



Town of Coupeville

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**TOWN OF COUPEVILLE
PLANNING COMMISSION MEETING
AGENDA
Island County Commissioners' Hearing Room
November 6, 2018**

6:00 pm

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES AND APPROVAL OF AGENDA

APPROVAL OF MINUTES

Approve minutes from September 4, 2018, regular meeting

DISCUSSION ITEM

Transient Accommodations (Vacation Rentals)

NEW BUSINESS

AUDIENCE INPUT - See NOTE

ADJOURNMENT

NOTE: Audience Input - *This is time set aside for members of the public to speak to the Commission about subjects of concern or interest, or items not already set aside for a public hearing. Questions presented may not be answered immediately if all information is not available, but will be responded to as soon as possible. To ensure your comments are recorded properly, you need to state your name and address clearly into the microphone. Please limit your comments to five minutes. Input requiring more lengthy comment is best submitted in writing.*

**TOWN OF COUPEVILLE
PLANNING COMMISSION MEETING
AGENDA
Island County Commissioners' Hearing Room
September 4, 2018
6:00 pm**

PRESENT

Chair Carol Molitor, Commissioners Michelle Cook, Ricardo Reyes, and Julie Roth

STAFF PRESENT

Planning Director Owen Dennison and Recording Secretary Carol Browne

CHANGES AND APPROVAL OF AGENDA

The agenda was amended to move Audience Input prior to the Discussion Item.

APPROVAL OF MINUTES

The minutes from the August 7, 2018, regular meeting were approved with minor changes.

AUDIENCE INPUT

Chair Molitor opened the floor to public comment.

Mr. Ted Clifton, 460 Kineth Point Place, Coupeville, WA

Mr. Clifton addressed the Commission to inform the Housing Element discussion with a builder's perspective on the affordability of housing. He stated that the cost of housing has risen significantly in the last several years, noting that two years ago a new home cost \$200 per square foot to construct and today most new homes cost over \$300 per square foot. The cost per square foot is even higher for smaller homes. Despite efforts to build affordable housing in this area, no new projects have been developed in the last three and a half years. Regardless of whether it is a big house or a small house, every lot has the same cost. Forty percent of the cost of new housing is regulation. He acknowledged that the Town has no control over state and federal legislation. He provided, as an example of the effect of local regulation, the current tree ordinance that requires a calculated number of trees on a lot regardless of whether the lot was treeless prior to development. A current client has a lot that hasn't had a tree on it for 150 years and yet the code would require at least 13 large fir trees. He stated that we need to be building zero energy homes with photo voltaics on the roofs rather than planting forests where none have existed since white settlement. Mr. Clifton concluded by asking the Commission and the Town to apply this reasoning to the Comprehensive Plan update. How can we remove the regulatory burdens that are making housing unaffordable and are making it difficult to produce zero energy homes?

Planner Dennison stated that it would be helpful to the planning process to have a list of items that contribute, at some level of significance, to the rising cost of housing. Mr. Clifton stated he could provide a list, compiled by the Builder's Association, that outlines factors that raise of cost of every home. Mr. Clifton would provide this list in hopes that it would provide solutions on actions that can be taken to reduce the cost burden so that people can buy a home and stay in this area.

Mr. Andrew Warford, 922 NE Schefflera Place, Coupeville, WA

Mr. Warford introduced himself to the Commission as the presumptive replacement for former Commissioner Mike Moore. Mr. Warford briefly shared his educational and professional experience and stated that, since he intends to spend the rest of his life here in Coupeville, he is looking forward to contributing to make it the best community it can be.

DISCUSSION ITEM

Comprehensive Plan Update

The Planning Commission continued its discussion of the Housing Element, specifically related to affordable housing. Planner Dennison provided a summary of factors affecting affordable housing needs according to Island County's recent analysis for its housing element. Island County Countywide Planning Policies were reviewed and discussed, as were the Housing Element Goals for Coupeville and other local jurisdictions.

NEW BUSINESS

Planner Dennison alerted Commissioners to an upcoming Short Course on Local Planning in Anacortes and encouraged attendance.

ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Carol Browne, Recording Secretary

Owen Dennison, Planning Director



STAFF REPORT

DATE: November 6, 2018
TO: Planning Commission
FROM: Owen Dennison, Town Planner
RE: Transient Accommodation

This agenda item provides for an initial discussion of potential amendments to the Town's transient accommodation regulations. In June of this year, the Town Council adopted Ordinance 745, which established a six-month moratorium on the acceptance of applications for and the establishment of new guest house uses in all zoning districts. The Town Council has the option of extending the moratorium at six-month intervals, as allowed by state law. Pursuant to prior Town Council discussions, there was sufficient concern about the implications for the vesting of new guest houses under current regulations that the Town Council felt a moratorium was justified. The moratorium is intended to provide time for review and opportunities for public comment on potential changes to current policy and code provisions. At this point, staff does not propose and the Town Council has not directed review of standards applicable to hotels and motels. The focus of this review is on guest houses and bed and breakfast inns.

Regulations applicable to transient accommodations have not been amended since 2000. Since then, on-line resources for short-term rental of properties, particularly those utilizing single-family homes, have been widely embraced. With the increased ease of entry into the vacation rental market, it appears that such uses have become much more common, although staff does not have empirical evidence to support this impression. It is also staff's impression that properties have been and are being purchased for the primary purpose of establishing vacation rentals, including properties in residential zones. In the last two years, however, only one conditional use permit application has been received for a transient accommodation use. This suggests a general lack of understanding or possible disregard for local regulations that may apply to vacation rentals. Staff has not tallied the number of permitted or unpermitted rentals on the market in town. It is important to note that there are legitimate guest houses and bed and breakfast inns in Coupeville for which the owners sought and received approval prior to the moratorium.

Guest houses, bed and breakfast inns, motels, and hotels are collectively referred to in the Town Code as "transient accommodations." Current land use regulations applicable to transient accommodations are in CTC 16.10.080, provided as Attachment A. Guest houses and bed and breakfast inns are defined in CTC 16.04.060 as follows.

- "Guest house" means a single-family dwelling intended for short-term lodging for up to thirty (30) consecutive days, consistent with limitations provided in the zoning district in which it is located.
- "Bed and breakfast inn" means a private residence, portion thereof, or accessory structure, where transient accommodation is provided consistent with limitations

provided in the zoning district in which it is located. The operator of the facility shall live on the premises.

The primary distinction between these uses is that a bed and breakfast inn functions as an accessory use to a residential use, typically a single-family residence, and a guest house is the residence. A bed and breakfast inn is a dwelling with a permanent or semi-permanent occupant, whether owner or tenant, who rents a limited number of rooms to guests on a short-term basis and, importantly, is on-site when the business is operating and is therefore available to address issues that may arise. The guest rooms are primarily sleeping quarters as they cannot have cooking facilities. By definition, a guest house is a single-family home rather than an accessory use to a single-family home. The owner may live part time in the residence or the home may be in sole use as a guest house, in which case the owner may not live in the town or even the state. In the past, the guest house use has been liberally, and in current staff's view, incorrectly, interpreted as any self-contained living unit, irrespective of whether it is the principal use of and primary structure on the property. Under this prior interpretation, conditional uses have been approved for guest house use of accessory dwelling units. Unless the owner or manager is living in an accessory dwelling unit on the property or an accessory dwelling unit has been approved as a guest house and the owner lives in the principal building, there is no on-site management to oversee activities at the guest house rental unit. The current moratorium applies only to guest house uses and does not apply to bed and breakfast inns.

Guest houses and bed and breakfast inns are allowed as conditional uses in the Residential Reserve, Low Density Residential, and Medium Density Residential zoning districts. In the High Density Residential zone, bed and breakfast inns are allowed as principal permitted uses and guest houses are prohibited. In residential zones bed and breakfast inns are limited to two guest rooms, except Residential Reserve zone where up to six guest rooms are allowed. Guest houses and bed and breakfast inns are principal permitted uses in all commercial zones. Bed and breakfast inns in commercial zones are limited to eight guest rooms. In Historic/Limited Commercial areas west of N. Main Street, guest houses are permitted only in mixed-use developments and are not allowed at street level. The description of apartment units used for transient accommodation within mixed-use buildings as guest houses is inconsistent with the code definition of guest house.

