



Planning Commission Agenda

November 16, 2021

5:30pm

Virtual Meeting

Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. The public may listen to the meeting by calling 206.973.4555 and muting your phone. Public comment opportunities for this meeting are below.

The Planning Commission consists of seven members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

Members: Tejvir Basra, Chair; Alyne Hansen, Vice Chair; Tom Dantzer; Andrew Ried-Munro; Tony Zuniga Sanchez; Jagtar Saroya; Bandhanjit Singh.
Staff Coordinator: Jenn Kester, Planning Manager

A quorum of the Council may be present.

ITEM	TOPIC	PROCESS	WHO	TIME
1	Call to Order / Roll Call		Chair	5:30
2	Introductions for new member, Bandhanjit Singh		Members	5:30 (5 min)
3	Approval of the minutes of November 2, 2021 meeting.	Review and Approve	Members	5:35 (2 min)
4	Public Comment on items <u>not</u> on the agenda. <i>Comments on agenda items will be addressed after the staff presentation and Commission discussion on each item below.</i> <i>See Public Comment Process below.</i>		Chair	5:37 (3 min)
5	Public Hearing: Short Term Rentals Code Amendments	Public Hearing and Discussion	Members and Staff	5:40 (60 min)
6	CED Staff Report	Briefing	Staff	6:40 (3 min)
7	Planning Commission Comments (including suggestions for next meeting agenda)	Discussion	Members	6:43 (3 min)
8	Adjourn			6:44

Public Comment Process: In an effort to adhere to the social distancing protocols, and in order to keep our residents, Planning Commission, and staff healthy, the Commission will not hear any in-person public comments. The committee is providing remote oral and written public comment opportunities. All comments shall be respectful in tone and

content. Signing-up for remote comments or providing written comments must be done by 3:30pm the day of the meeting. Any requests to speak or provide written public comments which are not submitted following the instructions provided or by the deadline will not be included as part of the record.

- Instructions for providing remote oral public comments are located at the following link: [Council Committee and Citizen Advisory Committee Virtual Meetings](#).
- Submit email/text public comments to PCPublicComment@seatacwa.gov. The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website.

**CITY OF SEATAC
PLANNING COMMISSION MEETING
Minutes of November 2, 2021 Meeting**

Members present: Tej Basra, Tony Sanchez, Alyne Hansen, Tom Dantzler

Members absent: Andrew Ried-Munro, Jagtar Saroya

Staff & Others

Present: Evan Maxim, *CED Director*; Jenn Kester, *Planning Manager*; Neil Tabor, *Associate Planner*; Stanley Tombs, *Councilmember*; Barb Mailo, *Administrative Assistant 3*; SeaTV

1. Call to Order/Roll Call

Chair Basra called the meeting to order at 5:31 pm and roll call.

2. Approval of the minutes of October 5, 2021 meeting.

Commissioner Hansen motioned to approve the minutes as written. Commissioner Dantzler second. Minutes were approved.

3. Public Comments on items not on the agenda

None

4. Short Term Rentals Code Amendments

Presented by Associate Planner Neil Tabor. The purpose of the presentation was to review the draft code in anticipation of the public hearing and identify desired changes to the draft code.

Presentation included STR visualization, definitions, purpose & applicability, general, occupancy, operation, ownership, and parking.

Potential Commission Action: To provide staff the best information for any suggested changes and identify specific code that is of concern, and reason for concern, proposed change (removal, addition, change), and any suggestions for change.

Discussion regarding language commenced with Commissioner Hansen, Chair Basra, Commissioner Sanchez, and Councilmember Tombs.

Commissioners have agreed to receive feedback from owners/residents at the upcoming Public Hearing regarding this.

5. CED Staff Report

Presented by Planning Manager Jenn Kester

- City Council is in the middle of the Mid-Biennial Budget Review. Various departmental decision cards will be previewed at the A&F meeting on 11/3.
- There are 2 outreach engagement opportunities related to Public Works projects:
 - South 200th Street Corridor Study – Outreach regarding potential scenarios is currently happening.
 - Online Open House opening soon for proposals in the SeaTac Airport Station area (International Blvd & S 176th and along 32nd) for pedestrian improvements.
- Jenn proposed to cancel the 12/21 PC meeting due to it being close to the holidays.
 - Unanimous approval by commissioners to cancel the 12/21 PC meeting.

