

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

CONSENT AGENDA REQUEST

TO: Board of County Commissioners

FROM: Carolyn Gallaway, Clerk of the Board
Greg Ballard, DCD Development Code Administrator
Philip Hunsucker, Chief Civil Deputy Prosecuting Attorney

DATE: April 21, 2025

SUBJECT: Correcting Scrivener's Errors

STATEMENT OF ISSUE:

On April 7, 2025, the Board of County Commissioners (BoCC) passed an Ordinance on Short-Term Rentals (STR), Ordinance Number [03-0407-25](#). Since the STR Moratorium expired that same day, some last-minute recommendations and changes were made to the proposed Ordinance in open session. While staff and the scrivener tried to capture all requested changes accurately in the final Ordinance, a scrivener's error has been brought to our attention. In order to ensure the final Ordinance reads as the BoCC intended, a minor correction to the new language in Jefferson County Code (JCC) sections [18.20.210\(3\)\(n\)](#) and (q) Hospitality Establishments are necessary.

ANALYSIS:

The amendments to the STR regulations did not intend to regulate how many STRs can occur within Master Planned Resorts (MPRs). However, during deliberations on April 7, 2025, the following sentence was inadvertently deleted from amended section JCC [18.20.210\(3\)\(n\)](#):

"Short-term rentals within Master Planned Resorts (MPR) are exempted from the cap on short-term rentals."

Since BoCC's intention had been to exempt MPRs from the total housing cap, amended section JCC [18.20.210\(3\)\(n\)](#) is supposed to read:

"Short-term rentals within Master Plan Resorts (MPR) are exempt from the cap on short-term rentals. The following limit applies to the renting of the entire primary or accessory dwelling (i.e., excluding the renting of STRs occupied by the landowners). Short-term rentals shall be limited to four percent (4%) of the dwellings in unincorporated Jefferson County housing, as determined by DCD. The number of dwellings is based on OFM (Office of Financial Management) data, excluding Master Plan Resorts (MPRs). The short-term rentals will be distributed proportionally based on the housing stock in each zip code. Every year DCD will update the number of dwelling units, the number of short-term rentals allowed, and the number of short-term rental permits that have a valid permit from DCD."

Furthermore, since BoCC did not intend to make any changes to the amount of STRs within MPRs, it follows that MPRs are also be exempt from amended section JCC [18.20.210\(3\)\(q\)](#) prohibiting STRs for the first year of ownership.

JCC [18.20.210\(3\)\(q\)](#) currently reads:

“Short-term rental operators are prohibited from renting to a third party for less than 30 days within the first (1) calendar year of ownership.”

However, for consistent interpretation, JCC [18.20.210\(3\)\(q\)](#) should read:

“Excluding short-term rentals in the MPR, short-term rental operators are prohibited from renting to a third party for less than 30 days within the first (1) calendar year of ownership.”

STRs within MPRs are still subject to fire, safety, and health requirements, as well as annual permit renewals as outlined in amended sections JCC [18.20.210\(3\)\(m\)](#) and [\(4\)\(e\)](#) JCC.

Pursuant to JCC [1.01.100](#) Code Reviser Established, the clerk of the board of county commissioners has been designated the official code reviser and shall compile the ordinance law of Jefferson County as enacted by the board of commissioners into a code (or compilation) of laws by title, chapter and section, without substantive change or alteration of purpose or intent. The code reviser may appoint an assistant or assistants as required to perform the duties of code reviser. The prosecuting attorney is the legal advisor of the code reviser. Valuing transparency, and wanting to create a clear record – and also wanting to correct the scrivener’s error – Staff bring this matter before the BoCC for review through the attached resolution.

Attached to this agenda request is a redline ([Appendix A](#)) and clean ([Appendix B](#)) version of the amended section JCC [18.20.210](#) for convenience and ease of review.

FISCAL IMPACT:

There is no fiscal impact to this resolution.

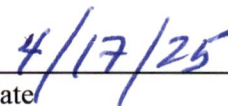
RECOMMENDATION:

Approve the attached resolution allowing the Jefferson County code revisor to correct the identified scrivener’s error, which reflect BoCC’s intent during the STR deliberations on April 7, 2025.

