

SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMO

DATE: February 4, 2020

TO: County Council
Mike Thomas, County Manager

CC: Ryan Page, Affordable Housing Coordinator, Health and Community Services
Erika Shook, AICP, Director DCD

FROM: Linda Kuller, AICP, Planning Manager *LC*
Sophia Cassam, Planner I *SC*

RE: **February 10, 2020, County Council briefing**
San Juan County Comprehensive Plan (*Plan*) 2036 Update
Continued discussion: Housing Element Goals and Policies

ATTACHMENTS: A. Updated draft Housing Element goals and policies
B. Housing comments received after the Council's January 27, 2020 meeting

Purpose: To provide:

- A new copy of the draft Housing Element goals and policies in **strikeout/underline**. This draft incorporates County Council revisions and new suggestions provided in comments received by January 28, 2020 along with staff notes,
- Copies of the public comments received after our last discussion on January 27, 2020,
- Background information on farm stay accommodations and farmworker housing, and
- Background information about public suggestions on setting targets for reducing greenhouse gas emissions in the housing policies.

Background: The Department of Community Development released the draft Housing Element for early public review in December 2019. At that time, staff did not know the date of the January Council briefing and set the comment deadline on January 28, 2020. Thus, Attachment B includes public comments submitted by that deadline. Incorporated on the attached draft are comments received after the Council's January 27, 2020, briefing that relate to the goals and policies.

The draft in Attachment A shows Council changes in **purple ink**. New public comments are indicated by **bold red ink**.

Goal 1, Policy 4: Regarding Farm Stays and Farmworker Accommodations

The County Council wanted to come back to the following draft policy:

4. Allow farm stays and farmworker housing accommodations on **ARL and RFF** properties where commercial agriculture is conducted, **including, but not limited to ~~not only~~** those properties in agricultural open space tax programs. **[put on hold for more discussion by CC] [ARC]**

The Ag Resource Committee's January 28, 2020, comments are inserted above in bold red ink.

The County Council expressed concerns about the County's ability to control conversion of farm worker housing into vacation rental or other uses and to ensure that these uses are contained to supporting commercial agriculture operations. Because a provisional use permit is required for the uses, restrictions on conversion to other uses would be placed on the permit. In addition, a vacation rental permit would be required to operate that use. During the review of vacation rental permits, staff would make sure that the approval of a permit application for a vacation rental would be allowed and not conflict with the other permits issued on the property.

To help inform the discussion, provided below are the definitions of these uses, related activities and the permitting requirements from San Juan County Code Title 18.

"Farm stay accommodation" means a hospitality commercial use associated with agriculture.

"Farm worker accommodation" means a residential use associated with agricultural labor.

"Agriculture, existing and ongoing" means any agricultural activity conducted on lands defined in RCW 84.34.020(2); agricultural use ceases when the area on which it is conducted is converted to a nonagricultural use.

"Agricultural activities" means agricultural uses and practices defined in RCW [90.58.065](#):

(2) For the purposes of this section:

(a) "Agricultural activities" means agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation;

18.30.040 Land use table – Rural, resource, and special land use designations.

Land Uses	Classification of Uses by Land Use Designation									
	Rural Designations					Resource Lands		Special Lands ⁽⁴⁾		
	RGU	RR	RFF	RI	RC	AG	FOR	C	N	
Unnamed recreational uses	C	C	C	C	C	C	C	C	N	N
Residential Uses										
Cottage enterprise	P	N	P	P	P	P	P	P	P	N
Farm worker accommodations	P	N	P	P	P	P	P	P	N	N
Farm stay	P	N	P	N	N	P	P	P	N	N

Table 18.30.030. Allowable and Prohibited Uses in Activity Center Land Use Designations^(1, 2, 3, 4)

Land Uses	Classification of Uses by Land Use Designation								
	Village			Hamlet			Island Center	Master Planned Resort	
	VC	VI	VR	HC	HI	HR	IC	MPR ^(5,6)	
Residential Uses									
Cottage enterprise	P	P	P	P	P	P	P	P.A. ⁽⁶⁾	
Farm worker accommodations	P	N	P	Y	N	P	P	P.A. ⁽⁶⁾	
Farm stay	P	N	P	P	N	P	N	P.A. ⁽⁶⁾	

18.40.230 Farm stay and farm worker accommodations.

A. Farm Stay Accommodations. The following standards apply to all farm stay accommodations:

1. Farm stay accommodations may be provided for **up to six persons at any one time.**
2. **The site must currently be in the assessor’s tax category of agricultural open space.**
3. Farm stay accommodations must be consistent with bed-and-breakfast residence requirements (see SJCC 18.40.260), except that farm stay accommodations may serve three meals a day to overnight guests only.
4. Accommodations **shall be clearly subordinate to the agricultural activities on site** or in the affected agricultural area and shall not detract from the rural environment.
5. Accommodations shall be located on no more than one acre of the farm parcel and shall be located so as to minimize the amount of agricultural land loss.
6. Accommodations shall not require the extension of public sewer and water services. On-site sewage disposal systems and water supplies shall be adequate to support the facility.
7. Accommodations are characterized by providing a maximum of **100 days annually for participation in farm operations and a maximum of 100 days annually for farm education programs.**

B. Farm Worker Accommodations. The following standards apply to all farm worker accommodations:

1. Farm worker accommodations may be provided for up to 10 persons.
2. **The site must currently be in the assessor's tax category of agricultural open space.**
3. Accommodations are provided only to persons who are **directly involved in agricultural activities and paid by the farm operator.**
4. Accommodations shall be **clearly subordinate to agricultural activities on site or in the affected agricultural area** and shall not detract from the rural environment.
5. Accommodations shall be located on no more than one acre of the farm parcel and shall be located so as to minimize the amount of agricultural land loss.
6. Accommodations shall not require the extension of public sewer and water services: on-site sewage disposal systems and water supplies shall be adequate to support the facility. (Ord. 2-1998 Exh. B § 4.17)

Setting Targets for Greenhouse Gas Emissions in Housing Development

Setting policy with specific targets for greenhouse gas reductions in housing development would be challenging for the County to implement for many reasons. The commentors have not provided a specific suggestion as to how the County can work to achieve the proposed reductions or how they could be tracked or evaluated. No specific policy changes related to development regulations or programs were suggested. There could be equity issues to address if policies support additional regulations for residential development. Already, housing construction cost is a difficult hurdle for many islanders.

The County adopts updated State Energy Codes every three years. These are very progressive and help to implement State Energy targets. Other policies support reduction of green house gas such as solid waste policies.

If the County Council is interested in including some specific policies related to whole building design, green building or sustainable building or greenhouse gas emissions, perhaps the policy could focus on supporting actions that the County could control such as development of green building educational programs for architects, builders, designers (perhaps through the Economic Development Council), setting regulations to prohibit the use of copper roofs, support community solar projects, etc..

Provided below is some background materials.

Excerpt from the Whole Building Design Guide Website

Green Principles for Residential Design

The Whole Building Design Approach encourages integration and optimization among all building measures. It is important to note that many green building programs also help foster this balance by requiring mandatory attention to all principles, not just one area. These concepts serve as the underlying basis for the Whole Building Design Guide which is discussed in more detail below.

Builders interested in using the whole building approach will consider the following eight design objectives in order to create a high-performance home: accessibility, aesthetics, cost effectiveness, functionality, productivity and health, history, safety/security, and sustainability. Unlike the more traditional approach in which design decisions are made one after the other, the whole building approach relies on careful consideration and integration of all key design objectives during every phase of the project.

This approach works particularly well when applied to a single home or larger, more complex, mixed-use developments. Although it may not be obvious at first glance, green strategies such as conserving energy and water, selecting the right materials, focusing on durability, or ensuring great acoustical comfort, all affect which other attributes are incorporated and how successful they will be.

Some groups who previously concentrated on just one of these attributes have added green elements to their programs. For instance, many advocates for affordable housing have decided to go green because homes that save energy free up money for other living expenses.¹

The eight design objectives that contribute to building a high-performance residential building are as follows.

Accessibility

This design objective considers accommodating persons who are permanently disabled or temporarily disabled due to an injury. The concepts of visitability and aging in place are becoming more popular as the percentage of our aging population grows. The visitability movement advocates for constructed homes to consider aspects such as the location of stairs and the width of interior doors. The goal is to ensure equal use of the home for all.

Aesthetics

What qualifies as beautiful is open to personal interpretation and varies with client, climate, context, construction and culture. Aesthetics applies not just to the outside architecture, but to the interior design, the surrounding landscape, the neighboring buildings and the community at large.

Cost Effectiveness

There is no one specific measure for true cost effectiveness, but some considerations are noted here. Does the homeowner want the lowest first cost or the lowest operations and maintenance (O&M) costs? Is it the home with the longest life span? Will the house be used for a combination of purposes, such as a home office? If so, it must accommodate the public.

Functionality

Understanding how the home will fit its owners means defining the size and proximity of the different spaces needed for activities and equipment. Consider the owners' future needs, such as potential spatial changes from remodeling, and provide proper clearances for replacing or expanding building systems and equipment. Anticipate changing information technology (IT) and other building systems equipment.

Productivity and Health

The indoor environment of the home can have a strong effect on occupant health and the productivity of occupants, particularly young children and the aged, whose auto-immune systems are more susceptible to toxic materials and off-gassing fumes. Excessive noise, glare, drafts, heat, humidity or cold can be potentially damaging or dangerous. Builders must design the building enclosure, building systems, equipment, and appliances to work together as a unified system to achieve a truly healthy home.

Historic Preservation

Some practical and/or intangible benefits of historic preservation include: retaining history and authenticity; commemorating the past; increasing commercial value when homes feature materials and ornaments that are not affordable or readily available any longer; and reducing the need for new materials.

Safety and Security

Designing and constructing safe, secure homes and communities is a primary goal. Builders must consider different issues, such as improved indoor air quality, electrical safety, ergonomics, and accident prevention. Resisting natural hazards requires protection from hurricanes, wildfires, floods, earthquakes, tornados and blizzards. Gated and/or guarded communities are becoming more and more popular and may often require special maintenance and equipment.

Sustainability

The construction, use, and demolition of homes have many direct impacts on the environment. To ensure the sustainability of a home, consider the following principles:

- ***Optimizing Site Potential.*** This principle covers such aspects as proper site selection, consideration of any existing buildings or infrastructure, orientation of streets and homes for passive and active solar features, location of access roads, parking, potential hazards, and any high-priority resources that should be conserved such as, trees, waterways, snags, and animal habitats.
- ***Minimizing Energy Use and Use Renewable Energy Strategies.*** This principle covers aspects such as the importance of dramatically reducing the overall energy loads (through insulation, efficient equipment and lighting, and careful detailing of the entire enclosure), limiting the amount of fossil fuels required, incorporating renewable energy systems such as photovoltaics, geothermal heat pumps, and solar water heating whenever feasible, and purchasing green power in order to minimize the creation of greenhouse gasses.
- ***Conserving and Protecting Water.*** This principle covers aspects such as reducing, controlling or treating site runoff; designing and constructing the home to conserve water used inside and outside; and minimizing leaks by ensuring proper inspections during construction.
- ***Using Environmentally Preferable Products.*** This principle covers such aspects as specifying products that are salvaged, made with recycled content, are easily disassembled for reuse or recycling, conserve natural resources, reduce overall material use, are exceptionally durable or low maintenance, naturally or minimally processed, save energy and/or water, and/or reduce pollution or waste from operations.
- ***Enhance Indoor Environmental Quality.*** This principle covers strategies to provide excellent acoustical, thermal, and visual qualities which have a significant impact on health, comfort, and productivity. Other attributes to be considered: maximize daylight, appropriate ventilation, and moisture control, and the use of low- or no-VOC products.
- ***Optimizing Operations and Maintenance Practices.*** This principle covers materials and systems that simplify and reduce operational requirements, require less water, energy, and toxic chemicals and cleaners to maintain, are cost-effective and reduce life-cycle costs.
- ***Flexible Design.*** Also called "loose fit, long life," this design principle anticipates and allows for future adaptations needed to extend a building's useful life.
- ***Design for End of Life.*** This principle encourages design for the disassembly, reuse, and/or recycling of building components and materials at the end of their useful life.

Excerpt from the Website of the Green Construction Company, Orcas Island

Resource Reuse – Repurpose and reuse of 5-10% of existing building materials and products to reduce the overall demand of both new materials and waste.

Recycled Content – Use of materials that contain 5-10% recycled content (the result of post-consumer recycled content plus one-half of the post-industrial content).

Regional Materials – Use of at least 20-50% of building materials manufactured or extracted regionally (within a radius of 500 miles from the project site).

Rapidly Renewable or Sustainably Harvested Materials – Use of at least 5% rapidly renewable building materials and products (designated as materials from plants that are typically harvested within a maximum of 10 years growth).

Certified Wood – Use of a minimum of 50% wood-based materials and products that are certified by the F.S.C. (Forest Stewardship Council) to promote forest regrowth, including framing, flooring, finishes and furnishings.

Low Emitting Materials – Reduce the amount of indoor air contaminants and VOC (volatile organic compounds that cause off gassing). Examples:

Composite Wood – Wood and agri-fiber products with no added urea formaldehyde resins or pesticides

Adhesives & Sealants – Use of eco-friendly products with VOC content lower than the allowed minimum standard

Paints & Coatings – Use of eco-friendly products with VOC and chemical component content lower than the allowed minimum standard

LEED (Leadership in Energy and Environmental Design) — LEED is a third-party certification program and the nationally accepted benchmark for the design, construction, and operation of high-performance green buildings.