6. Planning Commission Comments (including suggestions for next meeting agenda)

Commissioner Dantzer expressed a personal thank you to citizens/residents for the well wishes. Councilmember Tombs expressed gratitude to the commissioners and staff throughout the year. Commissioner Hansen expressed gratitude to Jenn for the invite to meet & greet with the planning staff in person.

7. Adjournment

Commissioner Dantzer motioned to adjourn the meeting. Commissioner Hansen second. Meeting adjourned at 633 pm.

DRAFT



City of SeaTac

Community and Economic Development

Public Hearing Staff Report

File Number(s): CAM21-0001, SEP21-0003

Project Name: Short-Term Rental Code Amendments

Project Summary: The City is proposing amendments to the SeaTac Zoning Code related to short-term rental uses.

Applicant: City of SeaTac

I. Background

House Bill 1798, which addresses short-term lodging rentals, became effective in July 2019, codified in RCW 64.37, and was added to the Planning Commission work program in December 2019. In January 2020 the topic was referred to Planning Commission from the Planning and Economic Development Committee.

II. Summary of Amendments

The following amendments related to short-term rentals, as detailed in Exhibit A, the draft code, is proposed. This approach and draft code are being reviewed by the Legal Department for consistency with RCW 64.37 and other State Law.

- A. A new definition for “Short-Term Rental,” is proposed to be added to the zoning code consistent with RCW 64.37, and the definition for “Bed and Breakfast” will be modified for consistency. (*See Exhibit A*)
- B. Performance standards addressing applicability, general requirements, occupancy and licensing, operation and ownership limitations are proposed through a new Short-Term Rental Requirements section. (*See Exhibit A*)
- C. Parking requirements are proposed to be established in the existing parking chart in SMC 15.455.120. (*See Exhibit A*)
- D. Current bed and breakfast standards in SMC 15.465.300 are proposed to be maintained.

III. Planning Commission Review

- A. The Planning Commission reviewed this topic at its February 16, April 20, October 19 and November 2, 2021, meetings. Planning Commission has been considering code amendments that will:
 - 1. Establish a definition for “Short-Term Rental,” while modifying the “Bed and Breakfast” definition;
 - 2. Establish standards related to general requirements for all short-term rentals;
 - 3. Establish standards related to occupancy limitations and required licensing;
 - 4. Establish standards related to operation of short-term rentals;
 - 5. Establish standards related to ownership limitations and,
 - 6. Establish parking requirements specific to short-term rentals.
- B. **Changes since November 2, 2021, Planning Commission Meeting.** Based on comments from Commissioners and further staff review, the following changes to the draft code occurred since the November 2 Commission meeting:

1. A reference was added in Purpose & Applicability to clarify that definitions regarding short-term rentals in RCW 64.37.010 apply to the proposed short-term rental code.
2. Corrected typo in 15.465.320(B)(4)(b)(i) changing “operator” to “operate”.

IV. Regulatory Requirements

A. SEPA Review

The City has not yet issued a SEPA determination on the proposed code amendment package. Staff expects to issue on in the coming months.

B. Washington State Department of Commerce Review

The City submitted a Request for 60-day Review with Notice of Intent to Adopt Amendments to Commerce on November 2, 2021. No comments from Commerce have been received to date.

C. Public Hearing Notice

Notice of this public hearing was published in the Seattle Times on November 2, 2021.

V. Staff Recommendation

Staff believes these proposed regulations are consistent with the requirements of RCW 64.37 and direction from Planning Commission to date.

VI. Planning Commission Consideration

Planning Commission should hold a public hearing, take testimony, and provide City Council a recommendation to approve or deny the proposed amendments, or approve with specific modifications. The Planning Commission recommendation is requested by December 7, 2021.

