I was told no, so we purchased the home.

I worked very hard to list it and get it up and running again. I was there cleaning between each guest, landscaping, washing towels and sheets, and putting my blood sweat and tears into it. I was on call for the guests any time they needed something. We owned it for 3 1/2 years until the town told us we could no longer operate it. They created laws saying you could no longer own an STR unless you lived on the property. This home was never meant to be anything else. It has 3 units with 3 separate entrances. There was no way we could move into it with 2 kids and 2 dogs, we would have no guests left! We asked to be grandfathered in and the town ignored us and our emails. We had neighbors who, unbeknownst to us, got onto the zoom council calls, would talk about how great our place was and how their families stayed with us when they came to visit. The town still ignored them.

The only reason we can now own properties in other areas is because of that STR. It helped us get on our feet. I feel as though it should be brought to attention that people rely on these homes as sources of income to help create financial freedom. By restricting these people it will heavily affect their lives. Some people choose to put money in the stock market, or in crypto, we chose dirt and shelter, and we love the hospitality we have been able to provide to so many families who came to Steilacoom over the years. So many people have made beautiful memories with their loved ones in our home and for that we will be forever grateful. Many of our guests have become my clients, and have purchased homes here in the Harbor after visiting our home in Steilacoom.

My hope is that people in the Harbor can do as they wish with their home. It is their investment in their future.

Sincerely,
Heather Imig

21. Clevn 02.17.22

From: [Cheryl](#)
To: [Michelle Thomas](#)
Subject: input on short-term rentals
Date: Thursday, February 17, 2022 9:43:50 AM

Hello,

I am opposed to short-term rentals in Gig Harbor, particularly if the owners are not occupying the property throughout the rental period.

When owners rent out their entire property for short-term rentals, it leads to less homes available to be purchased by families who want to make Gig Harbor their home. As we saw with the introduction of House Bill 2870 and Senate Bill 5670, whose purpose was to increase available housing in cities, and with mandated Urban Growth Goals for cities, available housing across the state is limited. Although Gig Harbor has met its Growth Goals through 2030, by allowing properties in Gig Harbor to be used for short-term rentals is taking away from the available housing market. I view this as the opposite of what we want for Gig Harbor.

Additionally, allowing short-term rentals encourages out of town investors to buy Gig Harbor properties strictly as short-term rental property investments. Their only interest in Gig Harbor is the potential to profit off the short-term rentals. I personally know of a private investor in California who has purchased two homes in Gig Harbor for the sole purpose of turning them into short-term rentals. This again reduces inventory for families who want to move to Gig Harbor to become part of our community.

If the city council feels they need to move forward with allowing some type of short-term rentals in Gig Harbor, a compromise option is to require the property owner to be living in the house while renting out a portion of the house as a short-term rental. This way, the property is still being owned and occupied by a Gig Harbor resident who is part of our community. This also seems consistent with current R1 zoning regulations that allow property owners who are actually living in the house to rent out portions of their house.

Proponents to short-term rentals may say that allowing more short-term rentals will bring in more tourists to Gig Harbor. Although that might happen, what would be the cost to the city? We'd have more homes bought by investors, more homes managed by property managers rather than property owners, more regulations for the city to deal with, and potentially more complaints to the city from property owners next to the short-term rentals. All of this will change the look and feel of Gig Harbor as we know it today.

I am very opposed to allowing short-term rentals in Gig Harbor without the requirement that the property owner is actually living in the house while renting out a portion of the house. I do not believe short-term rentals of entire properties are good for Gig Harbor. It takes away from the available housing market, it brings in property owners who may not even live in Gig Harbor or Washington State and who have no interest in becoming part of our community other than whatever profit they can make on their short-term rentals. Allowing entire properties to be used as short-term rentals will also require a myriad of new regulations which will be difficult for existing city staff to enforce. I do not see allowing short-term rentals as a good for Gig Harbor.

Thank you for eliciting input from the community. I appreciate the city council taking the time to consider all the feedback they receive on this very important matter.

Cheryl Cleven
7019 Stanich Avenue
Gig Harbor, WA 98335
253-312-6970

22. Doherty 02.17.22

From: [katie](#)
To: [Michelle Thomas](#)
Subject: Short Term Rentals
Date: Thursday, February 17, 2022 6:21:58 PM

Good evening,

I would like to express my thoughts in regard to the Short Term Rentals conversation that the Planning Commission is discussing.

As a business owner in Gig Harbor my businesses are positively impacted by the short-term rentals that are available in Gig Harbor. We have seen guests from many short-term rentals at our businesses; including those guests that are staying for a short vacation, to those that are staying longer to judge if they want to move here and to those that made the move and are staying while they either find a permanent home or remodel the homes they found. Removing these from our city would be a detriment to our livelihood.

Gig Harbor does not have many places for lodging, especially downtown and it seems that having STR as an option is a win for many. Allowing out of town guests an opportunity to experience the magic of our town, providing income for residents, and allowing some residents that might have had to move the opportunity to find a way to afford the rising taxes from our growing city.

I read through the staff comments also and noted that there are 44 listings that the city found on current sights and that of those 44, one is properly permitted, and five are in the process. I would imagine that a developing a process that is relatively concise and "easy", that does not come with a price point barrier would be of utmost importance so that the potentially 38 other dwellings could become compliant and contribute to the City of Gig Harbor Lodging Tax. That is something that would reward the citizens of the city and the owners of the STR rentals since the monies from this tax helps events that draw more guests to the STR.

From reading the Staff Memorandum from Carl de Simas on January 21, 2022, it appears many cities in Washington State have already done the work to make STR work for both the cities and the owners. Many of those city's requirement seem to echo the information that the Gig Harbor Short-Term Rental Alliance is proposing. Perhaps a plan to work with the people most impacted by any changes would make sense.

I firmly believe we need to have STR in the City of Gig Harbor, but also agree that there needs to be some reasonable guidelines in place in regard to operating a business (because they are a business).

- Katie Doherty
Owner
Brix 25 Restaurant
NetShed no. 9 Restaurant
Brimstone PNW Restaurant

23. Janson 02.17.22

From: [Amy](#)
To: [Michelle Thomas](#)
Cc: [Amy Janson](#)
Subject: Short term rentals
Date: Thursday, February 17, 2022 7:26:53 PM

Dear Michelle,

I am writing this email in regard to the city's decision on short term rentals.

I personally know an owner of an Air B&B near downtown Gig Harbor. She is a widow who's husband passed 5 years ago. She has no means of income but for the income she steadily earns renting her stunning home.

She cleans houses as well but that income isn't enough to keep up with her monthly expenses. If she isn't able to rent her home, she does not know how she will make ends meet.

I have talked with her many times about the folks who rent her home. One story in particular grabbed my attention and bolstered my belief in the high value of short term rentals. My friend rented her home to a husband and wife who were in town so the wife could be fitted for a prosthetic foot.

They had appointments at the Hanger Clinic here in Gig Harbor which brings patients from all over the nation for their renown service. The couple then rented my friends' home once again a month later, when the prosthetic foot was complete, and she was able to obtain normalcy in her life once more.

My friend also rented to a business man who needed some quiet surroundings to work for a week. He was able to complete a work project and enjoy the beauty and amenities of Gig Harbor.

Furthermore, the people renting Air B&B's patronize local eateries and other businesses while they are here. This is a win for all as it benefits the city and business owners, thus increasing the value of having short term rentals.

Lastly from the experience I have in Real Estate, I can assure you there is a definite need for transitional housing for buyers and sellers. Many times clients will sell their home and need a place to stay until their new home is complete or until they decide on a pre owned home.

There are so many benefits to having Air B&Bs in our beautiful town, and so many folks for all reasons have been able to utilize these short term rentals. It would seem a step in the right direction in service to our community and humanity to allow these rentals to keep doing what they have been doing.

Thank you for your consideration.

Please feel free to contact me for any additional thoughts, or questions.

Sincerely,

Amy Janson
Keller Williams Realty/Gig Harbor
Your Neighborhood Specialist
Cell: 360.509.6847

Fax: 253.857.8700
amyjanson@kw.com

Ready to move? Get my @Homesnap app to access accurate, up-to-date real estate listings.
<https://www.homesnap.com/Amy-Janson>



24. Tangney 02.17.22

From: [Tara Hogan](#)
To: [Michelle Thomas](#)
Subject: STR
Date: Thursday, February 17, 2022 9:11:59 PM

To the city of Gig Harbor,

It is unimaginable what the small businesses down town have already endured do to the Covid 19 shut down. I also cannot imagine the small businesses wouldn't want the opportunity to grow and rebuild their businesses. A solution for not just the growth of these businesses but also keeping them afloat would be attracting more tourism. Isn't that what short term rentals are for... tourists and vacationers? To me, this seems like a silly issue to knit pick when STR's are something that would actually help our town generate revenue to bounce back from the devastation covid 19 is leaving us with.

Cons of short term rentals are hard to find. Parking, disturbances, and crime are all topics of discussion, however shouldn't be a problem for STR's in Gig Harbor.

Quiet hours already exist in the city of Gig Harbor and a police station and fire station right up the way. So I would hope if things did get rowdy or out of hand that one of our own would be able to go handle the situation.

When issues like parking come up, that is understandably a concern. However, as long as the parking is legal and safe, why is it something to be bothered with?

Questions like how does the city monitor the rentals also have come up... I once again have to wonder, why the city needs to monitor them as long as they aren't a public disturbance ?

Typically short term rentals are actually quite well maintained because they want to show curb appeal for their ratings. This should be something that the city of Gig Harbor takes into account vs houses that are privately owned having no standards to be held to.

Hosts can also set rules of their own regarding noise levels, parties, and number of visitors at a time. This once again is something that privately owned homes and neighbors cannot do. If the actual tenants are a problem the short term rental tenants can be asked to leave. It is already quite hard to evict long term renters and now with covid impacting such things it is even harder to get bad tenants out. The opportunity if the problem arose to remove STR tenants would be a fairly quick problem to solve.

Our sleepy little fishing town simply needs things like short term rentals to help keep businesses afloat. Please look at all of the details besides here say and a few squeaky wheels.

Sincerely,

Tara Tangney

25. Tomlinson 02.17.22

From: [Tom G Tomlinson](#)
To: [Michelle Thomas](#)
Subject: Short term rental comments
Date: Thursday, February 17, 2022 2:52:48 PM

We live at the top of the hill less than a ¼ mile from city hall. Yes, I would love for the city to not allow any short term rentals but realize that this is difficult to police, and to cart blanche limit private property seems unfair. So here are my proposed rules to enact.

ANNUAL REGISTRATION All homes being used for short term rental must be registered yearly with the city, with penalties for not complying. This short term rental must have a registration number, appear in their online advertisement. This allows for local people to enforce this listing.

SPECIFIC NUMBER OF RENTERS ALLOWED This quantity would be recorded on the annual city registration for when larger numbers of people are seen on the property for various types of parties, etc. It also helps with the potential of parking problems. In talking with property managers of short term rentals, they stated that one of the biggest problems they face is having renters bring in more people than is stated in the listing. This puts a strain on parking, noise limits, sewer, water, etc.

TAXes to match what current local hotels pay. This is only right and fair that short term rentals also carry this requirement by the state and city. As below is what the 3 hotels are required to collect.

Tourism promotion area tax 50 cents per night

Lodging tax by City of GH 4.6 percent of each nights stay

State sales tax of 8.8% of the daily rate

OFF STREET PARKING A minimum number of dedicated stalls to ensure no great impact to the neighbors or local businesses.

PROPERTY OWNER AVAILABILITY While having the owner living on site would be great, it could be unrealistic. However, to specify the owner must live in the city limits or within a given distance would provide a better response to problems when they do arise.

CENTRAL CONTACT at the city rather than have multiple departments determine enforcement. This keeps all complaints in a single location for the annual renewal. Such as multiple noise complaints or other problems.

QUIET HOURS AND/OR NOISE RESTRICTIONS Loud parties should not be allowed. Existing neighbors moved into a quiet neighborhood and loud parties (day or night) are a disservice to the neighbors. In a neighborhood with short term rentals, loud parties are a possibility over and over again.

MINIMUM NUMBER ONE WEEK STAY by specifying no one night party rentals again this will help with the off street parking requirements too.

CURRENT ZONING REGULATIONS SHOULD STAY ENFORCED For example, if a 3-bedroom property is zoned R1, then it should be rented as one unit and not parsed into 3 separate listings each for one bedroom of a house.

PENALTIES with teeth, for not following the proposed laws.

Final question is will the city look at adjoining areas such as Tacoma, Port Orchard, Bremerton, Seattle to see that we are stricter or the same to maintain a small town feel. Also I understand from a google search some major cities such as New York City and the Oregon coast towns have limitations and rules so mimicking them might be easy and constitutional.

Tom Tomlinson
206 550 2604

26. Peterson 02.18.22

From: [DENISE PETERSON](#)
To: [Michelle Thomas](#)
Subject: Short Term Rentals in Gig Harbor
Date: Friday, February 18, 2022 9:07:21 AM
Importance: High

Pertinent Facts:

1. The City of Gig harbor thrives on tourism and the income generated by Airbnb tourists.
2. Airbnb collects and remit to the City of Gig Harbor associated taxes on behalf of the hosts, making it more convenient for the city and host.
3. Many cities have found ways to responsibly unlock the opportunities of homesharing.
4. Online tools used by Airbnb make homesharing more transparent and accessible than ever before. Authentic reviews, payments protections, and trust and safety tools provide peace of mind. While specific permitting and registry may have made sense for a full-time commercial bed and breakfast business, most hosts on Airbnb simply sharing their home in which they live in on a part time basis and regulations should reflect the substantial differences in these activities.

Airbnb offers people an easy, relatively stress-free way to vacation. It has more character since each rental is unique, private and is homier than hotels. They offer a plethora of accommodation options. Hotels do not.

It is a great platform to book travel accommodations tailored to your specific wants and needs. It is many times even cheaper than popular hotels.

These vacation rentals include more space, better amenities, kitchens, lower cost, a washer & dryer, and much more.

Having control over your space is a much more pleasant experience than the anonymity of a hotel. It is a more personalized stay.

Tourism is a lifeline for many of the small businesses here in the Harbor.

Please consider the impact restrictions will have on both the hosts, small businesses and the tax loss to the City of Gig Harbor.

Respectfully,
Denise

27. Nilsen 02.18.22

From: [Dolores Nilsen](#)
To: [Michelle Thomas](#)
Subject: Airbnb
Date: Friday, February 18, 2022 10:05:31 AM

The zoning for Airbnb should only be allowed in commercial area's and they should be licensed, not in residential areas.

They should be in homes with owners living in them.

What happens if the owners hire a management company to manage this business, they have no concern about neighbors.

thank you for allowing the citizens input, I am a very concerned citizen and believe this could get out of hand.

Dolores Nilsen

Sent from my iPad

28. Owens 02.18.22

From: [Marcia Owens](#)
To: [Michelle Thomas](#)
Subject: GH short term rental
Date: Friday, February 18, 2022 10:18:43 AM

To Whom it May Concern,

I am in opposition of the new tax law being proposed for short-term rentals in Gig Harbor, Wa. I am the owner of a property in Gig Harbor that initially was built for a personal home but was immediately turned into an AirBnB. I lost my husband and financially was forced to sell my home and start over from the equity earned. Unfortunately, after my build was complete I was unable to financially reside in my new residence and I used my home as an AirBnB for a source of income. I continue to stay with a friend and I am completely dependent on my AirBnB income to maintain afloat. Often my income from my AirBnB is not adequate to cover the costs of living. I am an independent professional cleaner and work diligently in hopes to return to my home as my primary residence.

AirBnB was a new concept for me initially but I have quickly learned how beneficial short-term rentals are to the local community and economy. I have hosted people from all backgrounds, individuals, families, locals, and professionals. Gig Harbor is a desirable travel destination and attracts people nationwide. These guests contribute to small, local businesses. Short-term rentals offer amenities that hotels do not; otherwise, these guests would not consider to travel to Gig Harbor. I have hosted frontline workers that offer their services to our local hospital that serves our community. Locals host events and their guests are provided a home rather than a hotel room. Some of my guests are seeking specialized services offered only at St. Anthonies and my home presents a serene space to heal. Local families have sought short-term residence as they undergo homestead tragedies. These guests are able to stay local, continue working, and keep their kids in school as their homes are renovated. My home has hosted those who are seeking Gig Harbor as a place to call home. These guests are able to experience Gig Harbor and all that it has to offer before they purchase or build.

My home was built with love and I choose wisely those I allow to stay. I have not had any problems with any of my guests and I frequently check in with my neighbors to ensure that my space is not a nuisance. I have only had positive feedback.

As mentioned above I am dependent on my AirBnB financially. Adding additional taxes has the potential to make this necessary source of income impossible. I strongly believe that short-term rentals have been and will continue to be a benefit to the local community and economy.

Sincerely,

Marcia Owens

29. Malich 02.18.22

From: [Ken Malich](#)
To: [Michelle Thomas](#)
Subject: Short Term Rental
Date: Friday, February 18, 2022 11:36:51 AM

To the Planning Commission:

- The idea that there are 44 unregistered short-term rentals shows the city needs to due diligence in collecting taxes to support LTAC. People created a short-term rental without supporting the needs of our community. The effect on the small hotels could be devastating by taking away customers the hotels would have. More short-term rentals puts pressure on the city to provide more services to visitors and not residents. Perhaps, the question should be: do you represent residents or properties?
- It's disturbing to me that our small city is becoming a transient place to live. Though you are discussing VRBO or AIRBNB style of housing, there are consequences with each decision made. A rental implies a temporary interest in the town. How many residents who permanently live here will have a say in our community if more and more housing units become short term rentals. It makes the city out of balance. I do not want to see Gig Harbor become an Arizona style snowbird city. Does it become heavily populated in the summer and empty in the winter? Even long-term rentals influence our town. How many rentals are there compared to residents?
- In my neighborhood where I was born and raised, there aren't many residents who were here when I was a child. People sell out and new owners move in. Now, it's to the point where knowing a neighbor means nothing because once they build or buy, they're looking for another place. Permanent neighborhoods stabilize a small community. We have many people who wish to live and raise their families here. We should keep this to the best of our ability.

As I have heard, some cities in California have banned these types of rentals. I heard they require a minimum of 30 days to rent. Why not limit the total number of short-term rentals? Better yet, there will always be short terms in the county, do we need it in the town? Ban them.

Please note my remarks to the Hearing Examiner. It hasn't been changed.