Red: Public comments before 1/27 CC, **Red Bold: Public comments after 1/27 CC**,
Blue: PC, Green: Staff, Purple: Council

1 5.7 HOUSING GOALS AND POLICIES

2 Housing goals and policies guide San Juan County's actions pertaining to housing. Goals are items the
3 County hopes to accomplish, and policies are the practices or actions the County intends to carry out as a
4 way of meeting goals. These goals and policies are informed by many sources, including existing policies,
5 community feedback, and the data and analysis in the Housing Needs Assessment (Appendix 5).

6 5.7.A GENERAL HOUSING INVENTORY, TYPES, CATEGORIES, AND CONDITION

7 **Goal 1. Meet the projected 2036 housing demand for year-round and seasonal residents.**

8 Policies:

9 1. Take the following actions in Urban Growth Areas and Activity Centers:

- 10
 - 11 ▪ Incentivize the construction of multi-family and mixed-use developments;
 - 12
 - 13 ▪ Reduce the cost of public services by increasing incentives for denser development; and
 - 14
 - 15 ▪ Work with the appropriate advisory committees to understand market factors that limit
 - 16 more dense development in these areas.
 - 17

18 2. Support the development of housing stock that meets the needs of those in the low, moderate,
19 middle and upper-middle income brackets.

20

21 3. Increase the availability of seasonal rentals for workers. Support development of specific
22 standards for locating seasonal and year-round worker housing such as dorms, bunkhouses,
23 hostels, group homes, home shares, farmworker housing and other communal living
24 arrangements. **[ARC, Dunsmore]**

25

26 **Friends of the San Juans: Has seasonal workforce housing been identified as a priority seasonal**
27 **housing need? If so, a policy would be needed that identifies seasonal workforce housing as**
28 **such.**

29

30 **Staff: Seasonal workforce housing falls under Goal 1 of meeting the housing demand for seasonal**
31 **residents.**

32

33 4. Allow farm stays and farmworker housing accommodations on ARL and RFF properties where
34 food is grown, commercial agriculture is conducted, including, but not limited to not only those
35 properties in agricultural open space tax programs. [put on hold for more discussion by CC] [ARC,
36 Dunsmore]

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1 **Goal 2. Address the housing needs of special populations such as veterans, the elderly, differently**
2 **abled, mentally ill, victims of domestic violence, and those at-risk of or currently facing**
3 **homelessness.**

4 Policies:

- 5 1. Assure that there are appropriate regulations and land use designations to allow housing to meet
6 the needs of the elderly population, such as group homes, assisted living residences and skilled
7 nursing facilities.
8
9 2. Support weatherization and home maintenance programs.
10
11 3. Support the cold weather shelters on San Juan and Orcas islands and promote the development
12 of a shelter on Lopez Island.
13
14 4. Implement the County's five-year Homeless Plan and support services in order to reduce
15 homelessness and increase opportunities for wellbeing in San Juan County.
16
17 5. **Support services for those who are homeless, including shelters, laundry facilities and safe**
18 **storage for belongings. [Dunsmore]**
19
20 6. Reduce obstacles for the development of new housing opportunities for vulnerable populations
21 such as safe homes for domestic violence victims, transitional housing for the recently homeless,
22 and the host home program for at-risk youth and youth experiencing emergencies.
23
24 7. **Form a working committee to identify renters or homeowners, especially among the elderly,**
25 **who have space in their home for another person or persons, in order to reduce homelessness.**
26 **[Dunsmore]** Staff: Home share program covers this idea.
27
28 8. Continue to implement housing assistance for eligible veterans through the Veterans Assistance
29 Fund.
30

31 **Goal 3. Improve housing condition and reduce the number of substandard housing units.**

32 Policies:

- 33 1. Utilize all available resources to complete weatherization upgrades and provide energy
34 assistance.
35
36 2. Promote health related improvements to older homes, such as accessibility improvements and
37 the abatement of lead based paint, asbestos, and other potentially harmful materials.
38
39 3. Review and revise permit process for home remodels to ensure compliance with State lead
40 regulations and reduce the risk of exposure.
41
42 4. Support grant acquisitions for the development of home improvement programs to raise the
43 quality and safety of currently substandard housing.
44

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1 **10. Allow for sewage and wastewater treatment with products listed on the List of Registered On-**
2 **site Treatment and Distribution Products as Established in Chapter 246-272A WAC. [ARC]**
3

4 Kyle Dodd: We are currently doing this.

5
6 **Goal 5. Demonstrate the County's promotion of Promote climate resiliency by minimizing the**
7 **environmental impacts, such as greenhouse gas emissions, of the existing and future housing**
8 **stock in San Juan County ~~and reducing the County's greenhouse gas emissions associated with~~**
9 **~~housing by 50% by 2030. [ARC]~~**
10

11 Policies:

- 12
- 13 1. Consider climate change risks in siting Urban Growth Area expansions and new affordable housing
14 locations, and avoid sites projected to have increased risk of flooding, landslides, severe erosion,
15 or water shortages.
 - 16
 - 17 2. Identify and support partners that work to increase the environmental sustainability of housing
18 on the Islands by means such as reducing energy use, protecting critical areas, and mitigating
19 climate change impacts.
 - 20
 - 21 3. Provide information about and support the use of green and alternative building materials.
 - 22
 - 23 4. Incentivize investments in energy conservation, efficiency, and renewable energy generation for
24 new and existing housing units.
 - 25
 - 26 5. **Adopt new "Sustainable Development" codes that incentivize sustainable housing**
27 **development. [ARC]**
 - 28
 - 29 6. **Support working farms and farmland succession by allowing for development of additional**
30 **housing units on RFF and ARL when the cumulative environmental impact of such developments**
31 **is no greater than allowed for a single family housing development. [ARC]**
32

33 **5.7.B AFFORDABILITY** *Council review and comments on Affordability Section : Feb 10, 2020*
34

35 **Goal 6. Increase the number of resale-restricted affordable housing units.**
36

37 Policies:

- 38
- 39 1. Support applications to the WA State Housing Finance Commission Land Acquisition Program
40 (LAP) for assistance in purchasing land for affordable housing development.
 - 41
 - 42 2. Facilitate ~~collaboration among non-profit and private housing developers to encourage and~~
43 ~~enhance the conservation~~ **the preservation of affordability, repair and durability** of existing
44 housing units. **[BYERS]**
 - 45
 - 46 3. ~~Expand and implement the 2018 Home Share Pilot Program completed on San Juan Island and~~
47 ~~make it feasible in more island communities. [Moved to goal 8—suggestion by BYERS]~~

1
2 4. Promote the design, construction, and maintenance of quality affordable rental units to serve
3 long-term residents of various family sizes and income levels.
4

5 ~~5. Prioritize housing units that have resale restrictions lasting at least fifty years for County funding~~
6 ~~and density bonuses. [BYERS and BISHOP]~~
7

8 **REVISED POLICY—split #5 into #5 and #6.**

9 When allocating county funding, such as REET funds, for affordable housing, prioritize
10 projects that are permanently affordable with resale-restrictions lasting at least 50 years. [BYERS]
11

12 6. For land use designations that include residential density bonuses, require the additional housing
13 developed as a result of the density bonus to have resale-restrictions lasting at least 50 years.
14 [BYERS]
15

16 7. Allow REET Identify a funding source such as the Affordable and Supportive Housing Funds funds
17 to cover all building related fees associated with permits for developments that are resale
18 restricted for fifty or more years, regardless of whether or not the units receive REET funds.
19 [BISHOP] [Needs refinement]
20

21 Ryan Page indicated that technically REET funds can already pay for permit fees as they are an
22 allowable cost. If the goal of this policy is to create a fund for DCD to pay for permit fees without
23 an application to the REET then that is not allowable by the fund as all funding dispersed has to
24 follow a competitive process, i.e. an application from a NOFA or RFP. Plus, the Council just
25 passed the ASH funds this past fall which they have asked us to use to pay for permit fees for AH
26 projects.

27 Affordable and Supportive Housing Funds:

- 28 • Administered by WA State Department of Commerce
- 29 • Allows counties and cities to keep a small percentage of the state sales tax they collect if
- 30 they use it to build, maintain or operate affordable housing that serves people earning 60
- 31 percent or less of the area median income.
- 32 • Counties with fewer than 400,000 residents and cities with fewer than 100,000 residents
- 33 can also use the funds to provide rental assistance to low-income tenants.

34 <https://crosscut.com/2019/05/wa-cities-will-get-free-money-state-affordable-housing>
35

36 8. **Encourage public-private partnerships with Land Trusts and owner-occupied housing**
37 **cooperatives to create affordable housing on RFF and ARL consistent with rural character. [ARC]**
38

39 9. **Support USDA Rural Development Farm Labor Housing Direct Loans & Grants programs that**
40 **provide construction, improvement, repair and purchase of housing for domestic farm laborers.**
41 **[ARC]**
42

43 **Goal 7. Adopt regulations in the San Juan County Unified Development Code and Comprehensive *Plan***
44 **elements that facilitate access to affordable housing by increasing the number of available**
45 **affordable units and widening the range of people who qualify for affordable housing.**

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1 Policies:

- 2 1. Expand the existing density bonus program to provide further incentives for creating affordable
- 3 housing in Urban Growth Areas and Activity Centers.
- 4
- 5 2. Allow bonuses for multi-family affordable housing development.
- 6
- 7 3. Allow nonprofits and private developers to develop small-scale rural residential clusters with long-
- 8 term affordability restrictions and no more than twelve dwelling units each, within rural
- 9 residential, rural farm forest, and Village, Hamlet and Residential Activity Centers.
- 10
- 11 4. Expand allowances for detached accessory dwelling units restricted for affordable housing or
- 12 long-term rental. *Pending GMA risk analysis*
- 13

14 ~~5. Require at least half of new units within UGA expansions to have income-based resale restrictions~~
15 ~~lasting at least 50 years.~~

17 *Alternative language:*
18 When expanding the boundaries of a U.G.A. require that fifty percent of housing units allowed in
19 the newly expanded area have resale-restrictions lasting at least 50 years. [BISHOP, BYERS]
20 [staff revision needed] Staff discussed the Planning Commission’s concern with the term
21 “income based restriction.” After that discussion, staff does not recommend any change to the
22 policy.

23 *Ryan: the term is fairly clear. It’s a restriction on who can buy the home (or rent the home if it is*
24 *a rental). By restricting the income of who can buy it, you also inherently restrict the price. The*
25 *term “income-based restriction” is pretty straightforward and allows for multiple different*
26 *options.*

27 ~~6. Allow recreational vehicle (RV) parks in Rural General Use and Rural Commercial land use~~
28 ~~designations. [BISHOP/STAFF]~~

30 Explore alternative housing for transient and permanent workers such as RV parks, dorms, co-op
31 housing...

33 7. Give administrative priority to all housing project applications for development, construction,
34 repair or rehabilitation of permanently affordable housing constituting [X] percent or more in
35 number of the housing units included in the application. [APPEL]

36 **Goal 8. Partner with organizations that support housing affordability, and leverage the County’s access**
37 **to resources to utilize and provide programs that increase access to housing for middle to low-**
38 **income households.**

39 Policies:

- 40 1. Collaborate with non-profits to provide housing support services such as rental, homeownership
- 41 and utilities assistance programs for low to moderate income households.

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2. Utilize state and federal housing resources and grant programs to the maximum extent possible consistent with the goals and policies of this Element for affordable housing development, rental and homeownership down payment assistance, weatherization assistance, and infrastructure development related to affordable housing.
3. Leverage local funding sources to attract state, federal and private dollars to support the development of housing affordability programs.
4. Provide, as appropriate, for the sale or lease of County-owned land for permanently affordable housing development.
5. **Expand and implement the 2018 Home-Share Pilot Program completed on San Juan Island and make it feasible in more island communities. [Moved from goal 6 to goal 8—suggestion by BYERS]**
6. Facilitate and support the development of down payment assistance programs such as the Equity Loan Program and work with banks to develop programs to roll down payments into mortgages.
7. Lobby for funding support for affordable housing programs in rural areas using tax credits.

5.7.C VACATION RENTALS

Goal 9.

Policies: Placeholder to be completed after a public policy discussion.