Alternatively, instruct staff to bring back a new ordinance correcting Ordinance Number [03-0407-25](#).

REVIEWED BY:


Mark McCauley, County Administrator


Date

STATE OF WASHINGTON
County of Jefferson

In the Matter of Jefferson County's Code Revisor Authorized to Make Identified Revisions Correcting Scrivener's Errors In Jefferson County's Short-Term Rental Ordinance Number [03-0407-25](#).

RESOLUTION NO.

WHEREAS, on April 7, 2025, the Board of County Commissioners (BoCC) passed an Ordinance on Short-Term Rentals (STR), Ordinance Number [03-0407-25](#); and

WHEREAS, the amendments to the STR regulations did not intend to change where STRs can occur within Master Planned Resorts (MPRs); and

WHEREAS, a scrivener's error inadvertently removed a sentence from section [18.20.210](#)(3)(n) reflecting that short-term rentals within MPRs are exempt from the cap on STRs; and

WHEREAS, since BoCC did not intend to make any changes to STRs within MPRs, it follows that MPRs are also be exempt from new section [18.20.210](#)(3)(q) JCC prohibiting STRs for the first year of ownership; and

WHEREAS, these issues were brought to DCD's attention after the approval and adoption of the new STR Ordinance and after the minutes from April 7, 2025, were posted to the Jefferson County website; and

WHEREAS, pursuant to Jefferson County Code (JCC) [1.01.100](#) Code Reviser Established, the clerk of the board of county commissioners has been designated the official code reviser and shall compile the ordinance law of Jefferson County as enacted by the board of commissioners into a code (or compilation) of laws by title, chapter and section, without substantive change or alteration of purpose or intent; and

WHEREAS, the purpose of this resolution is to provide transparency and a clear record authorizing Jefferson County's code revisor to make said revisions correcting scrivener's errors to reflect the intentions of BoCC during the April 7, 2025 deliberations;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Whereas Clauses are Findings of Fact. The Jefferson County Board of Commissioners hereby adopts the above "Whereas" clauses as Findings of Fact.

Section 2. Purpose. The purpose of this resolution is to authorize Jefferson County's code revisor to make the following revisions to section [18.20.210](#)(3)(n) and (q) JCC to correct the identified scrivener's errors accordingly:

Section [18.20.210](#)(3)(n) shall include the following sentence:
Short-term rentals within Master Planned Resorts (MPR) are exempt from the cap on short-term rentals.

Section [18.20.210](#)(3)(g) shall include the following sentence:

Excluding short-term rentals in the MPR, short-term rental operators are prohibited from renting to a third party for less than 30 days within the first year (1) calendar year of ownership.

The remaining provisions of the STR Ordinance remain unchanged as was approved and adopted on April 7, 2025.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this resolution or its application to any person or circumstance is held invalid, the remainder of this resolution or its application to other persons or circumstances shall be fully valid and shall not be affected.

Section 4. SEPA Categorical Exemption. This resolution is categorically exempt from the State Environmental Policy Act under WAC [197-11-800](#)(19).

Section 5. Effective Date. This resolution shall take effect and be in full force immediately upon approval and adoption by the Board of County Commissioners.

(SIGNATURES FOLLOW ON THE NEXT PAGE)

APPROVED AND ADOPTED this _____ day of _____ 2025.

JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

SEAL:

Heidi Eisenhour, Chair

Greg Brotherton, Member

Heather Dudley-Nollette, Member

ATTEST:

APPROVED AS TO FORM:

Carolyn Gallaway, Date
Deputy Clerk of the Board

Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney

APPENDIX A

Changes to JCC 18.20.210 are as follows:

18.20.210 Hospitality establishments.

(3) ~~Short-Term Rental, Transient Residence or Transient Guest House (Accessory Dwelling Unit).~~ The following standards apply to all short-term (less than 30 days) transient rentals of single-family residential units and guest houses (ADUs) or portions thereof:

(a) ~~The short-term rental transient residence or guest house shall be operated in a way that will prevent unreasonable disturbances to area residents.~~

(b) ~~All parking must be contained onsite, as determined by DCD. All parking spaces shall meet the standards of Chapter 18.30 JCC. At least one additional off-street parking space shall be provided for the transient use in addition to the parking required for the residence or guest house.~~