Best Regards,
Ken Malich
3515 Ross Ave
Gig Harbor, 98332
253-851-5257
253-312-9607

From: Ken Malich <ken1barb@harbornet.com>
Sent: Wednesday, October 6, 2021 12:13 PM
To: 'candrews@gigharborwa.gov' <candrews@gigharborwa.gov>
Cc: 'jhammar@gigharborwa.gov' <jhammar@gigharborwa.gov>
Subject: Permit Number PL-CUP-21-0002

I do not believe the applicants are residents of the property being reviewed by the Hearing Examiner (HE). I would rather see the actual resident address listed in the permit application. They do not live in the neighborhood. Where do they live? Are they going to live at 3505 Ross Avenue? Ross Avenue is a close and quiet community with permanent residents or long-term renters.

Our neighborhood, Millville, reaches from Harborview to Rosedale to Stinson. The original plat is smaller. For years, it has been a place for residents, not business. A VRBO (vacation rentals by owner) is a national business. Any owner who doesn't reside on the property is creating a business under VRBO's umbrella. Millville has held a zone for years and did not allow businesses to be established within Millville. Waterfront Millville near the bay has allowed a mixture of businesses and residences. We need to protect the residential nature of the neighborhood. At one time, my next-door neighbor turned his house into an office. The city had to put a stop to this because it turned a residence into a business. Houses need to stay as someone's home.

At least the requirement for temporary rentals should only be allowed if the actual property owner lives at the property of concern.

Another issue includes parking and the number of temporary residents. Ross Avenue is full of driveways and limited parking. The property cannot accommodate four vehicles that potentially would be needed for four couples. Eight single renters would make the street parking worse. Plus, revelers may disturb the peace of the neighborhood.

Please include me in any resolution by the HE by email, as well as keep me posted.

.

Best Regards,
Ken
Malich

3515 Ross Ave
Gig Harbor, 98332
253-851-5257
253-312-9607

30. Allen 02.18.22

From: [Carolyn Allen](#)
To: [Michelle Thomas](#)
Subject: STR Letter and Responses to GH Planning Commission
Date: Friday, February 18, 2022 12:09:30 PM
Attachments: [Gig Harbor Planning Commission Questions Carolyn.odt](#)

Michelle,

Attached is my submission regarding Short-Term Rentals for the Planning Commission.

Thank you for your assistance in its delivery.

Carolyn Allen

2/17/2022

City of Gig Harbor Planning and Zoning/Planning Commission

Attn: Michelle Thomas

RE: Short Term Rental Moratorium and Regulations

I am a lifelong resident of Gig Harbor, and one of the leaders of the Gig Harbor Short-Term Rental Alliance. My family and I have a 35+ year history of living in our primary homes and leasing long-term rentals within the city.

I have an interest in possibly converting one of my properties from a long-term rental to a short-term rental, but most importantly, I want reasonable Short-Term rental rules and regulations approved, and the rights of property owners acknowledged in Gig Harbor. I am also looking ahead to the next generation for rights as property owners so they are financially able to fund improvements, maintain their properties, and afford property taxes that continue to rise. What short-term rental ownership also does allow is for retirees to age in place.

The city of Gig Harbor is an extremely desirable place to live. It is unfortunate it has become a non-affordable housing area, but the facts support it is not within affordable housing parameters. The property values and real estate market supply us with that data. Short-Term Rentals do not in any way correlate with property values and affordable housing.

Many people use short-term rentals while their homes are being built in the Gig Harbor area, or come stay a few days to try out our city as an option before deciding to make Gig Harbor their home. Medical personnel use short-term rentals while they are on short assignments in our area, and it almost goes without mentioning, STRs support downtown business owners, whom many I've visited with face to face these past two weeks. At present, most are in survival mode from the pandemic. Short-Term rentals within the city allow for a single car guest(s), within walking distance, to enjoy what our downtown has to offer. City revenue is paid through the State Department of Revenue, which originates with online rental platforms that collect the taxes upfront for each customer then forward to the state. Our City lodging tax revenue supports positive projects and cultural enrichment events for our community.

I have observed two short-term rentals within my Millville neighborhood, just next door and a few doors down, for the past several years and have no complaints. The majority of the time, it is not apparent if a guest is present. When a public records search was done last year, there were zero recorded complaints with the City regarding short-term rentals. In addition, I did not know the two permitted and running short-term rentals on Ross Avenue existed, until discussions began regarding the Emergency 6 Month Moratorium for new applications. I travel Ross Avenue often, and again, it has never been apparent that a guest(s) were present. I have heard of no noise complaints or parking complaints from my neighbors.

I've mentioned many of the benefits of Short-Term Rentals in the City of Gig Harbor. What is missing is an organized, reasonable permitting process, with fair regulations. This is what GHSTRA has set out to help the City successfully accomplish. After studying over 200 Washington State cities, we found components from several that are fair to the community, business owners, and the short-term rental owners, then combined them to best suit our city.

Please refer to our GHSTRA Regulations Proposal for our combined work.

My feedback on the questions from the Gig Harbor Planning Commission:

- Should short-term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?

Short-Term Rentals that are owner-occupied already have met the requirements for their insurance carrier and coverage. Non-owner Short-Term Rentals should have the same basic life/safety standards that are present in owner-occupied rentals.

- What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise, and other impacts on the surrounding neighborhood?

Please refer to the GHSTRA Proposed Regulations document.

- Should short term rentals be limited to certain zones? If so, which zones are appropriate?

Please refer to the GHSTRA Proposed Regulations document.

- Should short term rentals be allowed as a conditional use or a permitted use.

Permitted. Please refer to the GHSTRA Proposed Regulations document for more details.

- How will the City monitor and regulate new and existing short-term rentals?

The City should monitor the short-term rentals according to regulations established. The actual “How” needs to be the City’s decision in regards to the area of compliance.

- Should the City impose a registration process for short term rental with annual renewals.

A registration process—yes. Annual renewals would most likely be reasonable if the annual fee is not exorbitant.

- Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?

No, and no. As long as the regulations specify that an owner or secondary contact is available, and regulations are adhered to, there is no reason to require owner occupancy. Past practice for the existing short-term rentals within our city that are not owner occupied have proven to have caused zero disturbance or issues.

I would look to the law to see if one can require a short-term rental owner to live within the city limits, or a certain distance from the short-term rental. Life changes. Even if the requirement was legal, it would be problematic to require an owner to live within an established distance. The same applies for long-term rentals—owners required to live within a certain distance of a long-term rental is not a requirement in our city. A long-term owner that has a less than optimal tenant and lives in another state can have a greater hindrance on a neighborhood. Even with long-term owners that live within a short distance of their long-term rentals, evictions pose a definite challenge, which short-term rentals do not.

- Should short-term rentals be allowed in accessory apartments?

Yes. What logical rationale would make these dwellings not allowed? As long as they fulfill the established, permitting and reasonable requirements, they should be allowed.

- Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?

No. As long as the regulations established are adhered to, there is no logical reasoning for such limitation. Our businesses need support 365 days a year. So do the homeowners that are aging in place.

- Should the City limit the number of rooms that can be rented?

Our GHSTRA Regulations Proposal includes specifications which cover this item.

- What should the permitting process look like?

Registration, health and safety inspection, emergency contacts, and a signed commitment of adherent to the established regulations. (Please refer to our GHSTRA Regulations Proposal for more details).

- Are there other comparable jurisdictions with short-term rental regulations?

Yes, there are some cities and towns with working short-term rental regulations in our state. We believe we combined the best regulations from several and adapted them to our city. Every city has it's own business district needs, traffic and parking needs, and of course seasonal draws.

In closing, I want to thank you all for your leadership and support for our city and our future. I know you're volunteers and your time is valuable. It makes me even more appreciative of the service you provide for our community. I am looking forward to your recommendations and know they will be based on facts and data rather than the emotion we sometimes find overwhelms topics like this.

Thank you for allowing public input. Please reach out if you would like further clarification or discussion on either my personal feedback or our GHSTRA Regulations Proposal.

Carolyn S. Allen
3526 Harborview Drive, Gig Harbor, WA 98332
253.222.6576

cdsunharbor@yahoo.com

31. Stiefel 02.18.22

From: [Justin Stiefel](#)
To: [Michelle Thomas](#); [Carl de Simas](#); [Laura Pettitt](#)
Subject: public comment on Short Term Rentals
Date: Friday, February 18, 2022 3:59:16 PM
Attachments: [STR letter to Planning Commission 2.18.2022.pdf](#)

Hello Carl, Michelle and Laura

Please find attached my public comments on the Short Term Rental topic.

Thank you

Justin Stiefel
CEO & Co-Founder
Heritage Distilling CO.

HERITAGE[®]

DISTILLING CO

February 18, 2022

To the City of Gig Harbor Planning Commission and Appropriate City Staff

Re: Reponse to Request for Public Comment on Short Term Rental Rules and Regulations

My name is Justin Stiefel, and I am CEO of Heritage Distilling Company, proudly headquartered in Gig Harbor, Washington. I reside at 11884 Arrowhead Drive, inside the city limits of Gig Harbor. I am a city resident and a voter. I am also an attorney licensed to practice law in Washington, Alaska and Washington, DC. My comments below are made through multiple lenses: as a homeowner in the city, a parent of three kids going to school in this school district, a voter, a business owner and an attorney. I provide these comments not with any emotional connection to the topic, but rather based on the facts and the law. I do NOT own any properties that are being used as an STR, nor to I plan to own or operate any STR property in the city.

Our company employees 140 people, most of them in the Gig Harbor area. We are strong supporters of growing a vibrant and diversified economic base in Gig Harbor, and we want to make sure Gig Harbor remains an open and welcoming community.

We feel very strongly that Short Terms Rentals (STRs) of the type most commonly associated with Airbnb, VRBO, etc, are critically important to supporting a strong tourist and visitor industry. Any rules to be put in place regarding STRs within city limits should recognize the value they bring to the community and our economy, and any rules that eventually get put in place should be reasoned and structured such that they do not discourage these modern types of short-term accommodations.

Rules for SRTs should be structured to meet the following goals:

- Equality of treatment of all homeowners who rent their homes as an STR, regardless of where the home is inside city limits;
- Equality of treatment for homeowners who rent their homes as an STR, regardless of where they personally live or reside;
- Protection of the interest of neighbors near STRs to protect their property and the enjoyment of the use of their homes, to include reasonable protections for street parking, noise complaints, required maintenance and upkeep, etc.;
- Collection of appropriate taxes for the city;
- Ensure the city has modern and affordable options for visitors, tourists and short-term temporary employees on assignment;

Heritage Distilling Company
9668 Bujacich Rd.
Gig Harbor, WA 98332
www.heritagedistilling.com

- Support a dynamic visitor industry that advertises to the world we are and will remain an open and welcoming community;
- Recognizes that for downtown businesses, shop, restaurants and other small businesses to be successful, the community must be open to accommodating the needs of tourists, visitors, shoppers and patrons; and
- Follow the law so that the city, and by extension, the taxpayers, do not get sued.

The city staff posted an initial series of questions on this topic for the Planning Commission. I have copied that list of questions below, and am inserting my own responses to those same questions for your consideration.

- ***Question: Should short term rentals be compliant with life/safety standards commonly applied to other types of lodging establishments?***

STRs are by their nature individual unit dwellings that can go back and forth between being rented out on a short-term basis or being used as a long term rented home or an owner-occupied home. No additional commercial life/safety requirements should be required beyond that of any other home in the city. To thrust extra commercial costs on home owners for extra life/safety needs (ie fire sprinkler system install, etc) would just be a backdoor administrative way of killing STRs. To avoid litigation against the city accusing it of making an arbitrary and capricious decision, any rules requiring extra life/safety measures must meet a very high hurdle and must demonstrate they are actually needed. This would be difficult to require an STR to install extra and costly life/safety measures when a similarly situated home next door does not carry such required costs by the city.

Reasonable, focused and cost-effective life/safety items, such as the following could be considered and should be accepted by home owners as reasonable risk mitigating standards:

- 1) Active fire extinguishers on every floor and as reasonably required by the Fire Marshall, including annual inspections of such fire extinguishers;
- 2) Active smoke and carbon monoxide detectors, as reasonably required by the Fire Marshall (this is usually required when a house is built, bought or sold in Washington anyway);
- 3) Reasonable EXIT signs inside the dwelling;
- 4) An emergency exit map, posted in a conspicuous place and in every bedroom, similar to what hotels are required to post;
- 5) A posted list of local emergency phone numbers and contacts for 911, fire, police, etc.

- ***Question: What mitigating zoning regulations should be applied to short term rentals for traffic, parking, noise and other impacts on the surrounding neighborhood?***

Homes already built inside city limits carry with them either existing parking (driveways, garages, etc) or they have pre-allowed or assumed street parking. To require extra parking for an STR beyond what is required of any other home in the city would add an extra burden and seem arbitrary and capricious. An extra burden to demonstrate specialized parking beyond what the home would normally need if it were not an STR will likely be viewed as another backdoor administrative attempt to make STRs harder to permit. This is ill-advised. I would also note, the city does not currently enforce any parking rules other than cars parked illegally. Why is this now going to be an extra burden put only on STRs?

Likewise, single family homes are already calculated in the traffic counts. STRs don't do anything to add to traffic beyond normal home activity. Noise complaints should follow the current city rules.

- ***Question: Should the City be collecting lodging and sales taxes on short term rental stays?***

Yes. My understanding is that STRs and STR management site are already required to register with the state of Washington, and all 3rd party sites, such as Airbnb, VRBO, already charge and collect the tax from the tenants, and that such taxes are already collected and remitted to the city. If the city is considering an extra STR lodging tax that would not be objectionable, so long as it is reasonable and not designed to simply make STR renting harder.

To assist the city in making sure the proper taxes are charged, collected and remitted, one rule could require that any permitted STR must use a registered 3rd party site that charges, collects and remits the appropriate tax through the state to the city. This will ensure a higher level of compliance and tax collection with minimal city staff time.

- ***Question: Should short term rentals be limited to certain zones? If so, which zones are appropriate?***

No, the city does not have the right to treat similarly situation property owners inside city limits differently. Any action the city takes as it relates to potentially limiting a property owner's right to use their property must meet high constitutional standards. The city cannot pick winners and losers between property owners, or limit in one part of the city but not another. All of those actions would violate the Washington State Constitution's prohibition on special privileges or immunities for individuals, and the United States Constitution's Privilege and Immunities Clause in Article IV and the equal protect afforded under the 14th Amendment.

Article 1 Section 12 of the Washington State Constitution states:

No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.

The Washington State Supreme Court has ruled that Article 1, Section is substantially equivalent to the Equal Protection Clause of the U.S. Constitution. See *State v. Huse* (1936). If the city allows one property owner to permit and operate an STR, they must allow all property owners to permit and operate their own STRs. You cannot give one person in the city a special right that you do not afford to other citizens. This is a basic underlying principal of the privileges and immunities provision of the state constitution. The city cannot possibly come up with a public safety justification that would allow it to overcome the very high constitutional hurdle that would be required to overcome a constitution challenge to a prohibition or the singling out of individual property owners. Operating a STR is not the same as a liquor store or marijuana shop in terms of protecting the public interest. Since the city has already permitted at least one STR in the city limits, it has no choice but to open it up for others.

For nearly a century, the U.S. Supreme Court has consistently treated property as a fundamental right, forbidding the government from imposing arbitrary or irrational restrictions on its use. See *Village of Euclid v. Ambler Realty Co.* (1926). Limiting the ability of a property owner to run a STR will create significant challenges and incur significant legal costs if property owners seeking the right to permit an STR decide to sue the city.

- ***Question: Should short term rentals be allowed as a conditional use or a permitted use?***

They should be a permitted use. If the rules are drafted properly and clearly, and assuming the city wants to treat all property owners equally, as is the city's obligation, then there is no need to go through the extra time and expense of a Conditional Use evaluation process. The need for a Conditional Use analysis is only needed when the question of whether or not something is appropriate is up for debate. While some homeowners want to argue that STRs are not "appropriate" for their special street or neighborhood, that is an emotional argument, not a legal argument. A Conditional Use analysis is a legal review process and emotion has no place. The city should draft the rules for STRs to actually avoid the need for a Conditional Use analysis.

- ***Question: How will the City monitor and regulate new and existing short-term rentals?***

It is not possible for any government entity to insure with absolute certitude 100 percent compliance at all times for all activities. The best you can hope for is to put clear and reasonable rules in place and then clear and reasonable penalties for bad actors. The more straightforward and simple you make the rules the higher rate of compliance you will have, with less room for frivolous or subjective complaints.

I propose the following to insure a high level of compliance:

1) Require all STRs to use a 3rd party site that is registered with the state of Washington (ie Airbnb, VRBO, to insure proper registration, tax collection and remittance). These 3rd party entities (Airbnb, etc) are all focused on customer service, safety and other factors. They do not want bad homeowners or bad actors in their properties giving their brand a bad name or generating complaints. Forcing homeowners with STRs to agree to abide by the 3rd party companies' extra codes of conduct will help ensure daily compliance.

2) Provide a safe-harbor for existing STR home owners to seek and secure operational permits from the city once the final rules are in place;

3) Create escalating penalties for homeowners who do not register, get a permit or follow rules:

a) first offense – written warning

b) 2nd offense - \$100 fine

c) third offense - \$500 fine

d) fourth offense – \$1,000 fine and suspension of permit for 5 days

e) fifth offense – \$2,500 fine and suspension of permit for 30 days

f) sixth offense – \$5,000 fine and suspension of permit for 6 months

g) seventh offense – \$10,000 fine and suspension of permit for 1 year

h) eighth offense – permanent ban of property from an STR permit so long as that homeowner owns that property.

Homeowners who fail to properly register at all should automatically be subject to the third offense and escalating bans on their ability to seek a permit, starting with a 30-day delay, and an eventual 6-month, 1 year and permanent ban if they continue to operate without a permit. Daily fines should be imposed as well.

Homeowners who fail to follow basic life/safety requirements should have their permits suspended until the deficiencies are fixed.

Homeowners who fail to pay fines should have the fines attached to the properties in the form of a lien to ensure ultimate compliance.

Homeowners who persist in operating without permits should ultimately face the same civil or criminal penalties the city would apply against any other homeowner or property owner in the city who becomes a nuisance.

The same penalties could be applied for repeated complaints of noise, unruly tenants, dangerous conditions, too many tenants, illegal parking, etc.

- ***Question: Should the City impose a registration process for short term rentals with annual renewals?***

Yes, ensure annual registrations are in effect with 3rd party entities (Airbnb, etc), ensure all taxes have been collected and remitted, and ensure the minimal life/safety requirements are up to date (ie fire extinguishers, smoke detectors etc). In addition, repeated bad actors for repeated violations could be subject to extra scrutiny to ensure compliance upon renewal.

