

ORDINANCE 1507

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO SHORT TERM RENTALS; AMENDING 17.04.444, 17.14.020, 19.01.003, AND 19.02.008 OF THE GIG HARBOR MUNICIPAL CODE; ADDING DEFINITIONS FOR SHORT TERM RENTAL AND SHORT-TERM RENTAL PLATFORM TO 17.04; ADDING A NEW SECTION 17.85 TO THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCE 1497; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2021, the City Council Planning and Building Committee determined that short-term rentals are prevalent in the City of Gig Harbor and may be proliferating throughout the community; and

WHEREAS, the Gig Harbor Municipal Code (GHMC) currently does not have a definition for short-term rentals and therefore does not contain regulations specific to such a use; and

WHEREAS, the City's Planning Division has permitted short-term rentals as a Lodging, Level 1 use, this being the most similar use available in GHMC; and

WHEREAS, on September 27, 2021, by Ordinance 1467, the City Council passed a moratorium on acceptance of Lodging, Level 1 applications and directed the matter to the Planning Commission for further study and a recommendation regarding the regulation of short-term rentals; and

WHEREAS, the moratorium was extended on March 28, 2022, and September 12, 2022, by Ordinances 1484 and 1497, respectively; and

WHEREAS, the Planning Commission discussed the matter at eleven meetings, beginning in January 2022, including two public hearings on June 2, 2022 and August 4, 2022; and

WHEREAS, the Planning Commission received and considered approximately 100 written public comments and heard several oral testimonies during that period of time; and

WHEREAS, the Planning Commission endeavored to draft fair, balanced, and clear short-term rental regulations that would, above all, protect the character of the City's neighborhoods ensuring that single-family housing remains available and the primary use remains consistent with the values and characteristics of the neighborhood; and

WHEREAS, the Planning Commission drafted and reviewed several iterations of draft regulations before turning the matter back to the City Council without an official recommendation; and

WHEREAS, the City Council reviewed information from several different sources, including other local and national jurisdictions and organizations; and

WHEREAS, the City Council reviewed approximately ____ public comments and received information, clarifications, and professional recommendations from City Staff to inform their decision; and

WHEREAS, the negative effect of short-term rentals on housing supply and the “potential” positive effects of regulations relative to rental property is discussed in a report prepared for the National Association of Realtors, October 14, 2015; and

WHEREAS, the City Council reviewed several articles, studies, and guidance describing the effects of short-term rentals on local housing and rental markets and recommendations for regulating the use; and

WHEREAS, the City Council desires that the permit process for short-term rentals should include public notice, an administrative decision by the Community Development Director or their assigns, and an appeal process; and

WHEREAS, the City Council desires that the permit process be administratively feasible and enforceable by City Staff; and

WHEREAS, the City Council finds that a Type II permit, as defined in GHMC, provides for the desired permit process; and

WHEREAS, the City Council, consistent with their research, finds that the permitted short-term rental should be reviewed annually to confirm consistency with GHMC and any other applicable laws; and

WHEREAS, the City Council finds that the permitted short-term rental shall be required to acquire a state and local business license; and

WHEREAS, the business license, which requires annual renewal, as is consistent with current codes, shall be reviewed annually for consistency with these recommended regulations; and

WHEREAS, the City Council finds that a signed affidavit, provided to the Planning Division annually, attesting to the relative code requirements, is the most effective, administratively feasible, and enforceable process for confirming consistency; and

WHEREAS, the City Council finds that the City has several legally established Lodging, Level 1 uses that are advertised and licensed as short-term rentals; and

WHEREAS, the City Council finds that the City has several short-term rental operations that have not been legally established through the City's current permitting process; and

WHEREAS, the City Council recognizes that the adopted regulations will affect those short-term rentals currently operating without a current City-issued permit; and

WHEREAS, those short-term rental operations that meet the criteria established within the adopted regulations will have the opportunity to receive permits after undergoing the approved permit process; and