(c) ~~If any food service is to be provided the requirements for a bed and breakfast residence must be met.~~

(d) ~~No outdoor advertising signs are allowed. One identification (ID) placard identifying the name of the rental is allowed onsite and shall not exceed four square feet in size.~~

(e) ~~In no case shall the short-term rental exceed the design capacity of the permitted on-site sewage system. The owner or lessee may rent the principal residence or the guest house on a short-term basis, but not both.~~

(f) ~~This chapter applies to permanent residences. Short-term rentals are not permitted in any temporary, portable, or other structure not permitted by the County for permanent occupancy (e.g., boat, tent, yurt, RV, etc.). Where there are both a principal residence and a guest house (i.e., an accessory dwelling unit), the owner or lessee must reside on the premises.~~

(g) ~~Short-term rentals shall meet all local and state regulations, including those pertaining to business licenses, liability insurances, and taxes, and registering with the Washington Department of Revenue as required by RCW 64.37.040. Transient accommodations must meet all local and state regulations, including those pertaining to business licenses and taxes.~~

(h) ~~A short-term rental permit shall be tied to the property and cannot be transferred to a separate dwelling.~~

(i) ~~The owner or operator may rent the principal residence or the guest house on the same lot or parcel on a short-term basis, but not both.~~

(j) A short-term rental operator shall not hold more than one hospitality permit for a short-term rental in unincorporated Jefferson County.

(k) Short-term rentals with five or fewer guest rooms and/or 10 or fewer total occupants will require a Type I hospitality permit for a short-term rental.

(l) Short-term rentals with six or more guest rooms and/or greater than 10 total occupants shall require a conditional discretionary use permit and additional building requirements.

(m) Short-term rentals must meet state and local standards for habitable space and life safety conditions.

(n) For six months after the adoption of this chapter, DCD will accept all short-term rental applications. After this six-month grace period, the following limit will apply to the renting of the entire primary or accessory dwelling (i.e. excluding the renting of STRs occupied by the landowners):

~~Short-term rentals within Master Plan Resorts (MPR) are excepted from the cap on short-term rentals.~~

(n) Short-term rentals within Master Plan Resorts (MPR) are exempted from the cap on short-term rentals.

The following limit applies to the renting of the entire primary or accessory dwelling (i.e., excluding the renting of STRs occupied by the landowners). Short-term rentals shall be limited to four percent (4%) of the dwellings in unincorporated Jefferson County housing, as determined by DCD. The number of dwellings is b. Based on OFM (Office of Financial Management) data, there are 11,694 dwellings outside of excluding MPR Master Plan Resorts (MPRs). Four percent of these dwellings would equate to 468 short-term rentals allowed at this time. The short-term rentals will be distributed proportionally based on the housing stock in each zip code (i.e., if Port Townsend zip code has 30 percent of the housing stock, they would be allowed 30% of the short-term rentals based on the U.S. Census). Every year DCD will update the number of dwelling units, the number of short-term rentals allowed, and the number of short-term rental permits that have a valid permit from DCD.

(o) If the maximum number of short-term rentals is reached, DCD will have a waiting list for new short-term rentals. DCD shall manage the waitlist by issuing permits based on the earliest date of application.

(p) Applications for permits for a short-term rental shall be on a form approved by the director.

(q) Excluding short-term rentals in the MPR, short-term rental operators are prohibited from renting to a third party for less than 30 days within the first (1) calendar year of ownership.

(r) The short-term rental operator is responsible to provide written notice to renters of:

(i) County sound and noise regulations, which may constitute a Public nuisance noises, as defined by JCC 8.70.050.

(ii) Rules of conduct, local laws, burn bans, and renter responsibility not to trespass on private property or to create disturbances (e.g., noise). If there is an easement that provides renters legal access to off-site areas such as a beach access, this shall be indicated on a map and the easement shall be clearly marked.

(iii) The location of the breaker box, water shut-off, gas shut-off, instructions regarding the septic system, emergency numbers, and the name and number of a local contact person(s) for the vacation rental.

(4) Permitting is required for all short-term rentals in the County.