**San Juan County Comprehensive Plan
Element B5 Housing Element and Appendix 5 Housing Needs Assessment
Comments Received On and After January 27, 2020**

Date Received 2020	Name	Comments	Summary of Comment	Link to Comment on Website
January 27	William Appel	Housing Element Goal 4	Explanation of suggestion to add policy: "Except as provided by RCW 36.70A.070(5)(d)(iii), establish priority for creation, extension or increase of utility rural government services outside urban growth or currently served water and sewer district service areas, to serve affordable housing in preference to housing serving a higher income or wealth markets so long as affordable housing is substantially insufficient."	https://www.sanjuanco.com/DocumentCenter/View/19745/2020-01-27_PUB_Appel_CompPlan_Interconnectedness_and_Housing
January 27	Marlia Dunsmore	Page 14, Line 19	Emphasize housing for workers near poverty level.	https://www.sanjuanco.com/DocumentCenter/View/19754/2020-01-27_PUB_Dunsmore_Housing
January 28	Agricultural Resources Committee	Goal 1: Policy 4 Goal 1: Policy 5 Goal 4: Policy 6 Goal 4: Add a new Policy 8 Goal 4: Add a new Policy 9 Goal 5	Add farmworker housing to Policy 4 Specifically allow farm worker housing on Agricultural Resource and Rural Farm Forest land use designations. Name these land use designations in Policy 5. Add "and form an advisory committee to evaluate drafting regulations for siting tiny home communities." "New Policy 8: Allow for Tier 1, 2, and 3 grey water systems and encourage innovation and adoption of systems that meet state requirements." "Allow for sewage and wastewater treatment with products listed on the list of registered on-site treatment and distribution products as established in Chapter 246-272A WAC" Demonstrate the County's promotion of permeate climate resiliency by minimizing the environmental impacts of the existing and future housing stock in San	https://www.sanjuanco.com/DocumentCenter/View/19758/2020-01-28_PUB_AG-Res_Com_Housing_Ele_Comments

			Juan County and reducing the County's greenhouse gas emissions associated with housing by 50% by 2030.	
		Goal 5: Add New Policy 5	"Adopt new "Sustainable Development" codes that incentivize sustainable housing development."	
		Goal 5 Add New Policy 6	"Support working farms and farmland succession by allowing for development of additional housing units on RFF and ARL when the cumulative environmental impact of such developments is no greater than allowed for a single family housing development."	
		Goal 6: Add a New Policy 5	"Encourage public-private partnerships with Land Trusts and owner-occupied housing cooperatives to create affordable housing on RFF and ARL consistent with rural character."	
		Goal 6: Add a New Policy 6	"Support USDA Rural Development Farm Labor Housing Direct Loans & Grants programs that provide construction, improvement, repair and purchase of housing for domestic farm laborers."	
January 28	Sadie Bailey	Comments on most policies	Ms. Bailey provided general commentary on most of the proposed policies. No specific changes were proposed.	https://www.saniuanco.com/DocumentCenter/View/19763/2020-01-28_PUB_Bailey_Housing_EI_HNA
January 28,	Steve Bernheim	Goal 4: Policy 5	Objects to increasing SEPA exemption thresholds, he suggests striking Goal 4, Policy 5.	https://www.saniuanco.com/DocumentCenter/View/19756/2020-01-28_PUB_Bernheim_Housing_SEPA
January 28	Friends of the San Juans	Goal 1: Policy 4	A question on this policy, "Has seasonal workforce housing been identified as the priority seasonal housing need?"	https://www.saniuanco.com/DocumentCenter/View/19761/2020-01-28_PUB_Friends_of_the_San_Juans_Housing_EI_HNA
		Goal 4: Policy 5	Opposes increasing the SEPA exemption to levels allowed in WAC.	
		Goal 7: Policy 4	Request for "GMA risk analysis" of allowing ADU restricted for affordable housing or long-term rental.	

		Housing Needs Assessment (HNA)	Various comments on the HNA. Topics include: <ul style="list-style-type: none"> • Vacation rentals; • Vacant housing; and • Affordable housing. 	
January 28,	Alexandra Gayek	General Comment	Taxes, vacation rentals, growth and code enforcement.	https://www.sanjuanco.com/DocumentCenter/View/19757/2020-01-28_PUB_Gayek_Limiting_Housing_Development
January 28,	Learner Limbach	General Comment	Put a moratorium on vacation rentals.	https://www.sanjuanco.com/DocumentCenter/View/19753/2020-01-28_PUB_Limbach_VR_Moratorium
January 28,	Vacation Rental Working Group	HNA	Comments on the HNA and vacation rental statistics.	https://www.sanjuanco.com/DocumentCenter/View/19762/2020-01-28_PUB_Vacation_Rentals_Orcas_Housing_EI_HNA
January 28	EPRC	N/A	Comment on vacation rental development code, recommending specific changes to San Juan County Code 18.40.275.	https://www.sanjuanco.com/DocumentCenter/View/19759/2020-01-28_EPRC_VR-Recommendations
January 31	Sandy Bishop	Goal 6	Clarifying and advocating for Goal 6: Increase the number of resale restricted units	https://www.sanjuanco.com/DocumentCenter/View/19780/2020-01-31_PUB_Bishop_Resale_Restricted_Housing
February 3	Marila Dunsmore	Goal 1: Policy 2	Add language about caregivers for elderly population	https://www.sanjuanco.com/DocumentCenter/View/19783/2020-02-03_PUB_Dunsmore_Housing_Elmt_HNA
		Goal 1: Policy 4	Ensure standards are realistic; modify UDC to expand farmworker housing.	
		Goal 1: Policy 5	Add "where food is grown" to farmworker housing policy	
		Goal 1: After policy 5	Add a policy about vacation rentals	
		Goal 2: Policy 1	Enable special housing for elderly population	
		Goal 2: After policy 2	Add policy about workers, listing them as a "special population"	
		Goal 2: Policy 3	Support homeless shelters	
		Goal 2: After policy 4	Add policy specifically about home sharing as a method for addressing homelessness and meeting needs of elderly population.	
		Goal 3: Policy 5	Reminder that improving substandard units can increase housing costs, which could exacerbate homelessness.	
February 4	Sharon Abreu	General Comment	Put a moratorium on vacation rentals.	https://www.sanjuanco.com/DocumentCenter/View/19785/2020-02-04_PUB_Abreu_VR_Moratorium

Sophia Cassam

From: William A <appellb@aol.com>
Sent: Monday, January 27, 2020 10:13 AM
To: Comp Plan Update
Cc: Sophia Cassam
Subject: General Comments on Comp Plan Amendments
Attachments: Comment on the Need for ComPlan Amendment A.pdf

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Here are my comments subsequent to the PC meeting of January 17, 2020.

Thank you,

Bill Appel

Comment on the Need for Integrated CompPlan Amendment(s) Concerning Affordable Housing

I suggest that as matters now stand, our Comprehensive Plan will more deeply embed the ongoing shortage of affordable housing. The underlying reasons appear to be (1) the specificity of topics (Elements) statutorily mandated by RCW 36.70A.070 to be treated; (2) the consequent categorization of goals and actions under each of those respective Elements enhanced by natural bureaucratic organization and resulting in seriatim consideration by the Planning Commission; further enhanced by (3) further enhanced by the special concerns and suggestions by individuals, groups and organizations whose interest and expertise is limited to the specific Element topic.

The end result is that each Element reflects the topically and technically limited concerns with solutions that fail to grapple with the reality of the very strong *causal* currents that flow between them, and frustrate good intentions. The purpose of this memorandum is to suggest that the goals of some Elements may be gained in major part only from actions in causally related Elements.

Here is one example:

About a year or so ago the Seattle Times announced that the Wooden Boat Shop, a famous Northwest Lake Union (Seattle)-based enterprise of master wooden boat builders, was leaving Seattle and looking for a place to move to. The Port of Friday Harbor had acquired the Jensen's Marina and was looking for a tenant. I alerted Rick Hughes (he sometimes sits with though not on the EDC board) who promptly made the best pitch he could, extolling the perfect fit: existing Orcas Island land use, facilities and local support talent could do for them.

Mr. Hughes was solidly rebuffed by the Wooden Boat Shop, the reason given being inadequate affordable housing. In one stroke we lost employment, a profitable and well-known enterprise that but for the lack of affordable housing could have fit seamlessly into the San Juan County community and economy. If you read the current draft of our Economics Element, you will read the conclusion that the lack of affordable housing is one factor that prevents our attaining the broad island-based and resilient economy we aspire to.

The result is that our economy, which directly or indirectly underlies not just some things but virtually everything that happens in our county, is forced to continue to live on a seasonal high carbohydrate diet of tourism and land sales and development that over time, withers our rural and social sensibilities, exhausts our natural resources, and enlarges the gap between rich and poor, rather than a year-round balanced diet of agriculture, trade and artistic skills and temperaments, pride in work well done, sense of community and a strong middle class.

And so it is clear that Section 5.2 (echoed verbatim in each Element) of the December 17, 2019 draft of the Housing Element, which states that “[this] Housing [E]lement is both a stand-alone document meant to guide the implementation of housing related actions in the County, and a supporting piece of the Plan as a whole. It is closely tied to other planning elements such as land use, economic development, and capital facilities. ... “ is an understatement. The true relationship between Plan Elements is such that failure of goals in one Element will likely cause failure of goals in one or more other Elements. I suggest that this would be the logical result of the absence of collateral Actions in the various Elements needed to prevent “leakage” in one Element to cause failure of Goals in another Element.

Since the Housing Element is currently under discussion, I will use the Housing as a further and stronger example to show why no Element can be examined alone.

We all know that without assured water by well or large enough storage volume, a building permit will not be issued. We also know that properties operating on independent or shared well systems are relying on both adequate rainfall and the availability and potability of water in their local aquifers. In view of anticipated increased development, residential and otherwise, and consequent increased demand for water, two consequences can be anticipated on the major islands: (1) waterfront and large acreage parcels will continue to be subdivided and be developed and marketed at the high end of the real estate market. A water shortage (whether from weather, climate, or overuse) need not affect these parcels because the owners will have the financial resources to match their circumstances, either by continuing to draw heavily upon municipal or water district resources, or by desalination; and (2) The owners and developers of smaller inland parcels, not having access to private desalination, will eventually have to look to a water district not only for continued habitability of their parcels, but also for new construction.

As matters now stand, water districts are likely to control development of those interior parcels that are least costly to develop: those most likely available for rural affordable housing. But as was pointed out at the Planning Commission meeting of January 17, 2020 meeting, left to their own devices, water districts are more likely to expend capital in favor of higher market housing and development because of a higher level of confidence in water district cash flow.¹ The point was developed as to whether the county could or should control what water districts do. One point I hope to make clear is that not only do counties have oversight planning powers over water districts, but that they are required to exercise them to preserve the character of rural areas.

Which brings us to the problem presented by the current draft of the Utility Element.

¹ This is in addition to developers’ understandable preference for higher-profit development.

Water availability and human nature together constitute the back door into the degradation of the rural character of our county, bias against affordable housing in deference to private economic pressure, and protection and preservation of ground and surface waters and so require attention not only with respect to housing, but also with Utilities and Rural Elements.

The seed that started this discussion was my comment suggesting the following addition to the Housing Element:

Page 16, line 6, add the following policy to Goal 4:

9. Except as provided by RCW 36.70A.070(5)(d)(iii), establish priority for creation, extension or increase of utility rural government services² outside urban growth or currently served water and sewer district service areas, to serve affordable housing in preference to housing serving a higher income or wealth markets so long as affordable housing is substantially insufficient.³

Let's jump to the Utilities Element because doubt was expressed at the January 17, 2020 Planning Commission meeting concerning the advisability of the County taking measures that might affect the feasibility of utility extensions. The Utilities Element does not specifically refer to water resources at all, although both the Washington Supreme Court⁴ and the Legislature have given the County very considerable power over water (and sewer) districts to preserve the integrity of its Plan. The Legislature has expressly made district utility plans subordinate to the Plan:

RCW 57.16.010 provides in part as follows [emphasis added]:

Before becoming effective, [a water district's] general comprehensive plan shall also be submitted to, and approved by resolution of, the legislative authority of every county within whose boundaries all or a portion of the district lies. The general comprehensive plan shall be approved, conditionally approved, or rejected by each of the county legislative authorities pursuant to the criteria in RCW 57.02.040 for approving the formation, reorganization, annexation, consolidation, or merger of districts. The resolution, ordinance, or motion of the legislative body that rejects the comprehensive plan or a

² As defined in RCW 36.70.030. This is intended to cover existing and future sewer and water districts, as San Juan County itself cannot directly render these services.

³ This is in recognition that over the life of this Plan, water resources may become scarce by drawdown and the danger of pollution of remaining resources. The effect of this priority is to bar capital expenditures for creation, extension or increase contrary to this priority. RCW 36.70A.120

⁴ *Whatcom County v. Western Washington Growth Management Board*, 186 Wn.2d 648, 381 P.3d 1 (2016). The Legislature subsequently changed one aspect of this case, but not its salient point: the primacy of the county GMA with respect to water resources.

part thereof shall specifically state in what particular the comprehensive plan or part thereof rejected fails to meet these criteria.⁵ **The general [water district's] comprehensive plan shall not provide for the extension or location of facilities that are inconsistent with the requirements of RCW 36.70A.110.**⁶ ... Each general comprehensive plan shall be deemed approved if the county legislative authority fails to reject or conditionally approve the plan within ninety days of the plan's submission to the county legislative authority or within thirty days of a hearing on the plan when the hearing is held within ninety days of submission to the county legislative authority. However, a county legislative authority may extend this ninety-day time limitation by up to an additional ninety days where a finding is made that ninety days is insufficient to review adequately the general comprehensive plan. In addition, the commissioners and the county legislative authority may mutually agree to an extension of the deadlines in this section.

[I am not aware of County Council action concerning utility district comprehensive plans, but I do not mean to imply that that has not happened.]

The only opinion expressed at the January 17, 2020 PC meeting concerning imposing an affordable housing preference upon water district extensions was that it could impair feasibility of financing. In fact, coupled with tax-exempt interest rates water and sewer districts have numerous devices available to enable development in otherwise financially infeasible areas, including for example utility local improvement districts and developer's latecomer recovery. Municipal corporations cannot seek profit as developers must. The only question is feasibility, not net return.

So we look at Purpose, section 8.1A of the current Utilities Element and see that it essentially turns water development planning power over to whatever utility is operating within the County, on the theory that they know better. This is inimical to the Plan, even though the statute quoted above allows a utility district plan to pass by County Council inaction. This may have been intended to encourage power and Internet service extension, but as a matter of law, but the absence of any consideration of water resources and their preservation reflects not only the inadequacy of that Element, but invites litigation on the County's failure to protect water availability.

A factor working against affordable housing is the concept of what is "rural." The term is not separately defined in the GMA, but "Rural Development" is defined in RCW 36.70A.030(21) as, among other things, development that is consistent with "Rural Character" which is extensively defined in RCW 36.70A.030(20). But this is not how these terms are treated in practice. From watching development on

⁵ This review is limited to matters involving RCW 57.02.040.

⁶ See RCW 36.70A.110 (2) expressing the broader nature of this additional oversight as to which focus on affordable housing is not prohibited.

Waldron over more than 40 years, I have observed that the term "rural" is increasingly interpreted to mean "suburban." Improvements in transportation and convenience expectations have made what was clearly rural by any definition, into a concept that permits city living in remote environments, now called "rural," but in fact invested in, owned by, and seasonally visited by, urban dwellers with urban expectations amid rural scenery. This has shifted the county real estate market into a larger sphere over which it has no control, and displaces fulfillment of our affordable housing needs. The County has one tool at its disposal: wise husbandry of those natural assets that permit the full time residents of the County to live lives in health and harmony.