Some of the annual reviews could be performed by 3rd party contractors that do the physical inspection for the homeowner and deliver that certification to the city to avoid taxing city resources and staff time.

- ***Question: Should short-term rentals be owner occupied? Alternatively, should the owner live within the City limits, or a certain distance from the short-term rental unit?***

No. Requiring a property to be owner occupied, or to live within a certain distance of the STR puts an undue burden on the homeowner and treats similarly situation properties differently. The State Supreme Court ruled in *State v. Vance* (1902) that the Privileges and Immunities Clause of Article IV, not just the Equal Protection of the 14th Amendment, prohibits a state from discriminating against out-of-state citizens, particularly in instance involving one's livelihood. In this way, the city cannot enact a rule that requires a live-in resident on the property to run an STR, or to have someone be a citizen of the city, or to live within a certain distance of the STR property. All of those actions would discriminate against a property owner who resides outside the city limits, for example in Pierce County, or a property owner who lives in another state. Federal case law suggests the U.S. Supreme Court interprets "privileges and immunities to include constitutional rights as well as rights or actions related to livelihood". (See Erwin Chemerinsky, *Constitutional Law: Principals and Policies* (2006). An owner operating an STR does it to generate income, which by definition is part of their livelihood. Limiting this with an arbitrary ban on operating an STR, or discriminating against non-city residents or citizens of other states who own an STR inside the city limits, violates this protection.

Besides the legal argument against any requirement than an owner must live on the property, the idea of having an owner live in the same house being rented as a STR is just weird. I would not want to rent an STR for a romantic weekend and have the homeowner there with me. Even the suggestion of that should make ordinary people feel "creepy" to use a kind word. These are not "Bed and Breakfast" locations.

- ***Question: Should short-term rentals be allowed in accessory apartments (ADUs)?***

Yes, why is this even a question? The answer to this seems obvious.

- ***Question: Should the City set a limit on the number of calendar days a unit can be rented as a short-term rental?***

No, if someone is renting their home out as a business as an STR then it should be available year-round if the home owner chooses. The reality is these things are seasonal, it is doubtful that any unit would be fully rented even if they were offered year-round.

- ***Question: Should the City limit the number of rooms that can be rented?***

No, the maximum allowed rooms should be the permitted number of rooms that are in the home. Renters should not be able to add additional space, such as pull-out couches in living rooms. The rules could set a maximum of 2 people per permitted room.

The following are additional considerations not posted in the public announcement that I now propose for consideration:

The city should consider setting a restriction on the number of STR units a person or entity can have permitted inside the city limits at any one time. A reasonable number would be no more than 2 homes owned by a person, couple or entity. This will avoid the fear of Wall Street firms and Venture Capital groups buying property solely for the purposes of turning them into STRs. A single permit could encompass a main home and an ADR unit on the same property under one permit.

The rules should be drafted as follows:

- Homes eligible for permitting must be owned by a natural person, or if held by a family limited liability company, then no more than 5 members may be part of the LLC. This will allow multi-generational families to own the property through a legal construct.

- Rules for how homes owned by family trusts need to be examined to avoid the use of those vehicles to get around ownership rules beyond the proposed 2 home cap.

- No homes may be owned by a publicly traded company, SPAC, registered investment fund or similar entity.

- Commonality of ownership across multiple properties should be examined so that if more than 2 members of an LLC have commonality of ownership with other LLCs, then in the aggregate they get calculated together such that the 2-home permit cap applies across the entire common control group.

- Before the city can create or adopt final rules it must undertake a thorough, exhaustive and definitive review of exactly how many STRs are actually in operation, or at least a more statistically relevant determination. Creating rules without this actual data, not rumors, conjecture or anecdotal stories could open the city's final rules up to attack for being arbitrary and being based on incomplete information.

- I would also encourage the city, and this new administration, to undertake the creation and adoption of final rules to minimize to the greatest extents possible the risk of litigation against the city by home owners who want to operate STRs, but whose property rights would be violated by restrictions that are arbitrary or too strict beyond reason. It would be nice to get through a four-year mayoral term without the city being sued for final actions taken by the city council.

Finally, I think it is important to keep in context the idea of who would use STRs, both as a homeowner and as a tenant. I have neighbors who serve in the military. They love this town, but they could be deployed for 6-, 9- or 12-month assignments, and they may not want to sell their home. They may also not want to have to secure a longer-term lease tenant, for a few reasons. One is the precedent of the eviction moratorium put in place during COVID-19. Another is the risk of having a bad renter in the home. For them, having the option to rent their home as an STR could be the best option.

Likewise, retirees who leave for the winter, of which there are many in Gig Harbor, might want to generate income by renting their home on a STR basis for a few months at time.

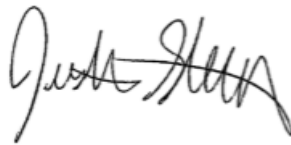
On the renter side we are not a “party town”. We do not attract wild and crazy groups, bachelor parties, etc. People who want that kind of action go to Chelan, Seattle, Bellevue, Las Vegas, Lake Tahoe, etc. Most business and restaurants in Gig Harbor close early – believe me, we are in this industry and this town closes down early. Likewise, traveling nurses on the road for 30-day assignments find STRs a better and cheaper option than traditional hotels.

The city should recognize the above realities and embrace them.

As always, it is important that the city undertake this without emotion, based on facts, and in a way that promotes our open and welcoming community and supports businesses and homeowners. Visitors and tourists are an important part of our economy, and in today’s modern era they are looking for different options for short term accommodations. We should recognize this, embrace it, and make the rules allowing it clear, straightforward, fair and manageable.

Thank you for taking my comments into account.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Stiefel". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Justin Stiefel
CEO & Co-Founder
Heritage Distilling Co.
& Gig Harbor City Resident

32. Valdez 02.18.22

From: [Jeri Valdez](#)
To: [Michelle Thomas](#)
Subject: Short term rentals
Date: Friday, February 18, 2022 6:35:36 PM

Should be limited to a very small percentage of units with maximum lengths in place.
This would protect our community and also bring new attention to the area.

Jeri L Valdez
Gig Harbor WA 98332

Sent from my iPhone

33. Peterson 02.18.22

From: [Ginelle Peterson](#)
To: [Michelle Thomas](#)
Subject: In Favor Of Airbnb Rentals
Date: Friday, February 18, 2022 6:53:13 PM
Attachments: [image001.png](#)

Hello,

I want to first say thank you for including residents as part of the decision making on Airbnb short term rentals. Some of my family members live in Gig Harbor, and using Airbnb is vital to allow me to continue visiting them.

I don't feel comfortable in hotels. I need my own kitchen, space, work area, etc. I value privacy and additional space to allow me to continue to do my job while visiting. When I have gotten airBnbs before, I have brought along my close friends to visit with me where we spend our time in downtown harbor, eating at restaurants, visiting the wine bar or brewery, and enjoying the small shops. I never stay at hotels and I never would, so I hope we can continue to allow this.

Thank you and do reach out if you would like any additional information!



Ginelle Peterson | Solutions Manager
email: ginelle.peterson@icertis.com
mobile: +253. 514. 0111
www.icertis.com

34. Peterson 02.18.22

From: [Anelisse Peterson](#)
To: [Michelle Thomas](#)
Subject: Short Term Rental: Resident Comment
Date: Friday, February 18, 2022 7:59:51 PM

Hi Michelle,

My name is Anelisse Peterson and I'm writing to express my support for short term rentals in Gig Harbor, and for the prompt end of the moratorium.

Simply put: short term rentals are essential for the long-term health and vitality of our community, and to limit their presence is to cast a vote against the best interests of Gig Harbor. It is no secret that even prior to Covid, our downtown area was kept alive by tourism - over the past two years, Covid and the lack of outsider engagement has forced longstanding downtown icons like Kelly's to shutter their doors. Our current residents have never been able to engage enough to sustain our lively downtown community on their own - this will not change. Formal lodging options don't provide enough space, convenience, or value to keep up with modern travelers' demands. We must continue to offer alternatives through Short Term Rentals if we are to benefit and continue to thrive as the world around us changes.

Increased mobility is only going to become more pronounced as time goes on. For our community, this presents an opportunity to make use of new sources of income when mobile workers come to visit that can help fuel our infrastructure, education, community developments, and more. This also means an opportunity to expose our community to new ideas, contribute to a more equitable future, ensure families can stay connected as they disperse, and better prepare our youth for the developing world ahead. I am one of these mobile workers who benefits from the availability of short term rentals in Gig Harbor - without them and the space, reliability, convenience, and amenities (i.e. wifi) they provide, I would not be able to visit my family during the extended stays I have been taking, and would also not be able to contribute to the economic health of my hometown.

The world is changing at a rapid pace, and the notion that Gig Harbor must not change with it is rooted in elitism and misinformation. The inclination to "maintain the status quo" already has impacted our community negatively, and will continue to do so if we cannot evolve to keep pace (I have personal interests in seeing more of our students stretch beyond our state schools to get into their dream colleges, an area where our high schools have historically fallen short - but that's a topic for another day)!

Best,
Anelisse

35. Peterson 02.18.22

From: [Stefan Peterson](#)
To: [Michelle Thomas](#)
Subject: Short-term rental community commentary
Date: Friday, February 18, 2022 9:12:34 PM

Hello,

Thank you for including residents in the decision making process on Air BnB's. Having Airbnb's available to rent in Gig Harbor give the ability to help house anyone visits me from out of town. Personally I prefer using AirBnB's to hotels, I we continue to allow this!

-Stefan Peterson

36. Owens 02.22.22

From: [Marcia Owens](#)
To: [Michelle Thomas](#)
Subject: A recent review
Date: Tuesday, February 22, 2022 9:51:24 AM

Mary's private feedback for you:

"We appreciated that the house was fully stocked with useable kitchen items. The house was warm and inviting which added to the comfort of the stay. The photographs were very representative of the Joanne Gaines Magnolia house you have created. You do have a 5-star accommodation; hopefully, Gig Harbor will not severely restrict Airbnb (temporary rentals) as is apparently under consideration. Thank you also for accommodating our schedule."

Now that you've both written reviews, we've posted them to your Airbnb profiles.

While Mary's feedback can't be changed or removed, you can write a response that will appear directly below it.

Write a response

1. Gig Harbor Short Term Rental Alliance 01.07.2022

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Cc: [Katrina Knutson](#)
Subject: FW: GHSTRA Short Term Rental Regulations Proposal
Date: Friday, January 7, 2022 1:02:22 PM
Attachments: [STR Presentation to PC JAN 2022.pdf](#)

Hi Michelle,

Will you please add this a folder where we can start keeping track of information/comments as they roll in.

Thank you,

Carl

--

Carl de Simas | Principal Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

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From: Carolyn Allen <cdsunharbor@yahoo.com>
Sent: Friday, January 7, 2022 8:47 AM
To: Carl de Simas <cDesimas@gigharborwa.gov>
Cc: Katrina Knutson <kknutson@gigharborwa.gov>
Subject: GHSTRA Short Term Rental Regulations Proposal

Carl,

Please accept our attached proposal from the Gig Harbor Short Term Rental Alliance, (GHSTRA), for the regulations of Short-Term Rentals in the City of Gig Harbor.

Please distribute to your staff and the Planning Commission as they prepare for their January 20, 2022 Study Session.

We look forward to collaborating on the process of establishing a fair and positive outcome.

Thank you,

Carolyn Allen

January 3, 2022

To: Gig Harbor Planning Commission

From: Gig Harbor Short Term Rental Alliance



Commissioners:

We are a group of Gig Harbor stakeholders who have an interest in proposed changes to the city's Short-Term Rental (STR) regulations. Our goal is to show how STRs can be beneficial to Gig Harbor's economic vitality while preserving its unique small-town charm. We advocate for rational regulations regarding the approval, administration, and operation of STRs: regulations that are fair to *all* property owners. We have researched STR regulations in over 100 Washington State jurisdictions, as well as those in other areas of the country and have distilled the data obtained into a proposal for the Planning Commission to consider.

Short-Term Rentals are advantageous to Gig Harbor because they:

- Contribute to our economy by bringing in visitors who support small businesses.
- Offer a reasonably priced accommodation for temporary workers e.g. traveling nurses; for those who are relocating to the area; and for local residents whose homes are undergoing renovation or repairs.
- Provide a steady income to existing homeowners which often means longtime residents can comfortably age in place while keeping and maintaining their homes under changing financial conditions.

We want to work *with* the Planning Commission to create a solution for everyone. Our proposal is straightforward and addresses many of the concerns that have been expressed by others. Some of the high points are:

- Creating three classifications of STRs: owner-occupied, non-owner occupied, and those located on water.
- Establishing universal conditions for approval such as contact information, maximum occupancy, parking, quiet hours, minimum stays, restrictions on group gatherings and safety inspections.
- Providing a predictable structure, fair regulations, and reasonable fees for STRs in Gig Harbor. These regulations, if implemented, should encourage and increase compliance, thereby giving the city better economic data and more control of the STR sector.

Our proposal will not result in increased congestion or parking issues, or a strain on utilities. STRs, compared to Long Term Rentals, actually reduce those impacts. Additionally our proposal will ban loud parties, commercial venues and other neighborhood disruptions. Many of us live in these neighborhoods and want to make sure they remain family-friendly and retain typical R-1 zoning values.

Our proposal also does not "up-zone" any existing areas. STRs, under the label of **Lodging Level 1 (LL1)**, are now addressed in 13 zones:

- STRs (LL1) are **Conditional** uses in 7 zones and **Permitted** outright in 6 zones.
- In the 7 zones where STRs (LL1) are **Conditional**, they currently can be permitted subject to conditions set by the Hearing Examiner (HEX.) Two recent applications have been approved indicating a propensity for acceptance.
- In those 7 zones our proposal changes STRs (LL1) from **Conditional** use to **Permitted with Conditions**. This allows for replacing the unpredictable HEX conditions to appropriate ones set, in advance, by the city.

We encourage the Planning Commission to evaluate our proposal and to establish rational, studied and researched regulations and conditions for the approval of Short-Term Rentals within the City of Gig Harbor. Together we can help our community continue to thrive. We look forward to discussing this proposal and refining it with you.

We thank you for your consideration.

GIG HARBOR SHORT-TERM RENTAL ALLIANCE

GIG HARBOR SHORT-TERM RENTAL ALLIANCE



Proposed items for discussion of Short-Term Rental regulations with GHSTRA recommendations

1 DEFINITION

"**Short-term Rental**" (**STR**), also known as "Bed and Breakfast" and "Vacation Rental" means a dwelling unit that is rented to transient guests for lodging purposes for fewer than 30 consecutive days to the same registered guest of record. ***Short-term Rentals*** shall not include tents, automobiles, recreational vehicles, buses, trucks adapted for vacation use, or any other temporary trailer or structure. *Motels, hotels, inns, boarding houses, etc.*, are not included within the definition of Short-term Rental.

"**Lodging Level 1**" would be superseded by proposed STR regulations.

2. TYPE OF STR

STR LEVEL 1

Owner/Manager Occupied. The owner or manager lives on the property or on an adjacent contiguous property. Contiguous property includes lots that share a common parcel line or are directly or diagonally across the street from one another.

STR LEVEL 2

Non Owner/Manager occupied. The owner or manager does not live on the property.

STR LEVEL 3

STR located on water (House Boat, Yacht) regardless of Owner/Manager occupancy.

3. PROCESS OF APPROVAL / LICENSE & FEES

- a. City Business License & Fees established by City
- b. STR License & Fees established by City
- c. City Inspection & Fees established by City
- d. Agreement to Conditions and Performance Standards for STRs

4. CONDITIONS/PERFORMANCE STANDARDS

- a. Current contact information for the applicant and a second-party emergency contact must be provided to the city at the time of application. The applicant shall provide updated contact information to the city upon any changes.
- b. Units shall not be rented out for fewer than two consecutive nights.
- c. There shall be a maximum of two (2) guests per bedroom plus children.
- d. Property managers shall inform guests of quiet hours (10:00 P.M. to 7:00 A.M.)
- e. STRs shall adhere to the city design and performance standards for Single Family Dwellings.
- f. STRs shall comply with requirements of current building codes for smoke and carbon monoxide detectors, egress regulations and fire extinguishers. The means of egress route shall be posted in each guest room in a readily visible location.
- g. A copy of the STR permit and license and all applicable rules and regulations shall be posted within the STR unit in a readily visible location.
- h. During times that the property is rented, an STR Owner, Manager or Representative shall be available for contact.
- i. The use of a residential unit for a STR shall not violate any applicable conditions, covenants, or other restrictions on real property.
- j. Events for hire or commercial functions are prohibited in any STR.

5. PARKING

Each STR shall provide 1 off-street parking space for every 2 rental bedrooms, or portion thereof, rounded down to the nearest whole number of required parking spaces. E.g. A two bedroom STR must provide one off-street parking space. A three bedroom STR must provide two off-street parking spaces. Off street parking can include garage parking and driveway parking; tandem parking is allowed and counted towards this requirement.

6. TRAFFIC

For purposes of traffic, an STR shall not be considered an increase in use and neither a Traffic Study nor a Traffic Impact Fee shall be required.

7. UTILITIES

For purposes of utility usage an STR shall not be considered a higher usage than the underlying residential unit and no additional Utility Inspection, Service or Usage Fees shall be required.