Conditional use is a review process that, under current codes, requires notification of all property owners within 300 feet of the proposal site and a public hearing before the Town's Hearing Examiner. The conditional use process provides greater opportunities for public input than for a principal permitted (by-right) uses but at a significantly higher cost to the applicant. The current cost of a single-family conditional use permit is \$2,700. While a conditional use process allows the application of conditions in excess of those contained within the code, significant public opposition does not, in itself, provide the basis for denial of a conditional use application. Conditional uses are evaluated based on the criteria in CTC 16.14.030, which include:

- The proposed use, at the proposed location, is consistent with the purposes of the development regulations and zone district in which it is to be located, and that the proposed use will meet all the applicable requirements of the development regulations.
- The proposed use, at the proposed location, will not be significantly detrimental to the public health, safety and welfare, will not substantially harm or diminish the value of nearby property or improvements, and will not materially disturb the owners of nearby

properties in the reasonable use of these properties. The town council may waive this finding in cases where the proposed use is considered to be a public necessity.

- The proposed use will generally be in harmony with the comprehensive plan.

Denial of a proposal meeting all of the criteria above is subject to legal challenge. Unless reasonably substantiated, objections based on perceptions of substantial harm, diminishment of property values, and material disturbance of nearby residents may not be sufficient to deny a conditional use application. If a land use is listed in the zoning code as a conditional use for a particular zone, by policy the use is assumed to be generally appropriate for its zoning context subject to conditions to minimize impacts. Once issued, a conditional use permit runs with the land and vests the use to the property.

Land uses are typically designated conditional uses where the potential impacts are anticipated to vary depending on the particular application of the use or where the impacts may vary depending on the sensitivity of the context. Where impacts generally applicable to a land use are known and anticipated to have a negative impact on surrounding development, the land use should be located in a zoning context where surrounding uses are not likely to be sensitive to the impacts. Where impacts are known and can be managed by a standard set of conditions, such standards can be adopted in the code and generally applicable to the use. For such uses, the conditional use process is not necessary or beneficial. In staff's view, a conditional use process should not be used to dissuade applicants from pursuing approval for a particular land use. If impacts are anticipated for which adequate and dependable mitigation is not feasible for a given land use context, it is preferable to prohibit the land use within the zone. If the potential impacts of a particular land use are generally known and conditions can reasonably be incorporated in the code to address all potential impacts, it may be more efficient to list the use as a principal permitted use subject to standard conditions. An example of the latter is parking. Parking impacts are generally understood for most types of land use and their mitigation does not need to be considered on a case-by-case basis as through a conditional use process. Instead, the parking standards applicable to each general type of land use are listed in the code. Each building permit or change of use does not require a quasi-judicial review process to determine the parking standards to apply.

Potential issues:

Many jurisdictions are attempting to address the issues raised by the increase in popularity of vacation rentals, particularly in residential areas. These issues are potentially more significant for tourist destination areas, such as Coupeville, where the demand for lodging, including private houses, may be higher. According to the Municipal Research Services Center, the primary concerns of local governments are:

1. Collection of lodging and sales tax for businesses;
2. Mitigation of traffic, parking, noise, and other impacts on the surrounding neighborhood;
3. The impact of short-term rentals on the community's affordable housing supply; and
4. Compliance with life/safety standards that are commonly applied to other types of lodging establishments, such as hotels and motels.

All of the concerns listed above may be shared by this community, with the possible exception of 4. The International Residential Code life/safety standards applicable to small-scale lodging facilities, i.e., bed and breakfast inns with one or two guest rooms and short-term rental of entire

single-family homes, are limited to requirements for smoke and carbon monoxide detectors. The Town code already requires a certificate of occupancy for each guest house and bed and breakfast inn use. The Town code does not, however, require annual fire inspections of one- and two-unit residential buildings to ensure that detectors remain in working order. Unless the Town Council wishes to increase the standards associated with short-term rental uses, the only potential issue with life/safety requirements is enforcement.

A more general concern that has been voiced by members of the community is whether the conversion of permanent housing to short-term rental may, at some point, be sufficient to alter the character of neighborhoods or the community as a whole. Due to the appeal of the Town and its setting, Coupeville already has many properties held for intermittent personal use (weekend homes) where the owner lives elsewhere the majority of the time. To some extent, this has the effect of “thinning” the community. Clearly, the Town code does not and should not dictate when a private residence should be occupied. If a party has the financial resources to purchase a second home, it is their right to reside in the home to the extent they wish. This does not mean, however, that the Town must allow a financial incentive, as with guest houses, to encourage commercial use of residential units if there is a concern that it may change the residential character of the community. The Town has the broad authority to regulate the use of land, including what uses should be allowed in each zone.