Respectfully Submitted,

Bill Appel

January 2, 2020

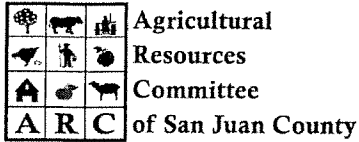
Sophia Cassam

From: Marlia Dunsmore <marliastarwater@hotmail.com>
Sent: Monday, January 27, 2020 3:29 PM
To: Comp Plan Update
Subject: RE:Housing Element and HNA. Marlia Starwater Dunsmore. P O Box 249..Olga WA. 98279. Many comments. Page 14 line19 Emphasize , perhaps with some modifications,special permits,etc,the needs of near-poverty-level workers

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Sent from my T-Mobile 4G LTE device

[COMMENT IN SUBJECT LINE]



Memorandum

To: Planning Commission
County Council

CC: Sophia Cassam, Planner I, DCD
Linda Kuller, AICP, Planning Manager, DCD
Erika Shook, AICP, Director, DCD
Ryan Page, Affordable Housing Coordinator SJC Health & Community Services

From: San Juan County Agricultural Resource Committee (ARC)
Steve Bernheim, Chair, ARC
Faith Van De Putte, Coordinator, ARC

Date: January 28, 2020

Subject: Comments on Preliminary Draft Housing Element dated January 9, 2020

Purpose

To provide the Planning Commission and County Planners with the ARC's recommendations for the 'Preliminary Draft Housing Element' dated January 9, 2020.

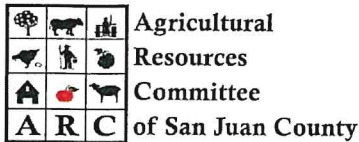
Background

The Agricultural Resource Committee (ARC) is a Citizen Advisory Committee composed of 15 voting seats, half of whom are members of the farming community. The ARC 2019 Work Plan includes engaging and collaborating in the Comprehensive Plan Update process by researching and proposing amendments to ensure consistency and support for a stronger agricultural economy. The ARC also serves as a listening post for the Agricultural community and conducts outreach throughout the year to help inform priorities.

All ARC members have had the opportunity to suggest changes to the recommendations. The ARC then voted on and passed the final recommendations by electronic (e-mail) vote completed on January 27, 2020.

Attachment

The ARC's adopted recommendations are attached.



Recommendations are based on the draft found at:

https://www.sanjuanco.com/DocumentCenter/View/19635/2020-01-09_DCD_Cassam_Housing_Element_HNA_CC_StaffReport

Narrative Comments:

Housing affects the viability of agriculture in San Juan County through two important factors: labor and succession. The housing needs of farms differ from those of non-farm properties, and innovative zoning, land use and development regulations that take those differences into account will be needed in order to ensure generational farm succession and adequate access to farm labor for long-term agricultural viability. Housing is reported as a primary area of concern and challenge at listening sessions organized by the ARC on Orcas, San Juan and Lopez in 2019 and 2020.

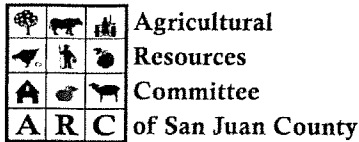
Agricultural businesses are labor intensive. With limited affordable housing in the islands many farms provide housing in order to attract and retain workers. According to the [Economic Analysis of Resource Land](#) (2017) agricultural employment in San Juan County is projected to increase at a compound annual growth rate of 1.5% per year. There has been a tradition of trailers, tiny homes, rooms in barns, tents and other substandard housing options to meet the need for both seasonal and long term housing on farms. However, these uses often don't fit into the current regulatory framework or provide adequate long term housing. The ARC hopes to both provide a regulatory pathway for alternative housing options such as tiny homes and clarify the regulations around farm worker housing.

Ownership transition is the time when farmland is at the highest risk for development. The complexities of handing over a farm business and land ownership are exacerbated by the common problem that the owner's main asset is the land. The average farmer in San Juan County is 65 and many struggle with the challenge of how to hand their farm over. If we in San Juan County are serious about protecting farmland we must look carefully at issues of succession and allow for regulatory pathways for succession housing.

There is a clear need for additional housing on working farms and farms transitioning to the next generation. Innovative solutions can help meet this need without opening up regulatory loopholes and ensure that any additional housing is consistent with preserving rural character and the goals of Agricultural Resource Land and Rural Farm Forest.

Recommended Amendments by Section

The ARC strongly supports the bulk of the Preliminary Draft Housing Element and very much appreciates the opportunity to provide these comments and proposed amendments.



Goal 1

Policy 4: Increase the availability of seasonal rentals for workers. Support development of specific standards for locating seasonal and year-round worker housing such as dorms, bunkhouses, hostels, group homes, home shares, farm worker housing and other communal living arrangements.

Policy 5: Allow farmworker housing on ARL and RFF land designation properties where commercial agriculture is conducted, including, but not limited to those not only those properties in agricultural open space tax programs.

Goal 4

Policy 6: Develop standards for tiny home building site plans where water and sewer services exist, and adopt the Washington State Building Code Council's tiny home codes in 2020 and form an advisory committee to evaluate drafting regulations for siting tiny home communities.

Goal 4 New Policies

New Policy 8: Allow for Tier 1, 2 and 3 grey water systems and encourage innovation and adoption of systems that meet state requirements.

New Policy 9: Allow for sewage and wastewater treatment with products listed on the List of Registered On-site Treatment and Distribution Products As Established in Chapter 246-272A WAC.

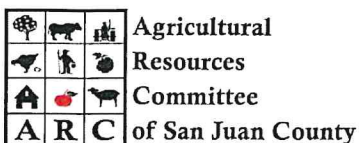
Goal 5 Revised

Goal 5. Demonstrate the County's promotion of Promote climate resiliency by minimizing the environmental impacts of the existing and future housing stock in San Juan County and reducing the County's greenhouse gas emissions associated with housing by 50% by 2030.

Goal 5

New Policy 5: Adopt new "Sustainable Development" codes that incentivize sustainable housing development.

New Policy 6: Support working farms and farmland succession by allowing for development of additional housing units on RFF and ARL when the cumulative environmental impact of such developments is no greater than allowed for a single family housing development.



Goal 6

New Policy 5: Encourage public-private partnerships with Land Trusts and owner-occupied housing cooperatives to create affordable housing on RFF and ARL consistent with rural character.

New Policy 6: Support USDA Rural Development Farm Labor Housing Direct Loans & Grants programs that provide construction, improvement, repair and purchase of housing for domestic farm laborers.

Thank you for considering our recommendations.

On Behalf of the Agricultural Resource Committee

Steve Bernheim, ARC Chair

Faith Van De Putte, ARC Coordinator

Sophia Cassam

From: sadie b <salim3796@yahoo.com>
Sent: Tuesday, January 28, 2020 4:16 PM
To: Comp Plan Update; San Juan County Council
Subject: Here are my comments on the Housing Element of the Comp Plan - hoping kept in perpetuity
Attachments: Cover Letter - Comp Plan Housing Elements.pdf; COMP PLAN Housing Element comments.pdf

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Please see attached cover letter and comments. I hope our voices will be heard and some good can come from it all that feels balanced and caring of this beautiful archipelago that we have the privilege of stewarding.

Sincerely,
B. Sadie Bailey

Cover letter for Housing Elements comments:

1/28/2020

In 7 words, a summary: NO PROTECTED FORESTED WETLANDS, NO CLEAN WATERS = NO SUSTAINABILITY - especially in UGAs.

I'm concerned about and against any further watering-down and eliminating of environmental protections in UGAs. *especially* in Eastsound UGA - as I have written to the County MANY TIMES of its unique characteristics: Only 1 mile wide, at sea level, with significant shorelines on both sides. It used to be covered with our highest-functioning forested wetlands and creek (Eastsound Swale) and the Peat Bog to the north, covered by airport runway. I'm horrified that all of our infrastructure lies here in this particular UGA. This UGA land is filled with First Nations remains and artifacts. The 3 Gates to the east, west, and north, **were specifically cited for protection in the Original Comp Plan - as was Lavender Farm Knoll. There were 1.5 pages written specifically about the value of preserving Eastsound Swale. None of the vision, by those who worked so hard on it, has been upheld.**

Victory Hill AKA Liberty Hill - the North Gate - is slated for imminent logging destruction of this last forested and ONLY hill of its size in town. A high-density, high-end development of up to 12 units per acre can be built there, due to the 12 units per acre density there - all on a place of significant importance that never should have been zoned Eastsound Village UGA Residential; it should have been bought and protected for this community in perpetuity! This planned development also takes away affordable housing with a low-impact footprint that already exists there. Liberty Hill is a significant Landmark that is historically, culturally, spiritually, geographically, (and geologically, over 100 MILLION years old and part of the Turtleback land mass) important to us. This destruction of our rural character is happening all over, and we have had no voice in slowing it down or stopping any of it.

The so called "planning" for Eastsound UGA is reprehensible and criminal toward ecosystems, amphibians, bats, and fish. This UGA should be immediately downgraded to a LAMIRD - let some of the other villages and more rural areas take the heat of development and infrastructure. We should do a moratorium on new UGA water and sewer permits before the last vestiges of our wetland watershed and forage fish habitats are ruined and polluted beyond control.

The Eastsound SubArea Plan should be *scrapped*, and the old one requiring Conditional Use Permits and SEPA reports, should be reinstated. None of the people at the top making the decisions has an inkling what Liberty Hill or Eastsound Swale is to us, or what this forested hill does for Eastsound Swale wetland; or how deforesting it will destabilize its steep-grade shale soils, or ruin its rural character. This should have been preserved for the Public! Now that April's Grove removed the last forest in town, Liberty Hill destruction will finish the sad job. Liberty Hill is a windbreak in a place that is a fierce wind tunnel. It's

so much more and if people knew what will soon be happening to it, they'd be outraged.

I'm horrified after 38 years of watching various commissioners and councilors, Friday Harbor planners, the EPRC (until about 4 years ago we had ONLY developers, architects, permittees and realtors on the EPRC), and the Planning Commission continue to fail us in such a damaging and ecologically disastrous way.

That said, I will get into specific commenting details about the Housing Element in the attached comment pdf. I will specifically address Orcas Island, since this has been my home for almost 39 years - Eastsound UGA in particular. The changes I've seen in that time are not only heartbreaking; they are completely unsustainable and permanently damaging.

Some of the policies head us in the right direction; thank you for that. We need to keep asking questions and learning how to take care of these lands and waters that we hope future generations will love, know, and steward.

Sincerely yours,
B. Sadie Bailey
Eastsound

COMP PLAN HOUSING ELEMENTS COMMENTS 1/28/2020

GOAL 1 POLICIES:

1 - **In all UGAs: No** development should be allowed in critical areas or their buffers - protect what the original Comp Plan set out to protect in *Eastsound UGA*. **DO NOT** allow dense development anywhere near Eastsound Swale. Protect Liberty Hill and the 3 Gates, as well as Lavender Farm knoll. These were all described in the original Comp Plan.

Downgrade "dense development" in the UGA - it is insane and ridiculous to allow city densities of 40 units per acre or even 12 per acre on a finite, very small, RURAL island!

2 - "Housing stock" already is top-heavy with high-income high-cost housing and vacation rentals. Enough already - too much already! We need housing for workers and year-round JOBS to go with them. **Again: No "housing stock" should be allowed near critical areas.**

3 - change "long term rental" from 31 days to year-round or at least 9 months of the year. Then #3 might make sense.

4 - housing for "seasonal" workers should not happen *only* in UGAs. There should also be this same housing for "permanent" workers. Since our economy is based on summer tourism, we should encourage and allow year-round jobs unrelated to tourism, because without a job, workers automatically falls into this "seasonal" trap, and the only people who can afford long-term housing here will be the rich - with no workers to clean their toilets or work their gardens or work the stores and restaurants and banks ETC

5 - seems unclear as written: but again, UGAs should not have to take the brunt of ALL OF THIS HOUSING. **The Growth Management Act says that rural counties can tailor the Act to THEIR needs. Where is this "tailoring?"**

Factor into your evaluation: You are still using market-driven unlimited growth models on tiny island land masses, for maximum buildout scenarios (every parcel developed) without doing a Carrying Capacity - especially in the potential events of an upcoming economic crash as bad or worse than 2008 crash, climate change, sea level rise, desertification caused by wanton deforestation, polluting and degrading our wetland watershed systems, potential disasters such as high-richter scale earthquake and potential tsunamis - for which we're due; limited water resources, AND the fact that all of the San Juan Islands are recharge system watersheds... ETC ETC ETC.

What is the evacuation plan if the Orcas airport is under flood waters, or non-functional due to wildfire? What about explosive bulk fuel tanks in the event of a

wildfire, all next to high-density housing - will they blow up, ignite, creating a firestorm? How many lives potentially could be lost?

Maximum buildout should NEVER HAVE BEEN, NOR EVER SHOULD BE, the model for our Comprehensive Plan land use regulations.

Our Council should be lobbying in Olympia on behalf of this very special and unique archipelago, in order to protect it!

GOAL 2 AND GOAL 3 POLICIES:

General: Agree with most of these policies; all are excellent, and necessary, if we are going to keep anyone here who is not wealthy - ie workers, service people, families, veterans, single moms, the poor, immigrants who seek asylum, minority races and cultures, religions and gender preferences; in a word, diversity.