Proposed Land Use Matrix



Uses	PI	R-1	RLD	R-2	RMD	R-3	RB-1	RB-2	DB	B-1	B-2	C-1 ¹⁹	PCD-C	ED ¹⁸	WR	WM	WC	PCD-BP	PCD-NB	MUD ²⁴
Dwelling, single-family	-	P	P	P	P	C	P	P	p ³¹	p ¹⁴	C	C	p ¹⁴	-	P	P	P	-	p ¹⁴	P
Dwelling, duplex	-	-	-	P	P	P	-	P	p ³¹	p ¹⁴	C	C	p ¹⁴	-	P	P	P	-	p ¹⁴	P
Dwelling, triplex	-	-	-	C	P	P	-	P	p ³¹	p ¹⁴	C	C	p ¹⁴	-	-	C ¹⁷	P	-	p ¹⁴	P
Dwelling, fourplex	-	-	-	C	P	P	-	P	p ³¹	p ¹⁴	C	C	p ¹⁴	-	-	C ¹⁷	P	-	p ¹⁴	P
Dwelling, multiple-family	-	-	-	-	P	p ⁸	-	P	p ³¹	p ¹⁴	C	C	p ¹⁴	-	-	-	-	-	p ¹⁴	P
Accessory apartment ¹	-	C	P	-	P	-	C	C	p ³¹	p ¹⁴	C	C	p ¹⁴	-	-	-	P	-	p ¹⁴	P
Family day care provider	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Home occupation ²	-	P	P	P	P	P	P	P	C	P	-	C	-	-	P	P	P	-	-	-
Adult family home	-	P	P	P	P	P	P	P	C	P	P	P	P	-	P	P	P	-	P	P
Living facility, independent	-	-	-	C	-	P	C	C	C	P	C	C	P	C ²¹	-	-	-	-	-	P
Living facility, assisted	-	-	-	C	-	P	C	C	C	P	-	C	P	C	-	-	-	-	-	P
Lodging, level 1	-	C	-	C	-	P	P	P	P	P	C	C	-	-	C	C	C	-	-	P
Lodging, level 2	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	-	-	P
Lodging, level 3	-	-	-	-	-	-	-	C	P	-	P	P	P	-	-	-	C	P	-	P
Accessory uses and structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
STR, level 1		p ³²		p ³²		P	P	P	P	P	p ³²	p ³²			p ³²	p ³²	p ³²			P
STR, level 2		p ³²		p ³²		P	P	P	P	P	p ³²	p ³²			p ³²	p ³²	p ³²			P
STR, level 3															p ³²	p ³²	p ³²			

³² Short Term Rentals are "Permitted with Conditions"
(list of conditions)

Note:

Lodging Level refers to types of Lodging and *encompasses all three STR levels.*

STR Level mainly refers to types of owner/management.

Conditional Use (C) in Lodging Level 1 becomes

Permitted with Conditions (p³²) in all STR Levels.

7 total changes.

No change where **LL1** is already **Permitted (P)** outright.

2. Kadzik 01.14.2022

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Cc: [Katrina Knutson](#)
Subject: FW: Submission to PC on STR Regulations
Date: Friday, January 14, 2022 8:05:31 AM
Attachments: [STR Kadzik Submittal to PC JAN 13 2022.pdf](#)

Hi Michelle,

Please add to the record.

Thank you,

Carl

--

Carl de Simas | Principal Planner

Community Development | 3510 Grandview Street | Gig Harbor, WA 98335

P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: PAUL KADZIK <paulkadzik@comcast.net>

Sent: Thursday, January 13, 2022 5:36 PM

To: Carl de Simas <cDesimas@gigharborwa.gov>

Subject: Submission to PC on STR Regulations

Hi Carl,

I have prepared a submission on Short-Term Rentals that I would like you to forward to the Planning Commission.

Although it is not from the Gig Harbor Short-Term Rental Alliance it can be considered a companion piece to their proposal.

Thank you,

Paul Kadzik

Date: January 12, 2022

From: Paul L. Kadzik

To: City of Gig Harbor Planning Commission

Re: Proposed regulations of Short Term-Rentals

Dear Commissioners:

As a previous member of the Planning Commission, the Design review Board, and the City Council, I have been active in the planning process for the City Gig Harbor for a number of years. Most recently I have been working with the **Gig Harbor Short-Term Rental Alliance** (GHSTRA) on a proposal concerning the regulation of Short-Term Rentals (STR) within the city. I am interested in this regulation because I currently run a STR that is "Owner Occupied." Under the current code (GHMC 17. 04. 444) STRs are considered **Lodging Level 1**, however there is a caveat that states: "Short-term rental "does not include any of the following: (i) A dwelling unit that is **occupied** (emphasis mine) by the owner for at least six months during the calendar year..." That places my STR and others like it in a gray area of compliance.

Although my situation is tolerable in a "benign neglect" sort of a way, the situation for those STRs that are not owner-occupied is not. Their only path to approval is through the Conditional Use Permit process. This process is time consuming, expensive, and unpredictable. Additionally, the city can present obstacles such as Traffic Studies, property surveys, and additional parking requirements, among others. This leads to a propensity of non-compliance and restricted growth of the sector.

I believe that the city would be well served to have a STR regulation that is comprehensive, reasonable, and fair. I also believe that the GHSTR proposal meets those requirements.

In regard to the GHSTRA recommendation I would like to offer the following. Please note that this is not a second submittal by GHSTR but simply **my** understanding and explanation of how the individual proposals were reached. I emphasize that this is not generated by GHSTR, but does synchronize with the GHSTRA proposal.

I thank you for the opportunity to discuss this very important issue. I believe that both the city and STR owners will be well served by regulations which take the uncertainty out of the current system.

Respectfully,

Paul L. Kadzik

1 DEFINITION

"**Short-term Rental (STR)**", also known as "Bed and Breakfast" and "Vacation Rental" means a dwelling unit that is rented to transient guests for lodging purposes for fewer than 30 consecutive days to the same registered guest of record. **Short-term Rentals** shall not include tents, automobiles, recreational vehicles, buses, trucks adapted for vacation use, or any other temporary trailer or structure. *Motels, hotels, inns, boarding houses*, etc., are not included within the definition of Short-term Rental.

The definition was gleaned from many other jurisdictions. Not many had a STR definition but almost all had one for Bed & Breakfast – which was felt to be comparable.

2. TYPE OF STR

STR LEVEL 1

Owner/Manager Occupied. The owner or manager lives on the property or on an adjacent contiguous property. Contiguous property includes lots that share a common parcel line or are directly or diagonally across the street from one another.

STR LEVEL 2

Non-Owner/Manager occupied. The owner or manager does not live on the property.

STR LEVEL 3

STR located on water (House Boat, Yacht) regardless of Owner/Manager occupancy.

Where STRs were addressed they mostly fell into two categories – Owner/Manager Occupied and Non-Owner/Manager Occupied. Gig Harbor is unique in the fact that we also have STRs on water. Due to the vagaries of shoreline regulations it was felt that the city might want to address that category separately.

3. PROCESS OF APPROVAL / LICENSE & FEES

- a. City Business License & Fees established by City
- b. STR License & Fees established by City
- c. City Inspection & Fees established by City
- d. Agreement to Conditions and Performance Standards for STR's

Most jurisdictions that addressed STRs had these license/inspection/fee requirements.

4. CONDITIONS/PERFORMANCE STANDARDS

a. Current contact information for the applicant and a second-party emergency contact must be provided to the city at the time of application. The applicant shall provide updated contact information to the city upon any changes.

This is routine, expected and reasonable

b. Units shall not be rented out for fewer than two consecutive nights.

This is not typical but it was felt to be a deterrent to party rentals. Additionally one-night stays are typically travelers who are on the way to somewhere else, not interested in Gig Harbor per se, and minimally contribute to the city's overall economy and vibrancy.

c. There shall be a maximum of two (2) guests per bedroom plus children.

Experience has shown that a couple or family with one or two children is very typical.

d. Property managers shall inform guests of quiet hours (10:00 P.M. to 7:00 A.M.)

Self-explanatory, expected and reasonable.

e. STRs shall adhere to the city design and performance standards for Single Family Residence.

It was felt that there should be no outward indication that the property was anything other than a Single Family Residence (SFR).

f. STR's shall comply with requirements of current building codes for smoke and carbon monoxide detectors, egress regulations and fire extinguishers. The means of egress route shall be posted in each guest room in a readily visible location.

Self-explanatory, expected and reasonable

g. A copy of the STR permit and license and all applicable rules and regulations shall be posted within the STR unit in a readily visible location.

Self-explanatory, expected and reasonable

h. During times that the property is rented, an STR Owner, Manager or Representative shall be available for contact.

Self-explanatory, expected and reasonable

i. The use of a residential unit for a STR shall not violate any applicable conditions, covenants, or other restrictions on real property.

Addressing concerns of HOAs

j. Events for hire or commercial functions are prohibited in any STR.

It was felt that small gatherings associated with the renters were acceptable, but that using the STR as a venue for weddings and such should be prohibited.

5. PARKING

Each STR shall provide 1 off-street parking space for every 2 rental bedrooms, or portion thereof, rounded down to the nearest whole number of required parking spaces. Off street parking can include garage parking and driveway parking; tandem parking is allowed and counted towards this requirement.

This is similar to the residential requirement. The typical renter is a family of two adults or two adults and one or two children. Occasionally it will be two couples traveling together. Regardless it is very unusual for there to be more than one vehicle in a two-bedroom STR. In larger STRs (3+ bedrooms) two vehicles might be expected. It is also very unusual for there to be a camper or boat.

The allowance of tandem or stacked parking is recognition of the many narrow (50') lots in the Historic District which have "pipe-stem" driveways and a minimum of impervious frontage parking.

Also see below.

6. TRAFFIC

For purposes of traffic, an STR shall not be considered an increase in use and neither a Traffic Study nor a Traffic Impact Fee shall be required.

See below

7. UTILITIES

For purposes of utility usage an STR shall not be considered a higher usage than the underlying residential unit and no additional Utility Inspection, Service or Usage Fees shall be required.

Comparing the various impacts on *parking, traffic, utilities, schools, and parks* for a typical one, two, or three bedroom house that is to be rented out as either a Long Term Rental (LTR) or a STR please refer to **Appendix**

LTR: Although the information contained in the **Appendix** is subjective, it points to the fact that occupants of LTRs are more likely to be traveling during Peak AM and PM hours. They will be commuting on a daily basis to and from work, school, extra-curricular activities and routine medical appointments. Additionally they will be shopping in our most congested areas - North Gig Harbor and Point Fosdick.

STR: STR renters, on the other hand, especially in the View Basin, typically stay parked at the STR and walk to downtown and to the waterfront. Often they leave for Seattle, the Olympic Peninsula and various other day-trips creating zero effect on traffic and parking. The argument for utility usage is similar. Additionally, there is no strain on School District resources and yet the underlying property contributes to school taxes.

It is also important to note that typical occupancy for a STR is 60 – 75% which further reduces any impact an STR might have on the surrounding area.

8. LAND USE MATRIX

The rationale for changing **Conditional Use** to **Permitted with Conditions** is to allow the city to evaluate the pros and cons of different performance standards and institute those deemed appropriate **in advance** of any future applications –rather than leaving it up to the Hearing Examiner process. This change affects a total of 7 Land Use designations.

Contrary to what many believe, a **Conditional Use** designation does not at all eliminate the use from occurring. It simply applies conditions to it occurring. The approval of a number of recent applications bears witness to that.

The Land Use Matrix presents two possible formats. The one proposed by GHSTRA eliminates Lodging Level 1 and replaces it with STR 1, STR 2, and STR 3.

Another option would be to expand **Lodging Level 1** into: **Lodging Level 1a, Lodging Level 1b,** and **Lodging Level 1c.**

It is a semantic choice and in either case the result would be the same.

Here are examples of each:

STR, level 1	p32	p32		P	P	P	P	P	p32	p32			p32	p32	p32			P
STR, level 2	p32	p32		P	P	P	P	P	p32	p32			p32	p32	p32			P
STR, level 3													p32	p32	p32			

³² Short Term Rentals are "Permitted with Conditions"

(list of conditions)

Lodging Level 1a	p32	p32		P	P	P	P	P	p32	p32			p32	p32	p32			P
Lodging Level 1b	p32	p32		P	P	P	P	P	p32	p32			p32	p32	p32			P
Lodging Level 1c													p32	p32	p32			

³² "Permitted with Conditions"

(list of conditions)

APPENDIX

Comparison of effect on local area of Short Term Rentals (STL) vs. Long Term Rentals (LTR)

STR

Length of Stay	By Definition - Less than 30 days Typically 2-3 day weekend / Occasional 4 -7 days
Types of STR	Attached or Detached ADU (Accessory Dwelling Unit) SFH (Single Family House) Portion of SFH (i.e. Daylight Basement / Single Room)
Management	On Premises Owner/Manager Remote
Demographic	Almost exclusively families - often two adults - one or two children - occasionally two couples
Reasons for stay	Vacation to Pacific NW Weekend getaway within driving distance Wedding guests Accompanying child to settle in at local Universities Relocating / Looking for house/ Closing on a house. Local residents having work done on home Visiting relatives or friends who live in the area Work related stays
Parking Impact	One car typically - occasionally two
Traffic Impact	Weekends and mostly nonpeak-hours Vehicles used infrequently Day trips to Seattle / Mt. Rainier / Olympic Peninsula Often walk to dining / shopping
Neighborhood Impact	Not significant for the typical demographic
Maintenance	Typically Well Maintained - Professional
School Impact	None School Tax Paid via Property Tax - no students to service
Parks	Moderate
Tax Impact	Lodging Tax (Collected for City vs. County) Sales Tax - mostly within city from downtown businesses Property Tax - Same
Impact on Traditional Lodging Facilities	Arguable - Typical STR guests prefer this type of accommodation as opposed to hotel room and if not available would most likely look for it elsewhere in the County

LTR

Length of Occupancy	By Definition - 30 + days Typically Long-Term Lease (one year)
Types of LTR	Attached or Detached ADU (Accessory Dwelling Unit) SFH (Single Family House) Portion of SFH (i.e.. Daylight Basement / Single Room)
Management	On Premises Owner/Manager (Not Typical) Remote
Demographic	Varied - Families / Singles / Retired Often family of 2+
Reason for Occupancy	Semi-Permanent Residence
Parking Impact	Two cars typically / often 2+
Traffic Impact	Weekdays during peak-hours Frequent trips - shopping / dining / recreation / medical / school Shopping at already congested hubs
Neighborhood Impact	Varies on demographic. Families vs. Singles vs. Retires
Maintenance	Varies with commitment of renter
School Impact	Probable
Parks	Moderate
Tax Impact	No Lodging Tax paid Sales Tax (shared with other jurisdictions) Property Tax - Same
Impact on Traditional Lodging Facilities	Minimal

3. Gig Harbor Chamber of Commerce 01.21.22

From: [Miriam Battson](#)
To: [Michelle Thomas](#)
Subject: FW: Planning Commission Study Session on Short Term Rentals
Date: Friday, January 21, 2022 8:08:42 AM
Attachments: [image001.png](#)
[January 20 - STR-Planning Commission letter supporting GHSTRA.docx](#)

Michelle,

Yesterday's email to Carl bounced back, so thought it best to try sending it to you. To share with the Planning Commission. Thank you in advance for your assistance.

All the best,

Miriam Battson

President/CEO
Gig Harbor Chamber of Commerce
253-851-6865 o | 253-226-2845 c | 253-851-6881 f
3125 Judson St - PO Box 102 - Gig Harbor, WA 98335

[If you'd like to schedule a time to meet click here](#)

From: Miriam Battson <mbattson@gigharborchamber.com>
Sent: Thursday, January 20, 2022 4:41 PM
To: 'cdisimas@gigharborwa.gov' <cdisimas@gigharborwa.gov>
Cc: 'Katrina Knutson' <kknutson@gigharborwa.gov>
Subject: Planning Commission Study Session on Short Term Rentals

Dear Carl,

The Gig Harbor Chamber of Commerce would like to offer a supporting letter for the Gig Harbor Short-Term Rental Alliance. They have completed some thoughtful research into this issue that I'm sure will match up with the research being done by the Planning Commission.

We respectfully request that you share this with the Planning Commission.

Respectfully,

Miriam Battson

President/CEO
Gig Harbor Chamber of Commerce
3125 Judson St - PO Box 102 - Gig Harbor, WA 98335

253-851-6865 o | 253-226-2845 c | 253-851-6881 f





January 20, 2022

City of Gig Harbor Planning Commission

RE: Proposed regulations of Short-Term Rentals

Dear Carl Di Simas and Commissioners:

The Gig Harbor Chamber of Commerce is grateful for the Planning Commission's work in streamlining the application process for Short-Term Rentals. Through this review process the Gig Harbor Short-Term Rental Alliance has been keeping us informed as to the recommendations they are making to the Planning Commission.

In fielding phone calls from individuals planning trips to Gig Harbor, groups do tend to migrate toward the hotels, and it is the individual families who are looking for Short-Term Rental locations. As stated in Paul Kadzik's letter to the Planning Commission dated January 12th, these families mention coming to visit family and friends, attend events/ceremonies or planning a getaway trip. They ask about things to do in Gig Harbor if bringing kids/grandkids, area parks & hiking trails, types of local restaurants and attractions. Once here they typically stop into the Chamber office to get maps and additional ideas for things to see and do.

Short-Term Rentals are good for our local economy, and we support the definitions that the GHSTRA has suggested to this commission as outlined in Paul's January 12th letter.

Respectfully,

Miriam Battson

President/CEO

4. Annette 01.30.22

From: Eight MMFinder <8mmfinder@gmail.com>

Sent: Sunday, January 30, 2022 6:49 AM

To: Carl de Simas <cDesimas@gigharborwa.gov>

Subject: Gig Harbor / Short Term Rentals

Hello,

I am just learning about the Gig Harbor area and would like to know what the geographic boundaries are for the short-term rental moratorium that is currently in place. We are looking into properties but do not yet know if it would be a long-term or short-term rental and want to understand the extent of the moratorium.

Thanks,

Annette

1. Arnold

To the attention of City Council and Mayor-

The issues of short term rentals should not have been an emergent situation, this was an overreach of power and gross limitation of property rights. I do understand that you need to put some regulations in place (in accordance with WA State constitution) and ask that you please allow this its due diligence to be handled with the city planning department so it can have the time to be fully vetted and transparent.

The emergency nature of this topic is still unclear, and troublesome for our city that our leadership is so reactive when there is no evidence to support an "emergency moratorium."

Thank you for your consideration to give this the proper due process.

Maggie Arnold
Gig Harbor Resident

2. Bennett 10.11.2021

10/11/2021

RE: Gig Harbor Chamber of Commerce Opposition to Ordinance No. 1467

Dear Mayor and City Council,

My name is Megan Bennett 8811 N Harborview Drive Gig Harbor WA 98332

I am respectfully submitting this for Council's purview on the issue of the Emergency Moratorium on Lodging Level 1 applications.

I don't know where the impetus to create a moratorium stem from, but from an average citizens perspective it seems to be elitist and rooted in a "not in my city" attitude.

Short term rentals in Gig Harbor are not cheap seedy hotels. They are high value homes owned by responsible people who are choosing to share the beauty of this town with others, while creating a solution of their own to make mortgage payments and create a future for their own families.

I completely understand the need for defining rules in the process of applying for short term rentals. However, to consider it an "Emergency" is quite an over-step.

The statement was made that "A rush to the bank" would occur if the emergency moratorium were not enacted. However, after some research into exactly how many CUP's were currently under review, we discovered there were *only 3 prior to the 7th of September*.