WHEREAS, certain goals and policies of the City's Comprehensive Plan would be furthered as a result of these regulations; and

WHEREAS, the City's Comprehensive plan supports neighborhood character under Goal 3.6: *Retain and protect the unique character of historic business and residential neighborhoods within The Harbor*; and

WHEREAS, the City's Comprehensive supports equitable housing under Goal 3.11.3: *Promote fair and equal access to housing for all persons and prohibit any activity that results in discrimination in housing*; and

WHEREAS, City's Comprehensive plan supports economic vitality under Goal 3.12: *Support and encourage a strong, diversified, and sustainable economy, while respecting the natural and cultural environment and preserving/enhancing the quality of life in the community*; and

WHEREAS, the City's Comprehensive plan supports economic diversity under Goal 3.13: *Provide reasonable guidelines and standards for the siting of home-based businesses in residential neighborhoods. Ensure that home-based businesses do not alter or impact the residential character of neighborhoods*; and

WHEREAS, City's Comprehensive plan supports maintaining affordable and attainable housing under Goal 6.5: *Preserve Gig Harbor as a place to live for people of all occupations, incomes and abilities*; and

WHEREAS, the City Council finds careful record-keeping and data collection on the short-term rental permit process, the number of relative permits issued, and relative code enforcement, during the first year of administering these regulations will provide clarity around the matter; and

WHEREAS, the City Council finds that a public web site concerning short-term rental data and a quarterly City Staff report back to City Council, during the first year of

administering these regulations, will ensure public awareness and the adequacy of this action.

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

Section 1. City Council hereby repeals Ordinance 1497.

Section 2. Gig Harbor Municipal Code Section 17.04.444 “Lodging, Level 1” is hereby amended, to read as follows:

~~“Lodging, level 1” means a single-family residence which provides overnight lodging for guests, and may provide meals for overnight guests, not to exceed five guest rooms.~~

“Lodging, level 1” means a single-family residence which provides overnight lodging for guests, and provides food service to guests in accordance with WAC 246-215-09300. Such dwelling shall have no more than eight (8) such guest rooms for persons other than the immediate family of the operator occupying such dwelling.

Section 3. Gig Harbor Municipal Code Section 17.14.020 “Land use matrix” is hereby amended as shown in Exhibit A.

Section 4. Gig Harbor Municipal Code Section 19.01.003 “Project permit application framework” is hereby amended as shown in Exhibit B.

Section 5. Gig Harbor Municipal Code Section 19.02.008 “Duration of permit approval and expiration of permits” is hereby amended as follows:

19.02.008 Duration of permit approval and expiration of permits.

C. The duration of approval, expiration and extension of the following land use permits shall not be governed by this section, except that subsection B of this section shall apply:

4. Special use permits, land clearing permits, planned residential developments, planned unit development, short-term rental permits, and temporary trailer permits shall be governed by the provisions in the specific zoning code chapter regulating those permits;

Section 6. Gig Harbor Municipal Code Section 17.04.726 is hereby added to the Gig Harbor Municipal Code as follows:

17.04.726 Short-term rental

“Short-term rental” means a legally established dwelling unit, accessory apartment, or portion thereof that is offered as a rental to guests for fewer than thirty consecutive nights.

Section 7. Gig Harbor Municipal Code Section 17.04.727 “Site Coverage” is hereby renumbered to Section 17.04.728, and replaced as follows:

17.04.727 Short-term rental platform.

“Short-term rental platform” or “platform” means a person or business entity that provides a means through which a dwelling unit, accessory apartment, or portion thereof may be offered for the purposes of a short-term rental and from which the person or entity financially benefits.

Section 8. Gig Harbor Municipal Code Section 17.85 is hereby added to the Gig Harbor Municipal Code as follows:

Chapter 17.85
Short-term Rentals

Sections:

- 17.85.010 Intent.
- 17.85.020 Applicability.
- 17.85.030 Short-term rental.
- 17.85.040 General regulations.
- 17.85.050 Inspections and enforcement.