As evidenced by the operation of unapproved guest houses and possibly bed and breakfast inns, enforcement is challenging. The internet advertising for such uses does not clearly disclose the location or owner, making it difficult for the Town to confirm that the use is legitimate. In attempting to differentiate between legal and illegal transient accommodations, some jurisdictions have included a requirement that each use have a permit number that must be included in all advertising.

Planning Commission discussion

Question 1. Should the Town continue to allow guest house uses in residential zones? If the code is amended to prohibit guest houses in residential zones, all existing uses for which conditional use permit have been granted would continue but no new guest houses could be established. Potential considerations of such a code change may include:

- A reduction in the availability of lodging during the summer tourist season, although it may provide an incentive for establishment of more lodging uses in commercial zones.
- A reduction in the potential for compatibility issues with residential uses. An alternative to prohibition is to require a contact party who is available to address issues at an hour's notice whenever the use is operating.
- An increase the likelihood that existing and future housing stock will be available for long-term residential use.
- Depriving those with a second home from some economic use of the property when they are not in residence.
- Other considerations?

Question 2. Should the Town amend the regulations applicable to bed and breakfast inn uses in residential zones? The code currently allows up to two guest rooms in the Low Density Residential, RM-9,600, and High Density Residential zones and up to six guest rooms in the Residential Reserve zone. In all zones, cooking facilities are prohibited in guest rooms and an operator is required to be on-site while the use is open. Amendments could prohibit such uses in

residential zones, modify the number of allowed guest rooms, or establish different standards based on the size of the lot. Increasing the number of guest rooms would increase the parking requirement. Considerations associated with changing the standards applicable to bed and breakfast inns in residential zones may include:

- The allowance for bed and breakfast inn uses in residential neighborhoods provides the owner with extra income without significant impacts to the surrounding neighborhood or the community character. A possible amendment to provide more surety in maintaining the intensity of such uses is to restrict the number of guests who may be in residence at any one time.
- No significant increase or decrease in compatibility issues, as these are generally addressed by the on-site manager-in-residence requirement.
- Increasing the number of guest rooms may affect the residential appearance of a lot from the increase in parking spaces.
- Due to the requirement for on-site residence by the owner or operator, a bed and breakfast inn functions as a single-family residence with an accessory business. Therefore, an increase in the number of bed and breakfast inns potentially resulting from an increase in the number of guest rooms is not anticipated to affect the availability of housing.
- Residential character may be affected to some degree if bed and breakfast inns acquire a more commercial appearance due to an increase in guest rooms.
- Bed and breakfast inns with more than two guest rooms would have a different occupancy status and would be subject to higher standards under the building codes.
- Other considerations?

Question 3. Should the Town require an on-site owner or operator for guest houses (referred to as “hosted” facilities in other jurisdictions) in residential and/or commercial zones? A corollary question is whether the definition of “guest house” should be changed to something other than single-family residence to allow rental of accessory dwelling units and/or multi-family dwelling units for short-term rentals. Considerations associated with amendments to require on-site management or to allow other types of housing units may include:

- In general, if on-site management is required, at least one residential unit on an existing lot will be preserved rather than converting an entire lot to a commercial use.
- Unless there is an accessory dwelling unit on the site for the owner to reside, it is not clear how a guest house could be hosted. However, code amendments could include an allowance for transient rental of an accessory dwelling unit where it currently is not permitted. This would allow a home owner to live in the principal dwelling and rent out the accessory unit.
- Are there attributes of attached multi-family units that would make guest house uses inappropriate?
- If greater oversight of guest houses is desired, is an acceptable alternative to require an off-site but on-call manager to be available 24 hours per day while a guest house is rented?
- Other considerations?

Question 4. Should guest houses and bed and breakfast inns in residential zones be subject to the conditional use process, as required under current codes, or be made a principal permitted use subject to conditions? Within the commercial zones, guest houses and bed and breakfast inns are principal permitted uses subject to the conditions in CTC 16.10.080. Considerations associated

with changing the standards applicable to bed and breakfast inns in residential zones may include the following:

- Reduced opportunities for direct involvement in the public process. This would require greater reliance on code standards applicable to the uses.
- Removing the requirement for a conditional use permit would lower bar to entry into the market. The current \$2,700 application fee may serve as a deterrent to new properties entering the market. As noted, staff believes it is inappropriate to use land use review processes primarily to discourage a land use.
- Are there anticipated impacts for which mitigation measures cannot be code requirements rather than conditions imposed on a discretionary basis by the Hearing Examiner?
- Should the current process be replaced with an annual permit under which compliance with applicable conditions would be reviewed for each issuance or reissuance together with comments and complaints received from community members?
- Other considerations?