Our submittal on September 14th with a status of "incomplete". On September 24th 3 were submitted by the Babich's (Approval for 2 was expedited)

I am concerned that the Counsel were misled, leading to the decision to enact a completely unnecessary "emergency" moratorium.

This process should have been moved to review by the City Planning Commission. This would have afforded giving due process and public input to the issue - avoiding such a drastic and controversial measure being taken.

My application process was very arduous. The city website proved difficult to navigate and without clear guidelines. So I wholeheartedly agree, a streamlined process should be devised, however Clerical modifications and UX website design hardly sounds like an emergency.

On August 10th I emailed Katrina Knudson with an attached request for a "Pre-Application conference".

My request was not scheduled or acknowledged. Instead, I received a forwarded response from Jeremy Hammer stating that we would be applying for CUP Lodging Level 2. He attached 2 links, a CUP Checklist and the GHMC Chapter 17.64

I then spent the 3 weeks gathering all the required documents for our "Lodging Level 2" application.

On Tuesday September 7th I had all my documents in order, or so I thought. Sent an email with attached files to the Planning Department.

Michelle Thomas responded with an "Intake appointment" for September 14th. and a request to upload my documents to a drop box for review.

I uploaded all documents on September 10th and waited patiently to hear back. I was told the electronic review would be completed on the 14th and that applicants are typically informed of the status by the end of the day.

I waited until Friday September 17th to reach out to Cindy Andrews and Michelle Thomas regarding the status of my application.

The response was "Status Incomplete". I needed to provide a narrative and a hydraulic report for water and sewer, in spite of the fact that our services are City Water and Sewer.

The narrative was an oversight on my part. I had overlooked a fine print detail in the Checklist. However, I was able to complete that narrative that day.

The Hydraulic Reports have proven to be more difficult, as every Engineer I contacted expressed they typically do not conduct Hydraulic reports unless modifications are to be made. We are on City Water and. Sewer and have no intension of altering or modifying the systems. These details were outlined in our Project Description and Narrative.

When we became aware of the moratorium, we reached out to Michelle Thomas, Cindy Andrews, and Jeremy Hammar to see if this moratorium applies to our application.

We were informed that, In fact our application is "dead in the water" because of the Lodging Level 1 Moratorium.

As previously noted, we were initially directed by staff to apply for a Lodging Level 2 CUP yet we were now told we were under the Lodging Level 1 Moratorium. How had we become a Lodging Level 1 request when all of our paperwork sited Lodging Level 2?

Why were we redefined without an explanation?

Considering that all City Planning Technicians, Associate Planners, and Directors were aware of the impending vote on CUP moratorium as of September 7th, it is obvious that that information would have been very relevant to me. I can't help but feel my application was purposefully delayed.

We will be submitting a Public Records Request for information on email and other relevant correspondence on our application.

My employer, Hayley Nichols bought the building at 8811 N Harborview Drive in 2015 and has used it primarily as a headquarters for her company, a Conference space for local businesses and nonprofits. We rent a suite to a local artist as well as an office space for Devoted Kiss Café.

The plan to convert a single 800 Square Foot suite into a STR would be to the City of Gig Harbor as our guests would be front and center to all the things that make Gig Harbor a beautiful and unique city.

We intended to partner with other local businesses to offer food, recreation, art, and experiences.

We are a registered business, paying substantial taxes to the City of Gig Harbor. In spite of allegations made at the September 7th Planning and Building Committee meeting, the appropriate taxes are

automatically collect for, and remitted, to the city by the major booking sites (VRBO< Airbnb, Vacasa, etc.) Additionally, potential renters are screened and vetted before they can reserve accommodations.

Just like many of the other local STR owners, we are community minded, and want to share all the beauty our city has to offer.

I don't believe anyone would ever choose to rent their property as a "Party place", and the misinformation about public complaints is simply that – misinformation.

In the past two years there have been zero recorded reports to the Gig Harbor Police Department, the Code Enforcement Officer, or the City in general concerning noise or parties in STR's.

I am attaching my timeline of correspondence to this email. I encourage you to review my experience and how laborious and dispiriting the process currently is. This timeline does not include the many phone calls, and messages I left which neither replied to nor acknowledged.

I agree with Council's desire to explore this issue and recommend that it be sent to the Planning Commission for a best practice review.

Sincerely,

Megan Bennett

253.225.2623

Date	Sent	Received	Document Data/Notes	Links
Tuesday August 10, 2021 12:30 PM	To Katrina Knudson AICP Director		MB: Attached Request for pre-application conference with attached and completed request form	
Wednesday August 11, 2021, 9:06 AM		From Jeremy Hammer Associate Planner Cc: Carl Desimas Principal Planner, Michelle Thomas Planning Technician, Katrina Knudsen AICP Director	Response stating our proposed use is "Lodging Level 2" No response or scheduling for requested Pre-Application Conference. This was done on purpose, as the pre-app conference would have enabled us to receive direct support and communication from the city. Though I did not question it at the time. Only taking the links given to me as the protocol I needed to follow to apply for a CUP Level 2	https://www.cityofgigharbor.net/DocumentCenter/View/257/Conditional-Use-Permit-Checklist?bidId= GHMC Chapter 17.64
August 1, 16-20			MB: Gather requested documents per link to "Conditional Use Checklist"	https://www.cityofgigharbor.net/DocumentCenter/View/257/Conditional-Use-Permit-Checklist?bidId= GHMC Chapter 17.64
Monday August 23 rd , 2021 9:20 AM			MB: Project Description narrative sent to HN/AH for review	
Monday August 23 rd 9:30 AM	CALL City of Gig Harbor for assistance in gathering documentation on existing utility concurrency request		MB: Calling the city proved to be an arduous and discouraging process. No one who answered knew the answers to my questions and I was redirected to Voicemails. Of which I never received any callbacks.	Redirected to leave a message with Utility Engineering department

Tuesday August 24, 2021, 2:47 PM	Sent Request for more information regarding sewer and water concurrency documentation To Utilities at Gig Harbor		Waiting	
Thursday August 26, 2021, 10:27 AM		Response from Shelbi Meyer Engineering Technician		Link to Water CRC Application Link to Sewer CRC Application Instructions for Water Capacity Reservation Certification (CRC) Application (PDF) (002).pdf Sewer CRC 8-27-18 Application.pdf Sewer Hydraulic Report Format (PDF).pdf Water CRC Application.pdf Water Hydraulic Report Format (PDF).pdf
August 26- September 1st			MB: Research and Discuss requirements. Obtain Engineering feedback	
Thursday September 2 nd , 2021 10:15 AM	To Shelbi Meyer Engineering Technician		MB: Clarifying process, who I submit documentation to, the need for concurrency reports and fees.	
Friday September 3 rd , 2021 8:26 AM		From Shelby Meyer Engineering CC: Carl De Simas, Michelle Thomas	Referring me to "Planning Department" for further assistance with Application and fees.	
Friday September 3 rd 2021 8:36 AM		From Michelle Thomas Planning Technician	Response to Intake Request	Intake Request Intake Client Assistance Memo Master Planning Application Conditional Use Checklist PlanningIntake@cityofgigharbor.net
September 3-7			Review links and correspondence. Complete CUP paperwork	

Tuesday September 7 th , 2021 11:21 AM	To planningintake @cityofgigharbo r.net		MB: Attached City Application ALL Electronic Intake Request Forms	City Application ALL.pdf Electronic-Intake-Request-Form.pdf
Tuesday September 7 th , 2021, 12:24 PM		planningintake@cityof gigharbor.net Michelle Thomas Planning Technician	Scheduled Intake appointment for Tuesday September 14 th (2020) Misdated	https://cityofgigharbor.app.box.com/f/ee28c2c8ce564 d62ae09f3130342db1c
Friday September 10 th 2021			MB: Uploaded PDF files to Box Link	
Friday September 10 th 2021 8:04 AM	To planningintake @cityofgigharbo r.net		Reach out to clarify if this Intake is an appointment we should be present for, as no Zoom link or address was included in Appointment	
Friday September 10 th 2021 8:30 AM		Cindy Andrews Planning Technician	"Intake submittals are reviewed electronically by staff, your attendance is not required. Once the planner has reviewed the submittal materials and determined the Intake to be "Complete" or "Incomplete", the applicant will be informed of the status typically by the end of the day on the day of the intake. If the Intake is complete the applicant will be provided an invoice and instructions for payment, if found incomplete a Determination of Incomplete application including a list of items that were deficient will be provided.	
Tuesday September 14 th , 2021 8:30 AM			INTAKE APPOINTMENT	

Friday September 17 th 9:07 AM	TO Cindy Andrews and Michelle Thomas		MB: Follow Up to See where our Intake Review stands. There was no call or follow up per stated return on process.	
Friday September 17 th , 2021, 10:37 AM		Michelle Thomas	States she will follow up with “assigned reviewers”	
Friday September 17 th , 2021, 3:08 PM		Michelle Thomas CC Cindy Andrews Jeremy Hammer	“The submittal intake from the above referenced project has been reviewed and deemed incomplete. Please review the attached Determination of Incomplete Application and when you are ready to resubmit, we can schedule a new intake.”	2021.09.17 Det Incomplete.pdf
Monday September 20 th 3:33 PM	TO: Michelle Thomas, Cindy Andrews, Jeremy Hammer		Request Clarification on 3 items deemed Incomplete My statement next cell	1. Applicant has not provided a water hydraulic report and sewer hydraulic report as part of the water and sewer concurrency application - this will prove that converting the unit will not change the water/sewer load. I believe I had attached the Water and Sewer Concurrency applications. Do I send these to someone else? If so, can you direct me to whom I can directly Submit these to? 2. Applicant has not provided Conditional Use Permit criteria narrative addressing GHMC 17.64.040 Is this a statement that I create addressing the 4 points outlined? 3. Applicant has not provided a Traffic Impact Analysis documenting the proposed restaurant use vs. the prior bank use to determine traffic impacts, and a Transportation CRC application This won't be a restaurant, and it is not currently a bank. There would be negligible impact as the proposed use would entail no more than 2 guests stay in the upper suite of the building open only Fridays through Sundays. I have looked online researching how to obtain a Traffic Impact Analysis but am unable to find anything helpful. How do I coordinate A transportation CRC Application?

Monday September 20 th , 2021, 3:43 PM		From Jeremy Hammar CC: Michelle Thomas, Cindy Andrews	Addressing item #2 Planning related item. Instructing me to look at GHMC 17.64.040 for direction in completing this item A narrative addressing review criteria	
Monday September 20 th 4:10 PM		From Michelle Thomas CC: Cindy Andrews, Jeremy Hammar	Sent "updated determination" "I apologize I did not realize page 2 was still attached I thought it deleted, only the water/sewer reports and statement are required. The Concurrency applications were received and routed to Engineering for review and they requested a water hydraulic report and sewer hydraulic report <u>as part of the</u> water and sewer concurrency application. On the CRC applications it states on both the following: Project Information A. Number of new dwelling units _____ B. Commercial building area in gross square feet _____ Proposed Water Use (in ERU's, including Irrigation): _____ Applications in accordance with GHMC 19.10.011. The report would be submitted with the applications to the Planning Division. Once you have the reports and the statement please let us know and we can schedule a new intake with a new link. "	2021.09.17 Det Incomplete.pdf
Tuesday September 21,2021 8:45 AM	To Jeremy Hammar		Thanking him for the direct information re Narrative. Let him know I will resubmit when I have concurrency reports figured out.	

Thursday September 23 rd , 2021, 9:31	To HN		Narrative Done Frustrated with Hydraulic report request. Engineers say if no modifications are being made, a report shouldn't be needed.	
Monday September 27 th , 2021 6:54 AM		From HN CC Jason and George	Determining need for hydraulic reports	
Tuesday September 28 th , 2021 9:36 AM	TO Michelle Thomas CC Cindy Andrews, Jeremy Hammar, Hayley Nichols		ME: We learned this morning the mayor has enacted an "emergency moratorium" on short term rentals. As we have already started the application process, will this moratorium effect our approval for conditional use? In regard to the 2 items needed to complete our submittals. I have completed the GHMC 17.64.040 narrative. I have corresponded with multiple Geo and Design Engineering firms. Every resource asked me why the Water and Septic Hydraulic report is needed considering we are not modifying the system or increasing the load on either system? Is there an alternative to these reports considering our conditional use as a short-term stay will actually reduce strain to both water and septic? Such as providing As-Builts of existing utilities. I do have a firm from Poulsbo lined up to do the work on these	

			reports, however I do not want to go forward if these reports are irrelevant. Especially if we have hit a block from the mayor's moratorium. I have CC'd my employer and owner of building at 8811 N Harborview Drive. She would like to coordinate a meeting to discuss this moratorium. Is this something we can do Via Teams, Zoom or in-person?	
Tuesday September 28th, 2021 10:52 AM		From Cindy Andrews CC: Michelle Thomas, Jeremy Hammar, Hayley Nichols	Good morning Megan. In regards to the submittal for the BREAKWATER BED and BREAKFAST CUP, PL-CUP-21-0005. The submittal was received at intake on 09 14 2021 and upon the intake review the submittal was deemed "Incomplete" at that time. A Determination of Incomplete application was sent to you on September 17, 2021 that outlined the additional items needed. Currently, the submittal remains in an "incomplete" status as the additional items have not been received by staff for review. At this time due to the enactment of the emergency moratorium by the mayor and the application is still in an "incomplete" status, staff will no longer be able to move forward with the review of the application. Only applications	

			that are in a “Complete” status can move forward with staff review. Please follow up with Jeremy Hammar, Associate Planner at jhammar@gigharborwa.gov with any additional questions.	
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3. Gig Harbor Chamber of Commerce 10.11.2021



Via Email and U.S. Mail

October 11, 2021

The Honorable Mayor Kit Kuhn
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

RE: Gig Harbor Chamber of Commerce Opposition to [Ordinance No. 1467](#)

Dear Mayor and City Council,

The Gig Harbor Chamber of Commerce ("Chamber"), on behalf of its nearly 500 members and the more than 2,100 businesses in the greater Gig Harbor area **opposes Ordinance No. 1467 ("Ordinance"), the proposed six-month moratorium extension** on processing of new lodging level 1 and short-term rental applications and urges its rejection as premature, unsubstantiated, and harmful to the local business community and to the City.

The Ordinance, if adopted, unilaterally "imposes a[n additional] moratorium on the receipt and processing of new applications for Lodging, level 1 uses." Yet nowhere does the City substantiate the basis for its proposed moratorium, let alone present evidence that supports such a moratorium, beyond its generic "finding and conclusions" that the ordinance is a "public emergency ordinance necessary for the protection of public health, public safety, public property, and public welfare."

The current moratorium expires on March 27, 2022, nearly six months from now. The Ordinance acknowledges that it has "processed few permits for short term rentals," and seeks to impose a moratorium extension effectively only to have "sufficient time to fully evaluate" the number and effects those rentals might have on the community and zoning controls.

Yet as the City effectively simply seeks even more time for study, its current moratorium already has adversely impacted legitimate rental businesses in Gig Harbor who supplement current commercial lodging enterprises, attract greater tourism, comply with current zoning regulations, and ultimately contribute to City funding through payment of taxes. These legitimate businesses contribute to making the City of Gig Harbor a tourism destination that benefits local businesses *and the City*. The proposed moratorium extension then, is akin to the City cutting its nose to spite its face simply in anticipation of needing more time to complete its analysis.

The Honorable Mayor Kit Kuhn
October 11, 2021
Page 2

Clearly, the delicate balance between maintaining the neighborhood feel within the City of Gig Harbor and allowing short term rental opportunities for families, visiting nurses and visitors who all add to the local economic impact is something the City is taking seriously and is commendable. Nevertheless, a moratorium extension, particularly given the limited number of new applications and time that the City already has to complete its study, should not rise to the level of harming those businesses that make a significant and direct contribution to Gig Harbor. The Chamber strongly urges the City to act on the specific *evidence* presented by those most impacted by the proposed extension, complete its study under the current moratorium, and reject Ordinance No. 1467, accordingly.

Respectfully,

Gig Harbor Chamber of Commerce

Miriam Battson

President/CEO

cc: Gig Harbor City Council

4. Hoppen 10.10.2021

All,

Attached is a slightly modified letter I sent to Pierce County Council members in May of 2016 regarding a vacation rental policy discussion they were engaged in.

As someone that uses their primary residence as a vacation rental when we're working in Alaska I would like to offer my thoughts on why an outright ban on that vacation rental ability could backfire.

What can we do to retain long-time residents (old-timers in the academic parlance of gentrification), or newer and younger committed community residents within our community?

A moderated vacation rental policy may well help achieve that outcome.

Guy

Oct. 10, 2021

RE: Moratorium on Vacation Rental permits within Gig Harbor

Dear Gig Harbor City Council Members,

This is an updated letter of one I sent to Pierce County Council members in May of 2016 asking them to moderate a call for a blanket ban on vacation rentals.

Council should consider carefully whether an outright ban on a resident's ability to use their primary residence as a vacation rental is wise policy. I hope Council will move forward cautiously during your upcoming policy discussion, and in a manner that assures that all sides of the issue are well understood.

We leave our Gig Harbor waterfront home for 3 to 4 months every summer to commercial fish in Alaska. When we purchased our 1300 square foot house in 1987 we were surrounded by similar sized homes, homes with families that had been here for decades.

In our case property taxes have increased over 10-fold since we purchased our home. Our income has increased a small fraction of that. We used to have a house sitter watch the house, but now offer it as a vacation rental. It is a mechanism that works. The proceeds offset rising taxes thereby assisting are ability to stay in our home and remain in our community.

We keep our neighbors informed, have a conscientious rental manager who manages the property and insist that our home's occupancy is kept low. The rental criteria are designed to have the same or less impact on our property than we have. We are firm in our resolve to not damage our house or disrupt our neighbors.

While I understand, sympathize and support the desire to mitigate or stop the sale of community houses for use as exclusive vacation rentals I believe there exists a middle ground, a vacation rental position that actually enhances long-term residents and informed community members to retain their homes. Vacation rental proceeds, in our case, do just that.

Whether you're a snowbird, fishermen or any local who leaves town for a few months why limit their ability to offset spiraling costs that are out of their control. It might be that a considered vacation-rental middle ground actually preserves a sense of community.

Sincerely,

Guy Hoppen

Guy Hoppen
8402 Goodman Dr. NW
Gig Harbor, WA 98332

253 432 9454

5. Kadzik 10.11.2021

October 11, 2021

RE: Gig Harbor City Council Meeting of October 11, 2021

Councilmembers,

I respectfully submit four exhibits for consideration in your deliberations on the recently passed Moratorium on Short Term Rentals (STR's) within the city.