17.85.010 Intent.

This chapter is intended to provide review procedures and criteria for the use of a legally established dwelling unit or accessory apartment as a short-term rental. The regulations herein are established to:

- A. Permit residents to offer their residences as short-term rentals subject to reasonable city regulations.
- B. Protect neighborhoods from the potentially adverse impacts of short-term rentals.
- C. Minimize potential impacts on long-term housing availability and attainability.

17.85.020 Applicability.

The regulations established in this chapter apply to all short-term rentals proposed or located within a legally established dwelling unit, accessory apartment, or portion thereof.

17.85.030 Short-term rental.

To operate a short-term rental, the short-term rental applicant shall first obtain an approved short-term rental permit and City of Gig Harbor business license.

A. Application procedure.

1. A short-term rental permit application shall be a Type II procedure and processed consistent with Title 19 GHMC.
2. A short-term rental permit issued to one person or entity shall not be transferable to any other person or entity nor shall a short-term rental permit be valid at any address other than the one appearing on the permit.
3. A short-term rental permit is considered valid until one or all the following criteria exist:
 - a. Owner changes; or
 - b. A valid Business License associated with the permit no longer exists.

B. Complete application. A complete short-term rental permit application shall include the following:

1. Completed short-term rental permit application.
2. A verified statement by the applicant that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property.
3. Written description of the proposed short-term rental operation and affirmation that the proposed operation will meet the general requirements of Chapter 17.85.040.
4. Written description of the proposed location for the short-term rental operation.
5. Number of off-street parking spaces provided at the location, or that are proposed to be dedicated for use by guests of the short-term rental.
6. A completed Good Neighbor Policy form.
7. Short-term rental permit fee as established by resolution of the City of Gig Harbor City Council.

C. Criteria for approval.

1. The proposed operation is found to be consistent with the definition for short-term rental.
2. The application is found to be in compliance with all general regulations required by this chapter.

D. Annual business license renewal. Each annual renewal of the owner's business license shall include and comply with the following:

1. Before the annual renewal of the business license the owner shall submit to the City a signed and notarized affidavit in a form approved by the director and the city attorney. Through the affidavit the owner shall confirm information including, but not limited to, the following:
 - a. Affirmation that the general regulations of 17.85.040 have been met.

17.85.040 General regulations.

- A. The short-term rental permittee must maintain a valid short-term rental permit and City of Gig Harbor business license.
- B. The approved short-term rental permit number and City of Gig Harbor business license shall be posted on every listing advertising or offering the short-term rental, including listings on short-term rental platforms.
- C. A short-term rental permittee is allowed only one (1) short-term rental permit in the City of Gig Harbor.
- D. Short-term rental permittee, or their designee, shall always be available and able to respond in person, or by telephone, within one hour to complaints, guest concerns, and inquiries.
- E. Contact information for the Short-term rental permittee, or their designee, shall be clearly posted in a visible location within the main living space of the short-term rental.
- F. A good neighbor policy, in a form provided by the City, shall be posted in a visible location within the main living space of the short-term rental. It shall be the responsibility of the applicant to ensure that their guests comply with the policy.
- G. All off-street parking required for the primary use of the site shall be made available to guests.
- H. On or off premise signs advertising the short-term rental shall not be permitted.
- I. Short-term rental guests are not permitted to host banquets, parties, or other gatherings for direct or indirect compensation.
 - 1. Short-term rental guests are permitted to hold non-commercial gatherings which do not infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.
- J. The short-term rental shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business, in the ordinary meaning of the term, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.
- K. Maximum occupancy shall be regulated consistent with GHMC Title 15.
- L. The short-term rental shall maintain all applicable performance standards for the zoning district or shoreline environment designation and as otherwise required by local, state and federal law.
- M. The short-term rental shall meet all local, state, and federal requirements regarding licenses and taxes.

17.85.050 Enforcement.

- A. Enforcement of this chapter shall be conducted consistent with the enforcement of land-use codes chapter of GHMC Title 19, the enforcement chapter of GHMC Title 15, the purpose and policy chapter of GHMC Title 5, and all other adopted and applicable enforcement chapters of GHMC Titles.