(a) A short-term rental that existed prior to the establishment of the original Unified Development Code with an effective date of January 16, 2001 shall be established as a legal non-conforming use if all of the following requirements are satisfied:

(i) The short-term rental operator provides proof to the satisfaction of the director that the lot or parcel was the location of a short-term rental and that applicable sales and lodging taxes pursuant to chapter 64.37 RCW were remitted to the authorized collector prior to January 16, 2001; and

(ii) Apply for and obtain a hospitality permit for a short-term rental permit within six months from the date of the adoption of this Ordinance.

(b) Existing short-term rentals that have been permitted by DCD after January 16, 2001 are allowed to continue, provided that short-term rental operator renews the permit and satisfies all of the requirements of this chapter.

(c) The number of new short-term rentals limit addressed in section 3(n) shall be reduced by the number of pre-existing short-term rentals addressed in ~~in~~ Section 4(a) and (b) above.

(d) New short-term rental applications shall be accepted until the limit addressed in Section 3(n) above is met. Once a hospitality permit for a short-term rental is issued, the permit may continue, provided the short-term rental operator renews the permit and satisfies all the requirements of this chapter.

(e) Short-Term Rental Permit Renewal:

(i) Application for renewal shall occur annually and at least 30 days prior to expiration of the hospitality permit for a short-term rental.

(ii) Renewal fees for a hospitality permit for a short-term rental shall be per the applicable fee schedule.

(iii) Renewal of an existing permit for a short-term rental requires an inspection addressing fire, safety, and health requirements.

(iv) Failure to renew a permit for a short-term rental may result in short-term rental not being allowed if the limit addressed in Section 3(n) is met.

(f) Permit Number. The short-term rental operator shall include the Jefferson County permit number for the short-term rental in all advertisements and ensure its prominent display on all platforms and other forums for rental of the short-term rental, including but not limited to Airbnb, VRBO, Craigslist, Facebook, flyers or posters and on marketing materials such as brochures and websites. Any failure to provide a valid permit number or posting a false permit number is prohibited and shall be subject to enforcement as a violation of this chapter.

(5) Enforcement. The provisions of this chapter shall be enforced under Title 19 of the Jefferson County Code. Jefferson County may seek any remedy available under law as is necessary to prevent or correct any violation of this chapter.

(6) Conflict. If any county regulations herein are found to be in conflict with chapter 64.37 RCW, the provisions of chapter 64.37 RCW shall apply.

APPENDIX B

18.20.210 Hospitality establishments.

(3) Short-Term Rental. The following standards apply to all short-term rentals of single-family residential units or portions thereof:

- (a) The short-term rental shall be operated in a way that will prevent unreasonable disturbances to area residents.
- (b) All parking must be contained onsite, as determined by DCD. All parking spaces shall meet the standards of Chapter 18.30 JCC.
- (c) If any food service is to be provided the requirements for a bed and breakfast residence must be met.
- (d) No outdoor advertising signs are allowed. One identification (ID) placard identifying the name of the rental is allowed onsite and shall not exceed four square feet in size.
- (e) In no case shall the short-term rental exceed the design capacity of the permitted on-site sewage system.
- (f) This chapter applies to permanent residences. Short-term rentals are not permitted in any temporary, portable, or other structure not permitted by the County for permanent occupancy (e.g., boat, tent, yurt, RV, etc.).
- (g) Short-term rentals shall meet all local and state regulations, including those pertaining to business licenses, liability insurances, and taxes, and registering with the Washington Department of Revenue as required by RCW [64.37.040](#).
- (h) A short-term rental permit shall be tied to the property and cannot be transferred to a separate dwelling.
- (i) The owner or operator may rent the principal residence or the guest house on the same lot or parcel on a short-term basis, but not both.
- (j) A short-term rental operator shall not hold more than one hospitality permit for a short-term rental in unincorporated Jefferson County.
- (k) Short-term rentals with five or fewer guest rooms or 10 or fewer total occupants will require a Type I hospitality permit for a short-term rental.
- (l) Short-term rentals with six or more guest rooms or greater than 10 total occupants shall require a conditional discretionary use permit and additional building requirements.

(m) Short-term rentals must meet state and local standards for habitable space and life safety conditions.