I agree with Council and Staff that the issue should be addressed. My recommendation is to refer it to the Planning Commission. To quote the city's website, *"the primary charge of the Planning Commission is to make legislative recommendations to the City Council on matters related to long-range land use planning including the comprehensive plan amendments, zoning text amendments, and area-wide rezones."*

In the recent past Council has used "direct consideration" to bypass the Planning Commission (PC) on important legislative matters. This subverts the process and robs the Council of the time and expertise available from the PC. It also uses valuable Council time that could be spent on other city matters - especially during this busy budget season.

There have been some misunderstandings on the STR's within the city which I try to address in the attached Exhibits.

Exhibit 1 is an informal survey of the number of STR's within the Gig Harbor Peninsula and the close-in portion of the Key Peninsula. This information was gleaned from the booking sites of Airbnb, VRBO and Vacasa. Hopefully this easily obtained information will negate the need for hiring an outside consultant as discussed at the September 7th Planning and Building Committee meeting. There are most likely 26-30 STR's within the city limits. Most are within the view basin. The number that is permitted should be available through the Planning Department but is most likely in the low single digits. The reasons for this low compliance rate has to do with the ambiguity of our current code as well as the onerous and expensive process involved in trying to comply. This is the main argument for revision of the existing code.

Exhibit 2 is a bullet point presentation of the main STR issues. It discusses the Goals, Benefits, and Considerations associated with STR regulation. It is my personal take on the issues and is by no means all inclusive.

Exhibit 3 is a comparison of STR's vs Long Term Rentals (LTR'S). It is self-explanatory but tries to dispel some of the misconceptions regarding STR's - especially those concerning taxes, traffic, parking, and neighborhood impact.

Exhibit 4 is intended to shed light on the concern that our housing stock will be bought up by investors hoping to cash in on Gig Harbor as a vacation destination. As anyone who owns a business would agree, the most important month-to-month metric is cash flow. Buying a modest size house in the view basin (as most are) and trying to make it pencil out with current rental rates simply is not economically feasible. Although the long-term investment in a Gig Harbor property will appreciate over time the incentive for a reliable monthly income simply is not there. Additionally an increase in the number of STR's within the city would likely apply negative pressure on rates making it less attractive to potential landlords. There is a different consideration for the East Side of the Bay where waterfront amenities command a significantly higher nightly rate. The same is true in the county on Fox Island, Raft Island, Wollochet Bay, and Horsehead Bay.

I look forward to providing testimony before the PC on this issue and am confident that the end result will be beneficial for the city as a whole.

Thank you for your consideration,

Paul L. Kadzik, DDS

EXHIBIT 1

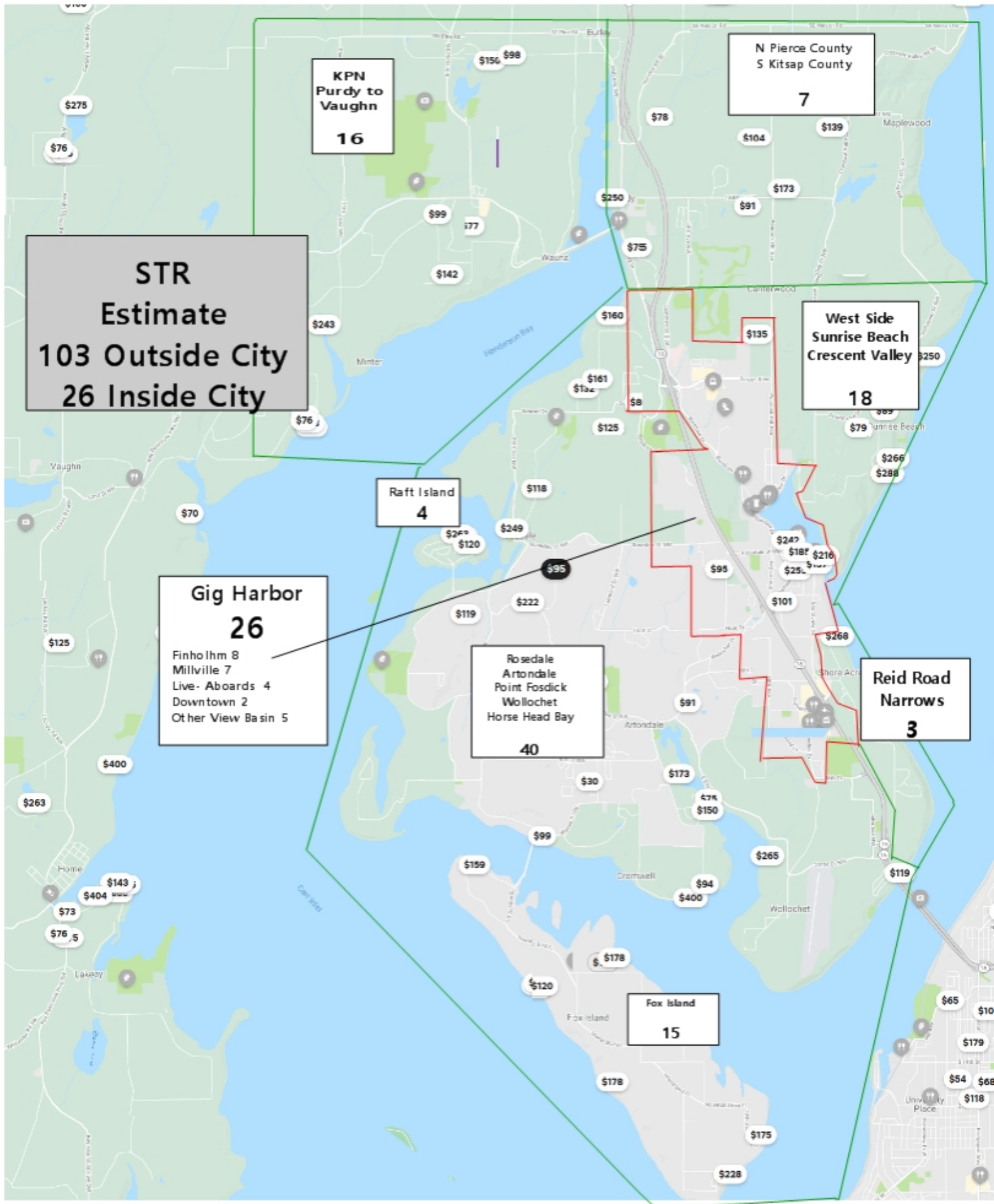


EXHIBIT 2
STR
Short Term Rentals

Gig Harbor has a significant tourism industry which contributes to the viability of its waterfront. We promote ourselves as a family-friendly destination with shops, restaurants, parks, and water activities. We are not a "party" destination.

The residential use of a home does not change because of the length of a stay. In some cases long term rentals can pose a more significant problem. For instance: a problem tenant (excessive noise, poor maintenance, junk vehicles, etc.) with a long term lease, vis-à-vis the difficulty of a formal eviction. Reasonable regulations can govern the use of homes—whether used long-term or short-term, so that everyone can enjoy Gig Harbor - residents and visitors alike.

Excessive restriction or elimination within the city limits could exacerbate traffic and parking issues as visitors come into the city from non-restricted county areas, as opposed to staying in the immediate waterfront areas.

Goals of regulation

- Preservation of single-family values
- Avoidance of commercialization
- Better property stewardship
- Protecting appearance
- Traffic and Parking mitigation
- Nuisance and Noise

Possible Benefits

- Additional income can result in better maintenance of properties
- Aging in place may be facilitated by allowing mitigation of increased property taxes and maintenance costs
- Additional collected taxes (Lodging and Sales)
- Increased downtown economic activity

Considerations for Regulation

- Definitions
- Permitting Process
- Health and Safety Inspection – Building / Fire
- Licenses & Fees
- Lodging Tax
- Signage
- Prohibition of other Commercial Activity
- Number of guests
- Parking
- Noise / Disturbances Guidelines
- Management and Control
- Varying Standards for Types of STR
- Local contact
- Events
- Good Neighbor Guideline

EXHIBIT 3

COMPARISON OF EFFECT ON LOCAL AREA OF SHORT TERM RENTALS (STL) VS. LONG TERM RENTALS (LTR)

STR		LTR	
Length of Stay	By Definition - Less than 30 days Typically 2-3 day weekend / Occasional 4 -7 days / Rarely Longer	Length of Occupancy	By Definition - 30 + days Typically Long-Term Lease (one year)
Types of STR	Attached or Detached ADU (Accessory Dwelling Unit) SFH (Single Family House) Portion of SFH (i.e. Daylight Basement / Single Room)	Types of LTR	Attached or Detached ADU (Accessory Dwelling Unit) SFH (Single Family House) Portion of SFH (i.e.. Daylight Basement / Single Room)
Management	On Premises Owner/Manager Remote	Management	On Premises Owner/Manager Remote
Demographic	Almost exclusively families - often two adults - one or two children	Demographic	Varied - Families / Singles / Retired
Reasons for stay	Vacation to Pacific NW Weekend getaway within driving distance (Staycations) Wedding guests Accompanying child to settle in at local Universities Relocating / Looking for house/ Waiting for Closing on a house. Local residents having work done on home Visiting relatives or friends who live in the area Work related stays	Reason for Occupancy	Semi-Permanent Residence
Parking Impact	One car typically - occasionally two	Parking Impact	Two cars typically
Traffic Impact	Weekends and Mostly Nonpeak-hours Vehicles used infrequently Day trips to Seattle / Mt. Rainier / Olympic Peninsula Often walk to dining / shopping	Traffic Impact	Weekdays during peak-hours Frequent trips - shopping / dining /recreation / medical/school
Neighborhood Impact	Not significant for the typical demographic	Neighborhood Impact	Varies on demographic. Families / Singles / Retired
Maintenance of property	Typically Well Maintained - Professional	Maintenance of property	Varies
School Impact	None School Tax Paid via Property Tax but no students to service	School Impact	Probable
Parks/ Recreation/ Sidewalk Impact	Heavy	Parks/ Recreation/ Sidewalk Impact	Moderate
Tax Impact	Lodging Tax (Collected for City vs. County) Sales Tax - mostly within city from downtown businesses Property Tax - Same	Tax Impact	No Lodging Tax paid Sales Tax (probably shared with other jurisdictions) Property Tax - Same
Impact on Traditional Lodging Facilities	Arguable - Typical STR guests prefer this type of accommodation as opposed to hotel room and if not available would most likely look for it elsewhere in the County)	Impact on Traditional Lodging Facilities	Minimal

EXHIBIT 4

In the Gig Harbor Historic (Downtown & Millville) houses have recently sold for as much as \$2,000,000. The estimated median price is \$1,000,000. If such a property were purchased exclusively for STR income purposes, the monthly cash flow would be expected to be positive.

The average nightly rate in the area (Airbnb search of 19 properties) is approximately \$240.

The average Occupancy Rate varies according to season , however 50% to 66% is a reasonable expectation.

The typical debt burden on a \$1,000,000 investment property would approximate \$4,500 per month.

At 66% occupancy such an investment STR is just breaking even.

Additionally as more STR's come online the competition is likely to depress nightly rates in the long-term, which would unfavorably affect the P&L and Cash Flow making investment in additional STL's less likely.

A simple calculation (not considering compounding) of the lost investment opportunity of the initial cash investment of \$205,000 at 6%/year would be approximately \$1,200 / month - placing an additional burden on the practicality of the investment. There is, of course, the appreciation of the property over time, which would be a positive factor in the investment decision.

STR MONTHLY INCOME POTENTIAL Based on \$240/ night with 50% and 66% Occupancy

Occupancy	50%	66%
Rate Avg/Night	\$ 240	\$ 240
Nights/Mo	15	21
Gross Rev/Mo	\$ 3,600	\$ 5,040
Overhead @ 10%		
Booking Fees, supplies, maint., etc.	\$ (360)	\$ (504)
Net Revenues	\$ 3,240	\$ 4,536
INVESTMENT COST	\$ (4,500)	\$ (4,500)
CASH FLOW	\$ (1,260)	\$ 36
Lost Investment Cost of Initial \$205,000	\$ (1,000)	\$ (1,000)

INVESTMENT COSTS 1M Home Purchase

Purchase Cost	\$ 1,025,000	\$1M House + \$25,000 Setup
20% Down	\$ (205,000)	
Mortgage 4% Int. (Investment Property)	\$ 820,000	
Mortgage + Tax & Ins. / Mo.	\$ 4,500	

HOME SALES IN HISTORIC DISTRICT Source Zillow

Jul 2019	\$ 1,910,000	Jul 2020	\$ 650,000
Aug 2019	\$ 815,000	Sep 2020	\$ 1,975,000
Sep 2019	\$ 1,950,000	Nov 2020	\$ 925,000
Jan 2020	\$ 340,000	Dec 2020	\$ 770,000
Jun 2020	\$ 1,861,000	Feb 2021	\$ 780,000
Jul 2020	\$ 2,000,000	Mar 2021	\$ 1,040,000
Jul 2020	\$ 1,600,000	Aug 2021	\$ 850,000
Jul 2020	\$ 650,000		
AVERAGE HOME PRICE	\$1,247,571		
MEDIAN HOME PRICE	\$ 1,000,000		

6. Karrer

Hello:

I'd like to submit the following documents/written comment in regard to the public hearing on short term rentals in Gig Harbor...

One attached document highlights Vacasa's screening process for at-risk reservations, it's thorough, asset and communal protection being most important. Secondly, I've attached a copy of Vacasa's general rental agreement, which is signed by guests prior to entering the home and strictly enforced. For example, our "good neighbor policy" - failure to comply results in vacancy with no refund.

C. Good Neighbor Policy. Because the Property is a privately owned home, all Occupants must comply with this good neighbor policy. Please treat the Property with the same care you would use with your own residence and leave it in the same condition it was in when you arrived. To prevent theft of or damage to furnishings or your personal property, you agree to close and lock doors and windows when you are not present at the Property and upon check-out. You and other Occupants agree to conduct yourselves throughout your stay in a manner that is respectful of and not disruptive to neighbors, traffic flow, or the community and that will not prompt complaints to Vacasa from police, neighbors, or neighborhood or homeowner associations. Noise audible outside the Property is prohibited between 10 p.m. and 8 a.m. You and other Occupants agree to abide by all applicable parking restrictions and limitations.

--

"Schedule a meeting with me"

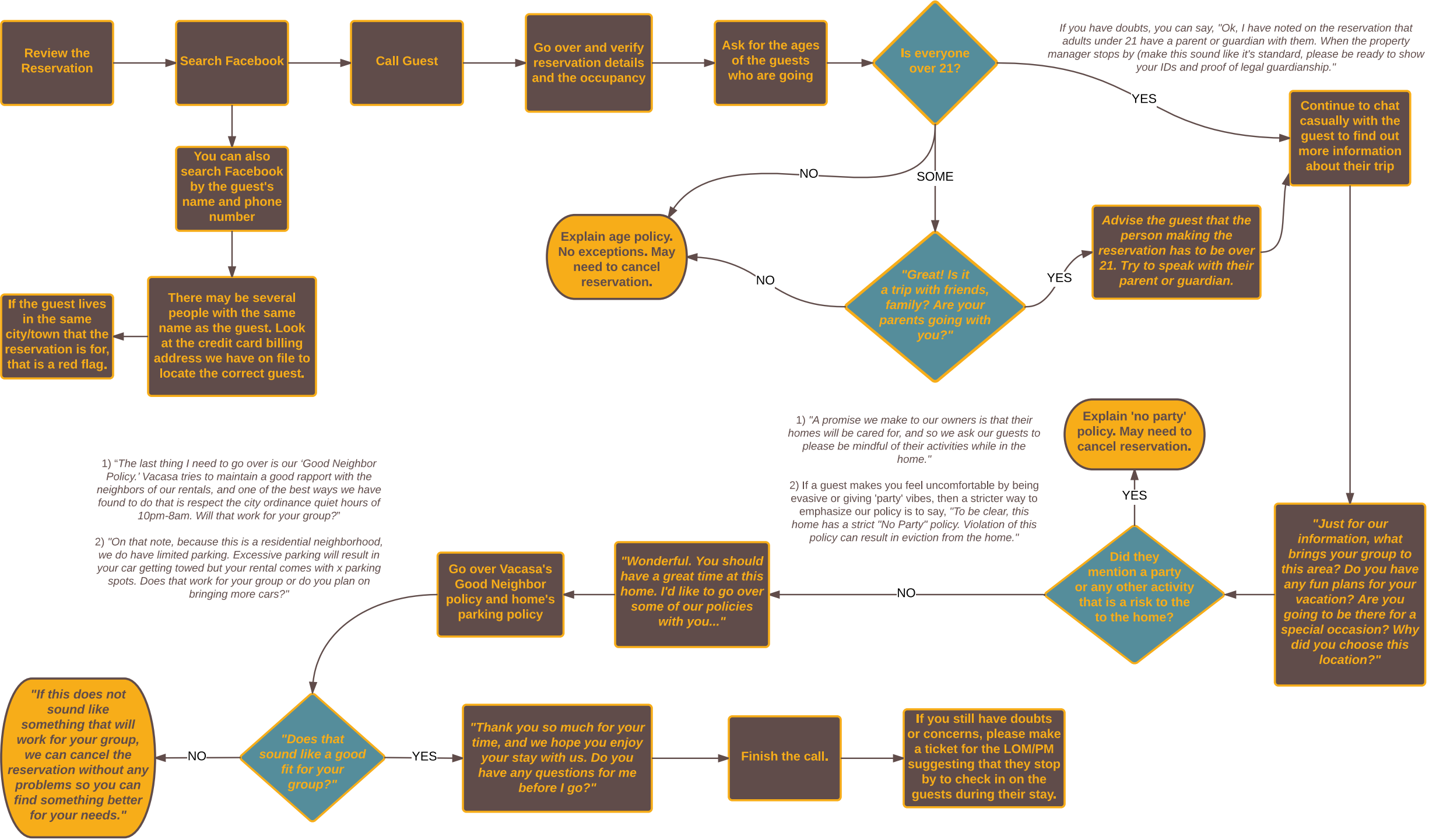
James Karrer | Sales Executive

m: 206.229.7704

vacasa.com

Vacation rental management, elevated.

RISK SCREEN WORKFLOW



This Rental Agreement was updated at 6:47 p.m. Pacific Daylight Time, April 19, 2021.