Question 5. Should the code provide special allowances for the use of designated historic residences for guest houses? For instance, if guest houses are prohibited in residential zones, should there be any separate allowance for the use in historic structures? Title 16 CTC currently includes provisions for the use of historic buildings that do not apply to non-historic buildings.

Considerations may include:

- It may encourage investment in historic homes.
- Unless hosted facilities are required, the loss of available housing stock would be the same as the conversion of a non-historic building.
- Unless hosted facilities are required, there would be same potential for impacts to the surrounding neighborhood as guest house use of non-historic homes.
- It may encourage conditions resulting in greater wear and tear on historic buildings.
- Other considerations?

To assist in the Planning Commission's consideration of options to modify the current transient accommodation regulations in CTC 16.10.080, example provisions from other jurisdictions are provided as Attachment B. Incorporation of these options are not necessarily recommended. Rather, they are intended to illustrate how other jurisdictions are addressing the same concerns.

ATTACHMENTS:

Recommendation

Discussion only, no recommendation at this time.

- A. CTC 16.10.080 - Transient accommodation
- B. Regulatory example excerpts from other jurisdictions

ATTACHMENT A

16.10.080 - Transient accommodation.

This section provides supplemental standards for locating hotels, motels, bed and breakfast inns or guest houses in those zoning districts where these uses are permitted as principal or conditional uses. "Transient accommodation" is defined as the rental of any building or portion thereof for the purpose of providing lodging for compensation for periods of thirty (30) days or less.

- A. Hotels and Motels. Hotels are conditional uses within all commercial zoning districts (HLC, TC and GC) and motels are conditional uses within the general commercial (GC) zoning district only. The following supplemental standards shall apply:
 - 1. The number of allowed guest rooms is limited to one for every one thousand five hundred (1,500) square feet of useable area or ten (10) guest rooms, whichever is the smaller number.
 - 2. Cooking facilities, as defined in the Uniform Building Code, are permitted in up to twenty-five (25) percent of the allowed number of guest rooms.
- B. Bed and Breakfast Inns. Bed and breakfast inns are principal uses in the high-density residential district (RH) and all commercial zoning districts (HLC, TC and GC) and conditional uses within all single-family residential zoning districts (RR, LDR and RM-9600). The following supplemental standards shall apply:
 - 1. Each bed and breakfast inn shall have an approved certificate of occupancy issued by the Town of Coupeville.
 - 2. The owner/manager of the bed and breakfast inn shall reside at the inn when it is open for business.
 - 3. The number of guest rooms shall be limited to no more than two in the LDR, RM-9600 and RH zoning districts, and to no more than six in the RR zoning district, and to no more than eight in the HLC, TC and GC zoning districts.
 - 4. Guest rooms at bed and breakfast inns shall be devoid of cooking facilities.
 - 5. In addition to the parking requirements for single-family residences, one off-street parking space shall be required for each guest room and full-time equivalent employee not resident at the inn. Parking for guests or nonresident employees is not permitted in the public right-of-way.
 - 6. In residential zones, onsite meals and beverages may be served to room guests and their guests only.
 - 7. One sign per bed and breakfast inn is permitted, subject to the commercial sign requirements elsewhere in this title.
 - 8. Accessory uses, buildings and structures associated with the bed and breakfast inns located in the RM-9600, LDR and RR zoning districts shall be limited to those found customarily at single-family residences.
- C. Guest Houses. Guest houses are principal uses within all commercial zoning districts (HLC, TC and GC) and conditional uses within single-family residential zoning districts (RR, LDR and RM-9600). The following supplemental standards shall apply:
 - 1. Each guest house shall have an approved certificate of occupancy issued by the Town of Coupeville.
 - 2. Guest houses are permitted as single-family dwellings only.

3. One nonilluminated sign may be erected, subject to the design and review standards contained in Chapter 16.28 of this title.
4. Accessory uses, buildings and structures associated with the guest house located in the RM-9600, LDR and RR zoning districts shall be limited to those found customarily at single-family residences. (Ord. 604 § 2, 2000; Ord. 566 § 2 Exhs. A (part), B (part), 1998)

ATTACHMENT B

[Note: Below are excerpts from the codes of the jurisdictions indicated. The excerpts are intended to provide some idea of what the jurisdictions require on a procedural or site-specific basis but do not include the entirety of the respective codes. More examples can be viewed on the Municipal Resource Services Center website at <http://mrsc.org/Home/Stay-Informed/MRSC-Insight/November-2017/Short-Term-Vacation-Rental-Sample-Regulations.aspx>.]