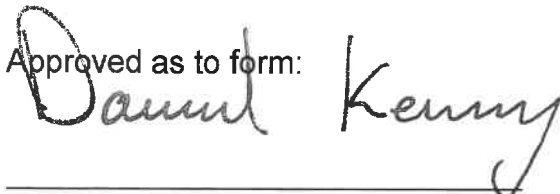
Section 9. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance has been transmitted to the Washington State Department of Commerce, as required by law.

Section 10. 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 11. 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 12. 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 27th day of February, 2023.

Approved as to form: 

Daniel Kenny
City Attorney



Tracie Markley
Mayor

Attest: 

Joshua Stecker, CMC
City Clerk

EXHIBIT A

Chapter 17.14 Land Use Matrix

17.14.010 Interpretation of land use matrix.

- A. The land use matrix in this chapter identifies uses permitted in each individual zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of this matrix.
- B. If a dash appears in the box at the intersection of the column and the row, the use is not permitted in that district.
- C. If the letter "P" appears in the box at the intersection of the column and the row, the use is permitted in that district.
- D. If the letter "C" appears in the box at the intersection of the column and the row, the use is conditionally permitted subject to the conditional use permit review procedures and criteria specified in Chapter 17.64 GHMC.
- E. If a footnote appears in the box at the intersection of the column and the row, the use may be permitted subject to the appropriate review process indicated above and the specific conditions indicated by the corresponding footnote.
- F. All applicable requirements shall govern a use whether or not they are cross-referenced in the matrix. To determine whether a particular use is allowed in a particular zoning district and location, all relevant regulations must also be consulted in addition to this matrix. (Ord. 1045 § 1, 2006).

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

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
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
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	-	-
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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
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
Short-term Rental ³²	-	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	-	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
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	-	-

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
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	-	-	-
Marine boat sales, level 2	-	-	-	-	-	-	-	-	-	-	-	P	-	C ²²	-	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
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 Short-term rentals are subject to Chapter 17.85 GHMC

EXHIBIT B

Chapter 19.01 Types of Permit Applications

19.01.003 Project permit application framework.

B. *Decisions.*

TYPE I	TYPE II	TYPE III	TYPE III-A	TYPE IV	TYPE V
Final short plat	Preliminary short plat	Plat vacations and alterations	Preliminary plats/major preliminary plat revisions	Final plats	Comprehensive plan amendments
Minor site plan review	Major site plan review	Conditional use permit	Preliminary PRD/PUD	Final PRD/PUD	Development regulation amendments
Minor amendments to PUD/PRD	Alternative design review ¹	General variances, sign permit variances	Major amendment to PRD		Zoning text amendments; area-wide zoning map amendments
Special use permits	Binding site plan	Shoreline substantial development, shoreline variance, shoreline conditional use			Annexations
Temporary trailers	Revisions to shoreline management permits ²	Major amendments to PUD			
Sign permits	Administrative variances	Amendment to height restriction area map			
Administrative design review ¹	Administrative interpretations	Mobile/manufactured home park or subdivision			

Land clearing	Shoreline permit exemptions ²	Performance-based height exception			
Home occupation permit	<u>Short-term rental permit</u>	Changes from one nonconforming use to another			
Alternative landscape plan		Site-specific rezone			
Nonconforming review		Critical area variances			
Minor preliminary plat revisions		Critical area reasonable use exceptions			
Boundary line adjustment					

¹ In addition to the procedures in this title, applications for design review shall follow the procedures set forth in Chapter [17.98](#) GHMC.

² The notice of application requirements of GHMC [19.02.004](#) and notice of decision requirements of GHMC [19.02.007](#) shall not apply to shoreline permit exemptions. The decision shall be subject to the procedural requirements of Shoreline Master Program subsection 8.2.3 and the appeal procedures of GHMC [19.06.004](#).