- Reservations booked before that time, but after 9:34 a.m. Pacific Daylight Time on March 22, 2021, are subject to the prior version of this agreement, available [here](#).
- Reservations booked before 9:34 a.m. Pacific Daylight Time on March 22, 2021, are subject to another prior version of this agreement, available [here](#).

By booking a reservation with Vacasa, you agree to all policies, terms, and conditions below.

Summary of General Rental Policies

A. The property shall not be used by more than the number of adults and children listed in your reservation.

B. All guests shall abide by Vacasa's good neighbor policy and shall not engage in illegal activity. Quiet hours are from 10 p.m. to 8 a.m.

C. Pets are not permitted unless specifically noted in your reservation.

D. Renter must be at least 21 years of age (or the specified minimum age required to rent the property, if different). Guests under the minimum age must be accompanied by a parent or legal guardian.

E. No smoking is permitted anywhere on the premises.

F. No commercial photography or filming is permitted on the property. Tents or other structures may not be erected. Use of charcoal grills is not allowed.

G. Renter is liable for any damage to the property and agrees to accept charges to the card on file should damage occur during occupancy.

H. **Cancellation Policy:** Rental payments (less the booking fee) are fully refundable up until 30 days prior to the reservation.

I. **Travel Insurance:** We recommend that you purchase travel insurance to help protect against financial loss if you must cancel your reservation for a covered reason. Vacasa offers a third-party product, Trip Preserver, which is available for most reservations and includes coverage for trip cancellation or interruption due to listed covered reasons, as well as additional benefits including coverage for losses due to trip delay or medical emergencies while traveling. If you elect to purchase Trip Preserver coverage for your reservation, we encourage you to review your insurance policy wording for all eligibility, benefits, terms, and conditions. For additional information, go to www.trippreserver.com/vacasa.

VACATION RENTAL AGREEMENT

This Vacation Rental Agreement (“**Agreement**”) is for rental of the vacation rental property specified in a confirmed reservation (the “**Property**”). This Agreement is between: (1) Vacasa (“Vacasa,” “**we**,” or “**us**”), acting for itself and for the owner of the Property (“**Owner**”), and (2) the person who is the responsible renter of the Property (collectively “**Renter**” or “**you**”).

By booking your rental of the Property with Vacasa, you acknowledge that you have read and understand, and agree to be bound by, all terms, conditions, and policies in this Agreement, including any Unit-Specific Terms (collectively, the “**Terms**”).

Unit-Specific Terms. Certain jurisdictions, resorts, and specific homes require renters to agree to additional terms and conditions (“**Unit-Specific Terms**”). We will inform you during the reservation process of any Unit-Specific Terms that apply to rental of the Property. If any provision of Unit-Specific Terms differs from the Terms in this Agreement, the provision of the Unit-Specific Terms will control.

Channel Terms. If you are booking through a third-party marketing channel, your booking may be subject to that channel’s own terms and conditions (“**Channel Terms**”). If any provision of applicable Channel Terms differs from the Terms in this Agreement, the provision of the Channel Terms will control.

Meaning of “Vacasa”. Vacasa operates using different legal entities in different geographical regions. As used in this Agreement, the term “**Vacasa**” means the entity specified in the Unit-Specific Terms, if any. If no entity is specified in the Unit-Specific Terms, then:

- If the Property is located in the *United States* or *Mexico*, Vacasa means Vacasa LLC.
- If the Property is located in *Canada*, Vacasa means Vacasa Canada ULC.
- If the Property is located in *Belize*, Vacasa means Vacasa Belize Ltd.
- If the Property is located in Costa Rica, Vacasa means Vacasa del Pacífico Central de Costa Rica Ltda

RENTAL POLICIES AND GENERAL TERMS

A. Minimum Age. The “**Minimum Age**” to rent the Property is the age specified in any Unit-Specific Terms. If no age is specified in the Unit-Specific Terms, the Minimum Age is 21 years of age (or the minimum age required by law in the jurisdiction where the Property is located, if different). You agree to provide us with proof of age upon request. A parent or legal guardian must accompany all guests who are under the Minimum Age for the entire duration of the rental.

B. Responsible Renter. As the Renter, you agree to be an occupant of the Property for the entire duration of the rental. All other occupants will be family members, friends, other responsible adults over the Minimum Age, or accompanied by a parent or legal guardian. You agree to be solely responsible for your actions and the actions of all family members, guests, and invitees (collectively, “**Occupants**”) present at the Property at any time during your stay, and to ensure that all Occupants understand and comply with the Terms.

C. Good Neighbor Policy. Because the Property is a privately owned home, all Occupants must comply with this good neighbor policy. Please treat the Property with the same care you would use with your own residence and leave it in the same condition it was in when you arrived. To prevent theft of or damage to furnishings or your personal property, you agree to close and lock doors and windows when you are not present at the Property and upon check-out. You and other Occupants agree to conduct yourselves throughout your stay in a manner that is respectful of and not disruptive to neighbors, traffic flow, or the community and that will not prompt complaints to Vacasa from police, neighbors, or neighborhood or homeowner associations. Noise audible outside the Property is prohibited between 10 p.m. and 8 a.m. You and other Occupants agree to abide by all applicable parking restrictions and limitations.

D. Maximum Occupancy. The number of people present at the Property may not exceed the maximum posted occupancy unless we have given you advance written permission to hold an event at the Property, in which case the number of people present at the Property may not exceed the maximum number of people authorized by Vacasa.

E. No Smoking. No smoking is permitted at the Property (including porches, decks or outdoor areas) at any time.

F. No Permanent Residence. You agree that your use of the Property is on a temporary and transient basis only; that you may not use the Property as a permanent residence; and that your permanent residence is and will remain elsewhere than at the Property.

G. Animals. No animals or pets of any kind are permitted at the Property except (1) as specifically authorized in your reservation, or (2) *bona fide* service animals that we are required by law to allow. Emotional support animals are not permitted except as authorized pets. You agree that a prohibition on animals is not a guarantee that an animal has not been inside the Property or that the Property is free of animal or pet allergens.

H. Events and Commercial Photography; Structures; Charcoal Grills. Events and commercial photography or filming are prohibited at the Property without our express written permission. (If approved, additional conditions and fees may apply.) No tents or other structures may be erected on the property without our express written permission. The use of charcoal grills is not permitted.

I. Criminal Activity Prohibited. Use of the Property for any criminal activity is prohibited and may result in fines, prosecution, and/or your immediate removal from the Property. This prohibition extends to use of the Property's internet service, if any, for criminal activity, including but not limited to unlawful downloads of copyrighted material, including movies, music, software, or other material. We may cooperate with any investigation of alleged criminal activity that occurred at the Property during your stay.

J. Payment Terms; Fraud. If you are paying by credit card you represent that you are the account holder or an authorized user of the account. If for any reason, Vacasa believes your payment may be refused by the card processor, Vacasa may ask you for a different form of payment. Upon Vacasa's request, you will immediately provide another form of payment and adequate proof that you are the account holder or an authorized user of the account used for payment (such as a government-issued ID that matches the name on the account). Vacasa may cancel your reservation or remove you and all Occupants from the Property immediately if you fail to provide a form of payment that can be validated by Vacasa. We may share your credit card information and other information about you with law enforcement if we suspect fraud.

K. Consequences of Breach; Charges for Damage. Any failure by you or any other Occupants to comply with any of the terms, conditions, or policies above is a breach of this Agreement and may result in a forfeiture of your rights to rent the Property, up to and including immediate removal from the Property without refund and with or without the assistance of law enforcement. Vacasa may terminate this Agreement for breach, and if you are notified of such termination you agree to leave the Property immediately. In addition, you are responsible for, and you authorize us to bill your credit card on file for the full amount of: (1) any damage or loss that occurs at the Property during your stay; (2) a charge of up to \$1,000 for violations of the pet policy, including for bringing more pets or different types of pets than specifically authorized; (3) an additional cleaning fee of up to \$500 (or the actual cost of cleaning services, if greater) for violations of any of the guest policies above (other than the pet policy) or for excessive cleaning required by the acts or omissions of any Occupant during your stay; and (4) any fines issued by police, other government officials or agencies, utility providers, and/or homeowner associations for violation of any law, ordinance, or rule during your stay, and any damages (which may exceed the amount of fines) that result from the violation. If any unauthorized download of copyrighted material via the Property's Internet service occurs during the period of your stay, you agree that we may share your contact information with the internet service provider or any other party we believe, for any reason, has enforcement rights.

ADDITIONAL TERMS AND CONDITIONS

L. Cancellation Policy; No Shows. Rental payments are fully refundable (less the amount of Vacasa's booking fee, which is earned on receipt and becomes nonrefundable 24 hours after booking) for cancellations received 30 or more days

before the first night of your reservation. No full or partial refunds will be granted for no-shows or if you cancel less than 30 days before the first night of your reservation, arrive after the first night of your reservation, or depart before the last night of your reservation. Except as expressly provided in this Agreement, no refunds or compensation will be given and Vacasa shall not be liable to you for failure to make the property available for occupancy if the property is unavailable or becomes partially or wholly unusable for any reason outside Vacasa's control, including but not limited to adverse weather conditions, natural disasters, mechanical failures, evacuation orders or other acts of government agencies, or utility outages. Vacasa advises guests to obtain appropriate and comprehensive travel insurance that covers Renter and all Occupants and that includes coverage for personal injury, illness or disease, and property damage or loss.

M. Travel Insurance. Vacasa advises guests to obtain appropriate and comprehensive travel insurance that covers Renter and all Occupants and that includes coverage for personal injury, illness or disease, and property damage or loss, and to help protect against financial loss if you must cancel your reservation for a covered reason. Trip Preserver coverage is subject to separate eligibility requirements, terms, and conditions. If you elect to purchase Trip Preserver coverage for your reservation, you acknowledge that Vacasa will be entitled to 45% of the fee you pay for such coverage. Trip Preserver is not available for rentals outside the United States or for reservations for properties within the United States that are booked by non-U.S. residents.

N. Early Check-In/Late Check-Out. Early check-in or late check-out may be available; additional charges may apply. If you do not vacate by check-out time (or late check-out time as agreed by Vacasa), you authorize us to bill your credit card on file for a late departure fee of up to one night's rental and we may remove all Occupants and their personal property from the Property.

O. Maintenance or Housekeeping Issues; Property Conditions. The Property is provided as is, and we are not responsible for the inoperability or unavailability of any amenities. You agree to contact Vacasa, using the contact information provided in your confirmation email, as soon as you notice any maintenance or housekeeping problem, or any potentially hazardous condition, at the Property, or if any incident occurs at the Property that is related to such a problem or condition. You further agree to give Vacasa a reasonable amount of time to respond to your report and to cooperate with Vacasa's efforts to address the concern or provide a remedy. We will take reasonable and appropriate steps to remedy any reported problem as soon as practicable. We may enter the Property at your invitation to remedy any problem you report, at reasonable times and with reasonable notice to inspect, maintain, or repair the Property, and to address any situation that we reasonably deem an emergency that threatens persons or property. You acknowledge that if the Property has access to amenities that are shared with other properties, such as a shared pool, hot tub, parking lot, or fitness center, that the availability and condition of those amenities is outside Vacasa's control.

P. Choice of Law; Jurisdiction and Venue; Dispute Resolution.

P.1. Choice of Law. Unless otherwise specified in any Unit-Specific Terms or if a different choice of law is required by the law of the jurisdiction in which the Property is located, this Agreement shall be governed by laws of the State of Oregon, U.S.A, without regard to its conflict-of-law provisions.

P.2. Dispute Resolution and Arbitration Agreement: United States. If (a) your claim relates in any way to a reservation for or stay at a Property located in the United States, or (b) you bring any other claim against Vacasa in the United States (to the extent permitted by this Agreement), then you agree to resolve any dispute arising out of or relating in any way to this Agreement as follows:

a. Agreement to Arbitrate. Except as otherwise provided in this section, you and Vacasa mutually agree that any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association ("AAA") in accordance with its Consumer Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. Payment of filing, administration and arbitrator fees will be governed by the AAA's rules. To begin an arbitration, a party must send a letter to the other party requesting arbitration and describing the claim. If Vacasa requests arbitration, it will send the letter to your most recent email or physical address in Vacasa's records. If you request arbitration, you must send the letter to Vacasa's registered agent in the state in which the Property you reserved or stayed at is located, or if the dispute does not involve a reservation for or stay at a specific property, to Vacasa's registered agent in the state of Oregon.

b. Place of Arbitration. Except as otherwise required by AAA's Consumer Arbitration Rules, the arbitration shall take place in the county in which the Property is located, or in Portland, Oregon, if the dispute does not involve a reservation for or stay at a specific property, or in such other location as you and Vacasa may mutually agree.

c. Exceptions to Arbitration Requirement. As the only exceptions to the parties' agreement to submit all disputes to binding arbitration as provided herein, Vacasa and Renter both retain the right to pursue: (1) in small claims court in the county in which the Property is located (or if the dispute does not involve a reservation for a specific property, the small claims court for Multnomah County, Oregon), any claim that is within that court's jurisdiction, and the parties consent to the personal jurisdiction and venue of such court, and Vacasa further consents to Renter's appearance by telephone or video in lieu of personal appearance, if allowed under applicable court rules; and (2) a suit in any court with jurisdiction to enjoin (whether by temporary, preliminary, or permanent injunctive relief) infringement or other misuse of intellectual property rights.

P.3. Dispute Resolution: Properties Outside the United States.

If your claim relates in any way to a reservation for or stay at a Property located outside of Europe or the United States, you and Vacasa agree to bring any action in the courts of the country in which the Property is located, or in such other location and forum as you and Vacasa may mutually agree.

P.4. Class Action and Jury Trial Waiver. The parties agree that any dispute resolution proceedings will be conducted only on an individual basis and not in a class, consolidated or representative action. If for any reason a claim proceeds in court rather than in arbitration, the parties waive any right to a jury trial.

Q. Acknowledgment & Disclaimer; Limitation of Liability.

Q.1. Acknowledgment & Disclaimer. You acknowledge the Property may have features, amenities, and conditions that are unfamiliar to you and other Occupants you invite to the Property. You further acknowledge that your use of the Property and its amenities may carry inherent risk, including risk of bodily injury, illness or disease, disability, or death. For example, some Properties include natural habitats for wildlife, insects, and pests that may expose you to injury or disease; or docks, stairways, porches, ledges, cliffs, hot tubs, and other unmarked natural or manmade features, amenities, and conditions that carry inherent risk. You agree that, by using the Property or its amenities, you voluntarily and willfully assume those risks and assume full responsibility for the choices you make before, during and after your use of the Property and its amenities. You also acknowledge and agree that you and any other adult Occupants are solely responsible for closely supervising and protecting the health and safety of any and all Occupants that are minors, throughout the duration of your stay.

Q.2. Disclaimer of Warranties. TO THE MAXIMUM EXTENT PERMITTED BY LAW, VACASA AND OWNER EACH EXPRESSLY DISCLAIM ANY WARRANTIES OF SAFETY, FITNESS FOR A PARTICULAR PURPOSE, QUIET ENJOYMENT, AND AS TO THE ADEQUACY OF THE DIRECTIONS AND WARNINGS PROVIDED TO YOU.

Q.3. Limitation of Liability. TO THE MAXIMUM EXTENT PERMITTED BY LAW, IN NO CASE SHALL THE OWNER OF THE PROPERTY OR VACASA, NOR THEIR AFFILIATES, NOR THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, OR OWNERS, BE LIABLE FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR EXEMPLARY DAMAGES, OR FOR ANY DAMAGES FOR PERSONAL OR BODILY INJURY, ILLNESS OR DISEASE, EMOTIONAL DISTRESS, OR DAMAGE TO PROPERTY, ARISING OUT OF OR IN CONNECTION WITH YOUR STAY AT THE PROPERTY. THIS LIMITATION APPLIES TO ALL CLAIMS FOR DAMAGES WHETHER BASED ON A THEORY OF WARRANTY, CONTRACT, TORT (INCLUDING ORDINARY NEGLIGENCE), STRICT LIABILITY, OR OTHERWISE, EVEN IF VACASA HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE AND EVEN IF THE LIMITED REMEDY SET FORTH HEREIN IS FOUND TO HAVE FAILED OF ITS ESSENTIAL PURPOSE.

R. Indemnity. You agree to hold harmless and indemnify Vacasa and Owner, and their respective affiliates, for and from all claims for property damage, personal injury, illness or disease, or monetary loss resulting from your actions or omissions, and the actions or omissions of other Occupants, during or relating to your stay.

S. Substitution of Property. On rare occasions, due to ownership changes, properties being removed from rental use, or a need for extensive repairs or maintenance, the Property may not be available for rental on the dates of your reservation. In this

unlikely event, Vacasa reserves the right to substitute a comparable property. If comparable accommodations are not available, you will have the option of (1) selecting from other available properties (in which case you are responsible for, or will receive the benefit of, any difference in cost) or (2) receiving a complete refund of your reservation payment. In the event of a substitution of rental properties, all Terms in this Agreement, plus any Unit-Specific Terms specific to the substituted property, shall apply to your stay in the substituted property.

T. Assignment. Vacasa may assign this Agreement or any of its rights, or delegate any of its duties under this Agreement, at any time without your consent.

7. Katich 10.11.2021

Ordinance #1467-Interim Zoning Controls for Short Term Vacation Rentals

- I'm Peter Katich and my wife Liz and I own a home at 3509 Ross Avenue in the Millville Neighborhood of Downtown Gig Harbor. I also have 43-years of experience working in the field of land use planning recently retiring from the city of Gig Harbor in 2020.
- My wife and I have owned our home for 42 years and over those years have seen many changes to our community. I believe that for the most part, those changes have improved the quality of life enjoyed by those who live and visit here.
- However, over the past several years single family homes in the Millville Neighborhood have been legally and illegally converted into bed and breakfast uses, and a short-term vacation rental use is currently operating two parcels to the east of us.
- These changes are slowly eroding the single-family character of our neighborhood and potentially adding nuisances such a noise, traffic and parking problems to our area.
- The city's Comprehensive Plan Land Use Map designates our neighborhood as "Residential Low" intensity and the Plan promotes the protection of such residential areas. The city's R-1 District zoning designation promotes low density single-family development and the preservation of the established character of such areas.
- The proliferation of short-term vacation rentals poses a threat to the character of Gig Harbor's single-family neighbors and a particular threat to the historic Millville Neighborhood with its proximity to the waterfront and the city's downtown area.
- The city's existing regulations governing short-term vacation rentals are lacking in scope and clarity and need to be revised to address the threat that short-term vacation rentals pose to our historic, single-family neighborhood.