(n) Short-term rentals within Master Plan Resorts (MPR) are exempt from the cap on short-term rentals. The following limit applies to the renting of the entire primary or accessory dwelling (i.e., excluding the renting of STRs occupied by the landowners). Short-term rentals shall be limited to four percent (4%) of the dwellings in unincorporated Jefferson County housing, as determined by DCD. The number of dwellings is based on OFM (Office of Financial Management) data, excluding Master Plan Resorts (MPRs). The short-term rentals will be distributed proportionally based on the housing stock in each zip code. Every year DCD will update the number of dwelling units, the number of short-term rentals allowed, and the number of short-term rental permits that have a valid permit from DCD.

(o) If the maximum number of short-term rentals is reached, DCD will have a waiting list for new short-term rentals. DCD shall manage the waitlist by issuing permits based on the earliest date of application.

(p) Applications for permits for a short-term rental shall be on a form approved by the director.

(q) Excluding short-term rentals in the MPR, short-term rental operators are prohibited from renting to a third party for less than 30 days within the first (1) calendar year of ownership.

(r) The short-term rental operator is responsible to provide written notice to renters of:

(i) County sound and noise regulations, which may constitute a Public nuisance noises, as defined by JCC [8.70.050](#).

(ii) Rules of conduct, local laws, burn bans, and renter responsibility not to trespass on private property or to create disturbances (e.g., noise). If there is an easement that provides renters legal access to off-site areas such as a beach access, this shall be indicated on a map and the easement shall be clearly marked.

(iii) The location of the breaker box, water shut-off, gas shut-off, instructions regarding the septic system, emergency numbers, and the name and number of a local contact person(s) for the vacation rental.

(4) Permitting is required for all short-term rentals in the County.

(a) A short-term rental that existed prior to the establishment of the original Unified Development Code with an effective date of January 16, 2001 shall be established as a legal non-conforming use if all of the following requirements are satisfied:

(i) The short-term rental operator provides proof to the satisfaction of the director that the lot or parcel was the location of a short-term rental and that applicable sales and

lodging taxes pursuant to chapter 64.37 RCW were remitted to the authorized collector prior to January 16, 2001; and

(ii) Apply for and obtain a hospitality permit for a short-term rental permit within six months from the date of the adoption of this Ordinance.

(b) Existing short-term rentals that have been permitted by DCD after January 16, 2001 are allowed to continue, provided that short-term rental operator renews the permit and satisfies all of the requirements of this chapter.

(c) The number of new short-term rentals limit addressed in section 3(n) shall be reduced by the number of pre-existing short-term rentals addressed in Section 4(a) and (b) above.

(d) New short-term rental applications shall be accepted until the limit addressed in Section 3(n) above is met. Once a hospitality permit for a short-term rental is issued, the permit may continue, provided the short-term rental operator renews the permit and satisfies all the requirements of this chapter.

(e) Short-Term Rental Permit Renewal:

(i) Application for renewal shall occur annually and at least 30 days prior to expiration of the hospitality permit for a short-term rental.

(ii) Renewal fees for a hospitality permit for a short-term rental shall be per the applicable fee schedule.

(iii) Renewal of an existing permit for a short-term rental requires an inspection addressing fire, safety, and health requirements.

(iv) Failure to renew a permit for a short-term rental may result in short-term rental not being allowed if the limit addressed in Section 3(n) is met.

(f) Permit Number. The short-term rental operator shall include the Jefferson County permit number for the short-term rental in all advertisements and ensure its prominent display on all platforms and other forums for rental of the short-term rental, including but not limited to Airbnb, VRBO, Craigslist, Facebook, flyers or posters and on marketing materials such as brochures and websites. Any failure to provide a valid permit number or posting a false permit number is prohibited and shall be subject to enforcement as a violation of this chapter.

(5) Enforcement. The provisions of this chapter shall be enforced under Title 19 of the Jefferson County Code. Jefferson County may seek any remedy available under law as is necessary to prevent or correct any violation of this chapter.

(6) Conflict. If any county regulations herein are found to be in conflict with chapter [64.37](#) RCW, the provisions of chapter [64.37](#) RCW shall apply.