Guest houses [Vacation rental of residences or accessory dwelling units; Short-term rentals]

San Juan County, WA

- No more than two overnight guests per bedroom plus additional three overnight guests shall be accommodated at any one time. The number of bedrooms is determined by the approved building permit for the structure. A guest is a person over two years in age.
- The vacation rental shall be operated according to the rules of conduct approved by the County that prevent the following disturbances to area residents.
 1. Trespassing;
 2. Noise that violates Chapter 9.06 SJCC (Noise Ordinance);
 3. Off-site parking issues;
 4. Vehicle speeds higher than the posted speed limit;
 5. Outdoor burning that violates the requirements adopted pursuant to SJCC 15.04.07(F)(4)(c), including violations of a burn ban.
- One on-site parking space shall be provided for each bedroom within the vacation rental.
- All vacation rental permit holders are required to display the address of the residence so that it is clearly visible from the street or access road.
- All owner of property used for vacation rental shall comply with the following operational requirements:
 1. Rules of conduct approved by the County;
 2. Unified business identifier number, and the names and addresses of the property owner and agents authorized to act on the property owner's behalf;
 3. A designated local property representative who lives on the island where the vacation rental is located and will respond to complaints and emergencies; and
 4. A valid telephone number where the local property representative can be reached 24 hours per day.
- Include the San Juan County permit number for the vacation rental in all advertisements and marketing materials such as brochures and websites.
- Annually certify compliance with the conditions of permit approval and with the fire and life safety requirements of the International Fire Code as identified by the department on forms specified by the administrator. The annual certification shall be prominently posted on site.
- A vacation rental should not operate or be advertised without a vacation rental permit. Evidence of operation includes advertising, online calendars showing availability, guest testimony, online reviews, rental agreements or receipts.

Palm Desert, CA

- An owner shall designate an operator to act on the owner's behalf to insure compliance with the requirements of this chapter. The owner shall not be relieved from any personal liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental unit, regardless of whether such noncompliance was committed by the owner or operator or the occupants of the owner's short-term rental unit or their guests.

- Minimum number of days and nights for rent or lease. The minimum duration of a short-term rental unit is three days, two nights. Less than three-day, two-night rentals or leases are prohibited.
- Upon the issuance of a new short-term rental permit and a renewal permit, the city shall mail a notice to the owners and occupants of all residences within two hundred feet of the property line of the rental unit notifying the occupants that a short-term rental permit has been issued and providing information regarding how to lodge complaints (a copy of the Good Neighbor Brochure, and the 24 hour contact person's name and telephone number) regarding the short-term rental unit.
- A short-term rental permit must be renewed annually to remain valid. Failure to renew a short-term rental permit within thirty calendar days of the expiration date will result in the short-term rental permit being terminated.
- A short-term permit shall not be granted for apartments.
- The city may conduct an inspection of the short-term rental unit prior to issuing a new permit and prior to issuing any renewal permit.
- A short-term rental permit application may be denied if the applicant has had a prior short-term rental permit suspended or revoked.
- The maximum number of overnight guests and residents for a short-term rental unit shall not exceed two persons per bedroom. Additional daytime guests are allowed between the hours of seven a.m. and ten p.m., with the additional maximum daytime guests not to exceed two persons per bedroom with a maximum of twenty guests allowed for five bedrooms or more.
- A violation of this chapter by any of the occupants, owner(s) or operator shall authorize the city manager to impose additional conditions on the use of any given short-term rental unit to ensure that any potential additional violations are avoided.