VII. Exhibits

- A. Supportive Housing Code Amendments

Prepared by: Neil Tabor, Associate Planner

Prepared on: 11/16/2021

Short-Term Rental Code Amendments Public Hearing

EXHIBIT 5b: Page 1 of 14
DATE: 11/16/21

Planning Commission

November 16, 2021



SEQUENCE

- Public Hearing Opened
- **Staff Presentation**
- Public Comments
- Planning Commissioner Questions
- Public Hearing Closed
- Planning Commission Direction or Recommendation

POTENTIAL COMMISSION ACTION

EXHIBIT 5b: Page 3 of 14
DATE: 11/16/21

COMMITTEE ACTION REQUESTED

- Planning Commission recommendation to City Council desired by 12/7/2021, if not provided tonight.

REVIEWS TO DATE

- PED: 1/28/2021
- PC: 2/16/2021, 4/20/2021, 10/19/2021, 11/2/2021



PURPOSE OF PRESENTATION

- Provide information for public hearing related to proposed code amendments related to short-term rentals
- Solicit recommendation from planning commission on the topic to council. This could include the recommendations to:
 - Adopt as written
 - Adopt with specific modifications
 - Not adopt

WHY IS THIS ISSUE IMPORTANT

1. SeaTac's location makes it desirable for investment in properties as short-term rentals, while at the same time that the region is experiencing significant growth and housing shortages.
2. Staff seeks to balance property owner rights with preservation of housing stock for long-term residents in proposed code.
3. In July 2019 RCW 64.37 regulating short-term rentals became effective, providing a baseline of state requirements for short-term rentals.
4. The topic of short-term rentals was placed on the Planning Commission's work program in December 2019.

SUMMARY OF AMENDMENTS: DEFINITIONS

EXHIBIT 5b: Page 5 of 14
DATE: 11/16/21

DEFINITION CHANGES:

New Definition:

“Short-Term Rental” Short-term rental means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty (30) consecutive nights. Short-term rentals do not include any of the uses specified in RCW 64.37.010(9)(b).

Amended Definition:

“Bed and Breakfast” ~~A dwelling unit within which bedrooms are available for paying transient guests. The number of guests is limited to no more than six (6) at any time.~~

An owner-occupied dwelling which rents no more than three (3) bedrooms to no more than six (6) guests at a time for a period less than thirty (30) consecutive days and provides at least one meal per day. A bed and breakfast is not a short-term rental as defined in SMC 15.105.190.



15.465.320 Short-Term Rentals

A. Purpose and Applicability.

1. The section is intended to establish standards for the operation of dwelling units used as short-term rentals for the purposes of ensuring neighborhood compatibility, and safety for short-term rental guests and the broader community.
2. This section applies to uses meeting the definition of “Short-Term Rental” found in SMC 15.105.190.
3. Provisions of this section apply to short-term rentals in which the entire dwelling unit is rented, as well as individual room rentals meeting the definition of a short-term rental.
4. Terms defined in RCW 64.37.010 shall have the same meaning for the purposes of this section.



15.465.320 Short-Term Rentals

B. Short-Term Rental Requirements.

1. General

- a. All short-term rentals shall comply with all sections of RCW 64.37.
- b. Violation of requirements in this section may result in the suspension or revocation of the short-term rental permit and/or business license endorsement.
- c. No short-term rental is allowed in any dwelling unit to which any income restrictions are in effect under any local, state, or federal authority.
- d. Any property receiving a multi-family tax exemption is not eligible for any of its units to be used as short-term rentals.
- e. The City of SeaTac is not responsible for review of compliance with any Home Owner's Association (HOA), Condo Ownership Group, or rental agreement restrictions that may exist regarding short-term rentals. It is the responsibility of the applicant to review for compliance with any superseding regulations, and receive approvals from any bodies as needed prior to submitting materials to the City of SeaTac for review.