Some comments/suggestions/concerns/additions:

Allow group homes, cold weather shelters, etc in places OUTSIDE of UGAs - don't force them all into UGAs! Incentivize owners to put them on their lands outside of UGAs where allowable - or change regulations to make them allowable. There should be a shelter in every hamlet or village at the least. Revise codes to allow for tiny homes and other small home solutions such as shipping containers (more about them below).

Stop building all-electric low to middle income housing in UGAs that provide NO back-up heat! With the amount of power outages we have, this could cause needless fatalities as people are clustered into all-electric housing with little option of getting to a friend with alternative heat, should we be snowed-in with high winds, for example. People with pets - especially the elderly - are reluctant to leave their pets or bring them to a cold-weather shelter; especially cats, as this stresses them to be contained and around dogs and other potentially aggressive animals. Therefore, **back-up heat sources should be required and incentivized in all new housing, and existing housing owners be helped in bringing their dwellings up to that standard.**

Cold weather shelters should also factor in WET ground in winter, which is a lot colder than DRY ground; many homeless are sleeping in tents or on the ground. We have wet winters. We should have shelters all during the "wet" season winter months, and a way for people to do laundry and shower. This could be possible at the Port of Orcas with some planning and oversight. Friday Harbor does a good job of this - not sure about Lopez. Only Orcas fails miserably at helping the homeless - except for the Community Resource Center, which does a fantastic job of helping the MANY people who fall through the cracks here.

Focus more on safe houses and housing solutions for domestic violence victims. Nothing exists for them. It takes a victim up to nine times to leave their abuser. We need to help them - most of the abused are women and children. We also need to help drug addicts and alcoholics get and stay clean, and provide them a hand-up out of addiction and homelessness; even if we have to enact a methadone program or some other things for needle addicts so they can succeed in tiny housing or other group housing.

Also, we should be looking into building tiny houses with a model such as Dignity Village in Portland, Oregon. Dignity Village has a manager, rules (like no alcohol or drugs), and creates stability for the homeless to get back onto their feet - especially addicts trying to stay clean and get a job.

Shipping containers are another great resource for building affordable houses - they are used ONCE and this would keep them here and not have to ship them back to countries that don't really want them back anyway - shipping them is cost prohibitive, when they can be used here for free - the only major cost being moving them.

Let more homes outside of UGAs qualify for remodels, attached and detached accessory units to help vulnerable populations. Again, it's suicide to let Eastsound UGA bear the burden considering its location and features.

We should add language to our vision and regulations protecting immigrants who seek asylum, as part of our vulnerable population. Many of them do the jobs that no one else wants to do, and they do them well. They are just as much a part of our community as anyone else and they belong here.

With over 95% of our population being white, we need to have meaningful dialogue about white fragility and how we can use our white privilege to help and speak out for others. We need to take a hard look at how racism and bigotry, hate speech, and discrimination play out in terms of housing and jobs here, and we need to make policy/regulatory solutions that will keep ALL of our residents safe, regardless of race, creed, color, gender, culture, sexual orientation, religion or lack of religion, ETC.

GOAL 4 POLICIES:

General comments - Still repeating myself: NO housing permits for ANYONE should degrade critical areas watersheds, forested wetlands, shorelines, and the lands and waters needed for sustainability. That said, I feel OK with all the policies EXCEPT policy 5 - it is terrifying to think of further reducing SEPAs for ANY REASON!!!! The county has done enough damage in Eastsound UGA by this very practice of exempting just about everyone from SEPAs, thus destroying our wetland watershed! No, No, NO!!!! Please scrap #5!

Also - water and sewer capabilities are FINITE. We need a water moratorium again, and soon - and we need to stop, and take stock.

The costs for setting up water and sewer, and the monthly payments to have them. fall upon those LEAST able to afford them; poor and working class people. This must change, and the expense be shared by everyone - not just UGA residents; most likely through property taxes or levies (please, NOT higher sales/use taxes! Again, these negatively impact the folks least able to afford them.)

1. Construction trades should have focused training to specifically deal with and enact the policies laid out in goals 2 and 3 - this helps workers and vulnerable populations and year-rounders who are low to middle income. That's where we need to put the focus of the housing element and take focus and permissions off of non-locals building for speculative profit, tourism related vacation rentals, and high-end housing for the rich that sits empty for much of the year.

2. I have some issues with reducing permit costs, except maybe they should be reduced ONLY for housing for vulnerable and working class/poor populations, and ONLY if critical areas don't need to be trashed to do it.

5. Should be scrapped - NO SEPA categorical exemptions for mixed-use developments, or commercial or residential developments - ESPECIALLY in UGA critical areas. (ALL of our UGAs have significant shoreline and I'll bet Eastsound UGA may have some of the MOST shoreline in all of WA. State.

5. Tiny homes should **not** just be where water and sewer services exist (ie in UGAs). We are outgrowing both water and sewer capabilities in our UGAs and risk polluting salmon/orca habitat in the process. All tiny homes should have back up heat or if clustered, a shelter nearby or on premises with back up heat.

love # 7 and 8; bravo!

GOAL 5 POLICIES: all excellent and again, BRAVO! These should be the drivers of all other housing element policies and IMO are the MOST IMPORRTANT of all the policies laid out - and should inform and influence our regulations.

1 - especially important in Eastsound UGA! Been saying this for years and years and years... will keep saying it until someone gets it.

5.78 - AFFORDABILITY

GOAL 6 POLICIES:

1. - Repeat, rinse and repeat - ONLY if lands purchased do not affect Critical Areas especially in Eastsound UGA; or even valuable farmland, such as Lavender Farm property - 11.5 acres up for sale in the heart of Eastsound residential district. and NO MORE clearcutting of forests or forested wetlands IN or directly around town in our watershed basin. We should be preserving all that is left now, and support entities such as the Land Bank, Friends, and Preservation Trust in acquiring lands for preservation. Liberty Hill would be a prime perfect spot to acquire - and could be safe "high ground" in Eastsound in the event of a flood/tsunami.

2, 3, and 4 are great.

GOAL 7 POLICIES:

All of these policies, 1-4 miss their mark and force UGAs to bear the entire brunt. It is right that we need affordable housing. Forcing it all into UGAs is terrible planning.

#1 is a terrible idea in Eastsound UGA and will destroy our wetland, forest, and shoreline ecosystems if allowed; thus hastening local orca and other sensitive species extinction.

GOAL 8 POLICIES:

1 & 2 good. Financial assistance and incentives laid out are great ideas we need to implement.

#3 - grave concern, I fear this is the wrong path - as evidenced by our ecologically DISASTROUS road plan, due to taking state and federal monies! We are hurting these islands and we are hurting Eastsound Watershed Forested Wetland and Estuarine Wetland UGA with these policies.

NO LAND, NO WATER = NO PEOPLE OR SUSTAINABILITY.

In terms of state/federal grant monies: Which programs? What kind of programs? How funded and **what price will we have to pay if we take state or federal funding, in terms of degradation of Quality of Life and Critical Areas?**

4-6 seem ok and worthy of pursuit as long as no more degradation of critical areas in or affecting UGAs - Eastsound in particular.

GOAL 9

Please enact a one-year moratorium on ALL NEW VACATION RENTAL PERMITS, and come down hard on repeat violators. Also a water moratorium - we do not want a desalinization plant and we do not need MORE vacation rentals; we need LESS!

Thank you for your consideration;
B. Sadie Bailey

Sophia Cassam

From: firpeace@icloud.com
Sent: Tuesday, January 28, 2020 9:18 AM
To: Comp Plan Update
Subject: RE: Housing Element and HNA.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, thank you, I object to adoption of Goal 4, Policy 5 which would adopt unspecified increases in SEPA categorical exemptions for residential and mixed-use development using the maximum SEPA categorical exemption levels in WAC 197-11-800 to save developers time and money.

I believe this proposed policy should be stricken in its entirety because we are trying to protect the environment with existing exemptions; waiver or increase of existing categorical exemptions is not the way to protect the environment. Developers do not need to save time and money at the expense of the common environment:

DELETE THIS ENTIRE PARAGRAPH:

Adopt increases in SEPA categorical exemptions for residential and mixed-use development using the maximum SEPA categorical exemption levels in WAC 197-11-800 to save developers time and money.

Steve Bernheim, Olga 206 240-5345

Sophia Cassam

From: Jennifer Barcelos <jennifer@sanjuans.org>
Sent: Tuesday, January 28, 2020 2:35 PM
To: Comp Plan Update
Subject: RE: Housing Element and HNA
Attachments: FINAL_HOUSING_Friends_of_the_San_Juans_comments_Housing_Element_and_HNA.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attn: Sophia Cassam
Attn: Linda Kuller

Please find attached public comments from Friends of the San Juans re: the December 17, 2019 DRAFT of the Housing Element and HNA.

We are, of course, available to provide further information or clarification on any of the issues raised in this submission.

Sincerely,
Jennifer Barcelos

Director of Law & Policy
Staff Attorney
Friends of the San Juans
P.O. Box 1344 | Friday Harbor, WA 98250
Office: (360) 378-2319

January 28, 2020

Comprehensive Plan Public Comments:
December 17, 2019 draft of the
Housing Needs Assessment & Housing Element

Submitted by: Friends of the San Juans
Jennifer Barcelos, Staff Attorney
jennifer@sanjuans.org

San Juan County Department of Community Development

Attn: Sophia Cassam, Planner I

Attn: Linda Kuller, AICP, Planning Manager

General Feedback on Housing Needs Assessment Data and Source Verification:

As stated in our April 25, 2019 comment letter, given the importance of the Housing Needs Assessment (HNA) in preparing the draft Housing Element, including goals and policies, we ask for confirmation that the conclusions reached by the HNA are based on publicly-available, verified data. In these comments, we have noted line item quotations for which we request that the public be provided with hyperlinks to verified original data sources.

Housing Element

Vacation Rentals

Page 11, line 13:

The 20-year average rate of growth for vacation rental permits is not an appropriate means for projecting the number of vacation rentals in 2036. The average of 51 per year over the last 20 years does not reflect the increase in permits per year in recent years. The average number of vacation rental permits per year for the last 5 years is 66.

Please amend this section of the Housing Element, as well as Figure 5-15 in the HNA, Appendix A.5, with the projected growth in Vacation Rentals defined by the average of the previous 5 years instead of the average of the past 20 years. This will better reflect community concerns about current and increasing VR impacts.

Goal 1. Meet the projected 2036 housing demand for permanent and seasonal homes.

Page 14, line 24:

4. Increase the availability of seasonal rentals for workers. Support development of specific standards for locating seasonal and year-round worker housing such as dorms, bunkhouses, hostels, group homes, home shares, and other communal living arrangements.

Has seasonal workforce housing been identified as the priority seasonal housing need? If so, a policy would be needed that identifies seasonal workforce housing as such.

Page 17, line 40:

Goal 9.

5.7.C VACATION RENTALS included as a placeholder to be completed after a public policy discussion.

It appears premature to provide public comment opportunities on an incomplete draft update to the Housing Element. Please provide details on the "public policy discussion." What public comment or public engagement opportunities will be provided for the future Goal 9. Section 5.7.C VACATION RENTALS? After this public policy discussion, will the public have an opportunity to impact how the outcomes of the discussion factor into the Housing Element?

Goal 4. Reduce the costs of maintaining existing homes and constructing new housing units.

Page 15, line 37:

Policy 5. Adopt increases in SEPA categorical exemptions for residential and mixed-use development using the maximum SEPA categorical exemption levels in WAC 197-11-800 to save developers time and money.

Friends of the San Juans strongly opposes the proposed changes to San Juan County Code 18.80.050. The adoption of higher exemption levels up to a maximum of 20 single-family residential units and 25 multi-family residential units in unincorporated areas, and 30 single-family residential units and 60 multi-family residential units in unincorporated UGAs could significantly impact our islands' environment and communities. Please clarify the need for this proposed increase in SEPA categorical exemptions for residential and mixed-use development.

No documentation has been provided regarding the current SEPA process being cost prohibitive or overly time consuming. The current SEPA process assures the public and neighboring property owners that a developer is considering all possible impacts of a project.

Given that the current exemption in San Juan County Code (18.80.050) allows for four detached single-family residential units, four multi-family residential units, as well as the construction of some agricultural structures up to 10,000 square feet, the County should provide evidence-based justification for allowing for such a dramatic increase in SEPA categorical exemptions.

Goal 7. Adopt regulations in the San Juan County Unified Development Code and Comprehensive Plan elements that facilitate access to affordable housing by increasing the number of available affordable units and widening the range of people who qualify for affordable housing.

Page 17, line 14:

Policy 4. Expand allowances for detached accessory dwelling units restricted for affordable housing or long-term rental. *Pending GMA risk analysis*

Please provide details on this GMA risk analysis, including all documents, the risk analysis timeline, and the public engagement process.

Friends of the San Juans questions SJC's capacity and ability to regulate the use of ADUs for affordable housing or long-term rentals, particularly if the properties would not be managed long-term by an affordable housing provider (not simply built by an affordable housing provider).

See HNA Page 55, line 13 (emphasis added):

A map exercise related to affordable housing was also included during the 2018 community workshops. Workshop participants indicated ideal locations for affordable housing on a map of the County. *The majority of responses were placed in UGAs and residential activity centers. This suggests that policies that encourage affordable housing development such as density bonuses and tax incentives should be directed to areas already designated to for more intense development.*

The results of these 2018 community workshops suggest that ADU expansions, if allowed, occur within UGAs and residential activity centers.

Housing Needs Analysis

5.3.2 Income and Economic Structure

Page 17, line 17:

Property Income represents payments in the form of dividends, interest and rent for the services of capital.

Page 18, line 1:

Property Income made up 53.8 percent of the total personal income in the County in 2015, compared to 20.9 percent for Washington State and 18.8 percent nationally. ... Property income as a percentage of total personal income in San Juan County is overrepresented in comparison to the rest of Washington State and the country. This is consistent with San Juan County's booming real estate and vacation rental market.