- My wife and I strongly support the interim zoning regulations adopted by the Council at its meeting of 9.27.2021 and encourage you, the Planning Commission and staff to develop implementing zoning regulations that properly regulate short-term vacation rentals and implement the policies of the city's Comprehensive Plan as required by the State Growth Management Act.
- Thank you

Peter & Elizabeth Katich
3509 Ross Avenue
Gig Harbor, WA 98332

From: [Carl de Simas](#)
To: [Michelle Thomas](#)
Cc: [Katrina Knutson](#); [Josh Stecker](#)
Subject: FW: Ordinance #1466-Short Term Vacation Rentals
Date: Monday, October 11, 2021 10:52:48 AM
Attachments: [Ord.#1467-Interim Zoning Controls for short term vacation rentals.docx](#)

Hi Michelle,

Please add Pete's comments to the record and add him to the interested parties list.

Thank you,

Carl

--

Carl de Simas | Principal Planner
Community Development | 3510 Grandview Street | Gig Harbor, WA 98335
P (253) 853-7628 | F (253) 858-6408 | www.cityofgigharbor.net

From: pkatich@comcast.net <pkatich@comcast.net>
Sent: Monday, October 11, 2021 8:36 AM
To: Katrina Knutson <kknutson@gigharborwa.gov>
Cc: Carl de Simas <cDesimas@gigharborwa.gov>
Subject: RE: Ordinance #1466-Short Term Vacation Rentals

Hi Katrina: Attached, are my comments regarding Interim Ordinance #1467, Interim zoning controls for short term rentals. Please add them to the public record for this matter. I'll give you a call later today to go over a few questions I have for you concerning the ordinance. Thank you! Pete

From: Katrina Knutson <kknutson@gigharborwa.gov>
Sent: Sunday, October 10, 2021 1:10 PM
To: pkatich@comcast.net
Subject: Re: Ordinance #1466-Short Term Vacation Rentals

Hi Pete,

Most short term rentals fall under Lodging Level 1. However, for instances like live aboard boats, sheds, ADUs, the code does not provide direction.

Staff would like time to work with the community and Planning Commission to come up with common sense regulations that meet community expectations.

Happy to chat prior to Monday night.

Hope you are well.

Katrina

Sent from my iPhone

On Oct 10, 2021, at 11:34 AM, pkatich@comcast.net wrote:

Hi Katrina: I hope you're doing well. Could you please refresh my memory as to how short-term vacation rentals are currently regulated in the city's R-1 District? In reviewing the code and the council bill for the interim ordinance it isn't clear how they are currently regulated. I plan on testifying at the Council public hearing on 10.11.2021 on the interim ordinance and getting a clear understanding on the current situation, which I understand allows them as a conditional use in the R-1 District, would be very helpful as the current code lacks definitions and regulations that clearly addressed the current regulatory situation. Thanks much! Pete

8. Kent-Smith

Ordinance 1467, six month moratorium on short term housing

What exactly is the city trying to do by restricting short term housing provided by Airbnb, VRBO, nursing rooms and other entities? Is this to protect

- . affordable housing
- . protect housing supply
- . preserve residential and neighborhood housing
- . nuisance issues
- . tourism issues
- . quality of life issues
- . balance mix of uses
- . economic/taxation issues
- . safety issues
- . level the playing field for our hotels
- . enforcement issues

The reason I ask is because this emergency moratorium came out of the sky. No one was aware there was an issue. Many residents are unaware that there might be an Airbnb or VRBO in their neighborhood.

Now that a short term six moratorium has been approved, I have the following questions:

1. how many operating Airbnb and VRBO are already operating within the city limits?
2. how many are already licensed?
3. how many per district? Downtown, Millville, Finholm, North GH, etc.
4. what type guest base are they advertising to?
5. what are their guest requirements ? Any age restrictions?
6. how long have they been operating and what is their reputation?
7. have there been any complaints regarding their operation or disruption issues?
8. what type life safety procedures have the operators established for their venue?
9. do they have written manuals in place for any potential guest?
10. what effect have they had on tourism and the city economy?
11. what type of accommodations are offered?
12. Complete house or shared home (owner occupancy)?
13. number of days rented per year?
14. how does the city plan to enforce the new requirements?
15. will these new requirements and ordinance apply to BandB (bed & breakfast accommodations)?

Because the city is short staffed, is it going to hire a temporary intern to research the Airbnb, VRBO and nursing room sites to discover the existing facilities currently operating within city limits? Or is the city expecting the residents to notify it that they are operating an Airbnb or VRBO?

Tomi Kent Smith
3414 Harborview Drive
Gig Harbor 98332

9. Nadler

Ordinance 1466 and 1467

Housing issues are a national issue, for Gig Harbor I'd argue the issue is what do we want for our community? Do we want a transient, bedroom community? Do we want to be overwhelmed by individuals that do not wish to make Gig Harbor home, but rather to temporarily use the community and then discard it like the trash so readily found in the gutter and the bay?

The questions before the City today are how to manage short-term rentals and the introduction of housing for the dispossessed.

Part of HB1220 directs GMA jurisdictions to consider policies that encourage affordable housing goals. By allowing and encouraging short-term rentals we will see a continuation of ever-increasing property values as individuals buy single family homes, not as a place to live where their family can become a part of the community, but rather as investments. Home prices will continue to rise, perpetuating the lack of affordable housing.

I'm in no way a supporter of having transitional housing nor emergency shelters here in Gig Harbor, those services are best provided by the larger cities. Inviting the issue and associated problems to Gig Harbor is a mistake. However, the state has passed the buck, making this a problem for smaller municipalities which do not currently have the problems that Seattle, Tacoma and other, larger municipalities have; perhaps Gig Harbor could push back on the state, has this been a consideration? Failing that, we must have a sensible plan to control and regulate shelters here in Gig Harbor.

It seems that many current policies lack enforcement. With that said, and regarding both 1466 and 1467, I ask how the Council proposes to enforce these policies? How will the city manage additional short-term rentals or the proposed transitional housing?

When I first moved into my home, I knew I lived in an area zoned for residential housing. To the south was a multi-family unit with a homeowner and renters residing there. The balance of homes were inhabited by homeowners and their families. In 3 short years that has devolved into a very commercial and transient atmosphere.

Today, my immediate neighbor to the south is seeking an Administrative finding from the city allowing for continued operation as a tri-plex.

The second home to my south is now owned by an individual who leases two short-term apartments (i.e. VRBO, etc.). Permitted?

The third home to the south was sold earlier this year by the former owner's estate and has been converted into a business office, no one actually "lives" there, parking is an issue, vegetation has been ripped out to make room for parking. An inquiry to Code Enforcement resulted in a finding, which is short stated that the owner has obtained the appropriate "Home Occupation" permit and that while a property owner could conceivably abuse or misuse the code therefore creating a nuisance or unnecessary issue for the surrounding neighborhood, the City of Gig Harbor does not have a mechanism for verification.

The fourth home to the south is a long-term rental and appears to have new renters each year. The next home recently sold for \$1.4mm, it is a 4br, 2bth, 3,200sqft home; based on the number of vehicles parked at and around this home there appear to be eight adults living here.

I understand that a homeowner located elsewhere in Gig Harbor recently sought a permit to register their home as a short-term rental. Apparently, this owner purchased the Gig Harbor home as a second, seasonal home. The owner does not live here in Gig Harbor, nor in Washington State.

The Short-Term Rentals FAQ provided on the city website noted there are currently 44 listings on VRBO, Airbnb, Vacasa and Expedia. Earlier today I queried the number of short-term rentals available in Gig Harbor, WA:

Airbnb	99
VRBO	180
Vacasa	19
Expedia	31

I'm sure there are some duplicates, and perhaps a narrowing of the search to the city limits would return a lower number. How many short-term rentals are currently permitted by the city?

I first visited Gig Harbor in 2012, my wife and I thought the city a friendly, safe place. A great place to live. When the opportunity to relocate to Washington presented itself, we jumped at the chance to move to Gig Harbor. We have since become well acquainted with our neighbors, the community, and the city. There has been a lot of debate about the changes taking place here in town, some of those changes are for the better, some not. What do we wish for the city? How will those charged with managing the city enforce the rules meant to allow everyone to enjoy Gig Harbor?

It seems that these two items are inevitable, I ask that the Council implement straight forward policies to manage these issues and those policies be enforced. Regarding Ordinance 1466, I ask that the community be given the chance to review and comment on any proposed housing or shelter. With regard to Ordinance 1467, I ask that the City impose a hard limit on the number of short-term rentals, spreading those permits throughout the city so that no one area is overwhelmed.

Edward Nadler
9401 N Harborview Dr
Gig Harbor

10. Nichols 10.11.2021

October 11, 2021

The Honorable Mayor Kit Kuhn
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

RE: Gig Harbor Chamber of Commerce Opposition to [Ordinance No. 1467](#)

Dear Mayor and City Council,

As a business owner and property owner in Gig Harbor City limits, I am astounded by the fear-based reaction to Katrina Knudson suggesting that short term rental codes be looked at and updated in 2022. The Planning Commission and/or City Council took this recommendation and turned it into an emergency moratorium. What emergency is being addressed? Short term rentals do not constitute a threat to public safety. By enacting a moratorium, you are affecting small business owners, families trying to afford expensive housing, traveling professionals, couples seeking a short getaway, and small businesses that rely on tourist activity.

I want to share with you my situation as I do not think that City Council considered the impact of the moratorium on small business owners such as myself. I have been working through the very cumbersome, expensive, and complicated process to obtain a conditional use permit for my property as a short-term vacation rental. The process has taken several months. My vacation rental is in the Finholm District in my commercial building which also is home to my primary business, Allovus Design Inc. With the pandemic taking all of my employees out of the office, I now have extra space that is not being utilized by my business. Because of the limited parking, the space isn't desirable as an office or service business. Turning this space into a short-term vacation rental has minimal impact on the traffic and parking, brings in new customers to the neighboring businesses such as Devoted Kiss, Finholms Market, Anthony's, Harbor Tours, the kayak and paddle board rental business, and Moros's in the immediate vicinity. Neighboring harbor communities like Bainbridge, Poulsbo, Port Townsend are thriving, lovely, welcoming cities. People go there to experience what they have to offer. You walk down the streets and shop, eat, listen to music, create memories. Short term rentals and moorage allow for this. They are an asset to the community, an asset to local businesses and an asset to the residents when properly managed.

As I have been getting my space ready, I have been working to document the process for obtaining a conditional use permit. The permit process itself is burdensome for the average person which is why there are so many unpermitted vacation rentals in Gig Harbor. Enacting a moratorium is not solving any problems. Creating a streamlined, and simple permit process would allow for better oversight of these short-term rentals. My hope is that the city will seek our input as community stakeholders to help update the code and permit process in regards to short term rentals over the coming weeks, not months. I wholeheartedly support Katrina Knudson's recommendation that the code be updated. I do not think that a moratorium was needed to address this, especially an emergency moratorium which removed the public hearing process prior to the vote.

I would hope in the future that “emergency” moratoriums are given more discussion, research and fact finding before the City Council is asked to vote. I believe that a lot of fear-based assumptions, fringe case scenarios and unsubstantiated claims were presented in order to secure a desired vote from the parties presenting the information. If there had been a public hearing, you would have been able to hear from those that supported your elections and those you represent as well as solutions and ideas. Instead, your decisions were based on a misrepresentation of the situation and only founded in opinions, not facts. I encourage you to look at the impact, facts and recommendations of and those impacted firsthand and propose an alternative to putting this ordinance into effect.

HAYLEY NICHOLS

FOUNDER & PRINCIPAL

ALLOVUS CREATIVE PARTNERSHIPS

8811 N. Harborview Drive – Suite C, Gig Harbor WA 98332

253.222.0274

hayley@allovus.com

allovus.com

11. Pope

I grew up in downtown Gig Harbor and love living in this town. I'm sad to see the unique character of downtown eroding under the weight of short term rentals. From my family home downtown, I can reach 3 AirBnBs within a 2 minute walk or less.

These properties leave fewer opportunities for homes available to families to live in and raise the next generation. They remove the opportunity for me to know my neighbors. We have a housing shortage in our town and need every opportunity for homes to be made available for residents rather than renters.

I'm happy to see short term rentals for properties that are owner-occupied. That way owners can be like ambassadors for our lovely town, and unused space can be utilized for extra income. But I'm tired of losing my neighborhood to someone's investment portfolio.

Erin Pope

12. Schulte

To the attention of City Council and Mayor-

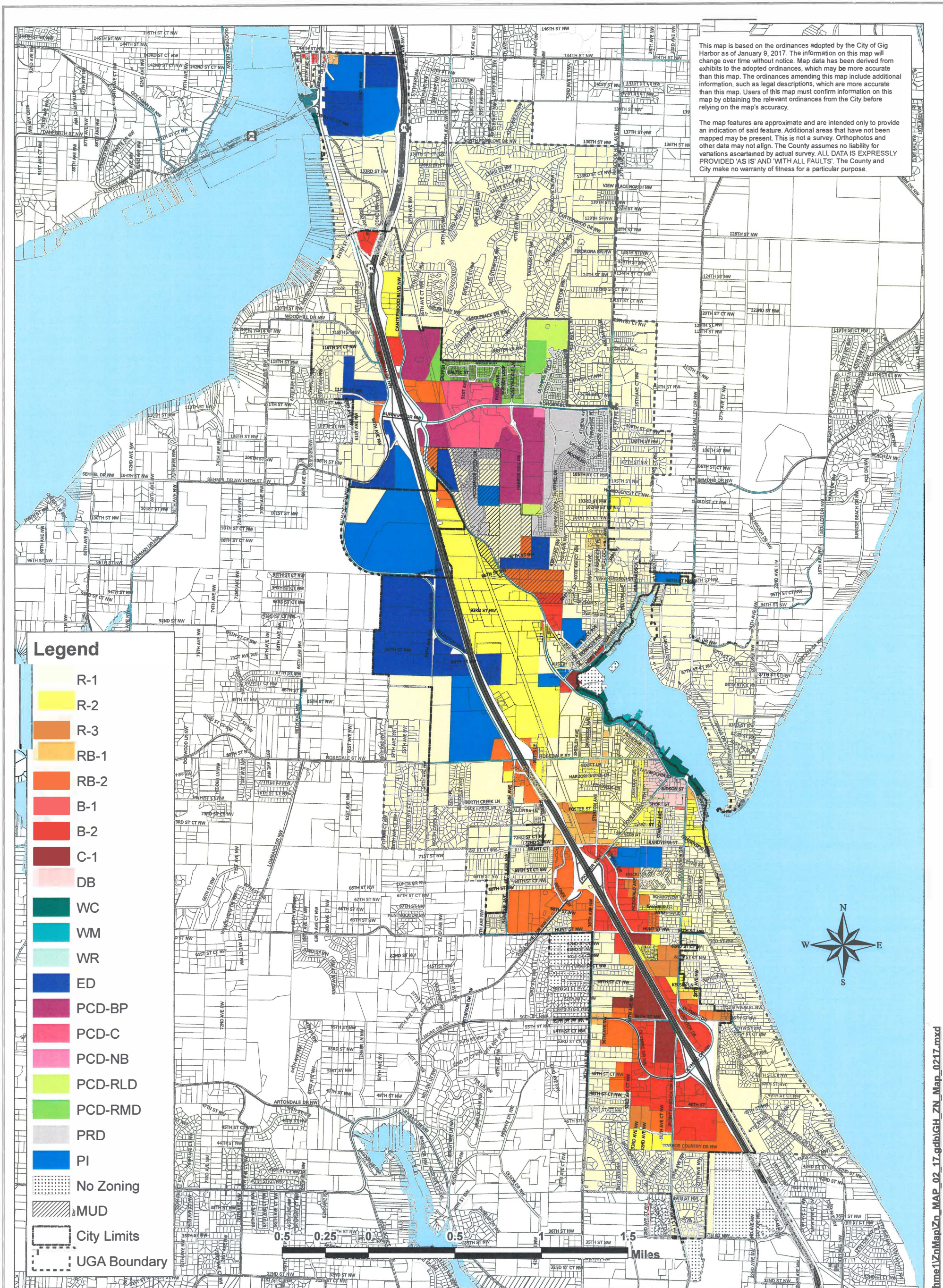
The issues of short term rentals should not have been an emergent situation, this was an overreach of power and gross limitation of property rights. I do understand that you need to put some regulations in place (in accordance with WA State constitution) and ask that you please allow this its due diligence to be handled with the city planning department so it can have the time to be fully vetted and transparent.

The emergency nature of this topic is still unclear, and troublesome for our city that our leadership is so reactive when there is no evidence to support an "emergency moratorium."

Thank you for your consideration to give this the proper due process.

Paige Schulte
Mom of 3 kids
Philanthropist
Small business owner

Zoning Map



hme1ZnMapZn_MAP_02_17.gdb\GH_ZN_Map_0217.mxd

Zoning	Public Institutional (PI)	Single Family Residential (R-1)	Planned Community Low Density Residential (RLD)	Medium Density Residential (R-2)	Planned Community Medium Density Residential (RMD)	Multiple Family Residential (R-3)	Residential Business (RB-1)	Residential Business 2 (RB-2)	Downtown Business (DB)	Neighborhood Commercial (B-1)	General Business (B 2)	General Commercial (C-1)	Planned Community Development Commercial (PCD-C)	Employment District (ED)	Waterfront Residential (WR)	Waterfront Millville (WM)	Waterfront Commercial (WC)	Planned Community Development Business Park District (PCD-BP)	Planned Community Development Neighborhood Business District (PCD-NB)	Mixed Use District Overlay (MUD)
Lodging, level 1	Not Allowed	Conditional Use	Not Allowed	Conditional Use	Not Allowed	Permitted Use	Permitted Use	Permitted Use	Permitted Use	Permitted Use	Conditional Use	Conditional Use	Not Allowed	Not Allowed	Conditional Use	Conditional Use	Conditional Use	Not Allowed	Not Allowed	Permitted Use
Lodging, level 2	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Conditional Use	Permitted Use	Not Allowed	Permitted Use	Permitted Use	Permitted Use	Not Allowed	Not Allowed	Not Allowed	Conditional Use	Not Allowed	Not Allowed	Permitted Use
Lodging, level 3	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Conditional Use	Permitted Use	Not Allowed	Permitted Use	Permitted Use	Permitted Use	Not Allowed	Not Allowed	Not Allowed	Conditional Use	Permitted Use	Not Allowed	Permitted Use