Clyde Hill, WA

- Occupancy. Maximum occupancy of the rental shall be based on the International Building Code standards. The property owner shall be responsible for ensuring that the dwelling unit is in conformance with its maximum occupancy.
- Restrictions on use. A renter may not use a short-term rental for a purpose not incidental to its use for lodging and sleeping purposes. This restriction includes using the rental for a wedding, banquet, bachelor or bachelorette party, concert, fundraiser, sponsored event, or any similar group activity.
- Parking. There will be no demand for parking beyond that which is normal to a residential area and no unusual or excessive traffic to and from the premises.
- Signage. No outdoor advertising signs related to the rental dwelling shall be allowed on the site.
- Informational packet. A packet of information shall be provided to renters and posted conspicuously in the common area of the short-term rental summarizing guidelines and restrictions applicable to the short-term rental use, including:
 1. Information on maximum occupancy.
 2. Applicable noise and use restrictions;
 3. Location of off-street parking;
 4. Direction that trash shall not be stored within public view, except within property containers for the purpose of collection, and provision of the trash collection schedule;
 5. Contact information for the local property representative;
 6. Evacuation routes;
 7. The renter's responsibility not to trespass on private property or to create disturbances;

and

8. Notification that the renter is responsible for complying with this chapter and that the renter may be cited or fined by the city for violating any provisions of this chapter.

Napa, CA

- Application requirements:
 - Identify the number of bedrooms and the approximate square footage of in the vacation rental unit, and the maximum number of overnight renters under the limitations imposed under subsection XX of this section [limit overnight occupancy of the vacation rental to the specific number of renters designated in the permit, with the number of renters not to exceed two persons per bedroom meeting building and fire code requirements, plus two additional persons per vacation rental unit].
 - Identify the number and location of designated on-site parking spaces, and the maximum number of vehicles allowed for overnight occupants.
 - Provide a copy of the rental agreement, rental rules and regulations and any associated materials.
- The number of vacation rental permits issued pursuant to this section shall not exceed 41 non-hosted accommodations and 60 hosted accommodations.
- Quiet times shall be 9:00 p.m. to 7:00 a.m. Sunday through Thursday evenings and 10:00 p.m. to 7:00 a.m. Friday and Saturday evenings.
- The permittee shall ensure that the renters and/or guests of the vacation rental do not create unreasonable noise or disturbances, engage in disorderly conduct.
- Each written advertisement (whether paper or electronic form) for a vacation rental use shall include the “City of Napa Certified Vacation Rental” permit number as part of the rental offering. No person shall advertise the use of a building in a residential or nonresidential zoning district of the city for a transient occupancy unless: (a) the use is a hotel use; or (b) the use has a permit for a bed and breakfast inn; or (c) the city has approved a vacation rental permit pursuant to this section.
- Upon the Director’s receipt of the documentation of agreement from the applicant, the Director shall provide written notice to all property owners within 500 feet of the conditional approval of the vacation rental, to include: a concise summary of the conditions of the permit, including the maximum number of occupants, maximum number of vehicles allowed to be parked on the property, any special conditions or restrictions; the name of the owner and authorized agent of the vacation rental and the phone numbers at which they can be reached at all times, 24 hours per day; City of Napa code enforcement number that members of the public can use to report violations of the permit; and right of an interested person to appeal within 10 calendar days of the permit approval.
- Each vacation rental permit issued under the authority of this section shall be valid for one year after the effective date, unless approved by the Director for a longer period.
- Prior to each rental of a vacation rental unit, a copy of the house rules, the rental agreement, and the vacation rental permit shall be posted in a prominent location inside the vacation rental unit.

Bed and Breakfast

Leavenworth, WA

- The bed and breakfast facility shall be the principal residence of the property owner. A property owner must live on-site through-out the visitor’s stay.
- The maximum number of occupants permitted to stay overnight shall be two people for each bedroom, excluding children under the age of six.

- Bed and breakfast facilities in or adjacent to residential districts shall not infringe upon the right of neighboring residents to reasonable peaceful occupancy of their homes.
- A legible sign shall be placed adjacent to the front door (outside), clearly visible to the general public listing the maximum number of occupants permitted to stay overnight, the maximum number of vehicles allowed to be parked on site, and the name and contact information of the contact person. Quiet hours shall, at a minimum, be from 10:00 p.m. to 7:00 a.m. or as otherwise provided by city or state regulations.
- The property owner must clearly advertise the bed and breakfast as property owner occupied. This applies even in cases in which the bed and breakfast takes place in an accessory dwelling unit.
- One off-street patron/visitor parking space, not located within a required yard area, shall be provided for each room rented. All parking must be accommodated on site.
- Within the annual permits provided by the city, the property owner shall report to the city the following information:
 1. The address of the bed and breakfast and the contact name(s) of the property owner.
 2. The total number of nights that the bed and breakfast was occupied for transient accommodation or lodging.
 3. The property owner shall both have legal responsibility for all tax collection of all applicable taxes and remittance of the collected tax.