People are attracted to San Juan County as a retirement and vacation destination, in large part, because of its natural beauty and environmental amenities. People who buy property here for retirement or as a vacation home can afford to live where they don't have to work, and therefore have sufficient retirement and/or investment income to purchase property and live or vacation here.

Property purchased as a Vacation Rental investment changes the natural environment/amenities from a quality of life choice (why I move here/retire here/have a vacation home here) to a monetized asset.

We also question whether San Juan County's assertion that a high percentage of property income per capita is "consistent with SJC's booming real estate and vacation rental market." A majority of people living where they don't have to work could correlate with a high percentage of "property income." Would this income category be more accurately labeled as investment income?

5.4.1 Vacant Units

The 2036 projected vacant units should be recalculated to include the projected increase vacant housing and the increase in SRO vacant housing.

Page 24, line 5:

By 2010, vacant housing made up 42.8 percent of total housing, up 9.1 percentage points from the year 2000.

Of vacant housing in 2010, 4,748 housing units were characterized as seasonal, recreational, or occasional (SRO) use. In 2010, SRO uses made up 35.6 percent of the total housing stock, an increase of nearly seven percentage points from the year 2000. The 9.1 percent increase in vacant units from 2000 to 2010 may be partially attributable to the 2008 recession that affected the housing market. In the years between 2010 and 2015, the economy began to rebound. Vacancy rates in the 2010 census and the 2015 ACS data sets are similar and suggest that the rise in vacant units shown in the Census data between 2000 and 2010 may have been linked with the recession. The similar vacancy rate in the 2010 Census and the 2015 ACS data suggest that the early stages of economic recovery following the recession did not reduce housing vacancy rates and SRO uses.

Housing remained vacant despite the rebounding market. Units used for SRO made up 81 percent of vacant housing overall in the 2015 ACS data. The remaining 19 percent was vacant for more temporary reasons such as recent sale, currently for sale, or unoccupied rental.

The projected vacant housing rate for 2036 should be revised. The statement on the 2036 Housing Unit Forecast Using Employment Security Department Permit Data 1980-2016 (page 51, line 22) is based on incomplete data:

Page 29, line 12, Table 5-15

The population and housing projections suggest that roughly forty-seven percent of forecasted housing units will be vacant in the year 2036.

2036 Housing Unit Forecast Using Employment Security Department Permit Data 1980-2016 (**page 51, line 22**) uses the average number of building permits per year from 1980-2016 to forecast the total number of new housing units by 2036 and then adds the 2016 total housing units to define the total 2036 housing units. This table as well as **Table 5-17** 2036 Housing Unit Forecast and Occupancy and Vacancy Rates (**page 53, line 2**) needs to be updated to account for the fact that the average number of new dwelling units created in the County for every Vacation Rental permit issued per year is going down.

Appendix 5

Page 33, Lines 8-9:

The average rate of growth for vacation rental permits was approximately fifty-one per year over the last twenty years. Although the historical average of the number of new vacation rental permits issued annually has averaged around 51 new permits per year for the past 20 years, the trend in the past 3 years has increased this average by over 30%.

The long-term average provided in the report significantly misrepresents today's reality. Since 2015 the rate at which permits have been granted has increased significantly (30%) over the historical average.

Page 34, line 17:

From 2005-2010, there were on average 5.5 new dwelling units created in the County for every VR permit issued per year. From 2011-2015, there were 2.18 new dwelling units per VR permit per year. Between 2016-2019 there were 1.4 new dwelling units per VR permit per year.

This is a very troubling statistic and we are grateful that this important data has been included in the HNA. We recommend that the Council consider a policy goal calling for an increase in the ratio of dwelling unit permits as compared with vacation rental permits. The increase in vacant housing as a share of the total housing stock projected for 2036 would not be "nearly 5 percentage points" (**page 9, line 4**) if the calculations include the current trend in vacation rental permits as compared with new dwelling units created.

In addition, the vacant unit calculation does not include the projected number of households that will not occupy a housing unit. There were 153 households that did not occupy a housing unit in 2016. See **page 8, line 19:**

According to the Washington State Office of Financial Management (OFM) there were 13,859 housing units in the County in 2016. With 13,859 total housing units and a population of 16,314, there was one housing unit in the County for every 1.17 residents

in 2016. With 7,997 households, and 7,844 occupied housing units, there were 153 households that did not occupy a housing unit.

Page 29, line 34:

Table 5-8. Housing Inventory by Island, 2010: This table shows that the 2010 vacancy rate in Friday Harbor was 4.53% as compared with Lopez at 32.65%, Orcas at 32.53% and unincorporated San Juan Island at 30.30%. The HNA should highlight the fact that this difference in the percentage of vacant units in Friday Harbor as compared to the rest of SJC is due to Friday Harbor's zoning regulations. The Town of Friday Harbor prohibits vacation rentals in residential zones and only allows vacation rentals in commercial zones. (See Friday Harbor Municipal Code Chapter 17.20 SINGLE-FAMILY RESIDENTIAL ZONE [17.20.020](#) Permitted uses and Chapter 17.24 MULTIFAMILY RESIDENTIAL ZONE [17.24.020](#) Permitted uses.)

5.4.4 Vacation Rentals

Page 35, line 13:

A public concern is that housing units that could otherwise house San Juan County residents are being converted to vacation rentals, depleting affordable year-round housing options. While some lower priced properties are permitted as vacation rentals, other market factors may have a greater effect on the shortage of affordable housing. ... Most parcels with vacation rental permits are valued above the affordable home price.

Page 7, line 31:

HUD defines cost-burdened households as families paying over 30 percent of their monthly income for housing.

"Affordable housing" is a relative term. The HNA should be consistent in the use of the term "affordable housing" by specifying a household income category. "Affordable" year-round rental costs are not determined entirely by a property's assessed value. Other market factors affect year-round rental costs, including market demand and what cost the market will bear. However, a property that is purchased as a vacation rental can both increase the cost/amount paid for the property and also dictate rental income expectations. The HNA statement "Most parcels with vacation rental permits are valued above the affordable home price" should be based on data for year-round rental costs as compared with assessed values. This data should be included in the HNA.

Sophia Cassam

From: Alexandra Gayek <gayek07@hotmail.com>
Sent: Tuesday, January 28, 2020 10:25 AM
To: Comp Plan Update
Subject: Comments on housing plan

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am a homeowner in Olga, on Orcas Island. I am experiencing an extreme increase in stormwater across my property as a result of development on properties uphill from me which in every case involved removal of trees, which absorb water, and construction of buildings that cause an increase in directed runoff, in the absence of connection to county stormwater drains.

I have personally experienced the county refusing to enforce the setback ordinance, which then leads to fighting with neighbors about having trees.

I see that there is tax relief for the larger property owners who actively log, but not for property owners who leave trees and other vegetation in place, which would make a positive contribution to the climate change problem.

It seems to me that development pressure to create affordable housing, combined with the constant increase in vacation rentals, chamber of commerce initiatives to increase tourism, increased island populations, increased number of realtors trying to make a living by pushing for more development, all of which add up to the result that "growth is the goal", directly contradict the goal of being the greenest county in the country, and create environmental problems faster than they can be resolved.

I would strenuously urge the county to consider adopting an "island happiness index" similar to that of the country Bhutan, to replace the ways our county seems to join in the national agenda of "economic growth and development at all costs." This would mean a goal of LOWERING the human population, LOWERING tourism, DECREASING the number of vacation rentals, DECREASING development, while INCREASING protection for wilderness, INCREASING interdependence in our communities, focusing on **SUSTAINABILITY, NOT GROWTH.**

The plan should be focused on better use of already developed land, rather than any further wild-land destruction to make way for more human activities--at the eventual demise of the natural beauty of the islands, the earth itself, and those very humans who wanted "more."

Thank you.
Alexandra Gayek
6866 Olga Rd
Olga, WA 98279
360-376-5484

Sophia Cassam

From: Learner Limbach <learner.limbach@gmail.com>
Sent: Tuesday, January 28, 2020 1:15 AM
To: Comp Plan Update
Subject: Comment for Housing Needs Assessment/current Draft Housing Element

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please consider this a public comment on the Housing Needs Assessment/current Draft Housing Element.

I am submitting this comment to ask that the County Council immediately impose a moratorium on the issuance of new Vacation Rental Permits. I would suggest a moratorium of 6-12 months rather than an indefinite moratorium. At the end of that period it will be known whether a continuation of the moratorium is needed.

I believe a 6-12 month moratorium would: 1) ease tensions in the community; 2) boost public morale and restore faith in our county political process by demonstrating that the expressed opinions of our citizens matter; 3) allow for constructive dialogue to take place resulting in broad agreement and the ultimate adoption of new sensible Vacation Rental regulations as a next step for building on what has already been done.

As you know, the issue of VRs has reached a boiling point with many in our community, particularly on Orcas Island. While I do not place blame on any one factor or party, there are legitimate reasons for why people feel the way they do, not the least of which is a need to be heard, seen and respected.

Our community is feeling the impacts of the shortage of affordable housing (either to rent or own), as well as the rising cost of living in the islands relative to wages and a growing economic gulf between those who can afford to live here and those who cannot.

The quality and essence of our community is being eroded and pushed out, traded for short-term economic gains that offer little in the way of true resiliency for our community in the long-term.

I recognize that much has been done already to reign in the number of VRs in the county and enforce compliance with regulations that already exist. The reality is that the measures taken, in many people's view, have been too little, too late. That is the reason we are where we are, and why a moratorium is now needed. It may not be the perfect solution, but for the reasons I stated above, it is the right thing to do.

Sincerely,

Learner Limbach
Orcas Island

Sophia Cassam

From: vacation rentals orcas <vacationrentalsorcass@gmail.com>
Sent: Tuesday, January 28, 2020 2:55 PM
To: Comp Plan Update
Cc: Yonatan Aldort; Lisa Byers; Michael Johnson; joesymons@me.com; jeni@aya.yale.edu
Subject: RE: Housing Element and HNA (public comments)
Attachments: December 18 VR Letter.pdf; VR Work Group HE_HNA_FINAL COMMENTS.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Sophia Cassam & Linda Kuller

Please find attached public comments from the Orcas Island Vacation Rental Working Group re: the December 17, 2019 DRAFT of the Housing Element & HNA.

Please also find attached [our suggested regulatory proposal](#) for addressing vacation rental concerns in San Juan County. While addressing vacation rental policy, we respectfully request that San Juan County impose [an immediate moratorium](#) on all new vacation rental permits.

Our group is happy to provide further information or clarification re: any of the issues raised in this public comment submission.

Sincerely,
Vacation Rental Working Group
www.vacationrentalsorcass.org

Janet Alderton, Yonatan Aldort, Jeni Barcelos, Diane Berreth, Lisa Byers, Andrea Cohen, Toby Cooper, Michael Johnson, Artha Kass, Mark Mayer, Greg Oaksen, Heather Dew Oaksen, Margaret Payne, Donna Gerardi Riordan, Anne-Marie Shanks, Joe Symons, and Lynnette Wood

Comprehensive Plan Public Comments
December 17, 2019 draft of the Housing Needs Assessment & Housing Element

Public Comments: 12/17/19 Housing Element & HNA
From: Orcas Island Vacation Rental Working Group
vacationrentalsorcas.org / vacationrentalsorcas@gmail.com
Submission Date: January 28, 2020

Attn: Sophia Cassam
Attn: Linda Kuller
San Juan County Department of Community Development
935 Rhone Street
Friday Harbor, WA 98250

There is rising public interest in the recent growth of the vacation rental industry throughout our neighborhoods, and concern about their negative cumulative impacts on our quality of life—beyond those impacts specific to our housing market. Please keep these concerns in mind when considering your baseline data and when analyzing data regarding current trends and future growth projections. There is voluminous information available regarding the current rising trend in the vacation rental industry throughout the world, the country, and across our region. **See endnotes (1), (2), (3).**

We have specific concerns with respect to the methodology that San Juan County is using to monitor both the increasing growth in the numbers of vacation rentals, and their known impacts. The vacation rental industry is impacting our housing market all across the spectrum—from low-end to high-end, including the year-round housing market. The growing housing crisis in San Juan County today demands that we not allow short-term vacation rentals to put ANY additional demands on either the long-term rental or affordable housing markets.

Only by using the correct methodology, a correct baseline, and correct data points can such a complex issue be clearly defined and productively addressed by the County. There is insufficient VR data to make thoughtful decisions.

There is an obvious need for a moratorium on new vacation rental permits until the county is able to correct all of the known incorrect information, properly review the data within the HNA and Housing Element draft, and implement new meaningful regulations.

It is within this context that we present our findings to you today. Thank you for reviewing our comments.

Topic: Public Comment Timeline & Process

Goal 9

Page 17, line 40:

5.7.C VACATION RENTALS included as a placeholder to be completed after a public policy discussion.

Comment: It appears premature to provide public comment opportunities on an incomplete draft update to the Housing Element. Please provide details on the “public policy discussion.” What public

comment or public engagement opportunities will be provided for the future Goal 9. Section 5.7.C VACATION RENTALS? After this public policy discussion, will the public have an opportunity to impact how the outcomes of the discussion factor into the Housing Element?

Topic: Rate of Growth of Vacation Rentals

Section B, Element 5

Page 11, Lines 13-14 The average rate of growth for vacation rental permits was approximately 51 per year over the last 20 years.

Appendix 5

Page 33, Lines 8-9 The average rate of growth for vacation rental permits was approximately fifty-one per year over the last twenty years. Although the historical average of the number of new vacation rental permits issued annually has averaged around 51 new permits per year for the past 20 years, the trend in the past 3 years has increased this average by over 30%.

Comment: The long-term average provided in the report significantly misrepresents today's reality. Since 2015 the rate at which permits have been granted has increased significantly (30%) over the historical average.