15.465.320 Short-Term Rentals

2. Occupancy & Licensing

- a. No more than two (2) persons per bedroom over the age of two (2) years old per bedroom rented, or ten (10) persons per rental, whichever is less, are permitted. Studio apartments are considered as a single bedroom for the purposes of this section.
- b. All short-term rentals are required to obtain an active Washington State Business License with City of SeaTac Endorsement.
- c. All short-term rentals are required to maintain an active City of SeaTac permit for operating a short-term rental.
- d. All short-term rental advertisements shall represent the property in a manner which complies with all City of SeaTac and state regulations.



15.465.320 Short-Term Rentals

3. Operation

- a. The following information shall be posted in a conspicuous place within each dwelling unit, or room, used as a short-term rental.
 - i. The short-term rental street address;
 - ii. The emergency contact information for summoning police, fire, and emergency medical services;
 - iii. The floor plan indicating fire exits and escape routes;
 - iv. The maximum occupancy limits;
 - v. The contact information for the operator or designated contact;
 - vi. A copy of the City of SeaTac Good Neighbor Guidelines; and
 - vii. A copy of an active business license for the short-term rental, with City of SeaTac Endorsement.
- b. The contact for the site shall reside within thirty (30) miles of the site address, and shall generally be able to reach the address of the short-term rental within one (1) hour of departure from their residence. It is the responsibility of the operator to update any changes to the site contact in materials provide to the guests, and to the City of SeaTac, prior to any subsequent rentals.
- c. All short-term rentals must be in compliance with RCW 19.27.530 Carbon Monoxide Alarms-Requirements-Exemptions-Adoption of rules.



15.465.320 Short-Term Rentals

4. Ownership Limitations

- a. The percentage of total short-term rentals not occupied by the owner or a long-term tenant for at least six-months out of a year shall not exceed three (3) percent of total dwelling units within the City of SeaTac. Once this limit has been reached, no new non-owner/long-term tenant occupied short-term rental permits will be accepted until such time that total citywide dwelling units increase, or other non-owner/long-term tenant occupied short term rental units cease operation.
- b. No short-term rental operator is permitted to own, operate, or have any interest in more than one (1) short-term rental unit they are not occupying.
 - i. Short-term rental owners and operators shown to own or operate more than one non-owner occupied dwelling unit prior to the adoption of this ordinance are eligible to continue use of these short-term rentals, provided they are legally permitted and remain in good standing. Expiration, or revocation of the associated business license or permit will result in the loss of vesting for this use.
- c. Short-term rental operators must remit all applicable local, state, and federal taxes unless completed through the hosting platform, RCW 64.37.020.
- d. A short-term rental operator must maintain primary liability insurance meeting the requirements of RCW 64.37.050.



SUMMARY OF AMENDMENTS: PARKING

EXHIBIT 5b: Page 11 of 14
DATE: 11/16/21

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RESIDENTIAL		
Short-Term Rental	1 per bedroom, beyond two (2) individual bedroom rentals.	<p>Short-Term Rentals renting out an entire dwelling unit are not required to provide any parking in addition to the code required parking for the underlying residential unit type.</p> <p>Short-Term Rentals in a parking permit area must demonstrate all parking can be provided off-street.</p>



SEQUENCE

- Public Hearing Opened
- Staff Presentation
- Public Comments
- **Planning Commissioner Questions**
- Public Hearing Closed
- Planning Commission Direction or Recommendation

POTENTIAL COMMISSION ACTION

EXHIBIT 5b: Page 13 of 14
DATE: 11/16/21

COMMITTEE ACTION REQUESTED

- Planning Commission recommendation to City Council desired by 12/7/2021, if not provided tonight.

REVIEWS TO DATE

- PED: 1/28/2021
- PC: 2/16/2021, 4/20/2021, 10/19/2021, 11/2/2021





Short-Term Rental Draft Code Amendments

15.105.020 "B" Definitions.

Bed and Breakfast

~~A dwelling unit within which bedrooms are available for paying transient guests. The number of guests is limited to no more than six (6) at any time.~~

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15.105.190 "S" Definitions.

Short-Term Rental

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