Proposed Alternative Language:

Section B, Element 5

Page 11, Lines 13-14 Although the historical average of the number of new vacation rental permits issued annually has averaged around 51 new permits per year for the past 20 years, the increased trend in the past 3 years has increased this average by over 30%.

Topic: VRs as Total Percentage of Housing Stock

Section B, Element 5

Page 11, Lines 14-15 ...vacation rental permitted dwellings only made up seven percent of the total housing stock in 2015 (see Figure 5-15 in the HNA, Appendix A.5) ...

Appendix 5

Page 5, Line 38-39 The number of vacation rentals... made up 7 percent of the total housing stock in 2015.

Page 32, Line 30-Page 33, Line 1

VR permitted dwellings only made up 7 percent of the total housing stock in 2015

Page 34, Line 6 Seven percent of County housing stock is composed of vacation rental (VR) units...

Page 37, Lines 17-18 The number of vacation rentals in the County has steadily increased since the year 2000, making up 7 percent of the total housing stock in 2015.

Comment 1: The 7% figure is incorrect because it was based on 2015 data (meaning information that has been compiled up through 2014). There have been approximately 60+ vacation rental

permits issued yearly since then, (in the last 5-6 years), for a total of 300+/-permits that are not being calculated into this metric.

Comment 2: Using a metric that includes all the housing stock in the county creates a skewed version of reality. Clearly this baseline data-point should be refigured excluding the outer islands, Shaw, Friday Harbor, and other areas which prohibit vacation rentals. The HNA's finding that 7% of SFRs are VRs is misleading—understating VR penetration by almost half. There are 7,828 SFRs on Orcas, San Juan, and Lopez. 1,038 VRPs among 7,828 SFRs reveals a county-wide average of 13%, or 1 VR per 7.7 SFRs. **See endnote (4).**

Proposed Alternative Language:

Section B, Element 5

Page 11, Lines 14-15 During the last few years, the growth rate for vacation rentals has been 30% or more higher than historical averages. If this increased rate stabilizes at 30% over historical averages, the number of vacation rentals will double in approximately 8 years.

Appendix 5

Page 5, Line 38-39 VR permitted dwellings as percent of total housing stock varies significantly by island and by neighborhood. By island, the percentages are currently about 15% on Orcas, 10% on San Juan (including Friday Harbor), and 9% on Lopez. But even these "island wide" averages obscure the fact that VRs are often concentrated in certain areas or neighborhoods. For example, VRs already represent about 20% of the housing stock in the Deer Harbor Hamlet.

Page 32, Line 30 through Page 33, Line 1 VR permitted dwellings as a percentage of the total housing stock varies significantly by island and by neighborhood, with average densities on the three most impacted islands of Lopez, San Juan Island and Orcas ranging from 9 to 15% but reaching 20% or more in some neighborhoods.

Page 34, Line 6 Same as above.

Page 37, Lines 17-18 The number of vacation rentals in the County has steadily increased since the year 2000, and the rate of increase has risen substantially in the last few years (up 30% or more over the historical average).

Topic: VRs as Compared to New Dwelling Units

Appendix 5

Page 5, Lines 40-43 From 2005-2010, there were 5.5 new dwelling units created in the County for every vacation rental permit issued per year. From 2011-2016, there were only 2.18 new dwelling units per vacation rental permit. The decline in new construction appears to have more influence on housing supply and availability than vacation rentals.

Page 34, Lines 8-11 Vacation rental units have maintained a steady and modest growth over the past 10 years. At the same time, the number of new dwelling unit permits has seen a steady decline (Figure 5-18). This means that although there has not been a large jump in the total number of VR units over time, VR units are becoming a larger and larger proportion of housing stock.

Page 34, Lines 20-22 The trend of declining housing building permits appears to be a greater issue than the trend of increasing vacation rentals.

Comment: The report contains no data on which to substantiate the claim that "the decline in new construction appears to have more influence on housing supply and availability than vacation

rentals” or that “declining housing building permits appears to be a greater issue than the trend of increasing vacation rentals.”

Proposed Alternative Language:

Appendix 5

Page 5, Lines 40-43 Delete the sentence: “~~The decline in new construction appears to have more influence on housing supply and availability than vacation rentals.~~”

Page 34, Lines 8-11 Vacation rental units have maintained a steady and modest growth until recently, when the rate at which permits have been issued increased by 30% over the historical average. At the same time, the number of new dwelling unit permits has seen a steady decline (Figure 5-18), resulting in VR units becoming a larger and larger proportion of the housing stock.

Page 34, Lines 20-22 Delete the sentence: “~~The trend of declining housing building permits appears to be a greater issue than the trend of increasing vacation rentals.~~”

Topic: Future Trends

Appendix 5

Page 5, Lines 45-47 Current trends predict 1,500-2,000 permitted vacation rentals in San Juan County by 2036. The vacation rental share of total housing can be expected to be between eight and eleven percent given permit trends.

Page 33, Lines 9-14 If that trend continues, by the year 2036 600 to 1,000 new vacation rental units might be added to the current stock of approximately 1,000 permitted vacation rentals. Given that trend, by the year 2036 between 1,500 and 2,000 homes could be vacation rentals. The County forecasts that there will be 18,059 homes here by 2036. If both forecasts hold true, between eight and eleven percent of the housing stock might be used for vacation rentals in the year 2036.

Comment: While the vacation rental industry has maintained a steady and modest growth for more than a decade, in recent years the trend has seen an increase of up to 30% or more higher than the historical average.

Proposed Alternative Language:

The average rate of growth for vacation rental permits has historically been 51 per year over the last 20 years. The County forecasts that there will be 18,059 homes here by 2036. The more recent trend, however, tells a different story. We’re seeing an increase of up to 30% or more higher than this historical average. If this trend maintains or continues to increase, the number of vacation rentals will increase at a faster pace, and also to a higher number than the current analysis predicts. This growth will continue to increase the percentage of vacation rentals relative to the housing stock in San Juan County. If this growth will primarily take place on Orcas, San Juan, and Lopez Islands, it will only exacerbate the existing housing crisis in our community.

Supporting statements from the HNA—Vacant Home Growth

"An increase in the proportion of vacant housing units, particularly SRO units, in the housing stock will exacerbate the problem of availability."

"Home vacancy and SRO use rates impact housing unit availability because such units are effectively removed from the pool of available housing stock."

"Coupled with an extremely low vacancy rate, even the loss of one rental housing unit can lead to an entire family relocating off island."

(1) Seattle Times (Katherine Kashinova Long) 7/13/19
Belltown condo building is a hive of Airbnb guests

https://www.seattletimes.com/business/real-estate/this-belltown-condo-building-is-a-hive-of-airbnb-guests/?utm_source=marketingcloud&utm_medium=email&utm_campaign=Morning+Brief+7-15-19+7+15+2019&utm_term=

(2) Property Management—Vacation Rental Industry Statistics: A curated resource for journalists & consumers on the latest data and insights behind Airbnb's rapid growth.
Last updated: December 2019

<https://ipropertymanagement.com/research/vacation-rental-industry-statistics>

(3) Business Insider

This chart shows exactly how insane Airbnb's growth has been over the past 5 years

<https://www.businessinsider.com/airbnbs-summer-reach-has-grown-by-353-times-in-5-years-2015-9>

(4) SFRs per island are determined as follows:

\$42K was determined to be the minimum value for a habitable SFR.

Results: **Lopez** 1,479; **San Juan** 3,538; **Orcas** 2,811; **total** = 7,828

December 18, 2019

Vacation Rental Work Group
Yonatan Aldort, Chair
Lisa Byers, Vice Chair

Jamie Stephens
Rick Hughes
Bill Watson
San Juan County Council
350 Court Street, #1
Friday Harbor, WA 98250

Dear Councilmen Stephens, Hughes and Watson:

We, the Vacation Rental Work Group Steering Committee, write to provide you with recommendations for regulations that we believe would significantly reduce the negative impacts arising from the proliferation of vacation rentals in San Juan County, and to ask you to take immediate action.

We will not use this letter to enumerate the concerns we have raised with each of you about how the proliferation of vacation rentals is harming the islands and our community. Our findings from research and community meetings are posted on www.vacationrentalsorcas.org.

The following recommendations evolved out of three public meetings on Orcas, attended by more than 200 islanders, from research we have conducted on the impacts of unrestricted growth of vacation rentals on small communities, and from study of regulations enacted by other jurisdictions that have effectively limited these impacts. This letter, delivered by e-mail, includes hyper-links to examples of regulations enacted by other jurisdictions.

- 1. Convert from the current land-use permit system to a business license, renewed annually.**
 - a. Advantages:
 1. New source of revenue to the County (it is our understanding that enacting such a system would result in all businesses being licensed by the county).
 2. Eliminate the need for the Community Development staff to write reports and the Hearing Examiner to review permit applications.
 3. Reduce speculation on the transfer of properties that hold permits.
 4. Allow for attrition of permits when properties are sold (based on a system of phasing out existing permits upon sale of property).
 - b. Examples:
 1. [Manzanita, OR](#)
 2. [Golden, CO](#)
 3. [Crested Butte, CO](#)

2. **Distinguish between Home Shares (owner in residence with one room for rent under the same roof) and Vacation Rentals (whole house). Home Shares would be subject to a separate cap.**
 - a. Advantages:
 1. Supports people who need additional income to stay on island.
 2. Residents who share their homes serve as ambassadors for visitors, limiting the potential for negative impacts on neighbors.
 - b. Examples:
 1. [Santa Monica, CA](#)
 2. [Golden, CO](#)
 3. [Crested Butte, CO](#)

3. **Place a cap on the total number of VR permits allowed in the county.** Start by setting the limit at the level of total permits that are *compliant and active* on 3/13/2020 (the two-year anniversary of the implementation date for the last revision to VR permits). Also set caps for UGA's, LAMIRD's, and possibly neighborhoods or census tracts.
 - a. Advantages:
 1. Assures that vacation rentals will not become a dominant use of residential properties.
 2. Limits the scale and rate of change.
 3. If implemented at a neighborhood scale, enables neighborhoods to re-gain a predominance of homes that are occupied year-round.
 - b. Examples:
 1. [Manzanita, OR](#)
 2. [Austin, TX](#)
 3. [St. Augustine Beach, FL](#)

4. **Limit the location of future vacation rentals based on distance from one another.** For example, no VR may be located within 1,500 feet of the property line of a parcel with an existing VR.
 - a. Advantages:
 1. Enables neighborhoods to retain a majority of residences as owner-occupied or year-round rentals.
 2. Reduces the drain on community resources that results from the concentration of VR's in close proximity.
 3. Ensures/Protects a sense of rural community, in which people know who is living nearby.

- b. Examples:
 - 1. [Santa Monica, CA](#)
 - 2. [Austin, TX](#)
 - 3. [San Antonio, TX](#)

- 5. **Align the occupancy allowed for Vacation Rentals with that for B & B Residences, and include sign-off by homeowners' associations, water-user associations, and road associations on application.**
 - a. Advantages:
 - 1. Prevents VR's from occupancy that is in excess of allowed septic-system design.
 - 2. Levels the playing field between VR's and B & B's.
 - 3. Reduces the chance that the county will issue a VR permit for a property where private CC&R's prohibit that use.

- 6. **Revoke Permits upon Violations (3-strikes rule)** – Owners who operate without a license, or who fail to address two or more neighborhood complaints in a timely manner pay a fine, and, after three violations, lose their license. They are not allowed to re-apply for another license for three years.
 - a. Advantages:
 - 1. Removes bad actors, which in turn reduces the negative impacts of VR's.
 - 2. Levels the playing field.
 - 3. When paired with the business licenses (instead of land-use permits), reduces the County's costs for dealing with violators, since revoking a business license is not as cumbersome as revoking a land-use permit.
 - b. Examples:
 - 1. [Sonoma County, CA](#)
 - 2. [Palm Springs, CA \(see hotline info\)](#)
 - 3. [Savannah, GA](#)

- 7. **Publish list of local contacts for each VR permit**
 - a. Advantages:
 - 1. Increases transparency and allows for neighbors to present concerns directly to the appropriate party.
 - 2. May reduce the frequency of neighbors relying on the sheriff to address concerns.
 - b. Example:
 - 1. [Palm Springs, GA good neighbor brochure & hotline](#)

8. **Require each VR to have a water meter and to provide data to county on usage.**
 - a. Advantages:
 1. Provides data for our collective effort to better steward a limited water supply.
 - b. Examples:
 1. [Fremont County, ID](#)

Recognizing that the Council and county staff have many demands on their time, we stand ready to help. We would be pleased to participate in a work session to provide information on sample regulations from other communities, or to otherwise collaborate with the county in order to address this issue as swiftly as possible.

Finally, we ask that you immediately place a moratorium on new vacation-rental permits. As of the date of this letter, 1,853 people have signed the petition on [change.org](#) in support of an immediate moratorium. We believe this move is necessary to prevent the proliferation of vacation rentals while the county considers revising its regulatory structure.

Thank you for your consideration.

Sincerely,

Yonatan Aldort
yonatanaldort@gmail.com

Lisa Byers
lisabyers50@gmail.com

Jennifer Barcelos
jeni@aya.yale.edu

Diane Berreth

Toby Cooper

Michael Johnson

Artha Kass

Mark Mayer

Greg Oaksen

Heather Dew Oaksen

Margaret Payne

Anne Marie Shanks

Roy Stanton

Joe Symons

Lynnette Wood

Copy: Mike Thomas
Sue Kollet

Submitted to San Juan County Council January 25, 2020
From the Eastsound Planning and Review Committee

Context for Recommendations

At the County Council's November 5 discussion of vacation rental policies, Council Members asked for proposed changes to the current regulations. The EPRC has solicited community input over its past several meetings, and propose the following amendments to the existing regulations as they apply to the Eastsound subarea and UGA.

We appreciate the work the County Staff did in updating the Vacation Rental Regulations that were ultimately adopted in 2018, the ongoing crackdown on illegal vacation rentals, the verification of status, removal of 50 permits, the on-line anonymous complaint site, and the addition of full-time staff focused on compliance.

The latest regulations, although helpful, were not designed to address the proliferation of vacation rentals in numbers that we and Eastsound residents view as negatively affecting Eastsound. Residents have complained about loud parties and events where renting guests have invited large numbers of non-renting guests that cause noise and parking problems. EPRC and local residents have witnessed more long-term residences in Village Commercial converted to vacation rentals. We have witnessed how new speculative, multi-unit residential construction in the downtown area has been immediately converted to a high ratio of vacation rentals to long term residences at a time when the availability of much-needed long-term residential units is dwindling and when available built spaces for commercial uses in Eastsound is low.

Recommendations for Eastsound Subarea Vacation Rentals

- We suggest two tiers of Vacation Rentals.
- The first tier would be called a "Homestay" or "Homeshare". Homestay or Homeshare rentals would be defined as where the actual property owner (not a representative or relative) lives on site and would be allowed outright on a residential property.
- The second tier is a VR permit where the owner does not live on the property and would be granted only if less than 7% active vacation rentals (of both tiers) are currently permitted in that land use designation. Non-homestay vacation rental permits would be denied in land use designations where the current total vacation rental percentage is higher than the 7% limit. This will prevent vacation rentals from becoming a dominant use and characteristic in any neighborhood/land use designation.
 2. New construction, including houses barged in, should not be made eligible for a vacation rental permit for ten (10) years after the building permit is issued. This will prevent speculative building aimed at the vacation rental market and makes new residential construction serve the year around population for several years before being converted to vacation rentals.
 3. Allow only one vacation rental per residential parcel. For ADUs built before 2007, permit a vacation rental in the main residence or the ADU, but not both. Continue to disallow ADUs built after 2007 to be vacation rentals, allow only the primary residence.
 4. Require VR permits in all land use districts, including Village Commercial and Marina. Require commercial properties with short term rentals to apply for and be regulated by the same vacation rental regulations as non-commercial land

use designations unless they are regulated as resorts, B&Bs or hotels.

5. Disallow non-San Juan County residents from operating more than one vacation rental. This is to accommodate someone who is renting out an island property with the intention of retiring here or to keep it as their vacation home. Two or more properties are obviously being used as investment properties by remote landlords.

6. All vacation rental permits should expire upon the sale of the property. An exception would be for direct family heirs where no money was paid for the transfer of the property or where the property goes into a family trust or an LLC provided the vacation rental permit is in good standing and continued use complies with all applicable Vacation Rental regulations and annual renewal requirements.

7. Reserve ground floor units in Eastsound Village Commercial for commercial or long term residential uses, allowing vacation rental units only on the second floor or above. This promotes mixed-use buildings that continue to serve commercial and long term residential needs year around.

8. Request that Staff develop a system for evaluating whether a permit should be revoked or renewed based on verified infractions of vacation rental regulations such as police reports, failed inspections, etc., not just unverified complaints.

9. Disallow house parties/events (reunions-weddings) at non-commercial properties. Allow only the permitted number of renting guests and the renting guests' cars on residential properties. Allow events with non-staying guests at commercial properties provided that they meet all of the other guidelines applicable to all vacation rentals regarding parking, noise, etc.

10. In the Vacation Rental permit application and regulations, specifically exclude; spaces for open air camping, tents, trailers, camper vans, RVs, sheds, teepees and any other rented sleeping enclosures unless they have been issued an occupancy permit as habitable space from the county. Such facilities not permitted as habitable space should be classified as resort/commercial campground/outdoor recreational facilities if they are allowed in their land use designation and be prohibited where not allowed. Where they are allowed, there must be proof of adequate septic/sewer capacity to meet all guests' and residents' needs on the parcel.

Linda Ann Kuller

From: Sandy Bishop <lclt@rockisland.com>
Sent: Friday, January 31, 2020 2:10 PM
To: Jamie Stephens; Rick Hughes; Bill Watson
Cc: Ryan Page; Linda Ann Kuller; Mike Thomas
Subject: Listened to Housing Element tape

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Rick, Bill and Jamie -

I listened to the hearing from 1/27/20 on the Housing Element. I got confused starting at about 2:18 on the recording which refers to the Goal: *Increase number of resale restricted housing units*. Perhaps I have misunderstood the nature of your comments so wanted to reach out. Rick mentions rentals and then wonders if this suggested Goal is based on "the community land trust model where you can't make a profit when you are selling". Given you all were present I won't go into the details of the conversation but I don't understand that this Goal is about rental or ownership or non-profit or for-profit or community land trust or other models. The point of the Goal, as I understand it, is to call attention to a specific action which supports the overall Housing Policy. It is a stand alone goal because it promotes fiscal conservatism and if pursued would give rise to an increased stock of housing that would be available for generations to come. Investing once in housing and allowing it to work for many generations has merit. It creates a stock of housing without constantly drawing on public funds for replenishment. It is a wise investment. Other goals call out homelessness, seniors, rentals, energy, etc. These goals do not diminish the Plan in any way. Likewise, this goal does not decrease flexibility or cause the Plan to be diminished. It simply calls out that it is a wise investment and has merit. The question was asked, "don't we just want to create more affordable housing", and another comment saying that this Goal "is changing the Housing Policy all together". These comments caused me to wonder why this one goal would have such a dramatic effect and I wonder what I am missing.

I hope this goal doesn't get diluted or tossed.

As always thanks for work and service - sending my appreciation and hope to understand your concerns better.. Sandy

Sandy Bishop
Lopez Community Land Trust
Executive Director
PO Box 25
Lopez Island WA 98261
360.468.3723 (P)
www.lopezclt.org

January 28, 2020 (1)

S.J.C. DEPARTMENT OF
FEB 03 2020
COMMUNITY DEVELOPMENT

Housing Needs Assessment

from Marlia Starwater Dunmore
P.O. Box 249, Olga, WA 90279
360) 376-2420

Comments RE: Housing Element and
HNA

5.7 HOUSING GOALS and POLICIES

page 14 - Line 26 SEE PAGE (3) for LINES 19, 24 on pg. 14

Modify policies - zoning, permit requirements, costs, etc.

pg. 14 - Lines 28 + 29 ^{add} on properties where food is grown, commercial agriculture is conducted, and those properties in agricultural open space tax programs.

Line 30 - ADD

6. Severely monitor vacation rentals. Encourage and/or MANDATE year-round rentals. Reduce ^{AND LIMIT} ~~number~~ of rentals available only on a SHORT-TERM BASIS ~ overnight to one or two months. IF/When community members ^{request} request

MODERATION on PERMITS issued, these county citizens should be honored, especially those affected by negativity in their neighbor hoods. - Noise level, disturbance by ^{large} numbers of people, garbage, litter, pets, ETC. + parking availability, for examples -

Pg 14, line 36 (to start...)
(Concerning the elderly...)

Nursing facilities AND MAKE CHANGES/modifications
as needed (zoning, etc.) to enable "housing" (specialised
or not) to be built or have ^{existing} STRUCTURES safely
modified. Owner/builder should be ~~approved~~ ^{AND EXPERIMENTAL HOMES ALLOWED} instituted (again) in order to expand the housing - safe and
affordable - available in the county. (Permit staff may need
to be expanded.)

14 "Line 40" ~ ADP:

Another population that needs special attention are the WORKERS. Some come just in the summer months. Housing is desperately needed for these food service staff, carpenters, etc. WHO KEEP the economy of the islands (country) healthy.

Recruitment of volunteers is how the cold weather shelter works. NOTE: These will probably need MONITORING - VOLUNTEERS

They need housing. Needs THEY. ADP: 'S... (2) ...

14 line 42 - Add:

Services for those who are homeless (should be) funded by, or encouraged by, the county in coordination with each island's needs. Several sources to help define those needs are: churches, social service agencies (or similar services) LOCAL Resource Centers ~~for~~ ^{Community Foundation + similar orgs. 3rd party Non-profits.} ~~for~~ ^{for} well-being, the presently homeless need access to showers, laundry facilities, etc.

AND free transportation when hitch-hiking is not feasible. The existing services by SENIOR CENTERS, ~~Direct door~~ ^{on & out etc.} a dirty person - body + poor clothing - is NOT apt to get a job to earn some money to eat, etc. (and eventually pay rent)

also for those who have important belongings - SAFE, accessible STORAGE is needed. (Tools have been stolen, reducing

Page 14 line 19 ADD  SHOULD BE ON PAGE ONE

Employees such as food service workers and care givers are needed on Orcas Island, in particular, because in 2020 more than half of the population is 60 (or 65?) or older. Especially if ELDERLY ~~people~~ are to remain in their present environment, they may need care to keep their home clean and safe, to take care of their hygienic needs, etc. (a.d.l. ~ activities of daily living is "professional" term)

page 14 line 24

... Support development of realistic specific standards ...

Line 26

Modify, as necessary, ~~existing~~ guidelines for housing farm/garden help on the property where they are working.

This is touched on in LINE 24, maybe that's sufficient.

PAGE 15 line 4 ~ Appoint staff or form a working committee to identify renters or home owners, especially among the elderly who may have lost a spouse, had children move out, etc. so there is space in their home for another person or persons. [BIG HOUSE, one person...]

Enable rental of a bedroom, shared bath and kitchen facilities, and sometimes "livingroom" space.

Space in these homes could reduce homelessness and be a source of physical help for the elderly "owner" If BARTEE were decided upon instead of RENT. →

Housing Element and HNA -

(4)

Marlia
Starwater
Dunsmuir
98279-0249

Page 15 Line 8 - Goal 3.

Line 9 POLICIES

Lines 10-22 of various importance - but "YES!"
Z

~~Revised notes~~ -

on pg. 15 - the

please edit - but include: Line 22 -

Don't forget "Substandard" units probably provide a significant number of rentals (etc.) which are preventing homelessness.

I'm sure there are standards that the County wishes to uphold, but there is an amount of REALISM and view of the (WATER) BIGGER PICTURE. (what may be called)

Hopefully ~~it~~ "reducing the number of substandard units" just means upgrading them (+ not ~~charging~~ CHARGING the owner unless they request improvements.) then it could be for the renter

be win-win. Otherwise the county may be adding to the homeless population by removing SUBSTANDARD RESIDENCES from the few resources for NON-HOME OWNERS.

After finally writing some of the improvements I would like to see in our "Comp plan" and San Juan County's "behavior", I have some comments that don't belong in HOUSING ELEMENT and HNA.

The 1st is - Sophia CASSAM has been VERY helpful, polite, kind, responsive, ETC. to me! I hope she is being treated with the respect and high regard I have for her work! Also any parks that are available I believe should go her way.

The 2nd.

On Haven Rd. in Eastsound (98245) there is a monstrosity of several (7, I believe) buildings. They are 3 stories high. They are expensive. They have a sidewalk (probably the county was happy to have one of its goals fulfilled), ~~I believe the sidewalk was~~

It seems any earth-shaking (maybe a QUAKE isn't necessary) will bring pounds of rock from the side of the road (EAST, I believe) down to "cover" the walkway.

As a retired caregiver I was horrified at what I remember as the explanation for the 3 stories. (Probably the builder got "bonus points" (reduced costs?) for SAYING that one of the 3 floors was housing for a CARE GIVER.) If it were the TOP floor, good.

I heard the owners used the TOP two floors as their living space, which is TOTALLY ridiculous if they are elderly + need help + may have physical issues which ~~limit~~ their mobility.

I have other ^{LIMIT} things to say about this deal... but the builder ~~should have~~ ^{should have} ~~paid~~ ^{paid} ~~more~~ ^{more} ~~money~~ ^{money} ~~from~~ ^{from} ~~property~~ ^{property} ~~...~~ ^{...}

Sincerely,
Anita Island, et al.

Sophia Cassam

From: Sharon Abreu <sharmuse@gmail.com>
Sent: Tuesday, February 4, 2020 3:17 PM
To: Comp Plan Update; San Juan County Council
Cc: vacationrentalsorcas@gmail.com
Subject: My comments regarding the vacation rental situation on Orcas Island

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear San Juan County Council and Comp Plan Committee Members,

I am submitting here my comments with regard to the vacation rental situation on Orcas:

I am an 18-year resident of Orcas Island, and very fortunate to live in a house owned by my partner. However, for most of my adult life before moving to Orcas, I was a renter, and had never owned a home.

Several years back, the Vusario homeowners' association (VMA) voted to NOT allow vacation rentals of less than a month at a time on our hill. We were concerned about the safety of the people who live here and what having a constant stream of strangers would do to our neighborhood, in addition to the liability issues around having people on vacation and possibly drinking or taking drugs during that time in our neighborhood and on our road.

It is a problem for us that the county doesn't consider HOA restrictions, nor does it include HOA restrictions on the information available to the public about who is currently doing vacation rentals.

People living on Orcas often don't make much money. We know that. We need decent rental housing for all those residents who can't afford to buy a home. Living on Orcas shouldn't be about making a lot of money off a house you own. It should be about supporting the health of our community and those who want to live here and work here.

I have seen some of the places people have rented on Orcas, and some of those are not fit for living in. People need decent, healthy (not moldy) places to live and that should be our priority. We will continue to get plenty of tourists. But making money from them off our homes (or second or third homes) should not be a priority. It's unethical, and it's damaging to our local community.

I believe that a moratorium would be a valuable first step in this process.

Thank you for your consideration of my comments.

Sincerely,

Sharon Abreu
1313 Vusario Lane, POB 969
Eastsound, WA 98245
(360) 376-5773